

Our Ref: DA-2015/279
Contact: Pascal van de Walle 9562 1666

Lateral Estate Pty Limited
Suite 1.06, Level 1, 55 Miller St
PYRMONT NSW 2060



NOTICE OF DETERMINATION

Issued in accordance with section 81(1a) of the *Environmental Planning and Assessment Act, 1979*

Application Number:	DA-2015/279
Property:	19 Willis Street, WOLLI CREEK NSW 2205 SP 37252 Lot 1 DP 802439
Proposal:	19-21 Willis Street, WOLLI CREEK NSW 2205 - Integrated Development - Construction of two x eight (8) storey residential flat buildings comprising 67 residential units, basement parking and demolition of existing structures.
Authority:	Joint Regional Planning Panel
Determination:	
Date of determination:	
Date consent commences:	
Date consent lapses:	

The above development is approved subject to the following conditions:

General Conditions

The following conditions restrict the work to the detail provided in the Development Application and are to ensure that the development is complete.

1. The term of this consent is limited to a period of five (5) years from the date of approval. The consent will lapse if the development does not commence within this time.
2. The development must be implemented substantially in accordance with the plans listed below, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Name of Plan	Drawing Number	Issue No.	Dated
<i>Survey Plan prepared by Boxall, dated 25 September 2014 with Drawing No. 10101-001 (A1).</i>			
<i>Architectural Plans by Tony Caro Architects with Project No. 1412</i>			
Development Data	DA000	6	4 June 2015
BASIX Inclusions	DA001	4	9 June 2015
Site Analysis	DA002	6	4 June 2015
Basement Level 2 Plan	DA098	4	9 June 2015
Basement Level 1 Plan	DA099	9	9 June 2015
Ground Floor Plan	DA100	9	9 June 2015
Level 1 Plan	DA101	9	9 June 2015
Level 2 Plan	DA102	8	4 June 2015
Level 3 Plan	DA103	8	4 June 2015
Level 4 Plan	DA104	8	4 June 2015
Level 5 Plan	DA105	8	4 June 2015
Level 6 Plan	DA106	8	4 June 2015
Level 7 Plan	DA107	8	4 June 2015
Roof Plan	DA108	6	4 June 2015
Section – AA	DA200	6	3 June 2015
Section – BB	DA201	6	3 June 2015
Section – CC	DA202	7	3 June 2015
Elevation – North East	DA301	6	3 June 2015
Elevation – South East	DA302	6	3 June 2015
Elevation – South West	DA303	6	3 June 2015
Elevation – North West	DA304	6	3 June 2015
<i>Landscape Plans prepared by NBRS & Partners</i>			
Landscape Areas	DA802	4	25 May 2015
Ground Floor Plan	LDA01	04	12 June 2015
First Floor Plan	LDA02	04	12 June 2015
Roof Plan	LDA03	01	12 June 2015
Landscape Details	LDA05	03	22 January 2015
<i>Storage Plans prepared by Tony Caro Architects</i>			
Typical Plan Schedule	DA601 to DA606	4	9 June 2015
Typical Plan Schedule	DA607	4	28 May 2015

3. All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
4. **A Construction Certificate must be obtained from Council or an Accredited Certifier prior to any building work commencing.**

Note: Construction may be carried out in the following four (4) stages

- **Stage 1 – Site clearing and preparation (including demolition);**
- **Stage 2 – Excavation, shoring and piling works;**
- **Stage 3 – Construction of the basement to podium (structure only);**
- **Stage 4 – construction of structure above podium, fitout and services works all levels and landscape works.**

5. The development must be implemented and all BASIX commitments thereafter

maintained in accordance with BASIX Certificate Number (593997M-04, dated 5 June 2015) other than superseded by any further amended consent and BASIX certificate.

Note: Clause 145(1)(a1) of the Environmental Planning & Assessment Regulation 2000 provides: A certifying authority must not issue a construction certificate for building work unless it is satisfied of the following matters: -

- (a1) that the plans and specifications for the building include such matters as each relevant BASIX certificate requires.

Note: Clause 154B(2) of the Environmental Planning & Assessment Regulation 2000 provides: "A certifying authority must not issue a final occupation certificate for a BASIX affected building to which this clause applies unless it is satisfied that each of the commitments whose fulfilment it is required to monitor has been fulfilled."

Note: For further information please see <http://www.basix.nsw.gov.au>.

6. The roof provided above the rooftop terrace shall not be enclosed at any future time without prior development consent.
7. This approval is not to be construed as permission to erect any structure on or near a boundary contrary to the provisions of the Dividing Fences Act.
8. The materials and façade details approved under condition 2 and any other relevant condition of this consent shall not be altered or amended at the construction certificate stage without a prior S96 application and approval under the EP&A Act.
9. (a) Mail boxes must be installed along the street frontage of the property boundary in accordance with Australia Post Guidelines. Prominent house numbers are to be displayed, with a minimum number size of 150 mm in height for each number and letter in the alphabet.
- (b) Street numbering for this property shall be as follows:
 - 21 Willis Street, Wolli Creek,
 - 19 Guess Avenue, Wolli Creek, &
 - 23 Guess Avenue, Wolli Creek.
10. All works are to be carried out in accordance with the conditions provided by Sydney Trains and listed at the end of this consent.
11. Parking spaces shall be allocated in accordance with Rockdale Development Control Plan 2011 (RDCP 2011) and this shall be reflected in any subsequent strata subdivision of the development. The allocation shall occur at the following minimum rates:

Dwelling Size / Parking Type	Parking Rate
Studio, 1 bed & 2 bedroom dwellings	1 space / dwelling
3 bedroom dwellings	2 spaces / dwelling
Visitor parking	1 space / 5 dwellings
Bicycle (Res. + Com.)	1 / 10 units (minimum) (20 spaces proposed)
Motorcycle (Res + Com.)	1 / 15 units (minimum) (6 spaces proposed)

Carwash Bay	5 or more dwellings = 1 space (shared with a visitors space)
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Notes:

- *Visitor's parking spaces are to be restricted to ground level and upper level of basement level 1 only.*
- *All residential visitor spaces, car wash bays and loading bays shall be labelled as common property on the final strata plan for the site.*
- *Stacked parking spaces must only be allocated to a single residential unit.*
- *This parking allocation condition applies to any Strata Certificate issued with respect to a Consent issued in accordance with Section 81 (1)(A) of the Environmental Planning and Assessment Act 1979 or a Complying Development Certificate issued in accordance with Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

12. Public Place Activities - Design and Construction of Works in Public Places
The implementation of this Consent generates a need for works to be completed in a public place owned by Council.

A. Design

The scope of works is to be identified by Rockdale City Council. For identified works the preparation of the design and specification shall be undertaken in accordance with the design brief issued by Rockdale City Council, and the Engineering Drawing Guide: For Works In Association With Developments And Subdivisions and Engineering Specification Guide: For Works In Association With Developments And Subdivisions, or approved replacement documents. For identified works the preparation of the design and specification shall be undertaken by a professional engineer, or other professional person, meeting the requirements of the design brief issued by Rockdale City Council.

Note: To enable the scope of works to be determined and alignment levels issued a completed application must be submitted together with the required fee, under the Roads Act 1993 and/or the Local Government Act 1993 for the scope of works to be determined and alignment levels issued.

Note: The works required will be determined using the following criteria:

- To ensure that infrastructure construction and reconstruction required to facilitate both pedestrian and vehicular access into and around the site is provided.
- To ensure that there is adequate construction and reconstruction of stormwater infrastructure to facilitate drainage of the site and minimise impacts to the site and adjoining properties as a result of the development.
- To ensure that infrastructure relevant to the proposed development meets current standards and specifications.
- To mitigate any impacts the development may have on traffic and pedestrian safety.
- To satisfy the requirements of any Development Control Plan, Public Domain Plan, Streetscape Manual or any other relevant Council Plan, including the Section 94

Contributions Plan.

vi) To ensure there are adequate transitions between newly constructed infrastructure and existing infrastructure.

B. Before Construction of public domain works

A detailed design and specification for works to be carried out on public land (including a road or footpath) shall be completed and approved by Rockdale City Council pursuant to the Roads Act and/or Local Government Act prior to construction.

All fees for inspection by Rockdale City Council shall be paid and the works approval for works in a public place activated.

Note: Approval under the Roads Act or Local Government Act cannot be granted by a Principal Certifying Authority or by a Private Certifier. Failure to obtain approval from Rockdale City Council may result in fines or prosecution.

C. Before Occupation

All works required in the public place as detailed by the approved design and specification must be completed before occupation of the development. All works-as-executed records for works establishing infrastructure assets to be handed over to Council for ongoing maintenance shall be provided to Rockdale City Council, and a handover certificate issued by Rockdale City Council.

13. Public Place Works - Pre-commencement Inspection

The implementation of this Consent generates a need for the adequate regulation of the works and activities in a public place.

A. Before Public Place Works

A Pre-commencement Inspection/meeting is to be convened by the holder of the Consent for the works approval for works in a public place. The meeting shall be held on-site a minimum 5 days prior to any demolition and/or construction activity and be held between the hours of 8.00 am and 4.30 pm Monday to Friday. The meeting must be attended by a representative of the Principal Certifying Authority, the builder/site manager of the building/civil construction company and supervising engineer, in addition to a representative of Rockdale City Council. The attendance of the owner is required when it is intended to use more than one builder/principal contractor throughout the course of construction.

The purpose of the meeting is to:

- i) Ensure safe passage for pedestrians, Work and Hoarded Zones are maintained in accordance with Rockdale City Council requirements;
- ii) Check the installation and adequacy of all traffic management devices;
- iii) Confirm that the consents, approved design plans and approved specifications are retained on site.

Note: The consent for the works approval for works in a public place must be activated and all inspection fees must be paid to Rockdale City Council prior to the meeting. Please refer to Rockdale City Council Councils Adopted Schedule of Fees and Charges

14. Public Place Activities - Site Management Plan

The implementation of this Consent generates a need for works on the development

site and in a public place to be appropriately managed to ensure the protection of the environment and safety of the other public place users.

A. Before Commencement of Works including Demolition

A Site Management Plan must accompany the completed application form. If any demolition of infrastructure in a public place is to commence prior to the issue of a works approval for works in a public place the applicant must submit to Rockdale City Council a separate Demolition Site Management Plan. These plans must satisfy the Objectives and Controls of Rockdale City Council Development Control Plan 2011 relating to site management and must incorporate the following throughout demolition and construction:

- i) safe access to and from the site during construction and demolition
- ii) safety and security of the site, road and footpath area including details of proposed fencing, hoarding and lighting
- iii) method of loading and unloading excavation machines, building materials
- iv) how and where, construction materials, excavated and waste materials will be stored.
- v) methods to prevent material being tracked off the site onto surrounding roadways
- vi) erosion and sediment control measures

B. During Works

The site management plan measures must remain in place and be maintained throughout the period of works and until the site has been stabilised and/or restored in accordance with the works approval for works in a public place.

15. Public Place Activities - Approvals Required under Roads Act or Local Government Act

A. Before Construction

No occupation or works are to be carried out on public land (including a road or footpath) or access provided over a public reserve adjacent to the development site without approval being obtained from Rockdale City Council and the necessary fee paid under the Roads Act 1993 and/or the Local Government Act 1993.

Note: Approval under the Roads Act or Local Government Act cannot be granted by a Principal Certifying Authority or by a Private Certifier. Failure to obtain approval from Rockdale City Council may result in fines or prosecution.

Development specific conditions

The following conditions are specific to the Development Application proposal.

- 16. Parking spaces shall not be enclosed without further approval of Council. The enclosure of car spaces is not permitted unless the enclosure complies with the design requirements of AS2890.1.
- 17. The existing and future owners (Registered Proprietor) of the property will be responsible for the operation and maintenance of the rain tank system. The registered proprietor will:
 - (i) permit stormwater to be temporarily detained by the system;

- (ii) keep the system clean and free of silt, rubbish and debris;
- (iii) maintain, renew and repair the whole or parts of the system so that it functions in a safe and efficient manner, and in doing so complete the same within the time and in the manner specified in written notice issued by the Council;
- (iv) carry out the matters referred to in paragraphs (ii) and (iii) at the proprietor's expense;
- (v) not make any alterations to the system or elements thereof without prior consent in writing of the Council;
- (vi) permit the Council or its authorised agents from time to time upon giving reasonable notice (but at any time and without notice in the case of emergency) to enter and inspect the land for compliance with the requirements of this clause;
- (vii) comply with the terms of any written notice issued by the Council in respect to the requirements of this clause within the time stated in the notice.

18. The existing and future owners (Registered Proprietor) of the property will be responsible for the efficient operation and maintenance of the pump system.

The Registered Proprietor will:

- i) permit stormwater to be temporarily detained and pumped by the system;
- ii) keep the system clean and free of silt, rubbish and debris;
- iii) maintain, renew and repair the whole or parts of the system so that it functions in a safe and efficient manner; and in doing so complete the same within the time and in the manner specified in written notice issued by the Council;
- iv) carry out the matters referred to in paragraphs (ii) and (iii) at the proprietor's expense;
- v) not make alterations to the system or elements thereof without prior consent in writing of the Council.
- vi) permit the Council or its authorised agents from time to time upon giving reasonable notice (but at any time and without notice in the case of emergency) to enter and inspect the land for compliance with the requirement of this clause;
- vii) comply with the terms of any written notice issued by the Council in respect to the requirements of this clause within the time stated in the notice.

19. All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device shall be disposed of in accordance with the Protection of the Environment Operations Act, 1997.
20. The overland flow path shall not be obstructed, restricted or altered without the approval of Rockdale City Council.
21. The rainwater tank shall be routinely de-sludged and all contents from the de-sludging process disposed – solids to the waste disposal and de-sludged liquid to the sewer.
22. The use of the premises, building services, equipment, machinery and, ancillary fittings shall not give rise to an "offensive noise" as defined under the provisions of the Protection of the Environment Operations Act, 1997.
23. The visible light reflectivity from building materials used on the façade of the building shall not exceed 20% and shall be designed so as not to result in glare that causes

any nuisance or interference to any person or place. A statement demonstrating compliance with these requirements shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for the relevant stage of works.

24. The proposed bicycle parking facilities located at ground floor level shall be designed in accordance with AS2890.3:1993. In addition, the bicycle parking area shall be fully secured by way of a chain-mesh style fencing (or similar) with gate and key / padlock to restrict access, so as to minimise opportunity for theft of bicycles. Construction of the secure bicycle storage area shall be completed prior to issue of the Occupation Certificate.
25. The off-street parking areas associated with the subject development shall be designed strictly in accordance with AS2890.1 and AS2890.6.
Visitor's parking spaces are to be restricted to ground level and upper level of basement level 1.
26. Internal height clearance shall be designed throughout the car park and access driveway in accordance with AS2890.1 and AS2890.6.
(For parking with people with disabilities any vehicular path of travel to have clearance of 2.3m and clearance above the parking bay shall be 2.5m minimum)
27. Waste & Recycling shall comply with the following:
 - (a) The premises shall utilise 1,100L garbage bins and 240L recycling bins for waste and recycling purposes (unless otherwise agreed in writing by Council's Waste Management Officer).
 - (b) Hot and cold water hose cocks shall be installed in each of the garbage rooms.
28. (a) Flooring within the development shall achieve the following minimum equivalent Association of Australian Acoustical Consultants (AAAC) Star Rating within the below specified areas of the development.
 - 3 Star for tiled areas within kitchens, balconies, bathrooms and laundries.
Tiled flooring within corridors, living areas and bedrooms is not permitted.
 - 4 Star for timber flooring in any area.
 - 5 Star for carpet in any area.

(b) Walls within the development shall be constructed to satisfy the requirements of the Building Code of Australia.

(c) A report shall be submitted to the Principal Certifying authority for approval prior to the issue of the Construction Certificate for Stage 4. The report is to include BCA requirements and details of floor/ceilings between residential apartments. Floor coverings within apartments shall be identified within the report.

(d) A suitably qualified acoustic engineer with MIE Australia membership or employed by a consulting firm eligible for AAAC membership is to certify that the details provided in the report **required by (c) above** satisfies the requirements of this condition, with the certification to be submitted to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate for Stage 4.

29. (a) In order to ensure the design quality / excellence of the development is retained:

- (i) Tony Caro (design architect) is to have direct involvement in the design documentation, contract documentation and construction stages of the project;
- (ii) The design architect is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of design issues throughout the life of the project;
- (iii) Evidence of the design architect's commission is to be provided to the Director of Planning and Development prior to release of the Construction Certificate **for Stage 3**.

(b) The design architect of the project is not to be changed without prior notice and approval of the Council or Department.

- 30. All plumbing shall be concealed within the brickwork of the building. Any electrical kiosks or fire booster valves shall be located in unobtrusive locations toward site boundaries and away from entrances into the building. Utilities shall be softened with landscaping so as not to detract from the overall appearance of the development and amenity of the streetscape. Details demonstrating compliance with this requirement shall be submitted to the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate **for Stage 3**.
- 31. Where natural ventilation fails to comply with the provisions of the Building Code of Australia, mechanical ventilation shall be provided in accordance with Australian Standard, 1668, Part 2.
- 32. Ceiling heights for all habitable areas shall be a minimum of 2.7 metres as measured vertically from finished floor level to the underside of the ceiling.

Ceiling heights for all non-habitable areas shall be a minimum of 2.4 m as measured vertically from finished floor level to the underside of the ceiling.
- 33. The north-western boundary of the site shall be generally deep soil planting as shown in the approved plans. Appropriate screening species shall be provided in this side setback area to screen the bulk and scale of the building and provide amenity for future residents and the locality.
- 34. The proposal may include the installation of a single master antenna for the development in accordance with Controls C1 and C2, Part 4.7 of RDCP 2011. No further antennas or satellite dishes may be installed without obtaining further approval (unless permitted as exempt development).
- 35. The car spaces must not be used for storage purposes at any time
- 36. The contaminated site shall be remediated in accordance with 'State Environmental Planning Policy No 55 Remediation of Land' (SEPP55). All remediation and validation works shall be carried out in accordance with the Site Remedial Action Plan called Remedial Action Plan 15-21 Willis Street Wolli Creek NSW – Report E22334 AC_Rev1 prepared by Environmental Investigations Australia dated the 12 June 2015.
- 37. Given the site's location next to the rail corridor, drainage from the development must be adequately disposed of/managed and not to be discharged into the corridor unless prior approval has been obtained from RailCorp

Prior to issue of the construction certificate

The following conditions must be completed prior to the issue of the Construction Certificate.

38. The landscape plan and site landscaping shall demonstrate compliance with the following prior to issue of the Construction Certificate for the relevant stage of construction:
- Stormwater and drainage systems are not to be located in, or under those areas shown as landscaped beds, or where existing or proposed trees are located.
 - A minimum soil depth of 300mm is required for turfed areas on podiums or roof-tops or any other concrete slab, including the soil above stormwater drainage tanks.
 - A minimum soil depth of 1000mm is required for planted areas (other than turf) on podiums or roof-tops or any other concrete slab.
 - Podium landscaping and paved areas shall be drained into the stormwater drainage system. All waterproofing for planters on slab shall be installed and certified by a licensed waterproofing contractor.
39. The following fees shall be paid to Council prior to the issue of any Construction Certificate. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
- i. A Footpath Reserve Restoration Deposit of \$27,900.00. This is to cover repair of any damages, or other works to be done by Council. This includes construction, removal, or repair as required to: kerb and guttering, existing or new driveways; paved areas and concrete footpaths. The deposit may be lodged with Council in the form of a Bank Guarantee (Any proposed Bank Guarantee must not have an expiry date). The deposit will not be returned by Council until works are completed and all damage is restored and all specified works are completed by Council.
 - ii. An environmental enforcement fee of 0.25% of the cost of the works.
 - iii. A Soil and Water Management Sign of \$17.00.
 - iv. An application for boundary levels. All boundary works, egress paths, driveways and fences shall comply with this level.
40. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.
41. The connection of stormwater drainage pipes to the existing kerb inlet pit in Guess Avenue must be inspected by Council prior to backfilling. A payment of \$294 is required prior to the issue of the Construction Certificate **for Stage 3**. If payment is made after the end of the financial year the amount is to be adjusted in accordance with Council's adopted fees and charges. Where the inspection is unsatisfactory, each additional inspection will incur an extra charge.

42. A Section 94 contribution of \$1,133,390.06 shall be paid to Council. Such contributions are only used towards the provision or improvement of the amenities and services identified below. The amount to be paid is adjusted at the time of payment, in accordance with the contribution rates contained in Council's current Adopted Fees and Charges. The contribution is to be paid **prior to the issue of the construction certificate for Stage 3**. (Payment of the contribution is not required prior to any separate construction certificates issued only for demolition, site preparation works and the construction of basement levels). The contribution is calculated from Council's adopted Section 94 contributions plan in the following manner:

Open Space	\$624,570.71
Community Services & Facilities	\$32,093.56
Town Centre & Streetscape Improvements	\$71,136.76
Wolli Creek Flood Mitigation & Stormwater	\$109,672.61
Wolli Creek Pedestrian & Cyclist Facilities	\$36,732.84
Wolli Creek Traffic Management	\$239,606.52
Plan Administration & Management	\$19,577.06

Copies of Council's Section 94 Contribution Plans may be inspected at Council's Customer Service Centre, Administration Building, 2 Bryant Street, Rockdale.

43. **Prior to the issue of the Construction Certificate for Stage 1**, an additional DA fee of \$992.20 and an additional Plan First Fee of \$1154.56 shall be provided to Council based on the increased cost of works associated with an additional basement level. The cost of the additional basement level is estimated to be \$1,803,360 (based on the cost for Basement level 1 as detailed in the submitted "Order of Probable Cost" report submitted with the application).
44. **Prior to issue of the Construction Certificate for Stage 4** amended plans shall be submitted to, and approved by, the Director of City Planning and Development at Rockdale City Council, addressing the following:
- (a) Deletion of a total of 95.3m² of gross floor area from the rear of Units B1-05-3, B1-05-4, B1-06-3, B1-06-4, B1-07-3 and B1-07-4, comprising the full width of the the rear of these units for an equal depth for each unit;
 - (b) Reconfiguration of the units identified in (a) above to ensure:
 - (i) compliance with the minimum unit sizes in the "Rules of Thumb" in the Residential Flat Design Code; and
 - (ii) that the resulting unit mix ensures that the proposal will comply with the car parking requirements in RDCP 2011.
 - (c) The use of 1,100L garbage bins (and compactors), with the provision of two (2) bins per garbage room;
 - (d) The lift shall have minimum internal dimensions of 1.5m wide by 2.1m deep in accordance with RDCP 2011.

45. **Prior to the issue of the Construction Certificate for Stage 2** a certificate from a practicing Structural Engineer, registered with NPER, shall be submitted to Council stating that the subsurface structural components located on the boundary of the public road, including but not limited to the slabs, walls and columns, have been designed in accordance with all SAA Codes for the design loading from truck and vehicle loads.
46. A suitable qualified engineer is to certify that the structure can withstand the forces of floodwater, scour, debris and buoyancy in a 1% AEP flood event.
47. All building materials shall be flood resistant, or flood compatible to a height of 500mm above the 1% AEP flood, or flow level. All internal electrical switches, power points or similar utilities liable to flood damage shall be set at a minimum of 500mm above the 1% AEP flood, or flow level. Details shall be provided and approved prior to the issue of a construction certificate.
48. Compliance with Council's Development Control Plan (DCP) 2011 – Requirements for Access - **is required to be demonstrated on plans submitted with the Construction Certificate for Stage 4.** Access in accordance with Australian Standard 4299 must be provided to and within seven (7) residential unit, and between this unit(s) and its allocated carparking space. The allocated parking space will be located in close proximity to the access points of the building. The adaptable unit(s) are identified in the approved plans listed in Condition 2. Please note that compliance with this condition requires the relevant unit(s) to be constructed to comply with all the essential (Type C) requirements of AS4299.

Note: Compliance with Council's Development Control Plan (DCP) 2011 – Requirements for Access and the Building Code of Australia does not necessarily guarantee that the development meets the full requirements of the Disability Discrimination Act (DDA) 1992. It is the responsibility of the applicant to make the necessary enquiries to ensure that all aspects of the DDA legislation are met.

49. The applicant shall confer with Ausgrid regarding the requirements for a substation and the placement of electricity conduits underground. Written confirmation of Ausgrid's requirements shall be obtained **prior to issue of the Construction Certificate for the relevant stage of construction.**
50. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please contact Sydney Water.

The consent authority or a private accredited certifier must ensure that a Quick Check agent/Sydney Water has appropriately stamped the plans before issue of any Construction Certificate.

51. **Prior to issue of the Construction Certificate for the relevant stage of construction,** a longitudinal driveway profile shall be submitted to Principal Certifying Authority for assessment and approval. The profile shall start in the centre of the road and be along the critical edge (worst case) of the driveway. Gradients and transitions shall be in accordance with Council's Code. The profile shall be drawn to a scale of 1 to 20 and shall include all relevant levels, grades (%) and lengths.
52. The subsurface structure shall be designed with a waterproof retention system (ie

tanking and waterproofing) with adequate provision for future fluctuation of the water table. The subsurface structure is required to be designed with consideration of uplift due to water pressure and “flotation” (buoyancy) effects. Subsoil drainage around the subsurface structure must allow free movement of groundwater around the structure, but must not be connected to the internal drainage system. The design of subsurface structure, tanking and waterproofing, and subsoil drainage shall be undertaken by a suitably experienced Chartered Professional Engineer(s). Design details and construction specifications shall be included in the documentation accompanying the **Construction Certificate for the relevant stage of construction**.

53. The low level driveway must be designed to prevent inflow of water from the road reserve. The assessment of flows and design of prevention measures shall be in accordance with the requirements of Rockdale Technical Specification Stormwater Management. Details shall be included in the documentation presented **with the Construction Certificate application for the relevant stage of construction**.
Note: Where a crest is required, a longitudinal surface profile must be also be submitted for assessment. The driveway crest level is to be 500mm above the 1 in 100 year flood level.
54. Any part of the proposed building within 3m of the proposed detention tank or absorption trench shall be constructed on a pier and beam foundation with piers extending no less than 300mm below the bottom of the tank or trench base. This requirement shall be reflected on the Construction Certificate plans and supporting documentation **for the relevant stage of construction**.
55. A visitor car space shall also operate as a car wash bay. A tap shall be provided. A sign shall be fixed saying ‘Visitor Car Space and Car Wash Bay’. The runoff shall be directed and treated as per Rockdale Technical Specification Stormwater Management. Details shall be provided with the plans accompanying the Construction Certificate **for the relevant stage of construction**.
56. All basement surface runoff shall be directed through a propriety oil and sediment filtration system prior to discharge. Details of the pit type, location, performance and manufacturer’s maintenance and cleaning requirements shall be submitted to the **Certifying Authority, and approved**, prior to the issue of the construction certificate **for the relevant stage of construction**.

The owners/occupiers are to undertake all future maintenance and cleaning to the manufacturer’s requirements.

57. Prior to the issue of the Construction Certificate **for the relevant stage of construction**, detailed drainage design plans for the management of stormwater are to be submitted to Principal Certifying Authority for assessment and approval. Design certification, in the form specified in Rockdale Technical Specification Stormwater Management, and drainage design calculations are to be submitted with the plans. Council’s Rockdale Technical Specification Stormwater Management sets out the minimum documentation requirements for detailed design plans. Stormwater management requirements for the development site, including the final discharge/end connection point, must comply with Rockdale Technical Specification Stormwater Management.
(i) Minimum height clearance within proposed OSD and basement pump storage shall be 1m minimum.

(ii) The basement pump storage shall be sized to contain the total volume of runoff generated by the two hour 1 in 50 year storm assuming the pumps are not operating. This is equivalent to 10.6 m3 per 100 m2 of area being drained anticipated groundwater seepage capacity. All the pump storage volume is to be underground and to have minimum dual pumps.

(iii) To implement any required drainage measures on the base of geotechnical Engineer's advice on the drainage under the floor slab and basement walls.

Note: The detailed plans are required to incorporate an oil interceptor for the driveway and carpark stormwater run-off in accordance with Rockdale Technical Specification Stormwater Management, section 7.5.4.

The present concept failed to demonstrate the use of a Water Sensitive Urban Design Approach (WSUD) to the design of the drainage system. DCP 2011 requires significant multi unit development to confirm the targets for the stormwater pollution reduction and to justify the target by an analysis using MUSIC. The DCP2011 also outlines the stormwater reduction targets for multi unit developments as followed:

Stormwater Pollutants	Multi Unit Development
Gross Pollutant	90%
Total suspended solids (TSS)	80%
Total Phosphorus (TP)	55%
Total Nitrogen (TN)	40%

Generally, WSUD involves recognition of a need to:

- a. Protect and enhance natural water systems within urban developments.
- b. Integrate stormwater treatment into the landscape.
- c. Protect water quality.
- d. Reduce runoff and peak flows.

58. **Prior to issue of the Construction Certificate for Stage 1**, a Construction Management Plan (CMP) shall be prepared in accordance with the requirements of all relevant regulatory approval bodies. Prior to the commencement of works the Certifying Authority shall be satisfied that the Construction Management Plan has obtained all relevant regulatory approvals. The Construction Management Plan shall be implemented during demolition, excavation and construction.

Prior to the issue of the Construction Certificate **for Stage 1**, a Construction Traffic Management Plan (TMP) prepared by a suitably qualified person shall be submitted to and approved by the Certifying Authority. The Plan shall address, but not be limited to, the following matters:

- (a) ingress and egress of vehicles to the site;
- (b) loading and unloading, including construction zones;
- (c) predicted traffic volumes, types and routes; and
- (d) pedestrian and traffic management methods.

COPIES OF THE CMP AND TMP SHALL BE SUBMITTED TO COUNCIL.

59. Geotechnical

There are built structures, (including public assets) which may be in the zone of influence of the proposed works and excavations on this site. A qualified practicing geotechnical engineer must prepare a Construction Methodology report demonstrating that the proposed construction method including any excavation and the configuration of the built structures will have no adverse impact on any surrounding property and infrastructure. The report must be submitted with the application for a Construction Certificate **for the relevant stage of construction**.

Where a Private Certifier issues the Construction Certificate **for that relevant stage of construction**, the document mentioned in the above paragraph must be provided to Council.

The report must include an investigation to determine the design parameters appropriate to the specific development and site. This would typically include:

- Location & level of nearby foundations/footings (site and neighbouring)
 - Proposed method of excavation
 - Permanent and temporary support measures for excavation
 - Potential settlements affecting footings/foundations
 - Ground-water levels (if any)
 - Batter slopes
 - Potential vibration caused by method of excavation
 - Likely vibration effects for the recommended construction equipment
 - Recommended regime of construction inspections by Geotechnical engineer.
 - De-watering including seepage and off site disposal rate (if any)
- Adjoining buildings founded on loose foundation materials

A qualified practicing geotechnical engineer must;

(a) Provide a certificate that the construction certificate plans are satisfactory from a geotechnical perspective and

(b) Confirm that the proposed construction methodology

To prepare a Construction Methodology report demonstrating that the proposed construction methods (including any excavation, and the configuration of the built structures) will have no adverse impact on any surrounding property and infrastructure. The report must be submitted with the application for a Construction Certificate for the relevant stage of works.

(c) Inspect the works as they progress. The Inspections are to occur at frequencies determined by the geotechnical engineer.

(d) Where a Private Certifier issues the Construction Certificate a copy of the above documentation must be provided to Council, once the Construction Certificate is issued for the relevant stage of works.

Note: A failure by contractors to adequately assess and seek professional engineering (geotechnical) advice to ensure that appropriate underpinning and support to adjoining land is maintained prior to commencement may result in damage to adjoining land and buildings. Such contractors are likely to be held

responsible for any damages arising from the removal of any support to supported land as defined by section 177 of the Conveyancing Act 1919.

60. Vibration monitoring

Vibration monitoring equipment must be installed and maintained, under the supervision of a professional engineer with expertise and experience in geotechnical engineering, between any potential source of vibration and any building identified by the professional engineer as being potentially at risk of movement or damage from settlement and/or vibration during the excavation and during the removal of any excavated material from the land being developed.

If vibration monitoring equipment detects any vibration at the level of the footings of any adjacent building exceeding the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity an audible alarm must activate such that the principal contractor and any sub-contractor are easily alerted to the event.

Where any such alarm triggers all excavation works must cease immediately. Prior to the vibration monitoring equipment being reset by the professional engineer and any further work recommencing the event must be recorded and the cause of the event identified and documented by the professional engineer.

Where the event requires, in the opinion of the professional engineer, any change in work practices to ensure that vibration at the level of the footings of any adjacent building does not exceed the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity these changes in work practices must be documented and a written direction given by the professional engineer to the principal contractor and any sub-contractor clearly setting out required work practice.

The principal contractor and any sub-contractor must comply with all work directions, verbal or written, given by the professional engineer.

A copy of any written direction required by this condition must be provided to the Principal Certifying Authority within 24 hours of any event.

Where there is any movement in foundations such that damaged is occasioned to any adjoining building or such that there is any removal of support to supported land the professional engineer, principal contractor and any sub-contractor responsible for such work must immediately cease all work, inform the owner of that supported land and take immediate action under the direction of the professional engineer to prevent any further damage and restore support to the supported land.

Note: Professional engineer has the same mean as in Clause A1.1 of the BCA.

Note: Building has the same meaning as in section 4 of the Act i.e. "building includes part of a building and any structure or part of a structure".

Note: Supported land has the same meaning as in section 88K of the Conveyancing Act 1919.

Prior to commencement of works

The following conditions must be completed prior to the commencement of works.

61. A dilapidation survey shall be undertaken of all properties and/or Council infrastructure, including but not limited to all footpaths, kerb and gutter, stormwater inlet pits, and road carriageway pavements, in the vicinity which could be potentially affected by the construction of this development. Any damage caused to other properties during construction shall be rectified. A copy of the dilapidation survey and an insurance policy that covers the cost of any rectification works shall be submitted to the Accredited Certifier (AC) prior to issue of the Construction Certificate. The insurance cover shall be a minimum of \$10 million.
62. A Soil and Water Management Plan shall be prepared. The Plan must include details of the proposed erosion and sediment controls to be installed on the building site. A copy of the Soil and Water Management Plan must be kept on-site at all times and made available on request.

Soil and sedimentation controls are to be put in place prior to commencement of any work on site. The controls are to be maintained in effective working order during construction.

Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign shall be erected prior to commencement of works and shall be displayed throughout construction.

63. Prior to the commencement of work, a Tree Protection Zone shall be established in accordance with AS4970-2009 (Protection of trees on Development Sites) and as detailed in the Arboricultural Impact Assessment Report, Revision 3 dated 5 March 2015 by Urban Tree Management Australia Pty Ltd, with protective fences at least 1.8 metres high erected around the Lemon Scented Gum tree which is required to be retained. The protective fences shall consist of chain wire mesh temporary fence panels securely mounted and braced to prevent movement, shall be in place prior to the commencement of any work on site and shall remain until the completion of all building and hard landscape construction. Excavations for services, waste bins, storage of materials and equipment, site residue, site sheds, vehicle access or cleaning of tools and equipment are not permitted within the Tree Protection Zone at any time.
64. Prior to the commencement of any work on site, a sign shall be placed in a prominent position on each protective fence identifying the area as a Tree Protection Zone and prohibiting vehicle access, waste bins, storage of materials and equipment, site residue and excavations within the fenced off area.
65. Where it is necessary to import landfill material onto the site to fill the land to levels shown on the plans forming part of the consent, a certificate, prepared by a suitably qualified and experienced Contaminated Land Consultant, shall be submitted to Council being the Regulatory Authority prior to the commencement of works, certifying that the imported fill is suitable for the land use.
66. Front fences or ramp walls greater than 1200 mm high shall be set back 900 mm at the location of the driveway access point. The front fence or ramp wall shall then return at a splay of 45 degrees to maintain adequate sight distance to pedestrians and vehicles.

OR

In relation to safe egress, a warning system and speed humps will be provided proposed to ensure pedestrian safety in lieu of splayed walls.

During demolition / excavation / construction

The following conditions must be complied with during demolition, excavation and or construction.

67. If a CC is required, a copy of the Construction Certificate and the approved plans and specifications must be kept on the site at all times and be available to Council officers upon request.
68. Hours of construction shall be confined to between 7 am and 6.30 pm Mondays to Fridays, inclusive, and between 8 am and 3.30 pm Saturdays with no work being carried out on Sundays and all public holidays.
69. Upon inspection of each stage of construction, the Principal Certifying Authority (or other suitably qualified person on behalf of the Principal Certifying Authority) is also required to ensure that adequate provisions are made for the following measures (as applicable), to ensure compliance with the terms of Council's approval:
 - Sediment control measures
 - Provision of perimeter fences or hoardings for public safety and restricted access to building sites.
 - Maintenance of the public place free from unauthorised materials, waste containers or other obstructions.
70. Ground water shall only be pumped or drained to Council's stormwater system if the water is clean and unpolluted. The standard used to determine the acceptability of the quality of the water is the 'Australian and New Zealand Environment and Conservation Council - Australian Water Quality Guidelines for Fresh and Marine Waters 1992'.

Note: Prior treatment and/or filtration of the water may be necessary to achieve acceptable quality, including a non-filterable residue not exceeding 50 milligrams/litre or small quantities may be removed by the services of a Licenced Liquid Waste Transporter. It is an offence under the provisions of the Protection of the Environment Operations Act 1997 to pollute the stormwater system.

71. Demolition operations shall not be conducted on the roadway or public footway or any other locations, which could lead to the discharge of materials into the stormwater drainage system.
72. All waste generated on site shall be disposed of in accordance with the submitted Waste Management Plan.
73. A Registered Surveyor's check survey certificate or compliance certificate shall be forwarded to the certifying authority detailing compliance with Council's approval at the following stage/s of construction:

- i. After excavation work for the footings, but prior to pouring of concrete, showing the area of the land, building and boundary setbacks.
- ii. Prior to construction of each floor level showing the area of the land, building and boundary setbacks and verifying that the building is being constructed at the approved level.
- iii. Prior to fixing of roof cladding verifying the eave, gutter setback is not less than that approved and that the building has been constructed at the approved levels.
- iv. On completion of the building showing the area of the land, the position of the building and boundary setbacks and verifying that the building has been constructed at the approved levels.
- v. On completion of the drainage works (comprising the drainage pipeline, pits, overland flow paths, on-site detention or retention system, and other relevant works) verifying that the drainage has been constructed to the approved levels, accompanied by a plan showing sizes and reduced levels of the elements that comprise the works.

74. All excavation and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards and guarded and protected to prevent them from being dangerous to life or property.

When excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building or an adjoining allotment of land, you shall:

- i. preserve and protect the building from damage and
- ii. underpin and support the building in an approved manner, if necessary and
- iii. give notice of intention to excavate below the level of the base of the footings of a building on an adjoining allotment of land to the owner at least 7 days prior to excavation and furnish particulars of the excavation to the owner of the building being erected or demolished.

Note: The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this conditions allotment of land includes a public road and any other public place.

Works shall not encroach onto or over adjoining properties, including retaining walls, fill material or other similar works. Soil shall not be lost from adjoining sites due to construction techniques employed on the subject site.

75. When soil conditions require it:

- i. retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil shall be provided, and
- ii. adequate provision shall be made for drainage.

76. Any new information discovered during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination, shall be notified to Council being the Regulatory Authority for the management of

contaminated land.

77. All contractors shall comply with the following during all stages of demolition and construction:
- A Waste Container on Public Road Reserve Permit must be obtained prior to the placement of any waste container or skip bin in the road reserve (i.e. road or footpath or nature strip). Where a waste container or skip bin is placed in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Road Opening Permit must be obtained prior to any excavation in the road reserve (i.e. road or footpath or nature strip). Where excavation is carried out on the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Hoarding Permit must be obtained prior to the erection of any hoarding (Class A or Class B) in the road reserve (i.e. road or footpath or nature strip). Where a hoarding is erected in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Crane Permit must be obtained from Council prior to the operation of any activity involving the swinging or hoisting of goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway. Permits can be obtained from Council's Customer Service Centre.
 - A Permit to Dewater or Pump Out a site must be obtained prior to the discharge of pumped water into the road reserve, which includes Council stormwater pits and the kerb and gutter. Permits can be obtained from Council's Customer Service Centre.
78. All demolition work shall be carried out in accordance with AS2601 – 2001: The Demolition of Structures and with the requirements of the WorkCover Authority of NSW.
79. The following conditions are necessary to ensure minimal impacts during construction:
- i. Building, demolition and construction works not to cause stormwater pollution and being carried out in accordance with Section 2.8 of Council's Stormwater Pollution Control Code 1993. Pollutants such as concrete slurry, clay and soil shall not be washed from vehicles onto roadways, footways or into the stormwater system. Drains, gutters, roadways and access ways shall be maintained free of sediment. Where required, gutters and roadways shall be swept regularly to maintain them free from sediment.
 - ii. Stormwater from roof areas shall be linked via a temporary downpipe to an approved stormwater disposal system immediately after completion of the roof area.

- iii. All disturbed areas shall be stabilised against erosion within 14 days of completion, and prior to removal of sediment controls.
- iv. Building and demolition operations such as brickcutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- v. Stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval has been granted. In addition stockpiles of topsoil, sand, aggregate, soil or other material shall be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.
- vi. Wind blown dust from stockpile and construction activities shall be minimised by one or more of the following methods:
 - a) spraying water in dry windy weather
 - b) cover stockpiles
 - c) fabric fences
- vii. Access to the site shall be restricted to no more than two 3m driveways. Council's footpath shall be protected at all times. Within the site, provision of a minimum of 100mm coarse crushed rock is to be provided for a minimum length of 2 metres to remove mud from the tyres of construction vehicles.

An all weather drive system or a vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street. Vehicular access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where any sediment is deposited on roadways it is to be removed by means other than washing and disposed of appropriately.

In addition builders / demolishers are required to erect a 1.5m high fence along the whole of the street alignment other than at the two openings. Such protection work, including fences, is to be constructed, positioned and maintained in a safe condition to the satisfaction of the Principal Certifying Authority, prior to the demolition of the existing structures and commencement of building operations.

- viii. Any noise generated during construction of the development shall not exceed limits specified in any relevant noise management policy prepared pursuant to the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the site.
80. Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction. A copy of the sign is available from Council.
81. The Lemon Scented Gum (*Corymbia citriodora*) tree located on site shall not be removed or pruned, including root pruning, without the written consent of Council in

the form of a Permit issued under Council's Development Control Plan 2011. All other existing site trees may be removed.

82. No other trees located within the site, adjoining properties or Council's nature strip shall be removed or pruned without the prior written consent of Council in the form of a Permit issued under Council's Development Control Plan 2011.
83. Where drainage or paving works are proposed to be constructed in the area below the dripline of trees, the proposed works and construction methods must not damage the tree. Where either the trees or works were not shown in detail on the approved plans, approval of the Site Arborist shall be obtained.
84. Underground Services such as pipelines or cables to be located close to trees, must be installed by boring or by such other method that will not damage the tree rather than open trench excavation. The construction method must be approved by the Site Arborist.
85. Existing soil levels within the drip line of trees to be retained shall not be altered without reference to the Site Arborist.
86. Building materials, site residue, machinery and building equipment shall not be placed or stored under the dripline of trees required to be retained.
87. All recommendations contained in the Arboricultural Impact Assessment Report, Revision 3 dated 5 MARCH 2015 by Urban Tree Management Australia Pty Ltd shall be implemented and complied with.
88. The site is affected by Class 3 Acid Sulfate Soils (ASS) and all works are to be undertaken in accordance with the Acid Sulfate Soils (ASS) Management Plan prepared by Environmental Investigations Australia (Report No. E22334 AB, dated 29 January 2015) which was submitted with the application.

Prior to issue of occupation certificate or commencement of use

The following conditions must be complied with prior to issue of the Occupation Certificate or Commencement of Use.

89. An Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of the building.
90. Appropriate signage and tactile information indicating accessible facilities shall be provided at the main entrance directory, or wherever directional signage such as lifts or building directories or information is provided to those buildings where access and facilities for people with disabilities has been provided. Such signage shall have regard to the provisions of AS1428.1 and AS1428.2.
91. Where Council's park/reserve is damaged as a result of building work or vehicular building traffic, this area shall be restored by Council at the applicant's expense. Repairs shall be completed prior to the issue of the Occupation Certificate.
92. The approved recommendations from the Flood Management Report shall be implemented prior to occupation.
93. All landscape works are to be carried out in accordance with the approved landscape plans prior to issue of the Occupation Certificate, as well as the following requirements:
 - A minimum soil depth of 800mm is required for planter beds on the podium

and roof top terrace levels;

- A fully automated irrigation system, approved by Sydney Water, shall be installed and maintained to ensure adequate water is provided to the podium and roof landscaping;
- Podium landscaping and paved areas shall be drained into the stormwater drainage system.

The landscaping is to be maintained to the approved standard at all times.

94. All works within the road reserve, which are subject to approval pursuant to Section 138 of the Roads Act 1993, shall be completed and accepted by council.
95. The underground placement of all low voltage street mains in that section of the street/s adjacent to the development, and associated services and the installation of underground supplied street lighting columns, shall be carried out at the applicant's expense. The works shall be completed and Ausgrid's requirements shall be met prior to issue of the Occupation Certificate.
96. Where an electricity substation is required by Ausgrid, a final film survey plan shall be endorsed with an area having the required dimensions as agreed with Ausgrid over the location of the proposed electricity distribution substation site. The substation shall be located within the boundary as shown in the approved plans (or related within the building), subject to compliance with the BCA. The substation site shall be dedicated to Council as public roadway, or as otherwise agreed with Ausgrid, and shall be screened by landscaping as shown in the approved plans. Ausgrid's requirements shall be met prior to release of the issue of the Occupation Certificate.
97. Vehicles shall enter and exit the site in a forward direction at all times. A plaque with minimum dimensions 300mm x 200mm shall be permanently fixed to the inside skin of the front fence, or where there is no front fence a prominent place approved by the Principal Certifying Authority, stating the following: "Vehicle shall enter and exit the site in a forward direction at all times".
98. Prior to completion of the building works, a full width vehicular entry is to be constructed to service the property. Any obsolete vehicular entries are to be removed and reconstructed with kerb and gutter. This work may be done using either a Council quote or a private contractor. There are specific requirements for approval of private contractors.
99. The width of the double driveway at the boundary shall be a maximum of 6 metres.
100. A convex mirror is to be installed at key locations (outside of bends in the car park) to provide increased sight distance for vehicles.
Install give way signs for entering vehicles and entry sign recommending drivers turn on their headlights.
101. The gate for the basement shall be located in order to permit the queuing of two (2) vehicles when waiting to enter the basement garage. The control mechanism for the gate shall be arranged such that access to the basement garage for registered residence and their visitors.
102. 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 Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under

"Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure 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 occupation of the development.

103. Prior to occupation, a registered surveyor shall certify that the driveway(s) over the footpath and within the property have been constructed in accordance with the approved driveway profile(s). The certification shall be based on a survey of the completed works. A copy of the certificate and a works-as-executed driveway profile shall be provided to Council if Council is not the Principal Certifying Authority.
104. The noise reduction measures specified in the noise report prepared by Acoustic Logic – 15-21 Willis Street, Wolli Creek – Development Application Acoustic Report - (Project Number 20141362.1 Document Reference 20141362.1/2001A/R2/TA dated 20 January 2014), and the intertenancy acoustic requirements contained in Condition 28 of this consent, shall be validated by a Certificate of Compliance prepared by the acoustic consultant and submitted to the Principal Certifying Authority (PCA) prior to the issue of an Occupation Certificate. The report shall clearly demonstrate that the proposal complies with the noise criteria contained in State Environmental Planning Policy (Infrastructure) 2007. If Council is not the PCA, a copy shall be submitted to Council concurrently.
105. A Landscape Architect shall provide a report to the certifying authority (with a copy provided to Council, if Council is not the principal certifying authority) stating that the landscape works have been carried out in accordance with the approved plans and documentation.
106. Prior to occupation or use of the premises, a qualified mechanical engineer shall certify that the mechanical ventilation/air conditioning system complies in all respects with the requirements of Australian Standard 1668, Part 1 & 2.
107. A Site Audit Statement (SAS) shall be submitted to Council being the Regulatory Authority for the management of contaminated land, prior to the issue of Occupation Certificate, clearly demonstrating that the site is suitable for the intended use. Conditions imposed on the SAS shall form part of this consent. In circumstances where the SAS conditions (if applicable) are not consistent with the consent, the consent shall prevail to the extent of inconsistency and a S96 application pursuant to the Environmental Planning & Assessment Act 1979 will be required.
108. Prior to occupation, a chartered professional engineer shall certify that the tanking and waterproofing has been constructed in accordance with the approved design and specification. A copy shall be provided to Council if council is not the Principal Certifying Authority.
109. Prior to occupation, a Chartered Professional Engineer shall certify that the construction of the overland flow path, including construction of all channels, pipes, banks, levees, etc has been undertaken in accordance with the approved plans and flood assessment/flood management report. The Chartered Professional Engineer shall also certify that habitable floor levels and garage floor levels adjacent to the overland flow path have been constructed in accordance with the approved plans and that freeboard is provided in accordance with Rockdale Development Control Plan (DCP) 2011. The certificate must be based on inspection of the site and review of a works-as-executed plan of the overland flow path, which shall be prepared by a

Registered Surveyor. A copy of the engineer's certificate and surveyor's works-as-executed plan shall be provided to Council where Council is not the Principal Certifying Authority.

110. A certificate from a Registered Surveyor shall be provided to the Principal Certifying Authority (PCA) certifying that the habitable/commercial floor level is constructed a minimum of 500mm above the 1% Annual Exceedance Probability (A.E.P) Flood Level. A copy of the certificate shall be provided to Council where Council is not the Principal Certifying Authority.
111. Prior to occupation a Chartered Professional Engineer shall certify that the stormwater system has been constructed in accordance with the approved plans and as required by Rockdale Technical Specification Stormwater Management. The certificate shall be in the form specified in Rockdale Technical Specification Stormwater Management and include an evaluation of the completed drainage works. A works-as-executed drainage plan shall be prepared by a registered surveyor based on a survey of the completed works. A copy of the certificate and works-as-executed plan(s) shall be supplied to the Principal Certifying Authority. A copy shall be provided to Council if Council is not the Principal Certifying Authority.
112. Flow through fencing shall be provided along the bottom of the fencing for the width and depth of overland flow. Details of approved types of flow through fencing can be obtained from Council. A positive covenant pursuant to the Conveyancing Act 1919 shall be created on the title of the lot(s) that contain the pool fencing preventing interference with the pool fencing and overland flow route.
Council requires proof of lodgement of the signed Instrument with the Land Titles Office.
113. The underground garage shall be floodproofed to a minimum of 500mm above the 1% Annual Exceedance Probability flood level. The levels shall be certified by a registered surveyor prior to construction of the driveway or other openings.
114. The development shall comply with Rockdale Development Control Plan (DCP) 2011, and the Planning Considerations and Development Controls listed in the Flood Advice letter issued by Council on 8 October 2014, Ref: F08/691P04, 14/132033.
115. A positive covenant pursuant to the Conveyancing Act 1919 shall be created on the title of the lots that contain the stormwater detention (rain tank) facility to provide for the maintenance of the detention facility.
116. The pump system, including all associated electrical and control systems, shall be tested and inspected by a suitably qualified and experienced person. Records of testing shall be retained and provided to the certifying hydraulic engineer and/or PCA upon request.
117. Signs shall be displayed adjacent to all stormwater drains on the premises, clearly indicating "Clean water only - No waste".
118. The owner of the premises is required to comply with the following requirements when installing a rainwater tank:
 - Inform Sydney Water that a Rainwater tank has been installed in accordance with applicable requirements of Sydney Water.
 - The overflow from the rainwater tank shall be directed to the storm water system.
 - All plumbing work proposed for the installation and reuse of rainwater shall

comply with the NSW Code of Practice: Plumbing and Drainage and be installed in accordance with Sydney Water "Guidelines for rainwater tanks on residential properties.

- A first flush device shall be installed to reduce the amount of dust, bird faeces, leaves and other matter entering the rainwater tank.

119. Prior to issue of the Occupation Certificate the storage areas provided within each unit shall be constructed as shown in the approved plans, and the storage areas provided at the basement levels (as shown in the approved plans) shall be constructed of metal mesh or metal sheeting and secured with a suitable lock. Each unit shall be allocated with one (1) storage area in the basement in any strata subdivision of the development.
120. A by-law shall be registered and maintained for the life of the development, which requires that:
- (a) balconies are not to be used as clothes drying areas, storage of household goods and air-conditioning units that would be visible from the public domain;
 - (b) an owner of a lot must ensure that all floor space within the lot complies with the acoustic conditions for floors specified in this consent;
 - (c) Notwithstanding subclause (b), in the event that a floor covering in the lot is removed, the newly installed floor covering shall have a weighted standardized impact sound pressure level not greater than L'nT,w 45 measured in accordance with AS ISO 140.7 and AS ISO 717.2, A test report from a qualified acoustic engineer employed by a firm eligible to membership of the Association of Australian Acoustical Consultants shall be submitted to the Owners Corporation within 14 days of the installation of the new floor covering demonstrating compliance with that standard. In the event that the standard is not complied with, the floor covering shall be removed and replaced with a floor covering that conforms to that standard in accordance with any directions given by the Owners Corporation.

Proof of registration of the By Law shall be submitted to Council prior to the issue of the Occupation Certificate.

121. Letterboxes are to be provided in location accordance with Controls 15, 16 and 17 of Part 4.7 of Rockdale DCP 2011 which requires the following:
- (i) to be integrated with building design and are preferably to be located in a covered area attached to or within the building;
 - (ii) to be centrally located either/or close to the major street entry and lockable; and
 - (iii) to be visible from at least some of the dwellings, and located where residents can meet and talk, preferably with seating and pleasant ambience.

Integrated development/external authorities

The following conditions have been imposed in accordance with Section 91A of the Environmental Planning and Assessment Act, 1979.

122. SYDNEY AIRPORTS CONDITION

Sydney Airport Corporation Limited (SACL) has approved the maximum height of the proposed building at 32.91 metres relative to Australian Height Datum (AHD).

This height is inclusive of all vents, chimneys, aerials, TV antennae and construction cranes etc. No permanent or temporary structure is to exceed this height without further approval from Sydney Airport Corporation Limited.

Note: Under Section 186 of the Airports Act 1996, it is an offence not to give information to the Airport Operator that is relevant to a proposed “controlled activity” and is punishable by a fine of up to 50 penalty units.

For further information on Height Restrictions please contact SACL on 9667 9246.

123. **AUSGRID CONDITIONS**

1. Prior to any development being carried out, the approved plans must be submitted to Ausgrid’s local customer service office for approval to determine whether the development will affect Ausgrid’s network or easements.
2. The development must comply with both the Reference Levels and the precautionary requirements of the Draft Radiation Protection Standard for Exposure Limits to Electric and Magnetic Fields 0 Hz – 3 kHz (ARPANSA, 2006), for development in proximity to overhead power lines.

124. **SYDNEY TRAINS CONDITIONS**

The following 31 conditions (A1 - A31) are imposed by Sydney Trains in their letter dated 20 July 2015 and must be complied with:

A1. Unless amendments are required in order to obtain approval/certification from Sydney Trains in relation to the items listed in Condition A2 or A3 below, all excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings and recommendations detailed in the following documents:

- Survey Plan prepared by Boxall – Drawing No. 10101-001 – Revision A, dated 25/09/14.
- Geotechnical Investigation by Asset Geotechnical - Report No. 2678-R1 Rev 3, dated 26 June 2015.
- Assessment of Dewatering by Asset Geotechnical - Report No. 2678-2-R1 Rev 2, dated 26 June 2015.
- Report on Numerical Modelling by Asset Geotechnical – Report No. 2678-1-R1 Rev 1, dated 26 June 2015.
- Shoring System Details prepared by Northrop – Report No.141766, dated 16 April 2015.
- Shoring Plan prepared by Northrop – Drawing No. RSK-01, Revision 1 dated 19/04/2015.
- Typical Shoring Wall Section prepared by Northrop – Drawing No. RSK-02, Revision 1 dated 19/04/2015.

- Northern Shoring Wall Elevation prepared by Northrop – Drawing No. RSK-03, Revision 1 dated 19/04/2015.

The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming which of the documentation listed in this condition are to now apply or are superseded as a result of the compliance with Condition A2 or A3 below. The measures detailed in the documents approved/certified by Sydney Trains under this Condition are to be incorporated into the construction drawings and specifications prior to the issuing of the Construction Certificate. Prior to the commencement of works the Principal Certifying Authority is to provide verification to Sydney Trains that this condition has been complied with.

A2. The following items are to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate:

- Revised survey drawing containing the following items:
 - All rail tracks, railway boundaries, portals and other rail assets such as signals, service pits, bridge etc
 - Sections should be provided in survey drawings to show all rail assets within 25m of the proposed works
- Revised Geotechnical Report based on additional boreholes to confirm the results of the current borehole logs.
- Final Structural Drawings/Methodology based on the revised Geotechnical Report containing (but not limited) the following:
 - Detailed retaining wall design.
 - Wall profile and connection details.
 - Wall structural details including wall reinforcement and connections
 - Interface details between the buttresses and the wall
- Details regarding the development's compliance with Australian Standard AS5100.
- Report detailing the wall analysis, predicted movements, shear forces, anchor forces and deflections, details as to how the stiffness of the buttress wall is modelled in the analysis, structural capacity checks for piles, capping beams, anchors etc, and structural design calculations for wall and connections.
- As the buttress wall consists of secant piles which are only connected at capping beam level and given that the buttress wall is outside the excavation, the load transfer between individual buttress piles is via tension. Therefore a rigorous analysis is to be provided to demonstrate that all piles within the

buttress wall will act as a single composite structural element (ie rather than acting as individual leading and trailing piles with a pile cap). As an alternative the buttress wall could be provided inside the wall. This could provide more opportunities to "tie" the buttress piles together either via partial slab casting or temporary steel beams as the excavation progresses.

- Details as to how the load will be transferred to the buttress walls from the other piles. Other than capping beam at the top, details regarding whether whaler beams will be provided at lower levels is also to be submitted.
- Rock anchor type/configuration and analysis for the eastern wall given that this wall is close to the rail bridge structure.
- Revised Numerical Analysis consistent with the revised Geotechnical Report and Final Structural drawings/methodology, containing, but not limited to, the following:
 - Clarification as to how the stiffness value was computed
 - Clarification as to how the bending movement output could be apportioned between the CSM wall and the buttress. In addition, drawings clearly showing how the buttresses interface with the CSM wall (including connection details, reinforcement inclusions) to assess the assumption that the Wall and buttresses will act as one unit are to be provided

The Principal Certifying Authority is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.

A3. The following items are to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate:

- Machinery to be used during excavation/construction.
- Construction and Demolition plan listing the vibration generating equipment, anticipated levels of vibration and proposed method of monitoring
- A vibration and excavation monitoring plan containing (but not limited) details of the vibration generating equipment to be used, location of monitoring equipment, anticipated vibrations, threshold values for vibration, a data distribution list to disseminate data and to inform alarm level breaches, and a Sydney Train contact in the list for notification in the event of alarm level breach.

The Principal Certifying Authority is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.

A4. All piling and excavation works with 25m of the rail corridor are to be supervised by a geotechnical engineer experience with such excavation projects.

A5. No rock anchors/bolts are to be installed into Sydney Trains property or easements.

A6. Prior to the commencement of works the Applicant shall peg-out the common property boundary with RailCorp's land. This work is to be undertaken by a registered surveyor.

A7. The Applicant is to submit to Council, for its records, copies of any certificates, drawings or approvals given to or issued by Sydney Trains.

A8. During all stages of the development extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.

A9. Drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.

A10. Sydney Trains and Transport for NSW, or any persons authorised by them for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor for the approved development or the owner or occupier of the part of the site to which access is sought.

A11. Prior to the commencement of works, on the completion of works, or at any time during the works period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.

A12. An acoustic assessment is to be submitted to Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".

A13. Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

A14. The Applicant is to ensure that the development incorporates appropriate anti-graffiti measures acceptable to Sydney Trains.

A15. Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows and other external features (eg roof terraces and external fire escapes) that are within 20m and face the rail corridor, the Applicant is required to install measures (eg awning windows, louvres, enclosed balconies, window restrictors etc) which prevent the throwing of objects onto the rail corridor.

These measures are to comply with Sydney Trains requirements. The Principle Certifying Authority is not to issue the Construction Certificate until it has confirmed that these measures are to be installed and have been indicated on the Construction Drawings.

A16. The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of Sydney Trains. The Principle Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

A17. Prior to the issue of a Construction Certificate a Risk Assessment, Rail Safety Management Plan, and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

A18. Prior to the commencement of works the Applicant shall obtain Sydney Trains advice regarding the adequacy of the existing fencing along the rail corridor to prevent access to the rail corridor during these works. Should Sydney Trains determine that fencing needs to be augmented in order to comply with this requirement then this shall be undertaken in accordance with the Sydney Trains requirements.

A19. Prior to the commencement of works appropriate fencing is to be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

A20. The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issuing of an Occupation Certificate the Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

A21. Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. The Principal Certifying Authority shall not issue the Construction Certificate until written

confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

A22. Prior to the issue of a Construction Certificate the Applicant is to submit to Sydney Trains the demolition, excavation and construction methodology and staging for review and endorsement. The Principle Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

A23. No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.

A24. Prior to the undertaking of works or the issuing of a Construction Certificate (whichever occurs first), the Applicant must hold current public liability insurance cover for a sum to be determined by Sydney Trains. This insurance shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Rail Corridor Management Group to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.

A25. Prior to the undertaking of works or the issuing of a Construction Certificate (whichever occurs first), the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the entire works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to the issuing of the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.

A26. Prior to the issuing of an Occupation Certificate the Applicant is to submit the as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property or easement.

The Principal Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

A27. The Applicant must provide a plan of how future maintenance of the development facing the rail corridor is to be undertaken. The maintenance plan is to be submitted to Sydney Trains prior to the issuing of the Occupancy Certificate. The Principle Certifying Authority is not to issue an Occupation Certificate until written confirmation has been received from Sydney Trains advising that the maintenance plan has been prepared to its satisfaction.

A28. The Applicant is to obtain Sydney Trains endorsement prior to the installation of any hoarding or scaffolding facing the common boundary with the rail corridor.

A29. No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an Agreement has been entered into with Sydney Trains. Where the Applicant proposes to enter the rail corridor, the Principal Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from Sydney Trains confirming that its approval has been granted.

A30. There is a need to ensure that the roots and foliage of trees being planted beside the rail corridor do not have an impact on the rail corridor. The development landscaping and planting plan should be submitted to Sydney Trains for review.

A31. The Sydney Trains corridor access gates located adjacent to the development site shall be unobstructed at all times.

125. **NSW Office of Water**

Compliance with the following conditions imposed by the NSW Office of Water in their letter dated 21 April 2015:

General

1. An authorisation shall be obtained from NSW Office of Water for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified in the authorisation.
2. The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be in contact with groundwater watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for reasonably foreseeable high water table elevations to prevent potential future inundation.
3. Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.

Prior to excavation

4. Measurements of groundwater levels beneath the site from a minimum of three monitoring bores shall be taken. These measurements should be included in a report provided to the NSW Office of Water in support of the dewatering licence application, along with a schedule and indicative level predictions for the proposed ongoing water level monitoring from the date of consent until at least two months after the cessation of pumping shall be included in the report.
5. A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and a report provided to the NSW Office of Water. Details of the parameters (e.g. permeability predicted by slug-testing, pump-testing or other means) and calculation method shall be included in the report submitted to the NSW Office of Water in support of the dewatering licence.
6. A copy of a valid development consent for the project shall be provided in the report to the NSW Office of Water.
7. Groundwater quality testing shall be conducted on a suitable number of samples

using a suitable suite of analytes and completed by a NATA-certified laboratory, with the results collated and certificates appended to a report supplied to the NSW Office of Water. Samples must be taken prior to the substantial commencement of dewatering, and a schedule of the ongoing testing throughout the dewatering activity shall be included in the report. Collection and testing and interpretation of results must be done by suitably qualified persons and NATA certified laboratory identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria.

8. The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided to the NSW Office of Water. The disposal of any contaminated pumped groundwater (sometimes referred to as "tailwater") must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority.
9. Contaminated groundwater (i.e. above appropriate NEPM 2013 investigation thresholds) shall not be reinjected into any aquifer without the specific authorisation of the NSW Environment Protection Authority (any such discharge would be regulated through a licence issued under the *Protection of the Environment Operations Act 1997* [POEO Act]). The reinjection system design and treatment methods to remove contaminants shall be nominated and a report provided to the NSW Office of Water. The quality of any pumped water that is to be reinjected must be compatible with, or improve the intrinsic or ambient groundwater in the vicinity of the reinjection site.

During excavation

10. Engineering measures designed to transfer groundwater around the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.
11. Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.
12. Measurement and monitoring arrangements to the satisfaction of the NSW Office of Water are to be implemented. Monthly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a report provided to the NSW Office of Water after dewatering has ceased. Daily records of groundwater levels are to be kept and a report provided to the NSW Office of Water after dewatering has ceased.
13. Pumped groundwater shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system, etc) without the controlling authorities approval and/or owners consent. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.
14. Dewatering shall be undertaken in accordance with groundwater-related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.
15. The location and construction of groundwater extraction works that are abandoned are to be recorded and a report provided to the NSW Office of Water after dewatering has ceased. The method of abandonment is to be identified in

the documentation.

16. Access to groundwater management works used in the activity is to be provided to permit inspection when required by the NSW Office of Water under appropriate safety procedures.

Following excavation

17. All monitoring records must be provided to the NSW Office of Water after the required monitoring period has ended together with a detailed interpreted hydrogeological report identifying all actual resource and third party impacts.

Roads Act

126. Construction related activities must not take place on the roadway without Council approval.

Short-term activities (including operating plant, materials delivery) that reduce parking spaces, affect access to a particular route or prevent or restrict the passage of vehicles along the road must not occur without a valid Temporary Roadside Closure Permit.

Activities involving occupation of the parking lane for durations longer than allowed under a Temporary Roadside Closure Permit require a Construction Zone Permit and must not occur prior to the erection of Works Zone signs by Council's Traffic and Road Safety Section.

Permit application forms should be lodged at Council's Customer Service Centre allowing sufficient time for evaluation. An information package is available on request.

127. Where applicable, the following works will be required to be undertaken in the road reserve at the applicant's expense:
 - i) construction of a concrete footpath along the frontage of the development site;
 - ii) construction of a new fully constructed concrete vehicular entrance/s;
 - iii) removal of the existing concrete vehicular entrance/s, and/or kerb laybacks which will no longer be required;
 - iv) reconstruction of selected areas of the existing concrete Footpath/vehicular entrances and/or kerb and gutter;
 - v) construction of paving between the boundary and the kerb;
 - vi) removal of redundant paving;
 - vii) construction of kerb and gutter.
128. All footpath, or road and drainage modification and/or improvement works to be undertaken in the road reserve shall be undertaken by Council, or by a Private Licensed Contractor subject to the submission and approval of a Private Contractor Permit, together with payment of all inspection fees. An estimate of the cost to have these works constructed by Council may be obtained by contacting Council. The cost of conducting these works will be deducted from the Footpath Reserve Restoration Deposit, or if this is insufficient the balance of the cost will be due for payment to

Council upon completion of the work.

129. All driveway, footpath, or road and drainage modification and/or improvement works to be undertaken in the road reserve shall be undertaken in accordance with Council's Subdivision and Civil Works Construction Specification (AUS-SPEC 1). Amendment to the works specification shall only apply where approved by Council. Where a conflict exists between design documentation or design notes and AUS-SPEC 1, the provisions of AUS-SPEC 1 shall apply unless otherwise approved by Council.
130. This Roads Act approval does not eradicate the need for the Contractor to obtain a Road Opening Permit prior to undertaking excavation in the road or footpath.
131. Any driveway works to be undertaken in the footpath reserve by a private contractor requires an "Application for Consideration by a Private Contractor" to be submitted to Council together with payment of the application fee. Works within the footpath reserve must not start until the application has been approved by Council.
132. Following completion of concrete works in the footpath reserve area, the balance of the area between the fence and the kerb over the full frontage of the proposed development shall be turfed with either buffalo or couch (not kikuyu) or landscaped. If landscaping is proposed rather than turfing, details shall be submitted to the Property and Community Services Department for approval.

Development consent advice

- a. You are advised to consult with your utility providers (i.e. Energy Aust, Telstra etc) in order to fully understand their requirements before commencement of any work.
- b. You are advised to consult with your utility providers (i.e. Energy Aust, Telstra etc) in order to fully understand their requirements before commencement of any work.
- c. *Telstra Advice – Dial Before You Dig*

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets, please contact Dial before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before You Dig service in advance of any construction or planning activities.

- d. Where Council is not engaged as the Principal Certifying Authority for the issue of the Subdivision Certificate (Strata), and the Section 88B Instrument contains easements and/or covenants to which Council is a Prescribed Authority, the Council must be provided with all relevant supporting information (such as works-as-executed drainage plans and certification) prior to Council endorsing the Instrument.
- e. Demolition and construction shall minimise the emission of excessive noise and prevent "offensive noise" as defined in the Protection of the Environment Operations Act 1997. Noise reduction measures shall include, but are not limited to the following

strategies:

- choosing quiet equipment
 - choosing alternatives to noisy activities
 - relocating noise sources away from affected neighbours
 - educating staff and contractors about quiet work practices
 - informing neighbours of potentially noise activities in advance
 - equipment, such as de-watering pumps, that are needed to operate on any evening or night between the hours of 8 p.m. and 7 a.m. or on any Sunday or Public Holiday, shall not cause a noise nuisance to neighbours of adjoining or nearby residences. Where the emitted noise exceeds 5 dB(A) [LAeq(15m)] above the background sound level [LA90] at the most affected point on the nearest residential boundary at any time previously stated, the equipment shall be acoustically insulated, isolated or otherwise enclosed so as to achieve the sound level objective.
- f. The water from the rainwater tank should not be used for drinking, Sydney Water shall be advised of the installation of the rainwater tank.
- g. If the development is not subject to BASIX, a mandatory rainwater tank may be required. Rainwater tank requirements for development not subject to BASIX are specified in Council's DCP 78.

Additional Information

- To confirm the date upon which this consent becomes effective, refer to Section 83 of the *Environmental Planning and Assessment Act, 1979*. Generally the consent becomes effective from the determination date shown on the front of this notice. However if unsure applicants should rely on their own enquiries.
 - To confirm the likelihood of consent lapsing, refer to Section 95 of the Act. Generally consent lapses if the development is not commenced within five (5) years of the date of approval. However if a lesser period is stated in the conditions of consent, the lesser period applies. If unsure applicants should rely on their own enquiries.
 - Section 82A allows Council to reconsider your proposal. Should you wish to have the matter reconsidered you should make an application under that section with the appropriate fee.
 - Under Section 97 of the Act applicants who are dissatisfied with the outcome of a consent authority have a right of appeal to the Land and Environment Court. This right must be exercised within six (6) months from the date of this notice. The Court's Office is situated at Level 1, 225 Macquarie Street, Sydney (Telephone 9228 8388), and the appropriate form of appeal is available from the Clerk of your Local Court.
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Should you have any further queries please contact Pascal van de Walle on 9562 1666