

**1 ADVISORY NOTES****1.1 Terminology**

1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.

1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 109C of the Environmental Planning and Assessment Act 1979.

**1.2 Scope of Consent**

1.2.1 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

**1.3 Other Approvals**

1.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.

1.3.2 The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary activity not approved by this consent, including:

(a) any signage including pylon signs or wall signs.

1.3.3 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.

**1.4 Services**

1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Integral Energy
- (c) Natural Gas Company
- (d) The relevant local telecommunications carrier

regarding any requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

All approved building construction plans attached to the Construction Certificate

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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RON MOORE  
**GENERAL MANAGER**

Per \_\_\_\_\_  
Blacktown City Council

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should be submitted to and stamped by a Sydney Water Corporation Limited Customer Centre or a Sydney Water Quick Check Agent as an indication that the proposal complies with the Sydney Water requirements. Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

- 1.4.2 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (this is the law in NSW).

If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

- 1.4.3 Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number: 1800 810 443.

## 1.5 Other Matters.

- 1.5.1 The land which is the subject of this Development Consent is subject to the provisions of the Interchange Park Planning Agreement. The Applicant is reminded of the obligations under the Development Agreement with regard to the delivery of certain services and infrastructure to Council's satisfaction as part of the development. In this regard, all works approved by this consent shall be carried out in accordance with the requirements of the Interchange Park Planning Agreement.
- 1.5.2 All works/regulatory signposting associated with the proposed development are to be at no cost to RMS.
- 1.5.3 The developer shall be responsible for all public utility adjustment /relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.

## 2 GENERAL

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## 2.1 Scope of Consent

- 2.1.1 This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:

Drawing No.	Dated	Council's File Enclosure No.
Precinct A Masterplan Drawing No. 4140_DA001 Issue A	18/1/2013	1B (File JRPP-13-71-A)
Staging Plan Drawing No. 4140-DA-003 Issue A	18/1/2013	1D (File JRPP-13-71-A)
Overall Ground Plan Drawing No. 4140-SK050	19/2/2013	29A (File JRPP-13-71)
Ground Floor Plan Sheet 1 Drawing No. 4140-DA-011 Issue A	18/1/2013	1F (File JRPP-13-71-A)
Ground Floor Plan Sheet 2 Drawing No. 4140-DA-012 Issue A	18/1/2013	1G (File JRPP-13-71-A)
Roof Plan Sheet 1 Drawing No. 4140-DA-013 Issue A	18/1/2013	1H (File JRPP-13-71-A)
Roof Plan Sheet 2 Drawing No. 4140-DA-014 Issue A	18/1/2013	1I (File JRPP-13-71-A)
Office Floor Plans Drawing No. 4140-DA-015 Issue A	18/1/2013	1J (File JRPP-13-71-A)
Building Elevations Drawing No. 4140-DA-021 Issue A	18/1/2013	1K (File JRPP-13-71-A)
Building Elevations Drawing No. 4140-DA-022 Issue A	18/1/2013	1L (File JRPP-13-71-A)
Building Elevations Drawing No. 4140-DA-023 Issue A	18/1/2013	1M (File JRPP-13-71-A)
Building Sections Drawing No. 4140-DA-031 Issue A	18/1/2013	1N (File JRPP-13-71-A)
Coloured Elevations Drawing No. 4140-DA-041 Issue A	18/1/2013	1O (File JRPP-13-71-A)
Coloured Elevations Drawing No. 4140-DA-042 Issue A	18/1/2013	1P (File JRPP-13-71-A)
Coloured Elevations Drawing No. 4140-DA-043 Issue A	18/1/2013	1Q (File JRPP-13-71-A)
Perspectives Drawing No. 4140-DA-051 issue A	18/1/2013	1R (File JRPP-13-71-A)
Landscape Plan – Key Plan Stage 1 Drawing No. 3214.LA.01A Issue B	January 2013	1PP (File JRPP-13-71-B)

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Landscape Plan – Key Plan Stage 2 Drawing No. 3214.LA.01B Issue B	January 2013	1QQ (File JRPP-13-71-B)
Plant Schedules Drawing No. 3214.LA.01C Issue B	January 2013	1RR (File JRPP-13-71-B)
Landscape Plan Sheet 1 of 4 Drawing No. 3124.LA.02 Issue B	January 2013	1SS (File JRPP-13-71-B)
Landscape Plan Sheet 2 of 4 Drawing No. 3124.LA.03 Issue B	January 2013	1TT (File JRPP-13-71-B)
Landscape Plan Sheet 3 of 4 Drawing No. 3124.LA.04 Issue B	January 2013	1UU (File JRPP-13-71-B)
Landscape Plan Sheet 4 of 4 Drawing No. 3124.LA.05 Issue B	January 2013	1VV (File JRPP-13-71-B)
Landscape Details Drawing No. 3214.LA.06 Issue B	January 2013	1WW (File JRPP-13-71-B)
Landscape Specification Drawing No. 3214.LA.07 Issue B	January 2013	1XX (File JRPP-13-71-B)

## 2.2 Services

- 2.2.1 Low voltage electricity and telecommunications services for the approved development shall be reticulated underground.

## 2.3 Engineering Matters

### 2.3.1 Definitions

- 2.3.1.1 Where this consent requires both engineering and building works to be undertaken, a separate Construction Certificate may be issued for each category of works i.e. a separate construction Certificate for the Engineering works nominated in "Prior to Construction Certificate (Engineering)" and a separate Construction Certificate (for all building works relating to the erection and fit-out of a structure). This excludes all works on existing public roads significant enough to warrant separate engineering approval pursuant to the Road Act 1993. In relation to this consent, an engineering approval pursuant to the Road Act, 1993 or Section 68 of the Local Government Act must be issued for *construction of kerb inlet pits (x2) and stormwater pipes* - due to the proposed vehicular crossings, prior to the issue of the Construction Certificate.

In lieu of issuing a separate Construction Certificate, the above-mentioned engineering works can be included on an overall Construction Certificate provided that SPECIFIC REFERENCE is made to the relevant Engineering works. In such

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instances, the certifier shall provide evidence that they are accredited to do so. This is not applicable where Roads Act or Local Government Act Approvals are required.

Council does not permit the private certification of works on existing public roads or reserves, or any land under the care and control of Council. In this regard Council will not accept a Construction or Compliance Certificate from a Private Certifier for any works on Interchange Drive.

2.3.1.2 Any Construction Certificate issued in relation to this consent shall incorporate and address the design of those works required by Scope of Engineering Works and other sections of this consent which do not require separate Roads Act 1993 or Local Government Act 1993 approval and any ancillary works necessary to make the construction effective. All works on existing public roads require separate engineering approval pursuant to the Roads Act 1993.

2.3.1.3 The Construction Certificate for Engineering works may be issued by Council or by an appropriately qualified certifier. For Council to issue the Construction Certificate a separate application must be made on the prescribed form complete with detailed plans and specifications. You are further advised that Council does not permit the private certification of works on existing public roads or reserves Council property or any property under the care and control of Council. In this regard Council will not accept a Construction or Compliance Certificate from a Private Certifier for any works on Interchange Drive.

## **2.3.2 Design and Works Specification**

2.3.2.1 All engineering works required by Scope of Engineering Works and other sections of this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

- (a) Blacktown City Council's Works Specification - Civil (Current Version)
- (b) Blacktown City Council's Engineering Guide for Development (Current Version)
- (c) Blacktown City Council Development Control Plan (Current Version)
- (d) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version)
- (e) Blacktown City Council Water Sensitive Urban Design and Integrated Water Cycle Management DCP Part R.
- (f) Stormwater Biofiltration Systems. Adoption guidelines. Planning, design and implementation. Version 1 June 2009. Facility for Advancing Water Biofiltration.

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Design plans, calculations and other supporting documentations prepared in accordance with the above requirements MUST be submitted to Council with any application for Construction Certificate, Road Act 1993 or Local Government Act 1993 Approval.

Any Construction Certificates issued by Private Certifiers must also be accompanied by the above documentations.

NOTE: Any variations from these design requirements must be separately approved by Council.

### 2.3.3 Payment of Engineering Fees

- 2.3.3.1 If it is the applicant's intention to engage Council to undertake the checking of the engineering design plans and the issue of the Construction Certificate for the engineering works nominated in the "Prior to Construction Certificate (Engineering)" section, it will be necessary to submit the relevant engineering plans to obtain a quote for this service.

A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.

- 2.3.3.2 If it is the applicant's intention to engage Council to undertake Construction inspections and the issue of the Compliance Certificate for engineering works, it will be necessary to contact Council's Development Services Engineer for a quote.

A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.

- 2.3.3.3 Fees are required to be paid to Council's Development Services Unit pursuant to Section 223 of the Roads Act 1993 for;

- (a) The checking of engineering drawings for *construction of the stormwater lines & kerb inlet pits* and the issue of an Engineering Approval pursuant to the Roads Act 1993.
- (b) All construction inspections for the works approved by (a) above. The required fee will be determined upon submission of the relevant plans to Council. This fee is subject to periodic review and may vary at the actual time of payment.

### 2.3.4 Other Fee and Bond/Securities

- 2.3.4.1 The payment of the following fee to Council's Maintenance Section pursuant to Sections 608 and 609 of the Local Government Act 1993. The fee is subject to periodic review and may vary at actual time of payment.

- (a) Vehicular Crossing Application and Inspection Fee: **\$130- per crossing**

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NOTE: Council may grant a reduction in the above fee dependent upon the timing of the placement of the footpath crossings.

**2.3.5 Other Necessary Approvals**

- 2.3.5.1 A separate application or details (as necessary) shall be submitted for the separate approval of Council under the provisions of the Local Government Act 1993 and/or the Roads Act 1993 for any of the following
- (a) The installation of a vehicular footway crossing servicing the development as required by "Scope of Engineering Works and other sections of this consent"
  - (b) Works on or occupation of existing public roads - that are not covered by a Roads Act Approval - which may require a Road Occupancy Licence or Work Zone Permit.

**2.4 Other Matters**

- 2.4.1 No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works.
- 2.4.2 Any future substation or other utility installation required to service the approved subdivision/development shall not under any circumstances be sited on future or existing Council land, including road reservations and/or public reserves. Any proposal to locate a proposed substation or other utility installation on Council land shall be negotiated with and fully endorsed by the relevant Council Directorates.
- 2.4.3 Each year on 1 September a report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices in accordance with the approved maintenance schedule is to be provided to Council's Asset Design Services Section. All material removed is to be disposed of in an approved manner. Copies are to be provided of all cleaning reports and tipping dockets.

**3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)**

**3.1 DA Plan Consistency**

- 3.1.1 A Construction Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.

**3.2 Road Deposit/Bond**

- 3.2.1 The following current fee and bond (which is subject to periodic review and may vary at time of payment) shall be lodged with Council:

- (a) Road inspection fee of \$169.00, and
- (b) Road maintenance bond of \$5000.00.

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The bond is required to cover the cost of any damage to Council's public assets (eg: road, guttering, footpaths, drainage systems) arising from development works. The bond (less an administration fee) will be refunded upon the completion of the development should there be no damage to Council's assets as a result of the development works.

The road inspection fee covers Council's costs to inspect public assets adjacent to the development site before and after development work.

### **3.3 Services/Utilities**

3.3.1 The following documentary evidence shall accompany any Construction Certificate:

- (a) A Notification of Arrangement" Certificate from Endeavour Energy, stating that electrical services, including the provision of street lighting, have been made available to the development.
- (b) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

### **3.4 Employment Lands Precinct Plan**

3.4.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in the SEPP 59 Employment Lands Precinct Plan - Lot 11 Precinct.

### **3.5 Construction Management Plan**

3.5.1 Prior to the issue of any Construction Certificate, a Construction Management Plan (CMP) is to be prepared and address the following matters in consideration of Condition 9.4.1 and submitted to Council.

- An overall Construction management framework
- Construction traffic management detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control.
- Construction zones
- Pedestrian management
- Hoardings
- Dust management
- Hours of work
- Materials handling
- Waste management and recycling
- Construction program

### **3.6 Salinity**

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- 3.6.1 Prior to the issue of any Construction Certificate, evidence is to be submitted to Council from a Geotechnical Engineer confirming that the plans and construction methods are in accordance with the following reports.
- Salinity Management Strategy, prepared by EIS in December 2004.
  - Soil, Groundwater and Salinity Assessment, prepared by EIS in March 2005.
  - Salinity Management Plan, prepared by EIS in March 2005.
  - Revised Salinity Management Plan, prepared by EIS in November 2006.

**3.7 Other Matters**

- 3.7.1 Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to the RMS for approval, prior to the commencement of any works.

Details should be forwarded to:

The Sydney Asset Management  
Roads & Maritime Services  
PO BOX 973  
PARRAMATTA CBD NSW 2124

A plan checking fee will be payable and a performance bond may be required before RMS' approval is issued. With regard to the Civil works requirement, please contact the RMS' Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

- 3.7.2 Prior to the issue of any Construction Certificate, any residual demolition rubble and pipework fragments which are present in the north-west area of the site are to be removed in accordance with the recommendations of the environmental appraisal undertaken by SMEC Testing Services Pty Ltd, dated 18 November 2012.
- 3.7.3 Prior to the issue of any Construction Certificate, all bulk earthworks approved under DA-12-2287 dated 21 February 2013 shall be completed prior to the release of the Construction Certificate.
- 3.7.4 A total of 298 car parking spaces shall be provided on site. All spaces shall be line marked and comply with AS2890.1-2004.
- 3.7.5 The layout of the parking and internal circulation including one way movements driveways, grades, turning paths, sight distance requirements, aisle widths, aisle lengths, parking bay dimensions, loading areas should be in accordance with AS 2890.1-2004 and AS 2890.2-2002.

**4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)**

**4.1 Fencing**

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4.1.1 A 2.1m high black powder coated palisade style fence, shall be provided along the eastern, southern and western property boundaries. Details of the proposed fencing are to be submitted to Council for approval prior to the separate approval of any Construction Certificate for road and drainage works.

4.1.2 A 1.8 metre high black PVC coated chain wire fence with three rows of barbed wire (to a height of 2.1m) is provided along the northern property boundary. Details of the proposed fencing are to be submitted to Council for approval prior to the separate approval of any Construction Certificate for road and drainage works.

**4.2 Access/Parking**

4.2.1 The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1-2004.

4.2.2 All internal roads and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.

4.2.3 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6.

**4.3 Other matters**

4.3.1 The proposed Deed of Variation to the *Interchange Park Planning Agreement - dated 6 September 2006* shall be executed by the applicant and Blacktown City Council

**5 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)**

**5.1 Building Code of Australia Compliance**

5.1.1 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by :

- (a) Complying with the deemed to satisfy provisions, or
- (b) Formulating an alternative solution which :
  - (i) complies with the performance requirements, or
  - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
  - (iii) A combination of (a) and (b).

5.1.2 A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to

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the issue of any Construction Certificate to ensure compliance with the Building Code of Australia:

(a) Section C, D, E, F and J

**6 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)**

**6.1 Compliance with Conditions**

6.1.1 All conditions in the "Prior to Construction Certificate (Engineering)" Section and the relevant conditions in the "General" Section of this consent, must be complied with prior to the issue of any Construction certificates.

6.1.2 All fees for Construction and Compliance Certificates, Roads Act 1993 and Local government Act 1993 approvals must be paid to Council prior to the issue of any of the above certificates or approvals.

**6.2 Road-works**

6.2.1 A Traffic Management / Control Plan shall be included as part of the Roads Act Approval for road and drainage works to be carried out within public road reserves in strict compliance with the requirements of current Australian Standard 1742.3 (Traffic Control Devices for Works on Roads) and current RTA Traffic Control at Work Sites manual. Any persons preparing such traffic control layout plans shall be RTA accredited.

**6.3 Erosion and Sediment Control**

6.3.1 Soil erosion and sediment control measures for road, drainage, On Site Stormwater Detention and earth works shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development. Details are to be included with the plans and specifications to accompany any Construction Certificate.

**6.4 Asset Management**

6.4.1 A detailed estimate of the cost of civil engineering work must be submitted to Council prior to the issue of the Construction Certificate for engineering works. If engineering works are of a value greater than \$25,000; documentary proof of payment of the levy required by the Building and Construction Industry Long Service Payments Act must be provided to Council prior to any approval of engineering plans either by Council or an appropriately accredited certifier.

**6.5 Ancillary Works**

6.5.1 Ancillary works shall be undertaken at no cost to Council to make the engineering works required by this consent effective. Such works shall include but are not limited to the following:

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- (a) the relocation of underground services where required by the positioning of new drainage and road infrastructure.
- (b) the relocation of above ground power and telephone services.
- (c) the matching of new infrastructure into existing or future designed infrastructure.

**6.6 Stormwater Quality Control**

- 6.6.1 Stormwater Treatment Measures for the proposed development shall be designed in accordance with the requirements of Council's Stormwater Quality Control Policy.

**6.7 Scope of Engineering Works**

The following scope of works shall be included in the design documentation accompanying the Construction Certificate for engineering works:

**6.7.1 Road and Drainage works**

- 6.7.1.1 Redundant gutter and/or footway crossing(s) must be replaced with integral kerb and gutter. The footway area must be restored by turfing.
- 6.7.1.2 Drainage from the site must be connected into Council's existing drainage system by way of the approved stormwater pollution control measures.
- 6.7.1.3 Any drainage currently entering the site is to be collected and conveyed in an approved manner to the nearest appropriate point of discharge.

**6.7.2 Vehicular Crossings**

- 6.7.2.1 Construction of Council's standard commercial and industrial vehicular footway crossing(s), with the following nominated width(s) at the property boundary in accordance with Council plan A(BS)103S.

Nominated Widths: 15m, 8m & 17m

Note :The driveway gates shall be designed and constructed not to encroach outside the property boundary.

- 6.7.2.2 It is required to construct a standard Council *kerb inlet pits & lintels in Interchange Drive* at least 2 metres clear of any existing or proposed driveways. In accordance with Drawing No A(BS)106M to provide the appropriate connection.

**NOTE** - Inspection of Council's system must be made by Council's Engineering Development Supervisor who can be contacted by phoning 98396587 between 7.00am and 8.00am or 12.30pm and 1.30pm. A site inspection is required prior to commencement of work. Twenty Four (24) hours notice must be given and the Engineering Inspection Fee must be paid prior to contact.

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**6.7.3 Footpaths**

- 6.7.3.1 The footway area being fully turfed in an appropriate manner to be free draining to the street and of neat appearance.

**6.7.4 Finished Boundary Levels**

- 6.7.4.1 Finished levels of all internal works at the road boundary of the property must be 4% above the top of the kerb.

**6.7.5 Stormwater Quality Control**

- 6.7.5.1 Stormwater Treatment Measures are required for this development. These measures must be designed, implemented and constructed in accordance with Council's Stormwater Quality Control Policy.

- 6.7.5.2 I refer to the concept drainage plans (drawing number MMD-310631-C-DR-00-XX-(1001(P2), 1030(P2), 1031(P3), 1032(P3), 1033(P2), 1034(P3), 1035(P2), 1036(P3), 1037(P2), 1038(P3), 1039(P2), 1040(P2), 1041(P2), 1042(P2), 1043(P2), 1100 (P2), 1101(P3), 1102(P2)) for the proposed Bunnings Distribution Centre prepared by Mott MacDonald.

The Water Quality and Conservation Objectives have been met for Part R of DCP 2006 assuming 20% reduction for the Bunning's 120KL (100KL in MUSIC) rainwater tank.

- 6.7.5.3 Amended drainage plans need to address the following:

- (i) On drawing 1102(P2) the reference to the filter layer is incorrect. The minimum hydraulic conductivity should be 100mm/hr to match what is shown in MUSIC not 90mm/hr.
- (ii) On drawing 1102(P2) the reference to the "Geotextile Filter Fabric (Bidum A24 or similar)" is not permitted for Blacktown, this must be amended to show "HDPE liner or similar".
- (iii) A detail of the overflow pit(s) is to be provided. The grate is to be raised park or surcharge style to minimise blockage. The depth of flow into the pit is to be assessed assuming 50% blockage.
- (iv) Separate the subsoil lines from the other drainage system within the bioretention basin and direct them to discharge separately downstream of the detention discharge controls to ensure ongoing treatment within storm events.
- (v) Unsocked slotted PVC pipes with 45° bends are to be provided within the gravel layer of the bioretention basin with a maximum spacing between pipes at any point of 5m based on current configuration.
- (vi) A detail of a subsoil riser is to be provided for flushing and maintenance of the subsoil collection pipe. The riser is to include two 45° bends with a

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short section of un-slotted straight in between. The vertical riser is to stop 100 mm below the surface of the filter material and sealed with a removable screw cap. A small concrete marker with "SS" is to be positioned directly over the cap. Alternatively the riser cap can be brought to the surface providing it is lockable and constructed out of vandal resistant material.

- (vii) The rainwater tank for the Bunning's site is to be nominated as a minimum of 120 KL on the plan.
- (viii) On drawing 1036(P3) and 1038(P3) clearly provide the dimensions on the plan to provide the 1850m<sup>2</sup> and 3150m<sup>2</sup> respectively.
- (ix) On the drawings clearly indicate the location of the existing 2000m<sup>2</sup> of bioretention in the northern basin and 1300m<sup>2</sup> in the eastern basin.
- (x) The discharge control for the 2 year to 100 year ARI is to be adjusted to account for the bypass flow through the bioretention subsoil system.
- (xi) Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the rainwater tank.
- (xii) A pit schedule in tabular form is to be shown on the plan indicating pit numbers, types of pits, invert levels, and surface levels.
- (xiii) Provide Floodway Warning Signs for the bioretention and detention systems in accordance with Plan A(BS)114S from Council's Engineering Guide for Development 2005 (and as amended).

6.7.5.4 A plan is to be provided showing the location of the existing detention basins.

6.7.5.5 The bioretention filter area of the basin is not to be planted out until a minimum of 90% of the upstream catchment draining to the basin is fully developed including landscaping. Once 90% of the upstream catchment is developed, the bioretention basins must be completed within six (6) months.

6.7.5.6 Where Council is not the Certifying Authority, an independent engineering consultant is to assess the final drainage plans and certify that the pipe/pit systems and water quality requirements including MUSIC modelling meet Council's Engineering Guide for Development 2005 (and as amended) design standard and the consent conditions. A copy of the certification is to be provided to Council.

6.7.5.7 Revised Landscape plans are required in accordance with the BCC Handbook Part 5 - Vegetation Selection Guide (September 2012 or as revised) that include appropriate species for the bioretention system for the 600 mm deep filter media. Planting within the filter area should incorporate several growth forms, including shrubs and tufted plants and be densely planted (tufted plants at a minimum of 8 plants per square metre) to ensure plant roots occupy all parts of the media. Groundcover species should not be used. To ensure diversity and disease resistance a minimum of 10 different species is required. All plants within the filter area are to be planted with tubestock and not pots.

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- 6.7.5.8 Evidence must be provided that the bioretention will not reduce the effectiveness of the Onsite Detention (OSD) basins through the loss of storage.
- 6.7.5.9 An experienced hydraulic engineer is to prepare and have approved a detailed Rainwater Reuse Supply, Pipe and Fixture Plan for non-potable water uses on the site. The plan is to show the rainwater pipe arrangement including first flush or pre-treatment system, pump, mains water direct tank top up (no solenoid controlled mains bypass), isolation valves, flow meters for the pump outflow and mains water top up, timer for landscape watering, an inline filter and indicate that all Sydney Water requirements have been satisfied. Rainwater warning signs are to be fitted to all external taps where rainwater is used as a source.
- 6.7.5.10 A detailed Landscape Watering Plan is to be provided showing the layout of taps and pipes and the use of sprinklers or drip irrigation. The system is to be designed to automatically achieve a minimum usage rate of 1375 kL/year as nominated in MUSIC. Where spray irrigation is used an inline tap or separate system is to be provided so this part of the irrigation can be isolated during Sydney Water drought restrictions.
- 6.7.5.11 A detailed Landscape Watering Plan is to be provided showing the layout of taps and pipes and the use of drip irrigation for the bioretention filter area. The system is to be designed to automatically achieve a minimum usage rate of 0.7 kL / year / m<sup>2</sup> of filter area.
- 6.7.5.12 Details are to be provided for permanent interpretive signage minimum A2 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to each of the two major bioretention systems. The wording and detail is to be approved by Council.
- 6.7.5.13 Maintenance requirements are to be provided for each of the proposed Stormwater Quality Improvement Devices. Where these devices are located in roadway/parking areas these are to include traffic management requirements. The designer of the stormwater treatment system must prepare the Maintenance schedule and this schedule must show the designer's name, signature and date on it.
- 6.7.5.14 A Positive Covenant is to be provided over the On-Site Detention Systems, including the pipes draining into and out of the basins, in accordance with the requirements of Council's Engineering Guide for Development 2005 (and as amended). The Positive Covenant must be registered with Land & Property Information.
- 6.7.5.15 A variable width drainage easement in favour of Council is to be provided over the eastern detention basin to the extent of the 1 in 100 year ARI storage level as per the Engineering Guide for Development. The easement must be registered with Land & Property Information.
- 6.7.5.16 A drainage easement in favour of Council is to be provided over the inlet pipes to the basin from the road and the outlet pipes from the basin as per the

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Engineering Guide for Development. The easement must be registered with Land & Property Information.

- 6.7.5.17 The proposed Deed of Variation to the *Interchange Park Planning Agreement - dated 6 September 2006* shall be executed by the applicant and Blacktown City Council

## **7 PRIOR TO DEVELOPMENT WORKS**

### **7.1 Safety/Health/Amenity**

- 7.1.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, or
- (b) a temporary on-site toilet which is regularly maintained and the waste disposed to an approved sewerage management facility.

- 7.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

- 7.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involve the enclosure of a public place,

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a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

- 7.1.4 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.
- 7.1.5 All soil erosion and sedimentation control measures indicated in the documentation accompanying the Construction Certificate shall be installed prior to the commencement of development works.
- 7.1.6 A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport of soil onto any public place. Such access shall be provided in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. Single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.
- 7.1.7 Any excavation and/or backfilling associated with the development shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent such work being dangerous to life or property.
- 7.1.8 Should any excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:
- (a) shall be preserved and protected from damage, and
  - (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
  - (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting work commences, be given notice of such intention and particulars of the excavation or supporting work.

## **7.2 Notification to Council**

- 7.2.1 The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice under Clauses 135 and 136 of the Environmental Planning and Assessment Regulation 2000, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed

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to commence.

### **7.3 Construction Details**

- 7.3.1 Structural details of the nominated building component(s), prepared and/or certified by a professional engineer or other appropriately qualified person, shall be lodged with Council prior to commencing or erecting that portion of the approved development.

#### Nominated Component

- (a) Footing piers
- (b) Footing system
- (c) Floor slab
- (d) Structural concrete
- (g) Structural steelwork
- (h) Retaining walls

## **8 DURING CONSTRUCTION (BUILDING)**

### **8.1 Safety/Health/Amenity**

- 8.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

- 8.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:

- (c) the name, address and telephone number of the principal certifying authority for the work, and
- (d) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
- (e) stating that unauthorised entry to the work site is prohibited.

- 8.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involves the enclosure of a public place,

the required hoarding, awning or protective barrier shall be maintained between the land and the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.

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- 8.1.4 Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.
- 8.1.5 All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.
- 8.1.6 A single vehicle/plant access to the land shall be maintained to minimise ground disturbance and transport of soil onto any public place. Such access shall be maintained in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. As a minimum, single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided.
- 8.1.7 Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.
- 8.1.8 Should any excavation associated with the ongoing development works extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:
- (a) shall be preserved and protected from damage, and
  - (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
  - (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting works be given notice of such intention and particulars of the excavation or supporting works.
- 8.1.9 Building and construction materials, plant, equipment and the like shall not be placed or stored at any time on Council's footpath, roadway or any public place.
- 8.2 Building Code of Australia Compliance**
- 8.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.
- 8.3 Surveys**
- 8.3.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifying Authority to verify the approved position of each structure in relation to the property boundaries.
- 8.4 Nuisance Control**

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- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
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8.4.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.

8.4.2 The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays: 8.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

8.4.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

#### **8.5 Waste Control**

8.5.1 The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works.

#### **8.6 Construction Inspections**

8.6.1 The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):

- (a) At the commencement of the building work; and
- (b) After excavation for, and prior to placement of, any footings; and
- (c) Prior to pouring any in-situ reinforced concrete building element; and
- (d) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and
- (e) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2,3 or 4 building); and
- (f) Prior to covering any stormwater drainage connections; and
- (g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection "(g)" must be carried out by the Principal Certifying Authority.

Any inspection conducted by an accredited other than the nominated PCA for the

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project must be verified by way of a Compliance Certificate issued for the relevant works.

Note: Failure to ensure the relevant inspections are conducted will preclude the issue of an Occupation Certificate.

## **9 DURING CONSTRUCTION (ENGINEERING)**

### **9.1 Notice of work Commencement**

- 9.1.1 At least 5 full working days written notice shall be given of the commencement of engineering works. Such notice shall be accompanied by evidence of the contractor's Public Liability and Workers Compensation Insurances. For Public Liability Insurance this should be a minimum of **\$20,000,000**.

### **9.2 Service Authority Approvals**

- 9.2.1 Prior to commencement of construction of footway crossings a clearance shall be obtained from the relevant telecommunications carriers and Integral Energy that all necessary ducts have been provided under the proposed crossing.

### **9.3 Boundary Levels**

- 9.3.1 Any construction at the property boundary, including fences and driveways shall not be carried out until alignment levels have been fixed.

### **9.4 Maintenance of Soil Erosion Measures**

- 9.4.1 Soil erosion and sediment control measures shall be implemented in accordance with Council's Soil Erosion and Sediment Control Policy.
- 9.4.2 Re-vegetation must be applied to disturbed areas as soon as practical after completion of earthworks and must be established prior to release of the maintenance security. All open drains must be turfed.
- 9.4.3 All required soil erosion and sediment control measures are to be maintained during the entire construction period until disturbed areas are restored by turfing paving or revegetation. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is inadequate.

### **9.5 Filling of Land & Compaction**

- 9.5.1 Roads adjoining the site must be kept clean and free of all excavated /transportable spoil materials.

### **9.6 Inspections of Works**

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9.6.1 Inspection Compliance Certificates issued by a Registered Engineer (NPER) or Registered Surveyor or Compliance Certificates issued by an accredited certifier, under Part A of Environmental Planning and Assessment Act 1979 as amended, are to be issued for works covered by the Construction Certificate for engineering works at the completion of the following mandatory inspection stages: -

(i) Soil Erosion and Sediment Control

- (a) Implementation of erosion and sediment control
- (b) Revegetation of disturbed areas
- (c) Construction of major controls (i.e gabions mattresses shotcreting etc)
- (d) Removal of sediment basins/ fencing etc.
- (e) Internal sediment/ pollution control devices
- (f) Final Inspection

(ii) Traffic Control

- (a) Implementation of traffic control
- (b) Maintenance of traffic control during works
- (c) Removal of traffic control

(iii) Construction of Drainage works

- (a) Pipes before backfilling including trench excavation and bedding
- (b) Sand Backfilling
- (c) Final pipe inspection
- (d) Pit bases
- (e) Pit Walls
- (f) Concrete pit tops
- (g) Connection to existing system
- (h) Final Inspection

(iv) Footpath Works

- (a) Footpath Trimming and/or turfing (to ensure 4% fall)
- (b) Pathway construction
- (c) Service Adjustments
- (d) Final Inspection

(v) Stormwater Quality Control

- (a) Installation of Stormwater Quality Control devices
- (b) Final Inspection

(ix) Traffic Control

- (a) Implementation of traffic control
- (b) Maintenance of traffic control during works

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- (x) CCTV Inspection of Drainage Structures (pipelines and pits)
  - (a) All road drainage
- (xi) Final overall Inspections
  - (a) Preliminary overall final inspection
  - (b) Overall final inspection

ALTERNATIVELY, one comprehensive Inspection Certificate or Compliance certificate may be issued to include all of the above-mentioned stages of construction.

Where Council is appointed as the Principal Certifying Authority for the development (e.g. all Torrens Title subdivisions), only Compliance Certificates issued by accredited certifiers will be accepted at the completion of the above-mentioned stages. Any Compliance Certificate must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction certificate.

- 9.6.2 Inspection of the works required pursuant to the engineering approval issued under the Roads Act 1993 must be made by Council's Development Overseers who can be contacted on 9839 6586 between 7am - 8am and 12.30pm - 1.30pm. A site inspection is required prior to commencement of work. A minimum twenty-four (24) hours notice must be given prior to any required inspection. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

## 9.7 Public Safety

- 9.7.1 The applicant is advised that all works undertaken in a public place are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe and recover all reasonable costs incurred from the applicant.

## 9.8 Other Matters

- 9.8.1 The number of Enviropods are not to be reduced or replaced with an alternate manufacturer's product.
- 9.8.2 The final filter media and plants in the bioretention basin are not to be installed until a minimum of 90% of the upstream catchment is developed.
- 9.8.3 Certification is to be provided that the bioretention filter media satisfies the soil specification available from the Facility for Advancing Water Biofiltration (FAWB) at Monash University: <http://www.monash.edu.au/fawb/>. The minimum hydraulic conductivity as defined by ASTM F1815-06 is to be 200 mm/hr. Where this cannot be certified amended design rates and MUSIC modelling based on half the tested rate will be required and the drainage plans amended.

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- 9.8.4 Prior to planting, the top 100 mm of the bioretention filter medium is to be ameliorated with appropriate organic matter, fertiliser and trace elements to aid plant establishment as per the table below.

**Table: Recipe for ameliorating the top 100 mm of bioretention filter media.**

Constituent	Quantity (kg/100 m2 of filter area)
Granulated poultry manure fines	50
Superphosphate	2
Magnesium sulphate	3
Potassium sulphate	2
Trace Element Mix	1
Fertilizer NPK (16.4.14)	4
Lime	20

## 10 PRIOR TO OCCUPATION CERTIFICATE

- 10.1 An Occupation Certificate shall not be issued unless the works approved under DA-12-2387 involving the extension and registration of the cul-de-sac have been carried out.

### 10.2 Road Damage

- 10.2.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

Note: Should the cost of damage repair work not exceed the road maintenance bond Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued.

### 10.3 Compliance with Conditions

- 10.3.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.
- 10.3.2 Prior to occupation/use of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of Section 109H of the Environmental Planning & Assessment Act 1979.

### 10.4 Service Authorities

- 10.4.1 The applicant shall obtain a Trade Waste Approval from the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.

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- 10.4.2 A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Applications must be made through an authorised Water Servicing Coordinator. Please refer to the "Building Plumbing and Developing" Section of the website [www.sydneywater.com.au](http://www.sydneywater.com.au), then follow the "Developing Your Land" link or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation of the development/release of the plan of subdivision, whichever occurs first.

**10.5 Temporary Facilities Removal**

- 10.5.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
- 10.5.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.
- 10.5.3 Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.
- 10.5.4 Any temporary builder's sign or other site information sign shall be removed from the land.
- 10.5.5 Any temporary site access provided for the purpose of development works shall be removed and the kerb and gutter and/or previous roadworks reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.

**10.6 Fire Safety Certificate**

- 10.6.1 A final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

**10.7 Landscaping/Car Parking**

- 10.7.1 All landscaping shall be completed in accordance with approved landscaping design plan. All turfed areas shall be finished level with adjoining surfaces and

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graded to approved points of drainage discharge.

- 10.7.2 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.
- 10.7.3 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 10.7.4 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.
- 10.7.5 All required internal roads and car parking spaces shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.
- 10.7.6 The substation and sprinkler tanks shall be appropriately screened through use of landscaping and timber or PVC screens. Details shall be submitted to the PCA prior to the release of the Occupation Certificate.
- 10.7.7 Prior to the release of the Occupation Certificate, all security measures shall be implemented and operational. Details shall be submitted to the PCA.

#### **10.8 Fee Payment**

- 10.8.1 Any fee payable to Council as part of a Construction, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

#### **10.9 Engineering Matters**

##### **10.9.1 Surveys/Certificates/Works As Executed plans**

- 10.9.1.1 A work-as-executed plan (to a standard suitable for scanning) under the hand of a Chartered Professional Engineer or a Registered Surveyor must be lodged with Blacktown City Council when the engineering works are completed. All Engineering Work-As-Executed plans, MUST be prepared on a copy of the original stamped Construction Certificate for engineering plans.
- 10.9.1.2 A certificate from a Chartered Professional Civil Engineer must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system will function effectively in accordance with Council's Stormwater Quality Control Policy.
- 10.9.1.3 The submission to Council of all Inspection/Compliance Certificates required by the "During Construction (Engineering)" Section of this consent.

##### **10.9.2 Easements/Restrictions/Positive Covenants**

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10.9.2.1 Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:

(a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).

(b) The standard format for easements and restrictions as accepted by the Lands Title Office.

10.9.2.2 All Section 88B restrictions and covenants created, as part of this consent shall contain a provision that they cannot be extinguished or altered except with the consent of Blacktown City Council.

10.9.2.3 A Positive Covenant is to be provided over the Stormwater Quality Improvement Devices, including the bioretention areas in the northern and eastern basins, and Rainwater Tanks in accordance with the requirements of Council's Engineering Guide for Development 2005 (and as amended). The Positive Covenant must be registered with Land & Property Information.

10.9.2.4 A Geotechnical Engineer is to undertake insitu Saturated Hydraulic Conductivity Testing of each of the bioretention systems in accordance with Practise Note 1 of the FAWB guidelines. Where the hydraulic conductivity of the soil differs from the rate specified in MUSIC of 100 mm/hr (tolerance -20% to +200%), remediation works will be required over the whole filter area to restore the conductivity and the test repeated until the hydraulic conductivity is achieved. A Geotechnical Engineer is to then certify that in accordance with Practise Note 1 of the FAWB guidelines, the Saturated Hydraulic Conductivity is within tolerance to the rate specified in MUSIC for each of the bioretention systems.

10.9.2.5 Written evidence is to be provided that the owner/developer has entered into and prepaid a minimum five (5) year maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the Enviropods and bioretention systems.

10.9.2.6 An accredited plumber or experienced hydraulic engineer is to certify that all the non-potable water uses are being supplied by rainwater and that all the requirements of the detailed Rainwater Supply, Pipe and Fixture Plan and Landscape Watering Plan have been installed and are working correctly

10.9.2.7 After the hydraulic conductivity has been certified by the Geotechnical Engineer, the landscape designer is to certify that the planting within the bioretention area including bank areas, is of the same quality in type and quantity as per the construction certificate approved landscape plans, that any plants lost have been replaced and any areas of scour or disrepair have been restored.

### 10.9.3 Inspections

10.9.3.1 Any **additional** Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this

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consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

**10.9.4 Inspection of Work**

- 10.9.4.1 All road stormwater drainage structures (pipelines and pits) must be inspected by a CCTV in accordance with Council's current Works Specification Civil. CCTV reports must be submitted to council in the form of a DVD of the inspection video, a hard copy printout of the SEWRAT (or equivalent) report, and a CCTV certified statement in accordance with section 6.8 of Council's Works Specification Civil and that any defects identified by this inspection have been rectified.

**11 OPERATIONAL (PLANNING)**

**11.1 Access/Parking**

- 11.1.1 All required off-street car parking spaces and internal roads shall be maintained to a standard suitable for the intended purpose.
- 11.1.2 All loading and unloading operations shall take place at all times wholly within the confines of the land.
- 11.1.3 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

**11.2 Retailing Restrictions**

- 11.2.1 This consent does not authorise the sale or display of goods for retail to the general public.

**11.3 General**

- 11.3.1 No goods, materials, or trade waste shall be stored at any time outside the building other than in approved garbage receptacles.
- 11.3.2 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 11.3.3 If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.
- 11.3.4 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 11.3.5 The hours of operation of the development shall not be outside of the following nominated times.

Any alteration to these hours will require the separate approval of Council.

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Approved hours of operation: 24 hours, 7 days a week

- 11.3.6 No goods, materials or trade wastes are to be stored at any time outside the building on either the internal vehicular driveway, car parking area, landscaping or footpath, other than in approved garbage receptacles.

**11.4 Landscaping**

- 11.4.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.

**11.5 Use of Premises**

- 11.5.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.

**11.6 Emergency Procedures**

- 11.6.1 Instructions concerning procedures to be adopted in the event of an emergency shall be clearly displayed on the premises for both public and staff information at all times to the satisfaction of Council.

**11.7 Other Matters**

- 11.7.1 Removal of any graffiti, visible from any public road or place is the responsibility of the property owner/s. All graffiti must be removed no later than 48 hours of detection.

**12 OPERATIONAL (ENVIRONMENTAL HEALTH)**

**12.1 Environmental Management**

- 12.1.1 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 12.1.2 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 12.1.3 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

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