

# CONDITIONS

## DA 2014.242.1

168 Liverpool Road ASHFIELD 2131

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### Description of Work as it is to appear on the determination:

- Retention of existing structure;
- Alterations and additions to the existing structure;
- Conversion of existing commercial building (6,460m<sup>2</sup>) into a mixed use building comprising of
  - 3 retail tenancies fronting Liverpool Road with an area of 205 m<sup>2</sup>; and
  - 79 residential apartments which includes 8 adaptable dispersed through the building;
  - 50 x 1 bedroom units and 29 x 2 bedroom units.
- Retention of existing access from Queen Street and parking arrangements;
- Provision 131 parking spaces for residential, visitor and retail/commercial uses;
- Provision of communal facilities for future residential occupants; and
- Landscape works

### A General Conditions

#### (1) Approved plans stamped by Council

The development must be carried out only in accordance with the approved plans and specifications listed below, prepared by Turner and any supporting documentation received with the application, except as amended by the conditions specified hereunder:-

Project No	DWG No	Revision	Title
14002	DA01	6	Context/site plan
14002	DA02	6	Existing ground level car park plan
14002	DA03	6	Existing upper ground level car park plan
14002	DA04	6	Existing level 01 car park plan
14002	DA10	5	Site/roof plan (new addition)
14002	DA11	5	Ground level plan (alterations existing)
14002	DA12	5	Upper ground level plan (alterations existing)
14002	DA13	6	Level 01 plan (alterations existing)
14002	DA14	5	Level 02 plan (alterations existing)
14002	DA15	5	Level 03 plan (alterations existing)
14002	DA16	5	Level 04 plan (alterations existing)
14002	DA17	5	Level 05 plan (alterations existing)
14002	DA18	5	Level 06 plan (alterations existing)
14002	DA19	5	Level 07 plan (alterations existing)
14002	DA21	5	North elevation, Liverpool Road
14002	DA22	5	East elevation, Queen Street
14002	DA23	5	South elevation
14002	DA24	5	West elevation
14002	DA31	6	Section AA
14002	DA32	5	Section BB
14002	DA42	4	Shadow Diagrams, winter solstice
14002	DA43	4	Shadow Diagrams, spring equinox
14002	DA44	4	Shadow Diagrams, Norton Street

			apartments, winter solstice
14002	DA45	4	Shadow Diagrams, Norton Street apartments, equinox
14002	DA51	3	GFA plan diagram 01
14002	DA52	3	GFA plan diagram 02
14002	DA55	4	Apartment amenity diagrams
14002	DA71	4	Photomontage 01
14002	DA72	4	Photomontage 02
14002	DA73	4	Photomontage 03
14002	DA74	4	Photomontage 04
14002	DA81	4	Materials & finishes board
14002	SK401	4	Adaptable apartment layout 01
14002	SK402	4	Adaptable apartment layout 02
14_025	L01	E	Landscape plan 01
14_025	L01	A	Level 7 landscape plan
14_025	L02	A	Greenwall details
14_025	L03	A	Greenwall details 2
	01229_201	01	Stormwater drainage ground floor plan
	01229_601	01	Stormwater catchment plan
	01229_621	01	Stormwater drainage OSD tank 1 details

Document	Prepared by	Date
Statement of Environmental Effects Pty Ltd		
Waste management Plan	Elephants foot	13 March 2015
Accessibility report	ABE consulting	16 March 2015
Traffic & parking assessment	GTA consultants	13 March 2015
Basix assessment	Efficient living Pty Ltd	13 March 2015
Daylight report	BSE Building Engineers	March 2015
BCA Capability Report	Vic Lilli	13 March 2015
Noise impact report	Acoustic Logic	13 March 2015
Remediation & partial demolition	Van der meer	13 March 2015
SEPP 65 report	Turner	August 2014
Heritage impact statement	Weir Philips	August 2014 & 12 March 2015

## (2) Housing Affordability

- (a) Details for achieving compliance with clause 4.3 A and (3) (b) of the Ashfield LEP 2013 which requires 25 percent of additional floor space which exceeds the 23 metre height limit to be used for the purpose of affordable housing shall be submitted to Council for approval prior to release of the construction certificate.
- (b) In accordance with Clause 17 of the State Environmental Planning Policy (Affordable Rental Housing) 2009 for 10 years from the date of the issue of any occupation certificate: -
- (i) the dwellings proposed to be used for the purposes of affordable housing will be used for the purposes of affordable housing, and
  - (ii) all accommodation that is used for affordable housing will be managed by a registered community housing provider, and
  - (iii) a restriction will be registered, before the date of the issue of any occupation certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the [Conveyancing Act 1919](#), that will ensure that the requirements of paragraph (b) are met.

**(3) Lodgement of separate development application**

A separate development application is to be submitted to Ashfield Council for the use and fit-out of the proposed retail tenancies including any advertising.

**(4) Building work in compliance with BCA**

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

**(5) Waste management**

The applicant shall enter into a private waste collection service contract. The applicant shall incorporate the requirement to service the building under private waste contract in the land title and in the bylaws. Details of how this is to be achieved shall be provided to the satisfaction of Council prior to issue of the construction certificate.

**(6) Compliance with NSW Police requirements**

Conditions and requirements imposed by Ashfield Local Area Command in their letter dated 29 October 2014 shall be complied with and documentary evidence from Ashfield Area Command shall be provided prior to the release of any occupation certificate. Police conditions attached.

**(7) Compliance with Transport Roads & Maritime Services requirements**

Conditions and requirements imposed by Transport Roads & Maritime Services in their letter dated 1 December 2014 shall be complied with and documentary evidence from Transport Roads & Maritime Services shall be provided prior to the release of construction certificate. Transport Roads & Maritime Services conditions attached.

**B Design Changes**

**(1) Building Aesthetic composition**

Prior to the issue of a Construction Certificate the applicant shall submit to Council satisfaction and approval of the following:-

- (a) The last storey of the building shall be arranged similar to that depicted on DWG DA 19 Revision 5 dated 13 March 2015 with that level having a majority of the roof top area with communal open space within the northern part of that storey; The layout resulting in the last level being aesthetically differentiated from the lower parts of the building as portrayed on the perspectives on drawing DA 71 Revision 4 dated 13 March 2015, DA 73 Revision 4 dated 13 March 2015. The roof top communal area shall consist of 30% of the site area;
- (b) Apartment layouts shall be configured so that they comply with Council's Interim Development Assessment policy part C1- Access and Mobility and provide Universal Accessible Design to the interior of those apartments;
- (c) Apartments 1.01, 1.02, 1.03, 1.04, 1.05, 1.06 located adjacent Liverpool Road shall have winter garden balconies, as defined by the Draft Apartment Design Code accompanying Draft State Environmental Planning Policy No 65, in order to provide satisfactory acoustic amenity for residents of those apartments;

- (d) Detailed elevations shall be provided for the building adjacent Liverpool Road which includes Apartments 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, at a minimum scale of 1:50. The Elevations shall be notated to describe each building component, as depicted in the perspective on DWG DA74 - Revision 1 dated 13 March 2015. This is to include use of metal cladding along the balcony slab edges and roof edges and parapets. Details of the balconies and Winter Gardens balconies shall accompany with a statement by an accredited certifier stating that the design complies with the Building Code of Australia and separation requirements between apartments;
- (e) A detailed roof plan shall be submitted; and
- (f) Revised Elevation of the entire building shall be submitted incorporating the required design modifications, including having the last level being aesthetically differentiated from the lower parts of the building, and showing an architectural roof feature as defined in the Ashfield LEP 2013 which enhances the design of the building.

## **(2) Car park design**

- (a) All car park layout including headroom is to be designed to AS 2890.1:2004. The parking spaces in the car park under the proposed unit apartments (angled less than 90 degrees) should be marked and 'boxed' out to designate the spaces. The aisle ways should also be edge lined/hatched to designate the circulatory travel path of the vehicles in this car park level;
- (b) The driveway access from Queen Street shall be designed to AS 2890.1:2004 Section 3.2.4 for minimum clearance and sight line view of pedestrians. revised plans clearly identifying the driveway end treatments are to be used for the sighting of pedestrians by motorists exiting the car park and vice-versa. A minimum clearance sight splay of 2.5m x2.0m is to be provided at the corner(s) of the driveway;
- (c) Ten (10) disabled parking spaces should be located near lifts and designed in accordance to AS 2890.6:2009 with minimum headroom of 2.5 metres at the disabled parking spaces.

The disabled parking spaces are located in the separate car park at a lengthy distance away from lifts and access to the apartment building block. Disabled persons are required to crossover the internal circulatory road dividing the apartment building and separate car park. These spaces should be relocated to the car park level under the apartments in near and safe proximity to lifts;

- (d) Parking width spaces for commercial customers shall be increased to a minimum of 2.6metres wide to satisfy short term town Centre parking requirements under AS2890.1:2004; and
- (e) Appropriate advisory, warning and sight view measures shall be implemented for both pedestrians and motorists at the crossover from the separate car park to the apartment building.

**(3) Vehicle wash bays**

All vehicle wash bays shall be provided with a tap connected to a continuous supply of water and the wash bays shall be bunded and graded to a floor waste connected to the sewer.

**(4) Loading bay**

One (1) loading bay is required to be provided on site that can be adequately accessed by all vehicles used to service the site, including removalist trucks.

**(5) Bicycle parking**

Minimum of 18 lockable bicycle parking facilities are to be provided on site.

**(6) Provision of public art**

A public art feature shall be designed and constructed/installed at the applicants cost. This feature shall provide visual interest for pedestrians and interpret or reflect the local setting and/or landscape character and/or the cultural setting of the area. The feature shall be designed to ensure long-term durability and be resistant to vandalism. Details shall be approved by Ashfield Council prior to issue of Occupation Certificate, and the applicant is advised to liaise with Council during design stages.

**(7) Residential car park**

All residents shall be provided with minimum of one (1) car parking space and be indicated on the plans with the construction certificate.

**(8) Interim storage area for recyclables on each floor**

The proposed interim storage area for recyclables on each level shall be of a sufficient size to accommodate a minimum of 2 x 240L bins. Details shall be provided to the satisfaction of Council prior to release of the construction certificate.

**(9) Storm water**

Prior to issue of the construction certificate the following additional/revised information shall be provided to and approved by Council:-

- (a) A Stormwater Drainage Plan demonstrating that the existing stormwater drainage system for both OSD tanks 1 & 2 as indicated on Drawing 01229-601 shall be collected and discharged by means of a gravity pipe system to the street gutter at a maximum discharge of 9.6 L/sec for the 1:100 ARI as required for Development Application 010.2008.133-001.
- (b) A Stormwater Drainage Concept Plan demonstrating that the existing catchment draining to Liverpool Road as indicated on Dwg.01229-601 by C&M Consulting Engineers, complies with Council's Stormwater Code.

**C     Conditions that must be satisfied prior to issuing/releasing a Construction Certificate**

**(1)     Construction and Site Management Plan**

Prior to the issue of a Construction Certificate the applicant shall submit to Council or the accredited certifier a construction and site management plan that clearly sets out the following:

- (a)     what actions and works are proposed to ensure safe access to and from the site and what protection will be provided to the road and footpath area from building activities, crossings by heavy equipment, plant and materials delivery, or static loads from cranes, concrete pumps and the like;
- (b)     the proposed method of loading and unloading machines, building materials, formwork and the erection of any part of the structure within the site;
- (c)     the proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period;
- (d)     how it is proposed to ensure that soil/excavated material is not transported on wheels or tracks of vehicles or plant and deposited on surrounding roadways; and
- (e)     the proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed by a chartered Civil Engineer or an accredited certifier.

Where it is proposed to:

- pump concrete from within a public road reserve or laneway, or
- stand a mobile crane within the public road reserve or laneway, or
- use part of Council's road/footpath area,
- pump stormwater from the site to Council's stormwater drains, or
- store waste and recycling containers, skip, bins, and/or building materials on part of Council's footpath or roadway,

An Activity Application for a construction zone, a pumping permit, an approval to stand a mobile crane or an application to pump water into a public road, together with the necessary fee shall be submitted to Council and approval obtained before a Construction Certificate is issued.

Note: A separate application to Council must be made for the enclosure of a public place (hoarding).

**(2)     Long service levy**

Compliance with Section 109F of the Environmental Planning and Assessment Act 1979 – payment of the long service levy under Section 34 of the Building and Construction Industry Long Service Payments Acts 1986 – is required. All building of \$25,000.00 and over are subject to the payment of a Long Service Levy fee. A copy of the receipt for the payment of the Long Service Levy shall be provided to the Principal Certifying Authority (PCA) prior to the issue of a Construction Certificate. Payments can be made at Long Service Payments Corporation offices or most Councils.

### **(3) Sydney Water - Section 73 Compliance Certificate**

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then follow the "e-Developer" icon or telephone Sydney Water 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.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the release of an occupation or subdivision certificate.

### **(4) Waste Management Plan**

Prior to the issue of a Construction Certificate, the applicant shall prepare and submit a Waste Management Plan in accordance with the provisions of Ashfield Interim Development Policy 2013 - Planning For Less Waste and the Waste Planning Guide for Development Applications (Planning for Less Waste, prepared by the Regional Waste Boards), including:

- (a) Estimations of quantities and type of materials to be reused, recycled or left over for removal from site;
- (b) Identification on a plan of on site material storage areas during construction, waste storage, recycling and composting areas;
- (c) Details of construction materials and methods to be used to minimise the production of waste in the completion of the new building work.
- (d) How waste is to be treated on the site.
- (e) How any residual non-reusable and non-recyclable waste is to be disposed of and including details of the approved waste disposal outlets where disposal will take place.

### **(5) Section 94 Development Contributions**

In accordance with Section 80A(1) of the *Environmental Planning and Assessment Act 1979* and the Ashfield Council Development Contributions Plan, the following monetary contributions shall be paid to Council Prior to issue of a Construction Certificate to cater for the increased demand for community infrastructure resulting from the development:

<u>Community Infrastructure Type</u>	<u>Contribution</u>
Local Roads	\$15,570.10
Local Public Transport Facilities	\$47,564.50
Local Car Parking Facilities	\$0.00
Local Open Space and Recreation Facilities	\$855,258.39
Local Community Facilities	\$50,713.07
Plan Preparation and Administration	\$38,856.50
<b>TOTAL</b>	<b><u>\$1,007,962.56</u></b>

If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Ashfield Development Contributions Plan and the amount payable will be calculated on the basis of the contribution rates applicable at the time of payment in the following manner:

$$\$C_C = \frac{\$C_P \times CPI_C}{CPI_P}$$

Where:

$\$C_C$  is the amount of the contribution for the current financial quarter

$\$C_P$  is the amount of the original contribution as set out in this development consent

$CPI_C$  is the Consumer Price Index (Sydney – All Groups) for the current financial quarter as published by the ABS.

$CPI_P$  is the Consumer Price Index for the financial quarter at the time of the original consent.

Prior to payment of the above contributions, the applicant is advised to contact Council's Planning Division on 9716 1800. Payment may be made by cash, money order or bank cheque.

Council's Development Contributions Plan may be viewed at

[www.ashfield.nsw.gov.au](http://www.ashfield.nsw.gov.au) or a copy may be inspected at Council's Administration Centre.

## **(6) Long service levy**

Compliance with Section 109F of the Environmental Planning and Assessment Act 1979 – payment of the long service levy under Section 34 of the Building and Construction Industry Long Service Payments Acts 1986 – is required. All building works in excess of \$25,000.00 are subject to the payment of a Long Service Levy fee. A copy of the receipt for the payment of the Long Service Levy shall be provided to the Principal Certifying Authority (PCA) prior to the issue of a Construction Certificate. Payments can be made at Long Service Payments Corporation offices or most councils.

## **(7) Lighting to basement/pedestrian routes-safety**

Lighting which meets the relevant Australian Standard of 40 lux, spaced at appropriate intervals to provide the required surveillance shall be provided to the vehicular basement parking area and along pedestrian access routes for safety and security



purposes during the evenings. The proposed lighting shall be at the highest energy efficient rating. Details to be shown on the construction certificate.

## **(8) Surveillance**

A surveillance system, for the building, open space, site link and basement car park is to be designed by a professionally recognised security firm, which include the following:

- a closed circuit television (surveillance cameras);
- A room having the relevant control panels; and
- Digital data 'on disc' or similar to be properly stored and retained on site for a minimum of twenty-one (21) days for the availability of Council or NSW Police.

Details to be shown on the construction certificate and provided to Ashfield Police prior to occupation.

## **(9) Entry control - safety**

At the entry to the resident basement car park, the following shall be provided:

- a security gate or shutter; and
- an intercom system between visitors and residents to enter and exit from the car park.

Each ground level entry area to the building shall have an intercom system whose purpose is to contact residents or the manager/caretaker to allow entry to visitors. Details to be shown on the application with the construction certificate.

## **(10) Preparation of geotechnical report**

To ensure that the structural integrity of the proposal and neighbouring buildings will be maintained, a full geotechnical report must be submitted to the PCA prior to the issue of a construction certificate. The report must include an investigation of the proposed means of construction and must contain, where required, recommendations to ensure that construction, including temporary works during construction, will not affect the structural integrity of neighbouring buildings or the structural stability of neighbouring public land, property or services. The report is to be prepared and certified by an appropriately qualified practicing geotechnical engineer.

## **(11) Vibration damage assessment**

To minimise vibration damage and loss of support to buildings in close proximity, a report shall be prepared by a qualified Geo-technical engineer detailing the maximum size of hammer to be used where a hydraulic hammer is to be used within 30 metres of any building (other than a path or a fence). The report is to be submitted to Council prior the issue of a Construction Certificate.

## **(12) Street numbering**

An application for street numbering shall be lodged with Council for approval, prior to the release of a Construction Certificate, or Subdivision Certificate, whichever occurs first.

**(13) Strata subdivision certificate to be obtained from Council**

Prior to the issue of a strata certificate under Section 37 of the *Strata Titles Act 1973*, the applicant is to submit an application for a Section 37 certificate together with a survey plan prepared by a registered surveyor, and at least six copies for certification by an accredited certifier, the General Manager of Council or authorised person of Council.

**(14) Subdivision certificate to be obtained from Council**

A subdivision certificate, being a certificate that authorises the registration of a plan of subdivision under Division 3 of Part 23 of the *Conveyancing Act 1919* is to be obtained from Council in accordance with Section 109C(1)D of the *Environmental Planning and Assessment Act 1979*.

**(15) Plan of subdivision - Council signature**

A final plan of subdivision, prepared by a registered surveyor, and six (6) paper copies, are to be submitted to Council for signature, prior to registration at the Land Titles Office.

**(16) Documentary evidence- compliance with consent– strata plan**

The Strata Plan of subdivision will not be issued until documentary evidence of compliance with conditions of Development Consent. has been submitted to Council.

**(17) Ausgrid Requirements**

Ausgrid shall be consulted and its requirements be met in the construction of the development. Details to be provided.

**(18) Exhaust fumes from car park**

Any exhaust ventilation from the carpark is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1. details demonstrating compliance are to be provided with the Construction Certificate.

**(19) No external service ducts**

Service ducts shall be provided within the building to keep external walls free of plumbing or any other utility installations. Such service ducts are to be concealed from view from the street. Details demonstrating compliance are to be provided in the Construction Certificate.

**(20) SEPP 65 – Design Verification**

Prior to release of the Construction Certificate design verification is required to be submitted from the original designer to confirm the development is in accordance with the approved plans and details and continues to satisfy the design quality principles in State Environmental Planning Policy No – 65 Design Quality of Residential Flat Building Development.

## **(21) Damage deposit/footpath, road, kerb and gutter**

A Damage Deposit of **\$15,000** is to be submitted prior to the release of the Construction Certificate covering repair and/or replacement of adjoining footpath, road shoulder, road pavement, kerbing and guttering both outside the subject site and the surrounding area. This is to be paid to Council and may be refunded subject to satisfactory completion of construction or demolition.

This Damage Deposit covers unforeseen damage to the above property by construction vehicles, skip bins, construction methods etc. Note: Should repair works or maintenance be required on Council land, a Road Opening Permit must be obtained before those works take place.

**Bank Guarantees** are accepted in lieu of any Council security deposit/bond subject to the following:

It must be an **original with no end date** and issued in favour of Council, details of the proponent's address shall be included.

A charge equal to the value multiplied by the current "overdue rates interest charge" be levied, per month or part thereof, with a minimum charge of three months is to be paid upon lodgement.

Any remaining charge is to be calculated at the prevailing "overdue rates interest rate" for each month or part thereof beyond the original three months that the Bank Guarantee was held, and paid prior to its release.

Any costs incurred in the acceptance, administration or release of such Bank Guarantees be on-charged to the entity claiming the release of such Bank Guarantee, and that these amounts be paid prior to its release.

At the time of lodgement, Council will seek verification of the Bank Guarantee. Please provide contact details for the branch (phone number and officer) to assist with verification of the bona fides of the Bank Guarantee.

Until all items above are completed, no documents or usage sought from Council by the party lodging the Bank Guarantee can be issued. Please allow a minimum of 2 business days for this process.

The return of the Damage Deposit shall not be refunded until all conditions of Consent have been completed and the Occupation Certificate has been released.

## **(22) Services adjustment or relocation**

The applicant shall meet the full cost for Telstra, Sydney Electricity, Sydney Water or Natural Gas Company to adjust/relocate their services as required. The applicant shall make the necessary arrangements with the service authority. (For information on the location of these services contact the "Dial before you Dig" service on 1100.)

Documentary evidence from the public utility authorities confirming that all of their requirements have been satisfied shall be submitted to Council with the Construction Certificate under Section 68 of the Local Government Act, 1993, for construction of the development

### **(23) Stormwater disposal-calculations**

- (a) Calculations and details of the proposed method of stormwater disposal shall be prepared by a suitably qualified professional civil engineer in accordance with **Council's Stormwater Management Code** and submitted to, and approved by, Council prior to the release of the Construction Certificate.

The Construction Certificate plan to be submitted to Council must consist of the following items:

Separate catchment areas within the site draining to each collection point or surface pit classified into the following categories:

- (i) Roof areas.
  - (ii) Paved areas.
  - (iii) Grassed areas.
  - (iv) Garden areas.
  - (v) The percentages of Pre-development and Post-development impervious areas
- (b) At each pit and or bend, a level of pipe is to be shown (the minimum grade for pipes is 1%).
- (c) All flowpaths both internal and external, which pass through or around the proposed development site, are to be shown on the Construction Certificate plan
- (d) Calculations and details are to be provided to Council showing that provisions have been made to ensure that the piped drainage system including pits have been sized to accept runoff from all storms up to the 100 year ARI, (including overflows from roof gutters).
- (e) All garbage and waste areas must drain to the sewer and not the stormwater system.

### **(24) Stormwater detention storage facility**

On-site Stormwater Detention storage shall be provided in conjunction with the stormwater disposal. This storage shall be designed in accordance with Council's Stormwater Management Code. Details of the storage shall be submitted to and approved by Council prior to the release of the Construction Certificate.

All on-site stormwater detention pits must be located on Common Property and not on private property.

Prior to the release of the Construction Certificate, a maintenance schedule is to be prepared which clearly outlines the routine maintenance necessary to keep the OSD system working, this information is to be included in the Positive Covenant required for this development. Some of the issues that will need to be addressed are:

where the storage and silt arrestor pits are located which parts of the system need to be accessed for cleaning and how access is obtained description of any equipment needed (such as keys and lifting devices) and where they can be obtained the location

of screens and how they can be removed for cleaning who should do the maintenance (i.e. commercial cleaning company) how often should it be done

The abovementioned maintenance schedule is to be submitted to and approved by Ashfield Municipal Council prior to the release of the Occupation Certificate.

**(25) Footpath/laneway- photographs to be submitted**

Prior to the release of the Construction Certificate, the applicant shall lodge with Council photographs of the roadway, footpath and laneway at the property indicating the state of the relevant pavements. At the completion of construction, again at the expense of the applicant, a new set of photographs is to be taken to determine the extent, if any, of any damage, which has occurred to the relevant pavements. If any damage has occurred, the applicant shall meet the full cost to repair or reconstruct these damaged areas to Council's relevant standard. Failure to do this will result in the applicant being held accountable for the cost of all repair works in the area near / at the site.

**(26) Pumpout system specifications**

A pumpout system may be permitted to discharge small volumes of stormwater from the basement car parking area. Full details of the pump size, capacity, performance curves, friction losses etc from the manufacturer's specifications must be submitted with the stormwater drainage calculations demonstrating that the pump will function in accordance with the manufacturer's specifications for the required volume of stormwater at the subject total head. Minimum pump capacity allowable is for a 5 minute 1 in 20 ARI storm.

The drainage sump storage area for the pump shall be a bunded area able to cater for a 1 hour 1 in 20 ARI storm to minimise flooding in the event of a power blackout during a storm.

A dual pumpout arrangement will be necessary, these pumps will be required to be connected in parallel and alternate automatically, with each pump being capable of emptying the holding tank or holding area at the permissible site discharge rate. (All pumps must be Class 1 Zone 2, if the pumps are located within a building (i.e. in the basement)).

The stormwater volumes discharged from the pumpouts are to be included in the permissible amount of stormwater discharged from the site as stated in other relevant conditions.

**D Conditions that must be complied with before work commences**

**(1) Notice of Commencement – Notification of Works**

Work must not commence until the Principal Certifying Authority or the person having the benefit of the development consent has given Notification in Writing to Council no later than two days before the building work commences.

**(2) Requirement for a Construction Certificate**

In accordance with the provisions of Section 81A of the *Environmental Planning and Assessment Act 1979* the erection of a building and/or construction works must not commence until:

- (a) detailed plans and specifications of the building have been endorsed with a Construction Certificate by:
  - (i) Council; or
  - (ii) an accredited certifier; and
- (b) a principal certifying authority (PCA) has been appointed and the Council has been notified in writing of the appointment, and
- (c) at least two days notice, in writing, has been given to Council of the intention to commence work.

The documentation required under this condition shall show that the proposal complies with all development consent conditions and the *Building Code of Australia*.

Note: If the principal certifying authority is the Council, the appointment will be subject to the payment of a fee for the service to cover the cost of undertaking building work and / or civil engineering inspections.

**WARNING:** Failure to obtain a Construction Certificate prior to the commencement of any building work is a serious breach of Section 81A(2) of the *Environmental Planning & Assessment Act 1979*. It is a criminal offence that attracts substantial penalties and may also result in action in the Land and Environment Court and orders for demolition.

### **(3) Inspections required by Principal Certifying Authority**

Inspections shall be carried out at different stages of construction by Council or an accredited certifier. If Council is selected as the Principal Certifying Authority (PCA) the inspection fees must be paid for in advance which will be calculated at the rate applicable at the time of payment.

### **(4) Site Controls**

Sediment and erosion controls must be in place before work is commenced on the site. The control strategies must be consistent with the technical requirements set out in the Sydney Coastal Councils' *Stormwater Pollution Control Code for Local Government*.

Material from the site is not to be tracked onto the road by vehicles entering or leaving the site. At the end of each working day any dust/dirt or other sediment shall be swept off the road and contained on the site and not washed down any stormwater pit or gutter.

A sediment and erosion control plan must be prepared and identify appropriate measures for bunding and siltation fencing. Any such erosion and sedimentation controls shall also include the protection of stormwater inlets or gutter systems within the immediate vicinity of the site.

The sediment and erosion control measures are to be inspected daily and defects or system failures are to be repaired as soon as they are detected.

**(5) Crane permit**

Should the applicant need to use a crane during the course of building, it will be necessary to first obtain a “Crane Permit” from Council’s One Stop Shop. A fee of is payable for the permit. The approval of other authorities (eg Police Department, RTA) may be required for the use of a crane.

**(6) Structural Engineering Details**

Structural engineer’s details prepared and certified by a practising structural engineer for all reinforced concrete and structural members is to be submitted to the Principal Certifying Authority for approval.

**(7) Public liability insurance – Works on Council/public lands**

The applicant or any contractors carrying out works on public or Council controlled lands shall have public liability insurance cover to the value of \$10 million and shall provide proof of such cover prior to carrying out the works.

**(8) On site detention system – check survey**

**REQUIREMENTS DURING CONSTRUCTION:**

Prior to the construction of an on-site detention system involving permanent construction work (e.g. construction of concrete slabs, walls, pipe-systems or pits etc, and prior to the placement of any concrete for ground floor, car park or garages) a “check survey from a registered surveyor” must be forwarded to the Council indicating compliance with the approved plans before any concrete pour is approved by the relevant Council building surveyor or Authorised Certifier.

**(9) Erosion, dust, topsoil and sediment control**

Temporary measures shall be provided during construction e.g. bunding, shade cloth to prevent dust leaving the site, sandbags around Council/private stormwater pits etc. in order to prevent sediment, dust, topsoil and polluted waters discharging from the site. Plans showing such measures shall be submitted to Council and approved prior to the release of the Construction Certificate.

**(10) Road opening permit- Council controlled lands**

A “road use-opening permit” shall be obtained for all works carried out in public or Council controlled lands. Contact Council’s Works and Infrastructure Department for details.

**(11) Traffic control on public roads**

Where works are undertaken on public roads, adequate traffic control in accordance with AS 1742.3 1996 “Traffic Control Devices for work on Roads”, particularly regarding traffic movement controllers, advance warning signs and directions to motorists, shall be provided. Where such measures are not satisfactorily provided to this Australian Standard, Council may provide such and recover the costs from any bonds held.

## **(12) Sanitary facilities - demolition/construction sites**

Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

## **(13) Building location - check survey certificate**

To ensure that the height of the building complies with ALEP 2013 and satisfies the provision of the approval, a check survey certificate shall be submitted to Council prior to the pouring of the ground floor slab including :-

- (i) The RL and height of the top most level ensuring that no GFA is located above 27m at any point; and
- (ii) The overall height of the building does not exceed 30m at any point

## **(14) Protection of public places - erection or demolition of building**

- (a) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient or involves the enclosure of a public place; a hoarding or fence must be erected between the work site and the public place.
- (b) 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.
- (c) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- (d) Any such hoarding, fence or awning is to be erected prior to works commencing and only with Council approval in accordance with Workcover requirements. The temporary structures are to be removed when the work has been completed.

## **(15) Site fencing/security**

The site must be appropriately secured and fenced to the satisfaction of Council during demolition, excavation and construction work to ensure there are no unacceptable impacts on the amenity of adjoining properties. Permits for hoardings and or scaffolding on Council land must be obtained and clearly displayed on site.

## **(16) Dilapidation Reports**

A Dilapidation Report on the current structural condition of the existing buildings adjacent to the site at 162, 176 & 180 Liverpool Road, Ashfield must be prepared by a practicing structural engineer. The Dilapidation Report must be completed and submitted to the owner of the subject property and to Council prior to the commencement of any demolition, excavation or construction works. At the completion of the works, a second Dilapidation Report recording the structural



condition must be prepared. That Report must be submitted to the owner of the subject property and to Council.

**(17) Demolition work plan**

Prior to demolition, the applicant shall submit a Work Plan prepared in accordance with AS 2601 by a person with suitable expertise and experience to the Principal Certifying Authority. The Work Plan shall identify any hazardous materials, the method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.

**(18) Asbestos sheeting removal - EPA/Workcover Authority**

Asbestos removal is to be carried prior to principal works commencing in accordance with Environmental Protection Authority and Workcover Authority requirements. Proper procedures shall be employed in the handling and removal of asbestos and products containing asbestos so as to minimise the risk to personnel and the escape of asbestos particles in the atmosphere. Work is only to be carried out with the prior consent of the Work Cover Authority.

Note: There are substantial penalties for non-compliance with the above requirements.

**(19) Lead removal certification**

The existing structures/land on the site potentially contain lead. Following removal of any lead located on site a clearance must be provided to the Principal Certifying Authority certifying that no such lead remains on site from a suitably qualified person.

A copy of the clearance Certificate must be forwarded to Council before any other demolition work is commenced.

**(20) Garbage skips on Council land - Council approval**

Bulk refuse bins or garbage skips shall not be placed on grass verge, footpath or roadway without Council permission. Application forms and details of applicable fees are available from Council's Customer Service on telephone 9716 1800.

**(21) Haulage route information**

Full details of proposed haulage routes, estimated number of vehicle movements and trip locations related to demolition/construction activities are to be submitted to Ashfield Council prior to work commencing.

***E      Conditions that must be complied with during construction or demolition***

**(1) Building materials and equipment - storage/placement on footpath/roadway - Council approval**

All building materials and equipment shall be stored wholly within the property boundaries and shall not be placed on the footpath, grass verge or roadway without prior written approval of Council.

Bulk refuse bins shall not be placed on the grass verge, footpath or roadway without Council permission. Application forms and details of applicable fees are available from Council's One Stop Shop telephone 9716 1800.

## **(2) Signs to be erected on building and demolition sites**

A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:-

- (a) stating that unauthorised entry to the work site is prohibited; and
- (b) showing the name and address of the contractor for the building work and the person in charge of the work site and a telephone number at which the person may be contacted outside working hours; and
- (c) showing the name, address and telephone number of the Principal Certifying Authority appointed for the building works.

Any sign shall be maintained and not removed until work has been finished.

## **(3) Demolition/excavation/construction - hours of work**

Demolition, excavation and construction work, including loading and unloading of materials and machinery, shall be restricted to between the hours of 7.00 am to 6.00 pm, Monday to Friday and from 7:00 am to 1.00 pm on Saturday. Work is prohibited on Sundays, and on public holidays.

## **(4) Waterproofing materials/installation – BCA/Australian Standards**

Approved products that are impervious to water shall only be used as a substrate or as a lining and as a finish to floors and walls of wet areas (i.e. bathroom/shower room, WC compartment and laundry). Floors and cubicles shall be properly graded and drained to approved outlets.

The wet areas in the building shall be impervious to water as required by Part 3.8.1 of the Building Code of Australia (BCA). The junction between the floor and wall and the construction of the bath shower recess, basin, sink or the like shall be in accordance with the BCA & AS 3740:2004 'Waterproofing of wet areas within residential buildings'.

On completion of the waterproofing of the wet areas, the Principal Certifying Authority shall be furnished with a certificate from the person responsible. This is to state that the materials are suitable for the situation and that the application and/or installation has been carried out in accordance with the manufacturer's instructions, the BCA and AS 3740.

## **(5) Safety Glazing - BCA**

Safety glazing complying with B1 of the Building Code of Australia (BCA) is to be used in every glazed door or panel that is capable of being mistaken for a doorway or unimpeded path of travel. The glazing must comply with AS 1288:2006 'Glass in Buildings – Selection and Installation'.

Framed panels or doors enclosing or partially enclosing a shower or bath shall be glazed with "A" or "B" grade safety glazing material in accordance with AS 1288 and Part 3.6.4 of the BCA.

#### **(6) BASIX Requirements**

The new works shall be constructed in accordance with, and comply with the undertakings given on the BASIX (Building Sustainability Index) Certificate as obtained on Insert date of BASIX from the Department of Infrastructure, Planning and Natural Resources. For more information visit [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au).

#### **(7) Footpath, kerb and gutter reconstruction**

The public footpath and verge outside the site on Liverpool shall be completely reconstructed to the requirements of Council's Works & Infrastructure Department at the applicant's expense.

This shall necessitate the following works being carried out by the applicant: -

- (a) All new footpath works on Council land shall be reconstructed using the type of pavers and pattern that have already been used in the surrounding area on Liverpool Road. (Pebblecrete pavers 400 x 400 x 60 honed, acid etched PPX540:400D and PPX49:400D or of similar type.)
- (b) All pavers shall be laid on a 100mm concrete sub base.
- (c) A permit to carry out these works on Public land will be required to be obtained. In order for Council to grant approval for these works plans and details shall be submitted to Council for approval.
- (d) The applicant will be responsible for the replacement of any Council street sign removed or damage during the construction phase of this development.

This work shall be carried out prior to the release of the Occupation Certificate.

#### **(8) Footpath, kerb and gutter protection**

The applicant is to take all precautions to ensure footpaths and roads are kept in a safe condition and to prevent damage to Council's property.

Pedestrian access across this footpath must be maintained in good order at all times during work. Any damage caused will be made good by Council at Council's restoration rates, at the applicant's expense

#### **(9) Finished ground surface levels at property boundary**

Finished ground surface levels shall match existing levels at the property boundary.

#### **(10) Vehicle access driveways**

The existing vehicular access driveway in Queen Street shall be reconstructed in accordance with Council's standard drawing and specifications. The driveway shall be located a minimum of 1.0m clear of any existing stormwater pits, lintels or poles and 2m clear of any trees within the road reserve. The driveways shall also be located

a minimum of 0.5m clear of any utility service opening such as Telstra, Sydney Electricity, Sydney Water or Natural Gas Company.

This work shall be carried out prior to the release of the Occupation Certificate.

#### **(11) Road opening permit- Council controlled lands**

A “road use-opening permit” shall be obtained for all works carried out in public or Council controlled lands. Contact Council's Works and Infrastructure Department for details.

#### **(12) Traffic control on public roads**

Where works are undertaken on public roads, adequate traffic control in accordance with AS 1742.3 1996 “Traffic Control Devices for work on Roads”, particularly regarding traffic movement controllers, advance warning signs and directions to motorists, shall be provided. Where such measures are not satisfactorily provided to this Australian Standard, Council may provide such and recover the costs from any bonds held.

#### **(13) Engineering staff to inspect roadworks/drainage**

An inspection by Council's staff will be required for (kerb/gutter/crossing etc) at the following stages: -

- (a) After excavation;
- (b) After the erection of formwork and the placement of reinforcement and prior to pouring of concrete;
- (c) After placement of road base course; and
- (d) On completion of works.

A minimum of 24 hours notice is required to be given to Council to obtain an inspection. Work is not to proceed until the works or activity covered by the inspection is approved.

#### **(14) Stormwater runoff-collection/dischARGE (Non Standard Condition)**

Stormwater runoff from all roof and paved surfaces for both catchments to OSD tanks 1 & 2 as indicated on dwg 01229-601 shall be collected and discharged by means of a gravity pipe system to the street gutter at a maximum discharge of 9.6 L/sec for the 1:100 ARI.

Stormwater runoff from all roof and paved surfaces for the catchment draining to Liverpool Road as indicated on dwg 01229-601 shall be collected and discharged by means of a gravity pipe system to the street gutter at a maximum discharge of 15 L/sec for the 1:100 ARI.

#### **(15) Stormwater runoff**

Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties

**(16) Construction zone**

All construction vehicle activity shall be accommodated on site. A construction zone would only be considered pending Traffic Committee approval, and that construction vehicles could use the kerb immediately outside the site without interfering with the bus stop facilities and traffic movement through the area. A plan showing details of the length required and reasons to why construction vehicles could not be accommodated on site shall be submitted to Council in a minimum period of three month before commencement of construction for referral to the Traffic Committee. Relevant fees will apply as set out in Council's Fees and Charges.

**(17) Plans to be available on site**

The Council stamped approved plans, Development Consent and Construction Certificate shall be held on site to be produced unobliterated to Council's officer at any time when required.

**(18) Advertisements on hoardings prohibited**

No advertisements of any kind shall be affixed to the hoarding except a board which may show the builder's or architect's name or any particulars regarding the subject building.

**(19) Billposters - sign on hoarding**

A sign "Billposters Will Be Prosecuted" shall be attached to or printed upon the front of the hoarding.

**(20) Demolition/excavation/construction - noise - Protection of the Environment Operations Act 1997**

Noise arising from demolition/excavation/construction works shall be controlled in accordance with the requirements of *Protection of the Environment Operations Act 1997* and guidelines currently contained in the *NSW EPA Environmental Noise Control Manual*.

**(21) Noise control during construction and demolition**

For construction and demolition periods of 4 weeks or less the L10 level, measured over a period of 15 minutes when the construction or demolition site is in operation, must not exceed the background level by more than 20dB.

**(22) Dust control**

Adequate measures are to be implemented, including, for example, water spraying/mesh barriers, to prevent dust from causing any nuisance.

You are to ensure that ALL vehicles leaving the site are free of mud and debris. Loads are to be fully covered and vehicles/wheels washed down to ensure that no nuisance occurs.

### **(23) Demolition requirements/standards**

Demolition is to be carried out in accordance with the following:

- (a) Australian Standard 2601 and any requirements of the Workcover Authority.
- (b) The Waste Management Plan submitted with the Development Application.
- (c) The property is to be secured to prohibit unauthorised entry.
- (d) All precautions are to be exercised in the handling, removal and disposal of all asbestos materials. Licensed contractors and the disposal of asbestos is to be carried out in accordance with the requirements of the Work Cover Authority.
- (e) All other materials and debris is to be removed from the site and disposed of to approved outlets.
- (f) Any demolition on the site is to be conducted in strict accordance with, but not limited to, sections 1.5, 1.6, 1.7, 3.1 and 3.9 of the AS 2601 - 1991, demolition of structures. The following measures must be undertaken for hazardous dust control:
- (g) Prior to demolition, the applicant shall submit a Work Plan prepared in accordance with AS 2601 by a person with suitable expertise and experience to the Principal Certifying Authority. The Work Plan shall identify any hazardous materials, the method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- (h) Hazardous dust must not be allowed to escape from the site or contaminate the immediate environment. The use of fine mesh dust proof screens, wet-lead safe work practices, or other measures is required.
- (i) All contractors and employees directly involved in the removal of hazardous dusts and substances shall wear protective equipment conforming to AS 1716 Respiratory Protective Devices and shall adopt work practices in accordance with WorkSafe Requirements (in particular the WorkSafe standard for the *Control of Inorganic Lead At Work* (NOHSC: 1012, 1994) and AS 2641, 1998).
- (j) Any existing accumulations of dust (e.g. ceiling voids and wall cavities must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter and disposed of appropriately.
- (k) All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Unclean water from the suppressant spray is not to be allowed to enter the street gutter and stormwater systems.
- (l) Demolition is not to be performed during high winds that may cause dust to spread beyond the site boundaries without adequate containment.
- (m) All lead contaminated material is to be disposed of in accordance with the NSW Environment Protection Authorities requirements.

- (n) Construction and demolition waste, particularly timber, bricks and tiles, concrete and other materials need not be disposed of- they can be recycled and resold if segregated properly from any hazardous waste contamination.
- (o) Following demolition activities, soil must be tested by a person with suitable expertise to ensure the soil lead levels are below acceptable health criteria for residential areas. Full certification is to be provided for approval by the Principal Certifying Authority.

**(24) Noise transmission - stair shaft - BCA**

The walls of the stair shaft to have a Sound Transmission Class of not less than 45 and to be constructed in accordance with the relevant provisions of Part F5 of the *Building Code of Australia*.

**(25) Noise transmission - dividing walls - BCA**

The walls dividing bathrooms, laundries and kitchens in one flat from habitable rooms in an adjoining flat having a Sound Transmission Class of not less than 50 and being constructed in accordance with the provisions of Part F5 of the *Building Code of Australia*.

**(26) Noise transmission - soil/waste pipes - BCA**

Soil and waste pipes, including those that pass through a floor shall be separated from the rooms of any flat immediately adjacent thereto by construction having a Sound Transmission Class in accordance with Part F5 of the *Building Code of Australia*.

**F Conditions that must be complied with prior to installation of services**

nil

**G Conditions that must be complied with before the building is occupied**

**(1) Engineering conditions to be satisfied prior to the issue of occupation certificate**

Prior to the release of the Occupation Certificate when the on-site building works are completed there are three (3) conditions that must be satisfied.

They are:

**(a). Work-As-Executed Plans**

A "Work-as-Executed" plan prepared and signed by a registered surveyor is to be submitted to Council's Engineering Department at the completion of the works showing the location of the detention basin with finished surface levels, contours at 0.2 metre intervals and volume of storage available. Also the outlet pipe from the detention basin to its connection to Council's drainage system, is to be shown together with the following information:

- location
- pipe diameter
- gradient
- pipe material i.e. PVC or EW etc

- orifice size
- trash screen at orifice
- all buildings (including floor levels) and finished ground and pavement surface levels

*(b) Engineer's Certificate*

A qualified practising Civil Engineer shall certify on the completion of drainage works in respect of:

- \* the soundness of the storage structure;
- \* the capacity of the detention storage;
- \* the emergency overflow system being in place;
- \* the works being constructed in accordance with the Council approved plans; and
- \* the freeboard from maximum water surface level to the finished floor and garage levels are at or above the minimum required in Council's Stormwater Code.

*(c) Restriction-As-To-User*

A "Restriction-as-to-User" is to be placed on the title of the subject property to indicate the location and dimensions of the detention area. This is to ensure that works, which could affect the function of the stormwater detention system, shall not be carried out without the prior consent in writing of the Council.

Such restrictions shall not be released, varied or modified without the consent of the Council.

**(2) Positive Covenant-stormwater detention/surface flow paths-occupation certificate**

A Positive Covenant under Section 88E of the Conveyancing Act shall be created on the title of the property detailing the

- (a) surface flow path
- (b) finished pavement and ground levels
- (c) prevent the erection of any structures or fencing
- (d) on-site stormwater detention system

The wording in the Instrument shall be submitted to and approved by Ashfield Municipal Council prior to lodgement at the Land Titles Office and prior to the release of the Occupation Certificate. The Instrument shall be registered prior to the completion of development.

In order to ensure that the on-site detention system is properly maintained the owner of the site shall each year provide Council with a Certificate from a practicing civil engineer stating that the on-site detention system is functioning correctly and has not been compromised in any manner.

**(3) Approval to use/occupy building**

The building or any part thereof must not be used or occupied until an Occupation Certificate has been obtained from the Principal Certifying Authority.



Note: If Council is chosen as the Principal Certifying Authority a fee is applicable prior to the release of the Construction Certificate.

The floor space ratio of the proposal must not exceed 3.46:1 calculated in accordance with Ashfield Local Environmental Plan 1985.

Prior to issue of an Occupation Certificate, a registered surveyor shall provide certification of the total and component floor space areas (by use) in the development, to the satisfaction of Ashfield Council.

## ***H      Conditions that are ongoing requirements of development consents***

### **(1)      Traffic management**

All vehicles shall enter and exit the site in a forward direction.

### **(2)      Noise levels not to be exceeded**

The LA10 noise level emitted from the premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz -8kHz inclusive) by more than 5dB between 7:00am and 10:00pm at the boundary of any affected residence. The LA10 noise level emitted from the premises shall not exceed the background noise level in any Octave Bank Centre Frequency (31.5Hz - 8kHz inclusive) between 10:00pm and 7:00am at the boundary of any affected residence. Notwithstanding compliance with the above, the noise from the premises shall not be audible within any habitable room in any residential premises between the hours of 10:00pm and 7:00am.

### **(3)      Air conditioners - noise control - Protection of the Environment Operations Act 1997**

The air conditioners as approved by this consent shall be installed and operated at all times so as not to cause "Offensive Noise" as defined by the *Protection of the Environment Operations Act 1997* that will adversely affect the amenity of the premises in close proximity to the property.

### **(4)      Garbage bin storage/placement for collection - strata title plan**

All garbage/recycling bins are to be kept in the garbage bin storage area in the main block. Bins are only to be placed in the designated pick up area on the day of garbage collection and are to be returned to the storage area immediately after collection. This requirement is to be incorporated into the Strata Title of the property.

### **(5)      Accessibility to be maintained**

A continuous path of travel not exceeding 1:14 grade or complying with AS 1428 and/or a lift is to be maintained between the main street entrance to the residential complex, adaptable units, accessible car parking spaces, letter boxes, garbage storage area, recreation areas and clothes drying areas.

### **(6)      Acoustic compliance**

Compliance with the submitted acoustic recommendations

**(7) Shopfront appearance**

To preserve the streetscape, roller shutters are not to be placed over the entrance or the windows of the retail premises

**(8) Air conditioners**

To preserve the streetscape, air conditioners or any plant equipment shall not be placed along the street façade or any place/part of the building that is visible from the public domain.

***/ Advisory Notes***

nil