

DA Conditions

CONDITIONS

DA 2015.8.1

137 Victoria Street ASHFIELD 2131

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

Proposed stage 2 involving the following:

- Demolition of the hostel ("The Lodge") fronting Victoria Street;
- Demolition of existing Buildings C and D, which contain Independent Living Units (ILUs);
- Demolition of 12 villas located in the south eastern site corner;
- Construction of three buildings containing 106 ILUs as follows:
 - Buildings 5 - five (5) storeys with basement parking;
 - Building 6 – four (4) storeys with basement parking; and
 - Building 7 - four storeys with basement parking.
- Formal landscaping to the east and south of the Chapel and Glenworth House;
- Reinstatement of the heritage gates further to the south on Victoria Street in the vicinity of the Chapel and Glenworth House and establishment of a Ceremonial Driveway;
- Realignment of internal street network in this part of the site including the completion of the east west internal access road;
- Establishment of clear and upgraded pedestrian pathways to link with existing pedestrian pathways.

A General Conditions

(1) Approved plans stamped by Council

The development must be carried out only in accordance with the plans and specifications listed below prepared by AJ +C Architect and any supporting documentation received with the application, except as amended by the conditions specified hereunder.

Project No	DWG No	Revision	Title
12018	DA301000	J	Site plan stage 2/ Demolition
12018	DA352001	E	B5&6 Basement West
12018	DA352002	F	B5&6 Basement East
12018	DA352101	E	Building 5 Ground
12018	DA352102	E	Building 5 Level 1
12018	DA352103	E	Building 5 Level 2
12018	DA352104	E	Building 5 Level 3
12018	DA352105	E	Building 5 Level 4
12018	DA353101	E	Building 5 North & East Elevations
12018	DA353102	E	Building 5 South & West Elevations
12018	DA353103	E	Building 5 North & East Elevations Colour
12018	DA353104	E	Building 5 South & West Elevations Colour
12018	DA353106	E	Building 5 Roof
12018	DA353201	D	Building 5 Section
12018	DA362101	F	Building 6 Ground
12018	DA362102	E	Building 6 Level 1
12018	DA362103	E	Building 6 Level 2
12018	DA362104	E	Building 6 Level 3
12018	DA362105	E	Building 6 Roof

12018	DA363101	E	Building 6 North & East Elevations
12018	DA363102	E	Building 6 South & West Elevations
12018	DA363103	E	Building 6 North & East Elevations Colour
12018	DA363104	E	Building 6 South & West Elevations Colour
12018	DA363201	D	Building 6 Section
12018	DA372001	J	Building 7 Basement
12018	DA372101	H	Building 7 Ground
12018	DA372102	F	Building 7 Level 1
12018	DA372103	E	Building 7 Level 2
12018	DA372104	E	Building 7 Level 3
12018	DA372105	E	Building 7 Roof
12018	DA373101	E	Building 7 North & East Elevations
12018	DA373102	E	Building 7 South & West Elevations
12018	DA373103	E	Building 7 North & East Elevations Colour
12018	DA373104	E	Building 7 South & West Elevations Colour
12018	DA301011	C	Site Sections
12018	DA303101	D	Site Elevations
	L-101	D	Landscape Plan 1
	L-102	D	Landscape Plan 2
	L-103	B	Landscape Sections
	L-104	B	Landscape Sections
	L-105	C	Landscape Sections
S12-030	L-600	F	Heritage Gate Relocation Plan 1/3
S12-030	L-601	F	Heritage Gate Relocation Plan 2/3
S12-030	L-602	F	Heritage Gate Relocation Plan 3/3
Document		Prepared by	Date
Statement of Environmental Effects For Stage 2 Development including all appendices.		BBC Consulting Planners	October 2014

(2) Compliance with BCA

All works are to comply with the Building Code of Australia and relevant Australian Standard requirements.

(3) Provision of Interpretive Signage

An interpretive sign shall be designed and constructed/installed at the applicants cost along the Liverpool Road Street frontage. This feature shall provide visual interest for pedestrians and interpret or reflect the heritage significance and character and/or the cultural setting of the site. The feature shall be designed to ensure long-term durability and be resistant to vandalism. Details shall be approved by Ashfield Council prior to issue of Occupation Certificate.

(4) NSW Police Force Requirements

The following Conditions and requirements imposed by Ashfield Local Area Command in their letter dated 1 July 2015 (which is attached to this consent) shall be complied with. Compliance method of the conditions shall be submitted and approved by Ashfield Council prior to release of the Occupation Certificate.

- a) Surveillance IP Cameras with a minimum of 1.3 megapixels are to be installed and operatable 24 hours a day with images being kept for a minimum of 30 Days for viewing by police as required. Cameras should be placed in the following areas to maximise security; Foyer entry/exits, driveway entry and letterbox area.
- b) The camera facing the driveway entry/exit should be an Automated Number Plate Recognition camera. This is to be installed and operatable prior to the issue of an Occupational Certificate.
- c) Cameras are to be registered with the NSW Police Force CCTV Register.
http://www.police.nsw.gov.au/cctv_register
- d) Install bright sensor lights around the building to provide adequate illumination of all areas around the building where residents and visitors might have access to.
- e) Affix signage on the internal and external walls to reinforce security and deter unauthorised access and trespassing.
- f) Ensure vehicle and pedestrian access to any parking area is controlled by key or key card access only.
- g) Provide Ashfield Police with a copy of a key or key card, to assist General Duties Police Officers with entry onto common areas in case of emergencies.
- h) Basement car park walls are to be painted in White to increase lux levels and light reflection, aiding in illumination of the area.
- i) Install bicycle storage lockers that will prevent access to any part of the bicycle.
- j) The site is to be treated with anti-graffiti paint to a height level which is usually accessible in order to deter graffiti offenders targeting the building and its perimeter.
- k) Vegetation surrounding the building should be trimmed to prevent hiding spots for offenders, reducing the risk of personal violence offences as well as property offences.
- l) A Key Holder should be appointed with keys to all common areas and be contactable 24 hours a day, 7 days a week if the manager is on holidays or absent for a specified period of time.
- m) Emergency exit signs are clearly marked.
- n) Windows are to be fitted with child proof windows and flyscreens.
- o) All access points to the building should be restricted to residents only through a security system. Visitors to the residential complex should be provided with access via the intercom.
- p) Secured letter boxes are to be installed which can only be accessed from a secure foyer area.

B Design Changes

(1) Deep Soil Zone

For the front external area shown on drawing DA 362101, for Building 6 Ground level, the external stairways and pathways within the front building line along Victoria Street shall be moved to the east to enable a deep soil zone of approximately 2.5 meters and the planting of

continuous large trees. The terraces of the adjoining apartments numbers, being numbers 6.0.06 and 6.0.03 shall be reduced in size to enable this, and their privacy screens adjusted to suit.

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

(1) Principles of Sustainability (Concept Plan Commitments)

The Proponent is committed to the principles of sustainability as defined in the Environmental Planning and Assessment Act, 1979.

(2) Approvals (Concept Plan Commitments)

The Proponent will obtain all necessary approvals and licenses required by State and Commonwealth legislation in implementing and operating the project.

(3) Consultation Outcomes (Concept Plan Commitments)

The proponent will implement the measures for managing mitigation, communication and management issues during construction as described in Section 5 of the Consultation Outcomes Report contained in Appendix C of Volume 5 and the Environmental Assessment report accompanying Mod 2 to the Concept Plan Approval and Mod 2 to the Project Approval dated September 2013.

(4) Services adjustment or relocation

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

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

(5) Lighting to basement/pedestrian routes-safety

Lighting which meets the relevant Australian Standard of 40 lux., spaced at appropriate intervals to provide the required surveillance shall be provided to the vehicular basement parking area and along pedestrian access routes for safety and security purposes during the evenings. Details to be shown on the construction certificate.

(6) Surveillance

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

- a) a closed circuit television (surveillance cameras);
- b) the Manager's office having the relevant control panels; and
- c) Tapes/digital data 'on disc' to be properly stored and retained on site for a minimum of twenty-one (21) days for the availability of Council or NSW Police.

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

(7) Entry control - safety

At the entry to the resident basement car park, the following shall be provided an intercom system between visitors and residents to entry and exit from the car park.

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

(8) Preparation of geotechnical report

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

All demolition, excavation, backfilling and construction must be undertaken in accordance with the recommendations of the geotechnical report.

(9) Construction and Site Management Plan

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

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

Where it is proposed to:

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

An Activity Application for a construction zone, a pumping permit, an approval to stand a mobile crane or an application to pump water into a public road, together with the necessary

fee shall be submitted to Council and approval obtained before a Construction Certificate is issued.

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

(10) Erosion & sedimentation control-management plan

Prior to issue of a construction certificate the applicant shall prepare an erosion and sedimentation control plan in accordance with Part 4 of the guidelines titled "*Pollution Control Manual for Urban Stormwater*", as recommended by the Environmental Protection Authority.

Any stormwater runoff collected from the site must be treated in accordance with the Guidelines, before discharge off the site to comply with the *Protection of the Environment Operations Act 1997* or other subsequent Acts.

Where sedimentation control basins are provided discharge shall be to the requirements of the Environmental Protection Authority.

Applicants are further advised to refer to the following publications for additional information:

- (a) "*Sedimentation and Erosion Control*" - Department of Conservation and Land Management.
- (b) "*Soil and Water Management for Urban Development*" - Department of Housing.

The plan must be submitted with the application for a construction certificate.

Further information may be obtained from:

Environment Protection Officer
Environment Protection Authority
Inner Sydney Region
Locked Bag 1502
BANKSTOWN NSW 2200

11) Damage deposit/footpath, road, kerb and gutter

A Damage Deposit of \$20,000 is to be submitted prior to any of the following:

- commencement of works or
- demolition or
- excavation upon the site or
- the release of the **Construction Certificate**

whichever may come first, covering repair and/or replacement of adjoining footpath, road shoulder, road pavement, kerbing and guttering both outside the subject site and the surrounding area. This is to be paid to Council and may be refunded subject to satisfactory completion of construction or demolition.

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

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

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

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

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

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

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

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

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

(12) Section 94 Development Contributions

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

Development Application # : DA 008/2015
Property Address: 137 Victoria Street, Ashfield
CPI Quarter: Mar-15

<u>Community Infrastructure Type</u>	<u>Contribution</u>
Local Roads	\$3,728.47
Local Public Transport Facilities	\$42,609.49
Local Car Parking Facilities	\$0.00
Local Open Space and Recreation Facilities	\$749,311.91
Local Community Facilities	\$46,286.26
Plan Preparation and Administration	\$34,045.32
TOTAL	\$875,981.45

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

$$\text{\$C}_c = \frac{\text{\$ C}_p \times \text{CPI}_c}{\text{CPI}_p}$$

Where:

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

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

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

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

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

Council's Development Contributions Plan may be viewed at www.ashfield.nsw.gov.au or a copy may be inspected at Council's Administration Centre.

(13) Long service levy

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

(14) Sydney Water - Section 73 Compliance Certificate

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

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone Sydney Water 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

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

(15) Footpath/laneway- photographs to be submitted

Prior to the release of the Construction Certificate, the applicant shall lodge with Council photographs of the roadway and footpath both in Clissold Street and Victoria Street at the property indicating the state of the relevant pavements. At the completion of construction, again at the expense of the applicant, a new set of photographs is to be taken to determine

the extent, if any, of any damage, which has occurred to the relevant pavements. If any damage has occurred, the applicant shall meet the full cost to repair or reconstruct these damaged areas to Council's relevant standard. Failure to do this will result in the applicant being held accountable for the cost of all repair works in the area near / at the site.

(16) Design and construction of car parking area

The car park layout is to be designed and constructed in accordance with Australian Standards AS 2890.1 2004 "Off Street Car Parking" as well as AS2890.6 -2009 Parking Facilities - Off-street parking for people with disabilities.

(17) Services adjustment or relocation

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

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

(18) Connection to Council's street drainage

Details of the proposed street drainage line upgrade from the existing Council pit in Clissold Street which then crosses Clissold Street and enters into William Street (approximately 16m) to the Council pit in front of No. 40 William Street shall be prepared by a suitably qualified professional civil engineer in accordance with Council's Stormwater Management Code, and submitted and approved by Council prior to the release of the Construction Certificate.

The depth and location of all services within the area affected by the new 750mm stormwater pipeline to be laid across Clissold Street and which enters into William Street (i.e. gas, water, sewer, electricity, Telstra, etc) shall be confirmed by the applicant on site prior to the release of the Construction Certificate.

(19) Erosion, dust, topsoil and sediment control

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

(20) Traffic Management Plan

A Demolition and Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hour of operation, access arrangements and traffic control will be submitted to Council, for approval, prior to the commencement of any works on site.

(21) Stormwater disposal-calculations

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

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

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

- (i) Roof areas.
- (ii) Paved areas.
- (iii) Grassed areas.
- (iv) Garden areas.
- (v) The percentages of Pre-development and Post-development impervious areas

- (b) At each pit and or bend, a level of pipe is to be shown (the minimum grade for pipes is 1%).
- (c) All flowpaths both internal and external, which pass through or around the proposed development site, are to be shown on the Construction Certificate plan
- (d) Calculations and details are to be provided to Council showing that provisions have been made to ensure runoff from all storms up to the 100 year ARI, which cannot be conveyed within the piped drainage system (including pits and including overflows from roof gutters) is safely conveyed within formal or informal overland flow paths to the detention storage facility. Where it is not practicable to provide paths for overland flows the piped drainage system should be sized to accept runoff up to and including the 100-year ARI.
- (e) All garbage and waste areas must drain to the sewer and not the stormwater system

(22) Stormwater detention storage facility

- (a) On-site Stormwater Detention storage shall be provided in conjunction with the stormwater disposal. This storage shall be designed in accordance with Council's Stormwater Management Code, minimum storage volumes for the Village Precinct shall be 63m³ and the Care Precinct shall be 132m³. Details of the storage shall be submitted to and approved by Council or Certifier prior to the release of the Construction Certificate.
- (b) Prior to the release of the Construction Certificate, a maintenance schedule is to be prepared which clearly outlines the routine maintenance necessary to keep the OSD system working, this information is to be included in the Positive Covenant required for this development. Some of the issues that will need to be addressed are:
 - where the storage and silt arrestor pits are located
 - which parts of the system need to be accessed for cleaning and how access is obtained
 - description of any equipment needed (such as keys and lifting devices) and where they can be obtained
 - the location of screens and how they can be removed for cleaning
 - who should do the maintenance (i.e. commercial cleaning company)
 - how often should it be done

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

(23) Construction Traffic Management Plan (CTMP)

A Construction Traffic Management Plan (CTMP) shall be submitted for approval by Council's Works & Infrastructure Division prior to release of a construction certificate. The CTMP shall address issues such as truck routes and frequencies during various stages of development,

loading/unloading strategies, locations of any Work Zones or other temporary traffic restrictions, truck waiting areas, size of delivery vehicles, site worker parking and strategies to reduce the impacts of site worker parking on the surrounding local road network etc. The CTMP should discuss in detail the location, duration and intent of any anticipated road or lane closures during the construction process. Associated traffic control plans and strategies to maintain vehicular access and minimise traffic congestion during those periods should also be outlined.

(24) Clearance heights within the basement car parks

Clearance heights within the basement car parks to the lowest protrusions from the roof shall be maintained at no less than 2.2m with that height increasing to 2.5m above all accessible parking spaces

(25) Design plans of the internal road network

Detailed and dimensioned design plans of the internal road network shall be submitted to Council for consideration and approval prior to release of a construction certificate. Such plans to include details of

- a) the kerb side parking bays,
- b) visitor parking spaces
- c) on-site service vehicle loading/unloading bays in Victoria Lane and Clissold Lane
- d) Detailed plans of the raised pedestrian crossing on Victoria Lane
- e) Parking and traffic control signage and linemarking. The plans to be provided at a scale that is legible
- f) manoeuvring details into and out of parking bays
- g) pedestrian sight triangles at egress points from car parks to the internal road network and from the internal road network to the local road network.

(28) Ausgrid Requirements

A: 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 www.ausgrid.com.au/Common/Our-network/Accredited-service-providers/On-the-job-safety.aspx.

B: The applicant must check the location of underground cables by using *Dial Before You Dig* www.ausgrid.com.au/Common/Safety/Safety-around-our-network/Dial-Before-You-Dig.aspx and comply with the requirements of *NS156: Working Near or Around Underground Cables* (Ausgrid, 2010) www.ausgrid.com.au/Common/Our-network/Standards-and-Guidelines/Network-standards.aspx.

C: Prior to the issue of a Construction Certificate (or an Occupation Certificate where a Construction Certificate is not required), the applicant must provide to council and Ausgrid a noise assessment report. The report must address, in relation to the adjacent substation, the requirements of the amenity or intrusive criteria in section 2.4 of the *NSW Industrial Noise Policy* (EPA, 2000)¹.

D: 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) http://www.arpansa.gov.au/pubs/rps/dr_elfstd.pdf.

E: The development must comply with *Tree Safety Management Plan* (Ausgrid, 2007) www.ausgrid.com.au/Common/Community/Community-services/Bushfire-prevention.aspx.

F: The development must be carried out in accordance with *ENA EG1-2006: Substation Earthing Guide* (Energy Networks Association, 2006).

(29) Exhaust fumes from car park

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

(30) SEPP 65 – Design Verification

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

D Conditions that must be complied with before work commences

(1) Construction Management Plan (Concept plan Commitments)

The Construction Management Plan in Appendix 3 of Environmental Assessment report (as amended) accompanying Mod 2 to the Concept Plan Approval and Mod 2 to the Project Approval dated September 2013 will be updated through consultation with the building contractor in order to comprehensively address the issues raised in Sections 3.4.2 and 5.10 of the Environmental Assessment report.

(2) Environmental Controls (Concept plan Commitments)

The Proponent will put in place environmental controls to mitigate the effects of noise, dust, vibration and erosion during demolition, excavation and construction, including the implementation of:

- Demolition and excavation in a manner that meets acoustic criteria for construction as identified in the Acoustic Impact Assessment;
- Construction zones are to be enclosed and contained with semi-permanent solid hoarding to avoid prolonged direct exposure construction works by residents;
- All building materials are to be stored within restricted, designated and properly secured areas;
- Strict noise mitigation of construction activity and construction equipment;
- Strict management of dust by use of screens and/or hose down having particular regard on the impacts on nearby residences; and
- Implementation of erosion and sediment control devices as shown in the set of civil services plans submitted with the Environmental Assessment report

(3) Safety Plan (Concept plan Commitment)

The building contractor will establish a Safety Plan before work commences on-site detailing safe work methods and procedures to be followed on-site and to ensure compliance with OH&S and statutory requirements, such plan to address safety risks during demolition, excavation and construction activity, including:-

- stability of adjacent structures;
- excavation support;
- falls from heights;
- protection of pedestrians and the provision of safe paths of travel in the vicinity of construction zones;
- provision of alternative access for pedestrians to community facilities and services on the site including external bus stops, letterboxes, garbage collection areas and temporary and permanent administration offices and community facilities,

- traffic controls around the perimeter of the site and within the site.

(4) Relocation Strategy (Concept Plan Commitment)

Prior to construction commencing, the Proponent is to implement the Relocation Strategy contained in the Environmental Assessment report (as amended) accompanying Mod 2 to the Concept Plan Approval and Mod 2 to the Project Approval dated September 2013.

(5) Notice of Commencement – Notification of Works

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

(6) Requirement for a Construction Certificate

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

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

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

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

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

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

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

(8) Inspections required by Principal Certifying Authority

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

(9) Sanitary facilities - demolition/construction sites

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

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

(10) Site Controls

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

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

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

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

(11) Building location - check survey certificate

To ensure that the location of the building satisfies the provision of the approval, a check survey certificate shall be submitted to the Principal Certifying Authority either prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, indicating the: -

- (i) location of the building with respect to the boundaries of the site;
- (ii) level of the floor in relation to the levels on the site (all levels are to be shown relative to Australian Height Datum);
- (iii) site coverage of the buildings on the site.

(12) Crane permit

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

(13) Site fencing/security

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

(14) Spoil and building materials on road and footpath

Spoil and building materials shall not be placed or stored within any public roadway or footpath.

(15) Sydney Water approval

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 refer to the web site: www.sydneywater.com.au, see Your Business then Building & Developing then Building & Renovating or telephone Sydney Water 13 20 92.

(16) Structural Engineering Details

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

(17) Protection of public places - erection or demolition of building

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

(18) Asbestos sheeting removal - EPA/Workcover Authority

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

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

(19) Lead removal certification

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

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

(20) Garbage skips on Council land - Council approval

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

(21) Haulage route information

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

(22) Works zone application to Council - construction vehicles

The applicant is to apply to Council for a "works zone" along the site frontages for construction vehicles prior to work commencing. Contact Council's Customer Service on 9716 1800 for details and the necessary fees you need to pay.

Note: A minimum of 2 months notice to Council is required.

E Conditions that must be complied with during construction or demolition

(1) Plans to be available on site

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

(2) Locate structures within boundaries

The proposed structure(s) to be erected must stand wholly within the boundaries of the allotment.

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

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

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

(4) Signs to be erected on building and demolition sites

- (1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited; and
 - (b) showing the name and address of the contractor for the building work and the person in charge of the work site and a telephone number at which the person may be contacted outside working hours; and

- (c) showing the name, address and telephone number of the Principal Certifying Authority appointed for the building works.

(2) Any-sign shall be maintained and not removed until work has been finished.

(5) Demolition/excavation/construction - hours of work

Construction activities (including demolition and excavation, loading and unloading of materials and machinery) will only occur between 7.00am and 5.00pm, Monday to Friday. Construction on Saturdays will be limited to 50% of the Saturdays during the construction period, will be between the hours of 8.00am and 1.00pm and will involve activities that will not generate noise.

(6) Consultation Plan (Concept plan Commitment)

The Proponent and contractor are to jointly prepare a consultation plan to be implemented on a regular basis during construction to include effective communication with the residents of the village on construction program and construction activities.

(7) Recycling (Concept plan Commitment)

The building contractor will be required to arrange sorting and recycling of waste materials to ensure maximum recycling is achieved, in accordance with the Construction Management Plan.

(8) Traffic and Parking (Concept plan Commitment)

The Proponent will ensure construction traffic and parking requirements during construction activities are as per the adopted Construction Management Plan.

(9) Construction Activities (Concept plan Commitment)

The Proponent will carry out all construction activities in accordance with relevant environmental protection legislation.

(10) Environmental Management (Concept plan Commitment)

The Proponent will instigate environmental management and mitigation measures during construction activities as per the CMP

(11) Pedestrian and Vehicular Access (Concept plan Commitment)

Pedestrian and vehicular access is to be maintained during construction to ensure that access is maintained to and within the site at all times.

(12) Tree protection Measures (Concept plan Commitment)

Specific tree protection measures and general tree protection measures (as appropriate) will be implemented for trees identified as being retained in the Aboricultural Assessment Reports appended to the Environmental Assessment report accompanying Mod 1 to the Concept Plan Approval and Mod 1 to the Project Approval dated October 2012.

(13) Noise and Vibration (Concept plan Commitment)

Noise and vibration during demolition, excavation and construction will be mitigated in accordance with the recommendations and guidelines in the acoustic report submitted with

the Environmental Assessment report accompanying Mod 1 to the Concept Plan and Mod 1 to the Project Approval dated 2012.

(14) Excavations and backfilling - safety/standards

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

(15) Demolition requirements/standards

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

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

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

(16) Materials and colour schemes

Materials of construction are to be as specified in the schedule of finishes submitted with the development application and on the approved plans, except where amended by the conditions hereunder.

(17) Engineering staff to inspect roadworks/drainage

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

- (i) After excavation.
- (ii) After the erection of formwork and the placement of reinforcement and prior to pouring of concrete.
- (iii) After placement of road base course.
- (iv) After pipes have been laid and prior to backfilling.
- (v) On completion of works.

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

(18) Traffic control on public roads

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

(19) Spoil and building materials on road and footpath

Spoil and building materials shall not be placed or stored within any public roadway or footpath.

(20) Waterproofing materials/installation – BCA/Australian Standards

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

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

On completion of the waterproofing of the wet areas, the Principal Certifying Authority shall be furnished with a certificate from the person responsible. This is to state that the materials are

suitable for the situation and that the application and/or installation have been carried out in accordance with the manufacturer's instructions, the BCA and AS 3740.

(21) Safety Glazing - BCA

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

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

(22) BASIX Requirements

The new works shall be constructed in accordance with, and comply with the undertakings given on the BASIX (Building Sustainability Index) Certificate Nos. 580855M and 580864M as obtained on 20 October 2014 from the Department of Infrastructure, Planning and Natural Resources. For more information visit www.basix.nsw.gov.au.

(23) Footpath, kerb and gutter reconstruction

The public footpath, verge, and kerb and gutter outside the site (stage two work area) on Victoria Street shall be completely reconstructed to the requirements of Council's Works & Infrastructure Department at the applicant's expense. This work shall be carried out prior to the release of the Occupation Certificate.

(24) Footpath, kerb and gutter protection

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

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

(25) Vehicle access driveway

The existing vehicular access driveway in Victoria Street shall be removed and reconstructed in accordance with Council's standard drawing and specifications. Driveway shall be located a minimum of 1.0m clear of any existing stormwater pits, lintels or poles and 2m clear of any trees within the road reserve. The driveway shall also be located a minimum of 0.5m clear of any utility service opening such as Telstra, Sydney Electricity, Sydney Water or Natural Gas Company.

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

(26) Road opening permit- Council controlled lands

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

(27) On site detention system – check survey

Prior to the construction of an on-site detention system involving permanent construction work (eg construction of concrete slabs, walls, pipe-systems or pits etc, and prior to the placement of any concrete for ground floor, car park or garages) a "check survey from a registered surveyor" must be forwarded to the Council indicating compliance with the approved plans

before any concrete pour is approved by the relevant Council building surveyor or Authorised Certifier.

(28) Stormwater runoff-collection/discharge

Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe system to the nearest appropriate Council stormwater pit or drainage line at a maximum Permissible Site Discharge (PSD) where the Pre-development discharge equals the Post-development discharge for a 1:100 ARI event.

(29) Connection to Council's street drainage

The Council's street drainage system from the existing Council pit in Clissold Street which then crosses Clissold Street and enters into William Street (approximately 16m) shall be upgraded and constructed at the applicant's expense. It shall consist of a pipeline across to the street kerb with the pipeline then continuing under the carriageway to the Council pit in front of No. 40 William Street.

The pipes shall be 750 mm diameter reinforced concrete spigot and socket with rubber ring joins. A pit shall be constructed at the property boundary and at the kerb line in Clissold Street.

Any adjustment required will be at the applicant's expense. The relevant authority's written consent for any adjustments or works affecting their services shall be obtained prior to works commencing.

This work shall be carried out prior to the release of any Occupation Certificate. A Council "Road Opening Permit" must be obtained prior to the commencement of any of these works being undertaken.

(30) Stormwater runoff

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

(31) Waste collection Requirements

- a) Each of the bin storage areas needs to have enough space to hold recycling bins as well as garbage bins to encourage maximum resource recovery.
- b) A Garden Organics bin shall also be considered for the waste generated from the communal landscaped area.
- c) The bin storage areas need to:
 - i. be well ventilated and not effecting the amenity of neighbours
 - ii. have access to water for cleaning the bins and the water is to drain directly to the sewer.
- d) The bins and bin storage area shall have clear signage indicating what type of bin it is (i.e garbage or plastic recycling etc) and what is permitted to be put in the bin.

(32) Advertisements on hoardings prohibited

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

(33) Noise control during construction and demolition

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

(34) Dust control

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

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

(35) Site investigation & site audit statement

Following demolition activities, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. The soil investigation shall be carried out in accordance with the NSW Environment Protection Authority's *Guidelines for consultants reporting on contaminated sites*.

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

(1) Plant and Equipment Acoustic Assessment (Concept Plan Commitment)

Once plant and equipment has been selected for the new buildings, a separate acoustic assessment will be carried out to ensure that noise emissions are controlled, and compliance achieved with the criteria specified in the DECC Industrial Noise Policy guidelines.

(2) Environmental Sustainable Development Assessment Reports (Concept Plan Commitment)

The Proponent will implement the measures proposed in the Environmental Sustainable Development Assessment, Civil Works report and Hydraulics Services Report submitted with the Environmental Assessment report accompanying Mod 1 to the Concept Plan Approval and Mod 1 to the Project Approval dated October 2012 and changes described in the Environmental Assessment report (as amended) accompanying Mod 2 to Concept Plan Approval and Mod 2 to the Project Approval dated September 2013.

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

(1) Approval to use/occupy building

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

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

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

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

They are:

(a). Work-As-Executed Plans

A "Work-as-Executed" plan prepared and signed by a registered surveyor is to be submitted to Council's Engineering Department at the completion of the works showing the location of

the detention basin with finished surface levels, contours at 0.2 metre intervals and volume of storage available. Also the outlet pipe from the detention basin to its connection to Council's drainage system, is to be shown together with the following information:

- location
- pipe diameter
- gradient
- pipe material i.e. PVC or EW etc
- orifice size
- trash screen at orifice all buildings (including floor levels) and finished ground and pavement surface levels

(b) Engineer's Certificate

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

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

(c) Restriction-As-To-User

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

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

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

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

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

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

(4) Visitor parking spaces

All visitor parking spaces shall be marked as "visitor" spaces in paint on site to ensure they remain available for their intended use.

(5) Bicycle and motorcycle parking spaces

All bicycle and motorcycle parking spaces shall be clearly marked as such on site to ensure they remain available for their intended use.

(6) Staff parking spaces

The STAFF parking spaces shall be marked as such on site.

(7) Waste services

No less than twice weekly waste services by a private contractor shall be carried out to service the site. The developer to establish a waste services roster which allocates different bin collection days to different parts of the site to reduce kerbside bin clutter and minimise the impact of waste and recycling services on local road kerbside parking.

(8) Landscape Plan (Concept Plan Commitment)

The proponent will implement the Landscape Plan forming part of the Environmental Assessment report (as amended) accompanying Mod 2 to the Concept Plan and Mod 2 to the Project Approval dated September 2013.

(7) Floor space ratio compliance

The Gross Floor Area for the entire site must not exceed 47,934 sqm calculated in accordance with Ashfield Local Environmental Plan 2013.

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

H Conditions that are ongoing requirements of development consents

(1) Health Conditions

- a) The proposal shall comply with the Acoustic Report recommendations prepared by Acoustic Logic (Document reference 20140069.1/0810A/R2/TA.
- b) The proposal shall comply with the recommendations prepared by Geotechnique Pty LTD Report No.13130/1-AA dated 1 April 2014.

(2) Shuttle bus service

A courtesy shuttle bus service shall be provided and operated at full cost to the developer to service the needs of clients who no longer drive or who no longer wish to drive. Such service to be capable of operating at a frequency of no less than 15 mins between the site and Ashfield station and capable of meeting the maximum passenger demand generated by the site. This may require more than one bus.

I Advisory Notes

(1) Modifications to your consent - prior approval required

Works or activities other than those authorised by the approval including changes to building configuration or use will require the submission and approval of an application to modify the consent under Section 96 of the *Environmental Planning & Assessment Act 1979*. You are advised to contact Council immediately if you wish to alter your approved plans or if you cannot comply with other requirements of your consent to confirm whether a Section 96 modification is required.

Warning: There are substantial penalties prescribed under the *Environmental Planning and Assessment Act 1979* for breaches involving unauthorised works or activities.