

## APPENDIX A - Conditions of Consent

### A General Conditions

A1 The development being carried out strictly in accordance with the following details, except as otherwise provided by the conditions of this consent:

a. Development plans prepared by EJE Architecture,

Project No	Drawing No	Revision	Date
9992	A102	K	06.02.14
9992	A103	J	06.02.14
9992	A501	F	06.02.14
9992	A502	F	06.02.14
9992	A001	F	26.11.13
9992	A002	H	26.11.13
9992	A101	DF	26.11.13
9992	A104	E	26.11.13
9992	A503	E	26.11.13

b. Landscape design report prepared by Terras Landscape Architects job number 9992.5 dated 21.11.13 and associated plans:

Project No	Drawing No	Revision	Date
9992.5	L02	D	20.11.13
9992.5	L03	D	20.11.13
9992.5	L04	C	19.11.13

c. Civil Engineering plans prepared by GHD,

Project No	Drawing No	Revision	Date
Nier Stage 1B	22-16960-C001 Pavement Plan	C	30.09.11
Nier Stage 1B	22-16960-C002 Pavement Plan	C	30.09.11
Nier Stage 1B	22-16960-C003 Road Works Plan	C	30.09.11
Nier Stage 1B	22-16960-C004A Car Park cross sections	B	30.09.11
Nier Stage 1B	22-16960-C004 Road Works Plan	C	30.09.11
Nier Stage 1B	22-16960-C005 Access road plan and longitudinal section	C	30.09.11
Nier Stage 1B	22-16960-C006 Access Road Cross Sections – Sheet 1 of 3	C	30.09.11
Nier Stage 1B	22-16960-C007 Access Road Cross Sections – Sheet 2 of 3	C	30.09.11
Nier Stage 1B	22-16960-C008 Access Road Cross Sections – Sheet 3 of 3	A	30.09.11

Nier Stage 1B	22-16960-C009 Stormwater Layout Plan	B	30.09.11
Nier Stage 1B	22-16960-C010 Stormwater Layout Plan	B	30.09.11
Nier Stage 1B	22-16960-C011 Erosion & Sediment Control Plan	B	30.09.11
Nier Stage 1B	22-16960-C012 Stormwater Layout Plan	B	30.09.11
Nier Stage 1B	22-16960-C014 Erosion & Sediment Control Details	B	30.09.11

- d. Ecological Assessment prepared by Ecological Australia ref 13NEWECO-0051 dated 16 October 2013.
- e. Engineering Services (ESD Design Report) prepared by WSP rev P2 dated 29.11.13
- f. Traffic and Parking Assessment prepared by Seca Solutions dated 16.12.13.
- g. Geotechnical Assessment prepared by Coffey Geotechnics dated 18.11.11.
- h. Long Term Environmental Management Plan prepared by Douglas Partners Pty Ltd. June 2014
- i. Statement of Environmental Effects prepared by De Witt Consulting dated December 2013.
- j. Stormwater Report prepared by GHD dated May 2014

<u>Project No</u>	<u>Drawing No</u>	<u>Revision</u>	<u>Date</u>
<u>Nier Stage 1B</u> <u>Figure 1 - Master</u> <u>Plan</u>	<u>22-16960-C020</u>	<u>A</u>	<u>2.5.14</u>
<u>Nier Stage 1B</u> <u>Figure 2 –</u> <u>Catchment</u>	<u>22-16960-C021</u>	<u>A</u>	<u>2.5.14</u>
<u>Nier Stage 1B</u> <u>Figure 3 –</u> <u>Stormwater Plan</u>	<u>22-16960-C022</u>	<u>A</u>	<u>2.5.14</u>
<u>Nier Stage 1B</u> <u>Figure 4 –</u> <u>Detention Basin</u> <u>Cross Sections</u>	<u>22-16960-C023</u>	<u>A</u>	<u>2.5.14</u>

**Note:** Any proposal to modify the terms or conditions of this consent whilst still maintaining substantially the same development to that approved, will require the submission of a formal application for Council's consideration in accordance with the provisions of Section 96 of the Environmental Planning and Assessment Act, 1979.

**B Conditions which must be satisfied prior to the demolition of any building or Construction**

No conditions

**C Conditions which must be satisfied prior to the issue of any Construction Certificate**

**Flooding, Stormwater and Services**

- C1 All stormwater runoff from the proposed development being managed in accordance with the requirements of Element 7.06 'Stormwater' of Newcastle Development Control Plan 2012, the associated Technical Manual and the latest issue of AS 3500.3 as applicable, as indicated on the stormwater management concept plan prepared by GHD Drawing No. 22-16960-C022 REV A dated 02/05/14. Full details are to be included in documentation for a Construction Certificate application.
- C2 All onsite stormwater detention or water quality treatment systems are to be individually identified and sign posted in accordance with Council's Stormwater and Water Efficiency for Development Technical Manual (Updated 2013). Full details are to be included in documentation for a Construction Certificate application.
- C3 Overflows from the roof water tank and any additional discharge controls (if required) are to be directed to the existing property drainage by means of an underground pipe. Full details are to be provided with the Construction Certificate application.
- C4 The applicant complying with all requirements of the Hunter Water Corporation regarding the connection of water supply and sewerage services, including the payment of any required cash contribution towards necessary amplification of service mains in the locality as a result of the increased intensity of land use proposed. A copy of the Corporation's Certificate of Compliance is to be included in documentation for a Construction Certificate application.
- C5 All new impervious surfaces, including driveways and paved areas are to be drained to the nominated discharge controls, full details are to be included in documentation for a Construction Certificate application.

**Access for Persons with Disabilities**

- C6 The building is to be provided with adequate means of access for persons with disabilities, to the extent necessary to comply with the Commonwealth Disability (Access to Premises – Buildings) Standards 2010. Full details are to be included in documentation for a Construction Certificate application.
- C7 All external ramps and pathways within the site required to be accessible for persons with disabilities being designed and constructed in accordance with AS.1428 – '*Design for Access and Mobility*.' Full details are to be included in documentation submitted with the application for a Construction Certificate.
- C8 The car park is to be designed to comply with AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking and AS/NZS 2890.6:2009 - Parking facilities - Off-street parking

for people with disabilities. Full details are to be included in documentation for a Construction Certificate application.

## Access and Parking

- C9 On-site parking accommodation is to be provided for a minimum of 42 additional vehicles (~~total on-site car parking supply of 221 vehicles~~) and such be set out generally in accordance with the minimum parking layout standards indicated in Element 7.03 'Traffic, Parking and Access' of Council's adopted Newcastle Development Control Plan 2012. Full details are to be included in documentation for a Construction Certificate application.
- C10 All proposed driveways, parking bays, loading bays and vehicular turning areas are to be constructed with a basecourse of adequate depth to suit design traffic, being sealed with either bitumen seal, asphaltic concrete, concrete or interlocking pavers and being properly maintained. The driveways are to be constructed in accordance with AS2890 – (Off street parking) design specifications. Full details are to be included in documentation for a Construction Certificate application.
- C11 Kerbing or dwarf walls having a minimum height of 100mm are to be constructed along the edge of all garden or lawn areas adjacent to driveways and parking bays sufficient to discourage the encroachment of vehicles thereon. Full details are to be included in documentation for a Construction Certificate application.

## Landscaping

- C12 In accordance with the 'Remnant Native Vegetation – Moderate Impact Class' in the Urban Forest Technical Manual, the applicant shall undertake bush regeneration over the disturbed area using locally native species and targeted weed removal for a minimum of 2 years, in accordance with the Action Plan. *"The Action Plan is the Section 9.3 of the Landscape Management Implementation Plan Callaghan Campus dated 3 September 2012.* Full details are to be included in documentation for a Construction Certificate application.
- C13 All proposed planting and landscape elements indicated on the submitted landscape concept plan or otherwise required under the conditions of this consent are required to be detailed on a comprehensive landscape design plan and specification. The required comprehensive landscape design plan and specifications is to be in accordance with the provisions of Newcastle Development Control Plan 2012 and is to include details of the following:
- a) cross sections through the site where appropriate
  - b) proposed contours or spot levels
  - c) botanical names
  - d) quantities and container size of all proposed trees
  - e) shrubs and ground cover
  - f) details of proposed soil preparation
  - g) mulching and staking
  - h) treatment of external surfaces and retaining walls where proposed
  - i) drainage, location of taps and
  - j) appropriate maintenance periods.

The plan is to be prepared by a qualified landscape designer and be included in documentation for a Construction Certificate application.

- C14 All existing trees on the site outside the envelope of the proposed development are to be preserved where practicable and all such trees being indicated on the required comprehensive landscape design plan and being adequately protected against damage during the building construction period. ~~Full details are to be included in documentation for a Construction Certificate application.~~

### **Environmental Management**

- C15 Prior to the issue of a Construction Certificate, the proponent is to provide to the Principal Certifying Authority and Council written advice from an appropriately qualified environmental consultant confirming that the final design and construction programme will comply with the requirements of the Long Term Environmental Management Plan prepared by Douglas Partners Pty Ltd. June 2014 (EMP) and outline any additional contamination management requirements as stipulated by section 6.2 of the EMP.
- C16 Prior to the issue of a Construction Certificate, the proponent is to prepare and submit to the PCA and Council a Construction Environmental Management Plan (CEMP) which is to be kept on site and made available to authorised Council officers upon request. The EMP is to include but not be limited to:
1. A site management strategy, identifying and addressing issues such as environmental health and safety, site security, and traffic management.
  2. A water management strategy, detailing erosion and sediment control, management of soil stockpiles, control and management of surface water, groundwater and process water. Procedures should also be included to ensure that all roads adjacent to the site are kept free and clear from mud and sediment.
  3. A dust management strategy, detailing procedures to minimise dust generation, with particular reference to control techniques and operational limits under adverse meteorological conditions. This strategy should be cross-referenced with the water management strategy
  4. A soil management strategy, detailing measures to be implemented to manage the identification and control and disposal of any acid sulphate soils or soil contamination identified during site works.
  5. A waste minimisation strategy, which aims to avoid production of waste and maximise reuse, recycling or reprocessing of potential waste material.

### **Section 94A Contributions**

- C17 A total monetary contribution of \$66,000 is to be paid to Council, pursuant to Section 94A of the *Environmental Planning and Assessment Act 1979*, such contribution to be payable prior to the issue of a Construction Certificate in respect of the proposed development.

Note:

- i) This condition is imposed in accordance with the provisions of the *Newcastle City Council S94A Development Contributions Plan 2009* (updated version operational from 15 March 2011). A copy of the plan may be inspected at Council's Customer Enquiry Centre, ground floor of the City Administration Centre, 282 King Street Newcastle 8.30 am to 5.00 pm, excluding public holidays.

ii) The amount of contribution payable under this condition has been calculated on the basis of the current rate as at the date of consent and is based on the most recent quarterly Consumer Price Index (CPI) release made available by the Australian Bureau of Statistics (ABS). The CPI index rate is expected to rise at regular intervals and therefore the actual contribution payable is indexed and recalculated at the CPI rate applicable on the day of payment.

CPI quarterly figures are released by the ABS on a date after the indexation quarter and as a guide, these approximate dates are provided below. Indexation quarters from the ABS are as follows:

Indexation quarters	Approx release date
September	Late October
December	Late January
March	Late April
June	Late July

Any party intending to act on this consent should contact Council's Customer Enquiry Centre for determination of the indexed amount of contribution on the date of payment.

#### **D Conditions which must be satisfied prior to the commencement of any development work**

##### **Erosion and Sediment Control**

D1 Erosion and sediment control measures are to be implemented prior to the commencement of works and maintained during the period of construction in accordance with the requirements of Managing Urban Stormwater: Soils and Construction 4th Edition - Vol. 1 (the "Blue Book") published by Landcom, 2004. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.

##### **Traffic**

D2 Any proposed work within the public road reserve, including driveway works, reinstatement of a kerb or installation of drainage, is to be ~~the a~~ subject of the separate approval of Council prior to commencement.

#### **E Conditions which must be satisfied during any development work**

##### **General Matters**

E1 All building work must be carried out in accordance with the provisions of the Building Code of Australia.

E2 Construction/demolition work that generates noise that is audible at residential premises is to be restricted to the following times:

➤ Monday to Friday, 7:00 am to 6:00 pm and

➤ Saturday, 8:00 am to 1:00 pm.

No noise from construction/demolition work is to be generated on Sundays or public holidays.

- E3 Council's 'PREVENT POLLUTION' sign is to be erected and maintained in a conspicuous location on or adjacent to the property boundary so it is clearly visible to the public or at other locations on the site as otherwise directed by Council for the duration of demolition and construction work.

Note: Council's 'PREVENT POLLUTION' sign can be obtained by presenting your development application receipt at Council's Customer Enquiry Counter at 282 King Street Newcastle.

- E4 Building demolition is to be planned and carried out in accordance with Australian Standard 2601:2001 - The Demolition of Structures.

- E5 A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a) showing the name, address and telephone number of the principal certifying authority for the work
- b) showing the name of the principal contractor (if any) for any 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.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- E6 If construction / demolition work is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the need to enclose a public place, a hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

- ~~E7 A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:~~

- ~~a) showing the name, address and telephone number of the principal certifying authority for the work~~
- ~~b) showing the name of the principal contractor (if any) for any 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.~~

~~Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.~~

- E8 Should archaeological relics be located during works, the works in the vicinity of the location are to stop. Relics are to be left in-situ and the relevant advice shall be sought from an appropriately qualified heritage consultant and/or archaeologist.

### **Stormwater**

- E9 Any alteration to natural surface levels on the site is to be undertaken in such a manner as to ensure that there is no increase in surface water runoff to adjoining properties or that runoff is impounded on adjoining properties, as a result of the development.
- E10 Stormwater is to be conveyed to the existing property stormwater drains by way of a sealed pipe system. The existing drains are to be checked for adequacy and cleared of any obstructions.

### **Earthworks and Environmental Management**

- E11 Any construction works that involve the disturbance of soil are to be carried out in strict accordance with the requirements of the *Long Term Environmental Management Plan* prepared by Douglas Partners Pty Ltd. June 2014.
- E12 Any excavated material to be removed from the site is to be assessed, classified, transported and disposed of in accordance with the Department of Environment and Climate Change's (DECC) 'Waste Classification Guidelines Part 1: Classifying Waste'.
- E13 Any fill material imported into the site is to be Virgin Excavated Natural Material or material subject to a Resource Recovery Exemption that is permitted to be used as a fill material, in accordance with the provisions of the *Protection of the Environment Operations Act 1997* (NSW) and the *Protection of the Environment (Waste) Regulation 2005* (NSW).
- E14 Any fill material subject to a Resource Recovery Exemption received at the site must be accompanied by documentation demonstrating that material's compliance with the conditions of the exemption, and this documentation must be provided to Council officers or the Principal Certifying Authority on request.
- E15 Erosion and sediment control measures are to be maintained during the period of demolition and/or construction in accordance with the requirements of *Managing Urban Stormwater: Soils and Construction 4<sup>th</sup> Edition - Vol. 1* (the 'Blue Book') published by Landcom, 2004. Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover.
- E16 All necessary measures are to be undertaken to control dust pollution from the site. These measures must include, but not are limited to:
- a) restricting topsoil removal
  - b) regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion)
  - c) alter or cease construction work during periods of high wind and erect green or black shade cloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.



E17 ~~For Waste management, shall be implemented in accordance with the approved Waste Management Plan. At a~~ minimum, the following measures shall be implemented during the construction phase:

- a) a waste container of at least one cubic metre capacity shall be provided, maintained and regularly serviced from the commencement of operations until the completion of the building for the reception and storage of waste generated by the construction of the building and associated waste
- b) the waste container is to be, at minimum, constructed with a 'star' picket (corners) and weed control mat (sides), or equivalent. The matting is to be securely tied to the pickets
- c) appropriate provision is to be made to prevent wind blown rubbish leaving the site and
- d) footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.

Note: Fines may be issued for pollution/littering offences under the *Protection of the Environment Operations Act 1997* (NSW).

### **Public Utility Installations**

E18 Any necessary alterations to public utility installations are to be at the developer/demolisher's expense and to the requirements of both Council and any other relevant authorities. Council and other service authorities should be contacted for specific requirements prior to the commencement of any works. Full restoration of the damage is to be carried out to Council's satisfaction prior to the issue of any occupation certificate in respect of the development.

E19 It is recommended that, prior to commencement of work, the free national community service "Dial before you Dig" be contacted on 1100 or by fax on 1200 652 077 regarding the location of underground services in order to prevent injury, personal liability and even death. Inquiries should provide the property details and the nearest cross street/road.

### **F Conditions which must be satisfied prior to any occupation or use of the building**

#### **Landscaping**

F1 A Landscape Practical Completion Report is to be submitted to the Principal Certifying Authority prior to the issue of the Final Occupation Certificate. The report is to verify that all landscape works have been carried out in accordance with the comprehensive landscape design plan and specifications that were required to be included in documentation for a Construction Certificate application and is to verify that an effective maintenance program has been commenced.

#### **Traffic**

F2 All parking bays are to be permanently marked out on the pavement surface.

F3 The vehicular entrance and exit driveways and the direction of traffic movement within the site are to be clearly indicated by means of reflectorised signs and pavement markings.

- F4 All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a satisfactory state that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to Council's satisfaction prior to the completion of demolition work or prior to the issue of any occupation certificate in respect of development involving building work.

### **Stormwater**

- F5 The water management measures as indicated on the submitted plans and Statement of Environmental Effects and/or as modified under the terms of this consent are to be implemented and the nominated fixtures and appliances are to be installed and operational prior to issue of an Occupation Certificate.
- F6 A copy of the stormwater drainage design plans approved with the Construction Certificate with 'work as executed' levels indicated, shall be submitted to the Principal Certifying Authority and to Newcastle City Council prior to the issue of an Occupation Certificate. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.

### **General**

- F7 All building or site works or other written undertaking or obligation indicated in the submitted plans and supporting documentation or otherwise required under the terms of this consent being carried out or implemented prior to occupation of the premises.
- F8 Where the proposed development involves the destruction or disturbance of any existing survey monuments, those monuments affected are to be relocated at no cost to Council by a Surveyor registered under the Surveying and Spatial Information Act 2002 (NSW).

### **G Conditions which must be satisfied prior to the issue of any Subdivision Certificate**

None

### **H Conditions which must be satisfied during the ongoing use of the development**

### **Offensive Noise**

- H1 There being no interference with the amenity of the neighbourhood by reason of the emission of any 'offensive noise', vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.

### **Wastes**

- H2 Any liquid wastes from the premises, other than stormwater, ~~shall be being~~ discharged to the sewers of the Hunter Water Corporation in accordance with that authority's requirements.

### **Landscaping**

- H3 A Landscape Establishment Reports for both 'The Site' and 'Bush Regeneration' are to be submitted to the Principal Certifying Authority following completion of a three (3) month maintenance period and at 104 weeks after the date of Practical Completion.

This report is to state the actual maintenance carried out on site, including maintenance records such as site work report sheets, diary entries or log books which show frequency of watering, weeding, mulching, personnel and any other remediation or rectification works carried out.

### **Utilities**

- H4 The driveway crossing, parking areas and stormwater management system are to be properly maintained for the life of the development.

### **Traffic**

- H5 All vehicular movement to and from the site is to be in a forward direction.
- H6 Proposed parking areas, vehicle bays, driveways and turning areas are to be maintained clear of obstruction and be used exclusively for purposes of car parking, loading and unloading, and vehicle access, respectively. Under no circumstances are such areas to be used for the storage of goods or waste materials.

### **Stormwater**

- H7 A Maintenance Manual for all water quality devices is to be prepared in accordance with Council's Stormwater and Water Efficiency for Development Technical Manual (Updated 2013). The Maintenance Manual is to address maintenance issues concerning the water quality devices including routine monitoring and regular maintenance and be kept on site at all times. Establishment and maintenance of the water quality devices in accordance with the Maintenance Manual prepared by the applicant is to be completed prior to occupation of this site for the intended use.

### **Environmental Management**

- H8 The use and occupation of the premises, including all plant and equipment installed thereon, is not to give rise to any offensive noise, as defined under the *Protection of the Environment Operations Act 1997* (NSW).
- Should Council consider offensive noise has emanated from the premises, the owner/occupier of the premises will be required to submit an acoustic assessment prepared by a suitably qualified acoustical consultant recommending appropriate acoustic measures necessary to ensure future compliance with this condition and will be required to implement such measures within a nominated period. Furthermore, written certification from the said consultant confirming the recommended acoustic measures have been satisfactorily implemented will be required to be submitted to Council prior to the expiration of the nominated period.
- H9 The use and occupation of the premises is not to give rise to the emission of any 'air impurity' as defined under the *Protection of the Environment Operations Act 1997* (NSW), that interferes unreasonably with the amenity of neighbouring premises and/or other sensitive receivers.

Should Council consider that unreasonable levels of air impurities have been emitted from the premises, the owner/occupier will be required to engage a suitably qualified consultant to recommend measures to control emissions of air impurities to an acceptable level and such measures being implemented within a nominated time

period. Furthermore, written certification from the suitably qualified consultant will be required to be submitted to Council confirming that air impurity emissions from the premises do not interfere unreasonably with the amenity of neighbouring premises and/or other sensitive receptors before the expiration of the nominated period.

## **I Other Agency Conditions**

### **Rural Fire Service**

I1 The proposed development is to comply with the General Terms of Approval of the NSW Rural Fire Service dated 19 June 2014 as attached to this schedule, including:

- a) At the commencement of building works and in perpetuity the property around the building to a distance of:
  - 60 metres on the eastern elevation
  - 45 metres on the western elevation and
  - 24 metres on the southern elevation, shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
- b) Water, electricity and gas are to comply with Sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.
- c) Property access roads shall comply with sections 4.1.3(2) and 4.2.7 of 'Planning for Bush Fire Protection 2006'.
- d) The University of Newcastle shall include the building within its existing emergency management plans giving specific consideration for bushfire to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.
- e) New construction on the northern and western elevations shall comply with Section Sections 3 and 7 (BAL29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
- f) New construction on the southern elevation shall comply with Section Sections 3 and 8 (BAL40) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
- g) Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.
- h) Full details are to be provided to the Principal Certifying Authority for approval with the required construction certificate application.

All requirements shall be completed and/or implemented prior to the issue of any Occupation Certificate.

## **J Advisory Notes**

- J1 Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 (NSW) (the 'Act') are to be complied with:
- a) a Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act
  - b) a Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act and
  - c) Council is to be given at least two days notice of the date intended for commencement of building works, in accordance with Section 81A(2)(c) of the Act.
- J2 Prior to the occupation or use of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the proposed development. An application for an Occupation Certificate must contain the information set out in Clause 149 of the Environmental Planning and Assessment Regulation 2000 (NSW).
- J3 A Construction Certificate application for this project is to include a list of fire safety measures proposed to be installed in the building and/or on the land and include a separate list of any fire safety measures that already exist at the premises. The lists must describe the extent, capability and basis of design of each of the measures.