

“ANNEXURE A”

Conditions DA89/2015 7-15 Conder St Burwood. 205SYE098

- (1) The development being carried out in accordance with the following plans and documentation submitted to Council except where amended by the conditions of consent.

Approved Plans and documents

Plan Number	Reference	Prepared by	Date
Architectural Plans			
Site Plan	Project No.5150 A-0102	SJB Architects	Rev. 2 13/01/2016
Demolition and Retention Plan	Project No.5150 A-0103	SJB Architects	Rev 0 22/05/2015
Floor Plan - Basement Level 2	Project No.5150 A-0200	SJB Architects	Rev. P06 22/05/2015
Floor Plan – Basement Level 1	Project No.5150 A-0201	SJB Architects	Rev. P06 22/05/2015
Floor Plan : Ground Floor	Project No.5150 A-0202	SJB Architects	Rev. 5 13/01/2016
Floor Plan: First floor	Project No.5150 A-0203	SJB Architects	Rev. 5 13/01/2016
Floor Plan: Second floor	Project No.5150 A-0204	SJB Architects	Rev. 5 13/01/2016
Floor Plan: Third Floor	Project No.5150 A-0205	SJB Architects	Rev. 5 13/01/2016
Floor Plan: Fourth Floor	Project No.5150 A-0206	SJB Architects	Rev. 5 13/01/2016
Floor Plan: Fifth Floor	Project No.5150 A-0207	SJB Architects	Rev. 5 13/01/2016
Floor Plan: Roof Plan	Project No.5150 A-0208	SJB Architects	Rev. 4 13/01/2016
Adaptable Apartments	Project No.5150 A-0221	SJB Architects	Rev. 2 13/01/2016
Elevation: South	Project No.5150 A-0501	SJB Architects	Rev. 4 13/01/2016
Elevation: East & West	Project No.5150 A-0502	SJB Architects	Rev. 5 13/01/2016
Elevation: North	Project No.5150 A-0503	SJB Architects	Rev. 5 13/01/2016
Elevation: Conder Street West	Project No.5150 A-0504	SJB Architects	Rev. 3 13/01/2016
Elevation: Stanley Street East	Project No.5150 A-0505	SJB Architects	Rev. 2 13/01/2016
Elevation: South Colour and Material	Project No.5150 A-0506	SJB Architects	Rev. 3 13/01/2016
Elevation: East &	Project No.5150	SJB Architects	Rev. 3 13/01/2016

West Colour and Material	A-0507		
Elevation: North Colour & Material	Project No.5150 A-0508	SJB Architects	Rev. 3 13/01/2016
Section A	Project No.5150 A-0601	SJB Architects	Rev. 5 13/01/2016
Section B	Project No.5150 A-0602	SJB Architects	Rev. 2 13/01/2016
Section C	Project No.5150 A-0603	SJB Architects	Rev. 2 13/01/2016
Analysis: GFA Calculation Diagrams	Project No.5150 A-2901	SJB Architects	Rev. 0 22/05/2015
Analysis: GFA Calculation Diagrams	Project No.5150 A-2902	SJB Architects	Rev. 0 22/05/2015
Analysis: Deep soil	Project No.5150 A-2903	SJB Architects	Rev. 0 22/05/2015
Analysis: Open Space and Landscape Calcs	Project No.5150 A-2904	SJB Architects	Rev. 4 14/01/2016
Analysis: Cross flow diagrams	Project No.5150 A-2911	SJB Architects	Rev. 0 22/05/2015
Analysis: Cross flow diagrams	Project No.5150 A-2912	SJB Architects	Rev. 0 22/05/2015

- (2) The landscape plan reference LPDA 15-421/C prepared by Conzept Landscape Architects dated May 2015 shall be updated to reflect the approved architectural plans referenced in Condition 1 to this schedule prior to the issue of a Construction Certificate.
- (3) **Prior to the issue of a Construction Certificate**, the Stormwater Plans references 1503: H5500-H5510 (Revisions B and C) prepared by J & M Pty Ltd dated May 2015 shall be updated to reflect the approved architectural plans referenced in Condition 1 to this schedule prior to the issue of a Construction Certificate.
- (4) Any fencing on the boundary in the vicinity of heritage items is to be no higher than 1200mm with a solid base no higher than 500mm and open form design above in order to be compatible with the streetscape and setting of nearby heritage items.

FEES

- (5) The fees and/or bonds shown in the Table of Fees, are to be paid to Council or another approved collection agency (the Long Service Levy Corporation and its agents and an approved insurer under the *Home Building Act 1989*) and suitable evidence of payment is to be provided to the Principal Certifying Authority **prior to the issuing of a Construction Certificate**.

TABLE OF FEES

FEES/BONDS TO BE PAID TO COUNCIL OR TO THE NOMINATED BODY

PRIOR TO ISSUING A CONSTRUCTION CERTIFICATE

- (6) Section 94A Contributions: **\$814,065.88**
(Payment to be made to Council). Note: The contribution amount will be adjusted at the time of payment. **See Planning Condition 9 for more details.**

- (7) Damage Deposit - security deposit against damage occurring to Council's assets (footpath, road, stormwater drainage system, kerb and gutter, etc) during building work **\$115,000.00 (Payment to be made to Council as a bond prior to issue of a Construction Certificate and/or commencement of demolition/bulk excavation)**

NOTE: This deposit is refundable if no damage occurs.

- (8) **If Council is nominated as the Principal Certifying Authority (PCA)** an inspection fee is to be paid. This fee is for 15 inspections at the rate listed in Council's current Schedule of Fees and Charges. Any additional inspections, including re-inspections, shall be levied and paid to Council upon booking of an appointment at the rate listed in Council's current Schedule of Fees and Charges
(Payment to be made to Council).

- (9) Removal and replacement of a Council street tree **\$ 775.00**
See Tree Management Condition 2 for more details
(Payment to be made to Council).

- (10) Damage deposit for installation of ground anchors **\$50,000.00**
(Payment to be made to Council as a bank guarantee)
See Conditions for the Installation of Temporary Ground Anchors
(Condition No. 1) for details

- (11) Building and Construction Industry Long Service Corporation Levy **\$102,860.00**
(Payment to be made to Council, the Corporation or its Agent)

PLANNING

- (12) The visitor parking spaces being paved, linemarked and signposted and being made freely accessible for all visitors to the premises **prior to the issuing of an Occupation Certificate.**
- (13) The car space allotments on any strata plan being made a part of the relevant dwelling section allotment and the visitor parking spaces remaining as common property, with two (2) spaces being allocated to the three (3) bedroom dwellings and at least one (1) space allocated to the two (2) bedroom dwellings.
- (14) The driveway area being treated with a variation of paving to give a visual break to these areas with details of materials being submitted to Council for consideration, **prior to the issuing of a Construction Certificate.** In this regard the finish of the driveway may be coloured concrete, pavers or stone but stencilled concrete is not permitted.

- (15) The covered mailbox/entrance structure on Conder St and Stanley St shall be deleted. Brick walls up to a maximum height of 1500mm may be used either side of the entrance path, but no covering structure will be permitted.
- (16) Any front fence or gate which adjoins a public road reserve (ie. along the three frontages) shall not at any point exceed a height of 1200mm from natural ground level. The solid lower section of the fence shall not exceed a height of 500mm; and the infill panels upon the upper section of the fence shall have an open style.
- (17) The applicant is to consult with Energy Australia to determine the need for an electricity substation **prior to the issuing of a Construction Certificate** and, if a site is required, it being situated adjacent to the street alignment, with the size and location of the area being in accordance with the requirements of this Council and Energy Australia, and the land required being dedicated without cost as a public roadway, to enable Energy Australia to establish the substation. The linen plan being submitted to Council for approval and issue of a Subdivision Certificate and being registered with the Land Titles Office prior to the issue of an Occupation Certificate.
- (18) Adequate night lighting is to be provided to the residential building entries for safety reasons. A CCTV system to the satisfaction of NSW Police shall provided to the main building entrance and mail box areas. Such system shall be maintained by the Body Corporate of the development and any footage from the CCTV cameras provided to NSW Police upon request.
- (19) Safety and security lighting shall be provided to the perimeter of the building and internal courtyard. All such external lighting is to be designed and installed in a manner which prevents glare and/or spillage having an adverse impact on occupants of the subject and adjacent properties.
- (20) Pursuant to Section 94A of the *Environmental Planning and Assessment Act 1979* and the Section 94A Contributions Plan for Burwood Town Centre, the following monetary contribution towards public services and amenities is required:

Contribution Element	Contribution
A levy of 4%and 1% of the cost of carrying out the development, where the cost calculated and agreed by Council is \$29,388,658.00	\$ 814,065.88 cost x 0.04/0.01 proportionate]

Index Period	December 2015	CPI₁	108.9
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Office Use: T49

The above contribution will be adjusted at the time of payment. Applicants are advised to contact Council for the adjusted amount immediately prior to arranging payment.

The contribution will be adjusted in accordance with the following formula:

Contribution (at time of payment) = $\underline{C} \times \underline{CPI_2}$

CPI₁

Where:

C: the original contributions amount as shown in the development consent;

CPI₂ the Consumer Price Index: All Groups Index for Sydney, for the immediate past quarter (available from the Australian Bureau of Statistics at the time of payment)

CPI₁ the Consumer Price Index: All Groups Index for Sydney, applied at the time of granting the development consent as shown on the development consent.

Note: The minimum payment will not be less than the contribution amount stated on the consent.

The contribution is to be paid to Council, or evidence that payment has been made is to be submitted to the Principal Certifying Authority, **prior to the issuing of a Construction Certificate.**

Council may accept works in kind or other material public benefits in lieu of the contribution required by this condition subject to and in accordance with the requirements specified in the Section 94A Contributions Plan for Burwood Town Centre.

Note: The payment of a Section 94A contribution over an amount of \$5,000 may only be paid by Bank Cheque (i.e. personal or company cheques will not be accepted). Contributions of \$5,000 or less may be paid by cash, EFTPOS, cheque or credit card. Payments by credit card may be subject to a surcharge.

- (21) Samples and details of all external surface materials being submitted for Council's approval, **prior to the issuing of a Construction Certificate.**
- (22) The noise emitted by the air-conditioning equipment being inaudible in your neighbours' homes between 10pm and 7am weekdays and 10pm and 8am on weekends and public holidays.
- (23) The applicant shall take all necessary precautions to adequately protect adjoining properties during demolition. This shall include the submission to Council of specific details of the protection to be employed prior to demolition commencing.
- (24) Prior to the issuing of an Occupation Certificate Council is to receive a payment of pro-rata fees for and receipt from Council of mobile garbage bins for the development.

The weekly fee is \$5.00 for each residential flat building unit, townhouse or villa.

- (25) Letter boxes shall be provided to the main building entries within the boundaries of the site. Letter boxes shall only be accessed by an occupier once they have gained access to the building via a secure door (swipe card or key). If located external to the building but within the site letter boxes must be provided with a sturdy lock (similar to Cam lock) to

the satisfaction of Australia Post and NSW Police. Public contact to the external letter boxes shall only be via external delivery.

- (26) The development shall consist of 57 x 1 bed, 37 x 2 bed and 2 x 3 bed apartments and 116 parking spaces on site.
- (27) Nine (9) adaptable units are to be allowed for within the development, and 9 accessible car spaces shall be provided. Compliance with the Australian Standards (AS) for the design and layout of the units and car spaces.
- (28) All external services including air conditioning units, electrical or gas water heaters, meters, equipment, conduits, drainage and water pipes, are to be located in recessed enclosures within the external walls, and are not to be visible from the public domain area or road.

TREE MANAGEMENT

- (29) The Arboricultural Impact Assessment Report by Earthscape Horticultural Services identifies two (2) trees namely a Robinia and Mulberry located on the northern boundary of 6-8 Stanley Street that will be impacted by the excavation for the basement driveway and bin enclosure. Section 10.6 of the Arboricultural Impact Assessment Report provides recommendations to minimise the impact on these trees. **All works carried out within the Tree Protection Zones of these trees must be in accordance with s10.6 of the report.**
- (30) The existing water gum tree located on the nature strip in close proximity to the proposed driveway in Stanley Street shall be removed by the applicant at their expense. In accordance with Council's Schedule of Fees and Charges (2015-2016) **the applicant is required to pay a fee of \$775.00 (including GST) for Council to plant and maintain a 75L container-volume replacement tree.**
- (31) The remaining two (2) water gum trees located on the nature strip in Stanley Street shall be retained and protected in accordance with AS4970 (Protection of Trees on Development Sites, 2009). This includes the erection of a 1.8m high chain link fence around all four sides of each tree, from the back of kerb to the footpath and extending 2m to the north and 2m to the south of the trunk of each tree. The tree protection fencing must be erected prior to the commencement of works, including demolition/bulk excavation, and must remain in place and maintained until the issuing of an Occupation Certificate.

BUILDING

- (32) Where residential building work (within the meaning of the *Home Building Act 1989*) is proposed to be carried out, either of the following is to be provided to the Principal Certifying Authority **prior to the issuing of a Construction Certificate:-**
 - a. Where work is carried out by a Principal Contractor:
 - (i) written advice of the Principal Contractor's name and licence number,

and

- (ii) a certificate purporting to be issued by an approved insurer under Part 6 of the *Home Building Act 1989* to the effect that a person is the holder of an insurance contract issued for the purposes of that Part.

OR

b. Where work is carried out by an owner-builder:-

- (i) written advice of the person's name and Owner-Builder Permit number, or
- (ii) a signed declaration from the owner of the land that states the reasonable market cost of the labour and materials involved in the work is not high enough for the owner to need an Owner-Builder's Permit to do the work.

(33) Toilet facilities are to be provided, at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided:

- a. must be a standard flushing toilet, and
- b. must be connected:
 - (i) to a public sewer, or
 - (ii) to an approved chemical closet facility.

The toilet facilities are to be completed before any other work is commenced.

(34) All excavations and backfilling associated with the erection or demolition of a building shall be carried out in a safe and careful manner and in accordance with appropriate professional standards. All necessary planking and strutting shall be of sufficient strength to retain the sides of excavations. A Certificate verifying the suitability of structural details for any proposed shoring is to be submitted to the Principal Certifying Authority before excavating.

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

(36) Where soil conditions require it:

- a. retaining walls must be provided so as to prevent soil movement; and
- b. adequate provision must be made for drainage.

(37) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

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

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 condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

Allotment of land includes a public road and any other public place.

(38) If the work involved in the erection or demolition of a building:

- a. is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- b. building 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 removed when the work has been completed.

(39) Your attention is directed to the following:-

WARNING

The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easement, and if any requirements need to be met. Plans will be appropriately stamped and a copy is to be provided to the Principal Certifying Authority **prior to the issuing of a Construction Certificate.**

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details – see Building and Developing then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets – see Building and

Developing then Building and Renovating

or telephone 13 20 92.

- (40) The builder 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 the footpath must be maintained at all times. Any damage caused will be made good by Council at Council's restoration rates, at the builder's expense.
- (41) No materials are to be stored on Council's roads, footpaths or parks.
- (42) No opening is to be made in any road or footpath, nor is any hoarding to be erected without the prior consent of Council. The builder is to obtain the relevant permit for which fees will be charged in accordance with Council's current Schedule of Fees and Charges.
- (43) The builder shall erect and maintain in good order all necessary hoardings, barricades and warning signs required to provide adequate public safety. Night warning lamps are to be provided where necessary.
- (44) Hours of work shall be from 7:00am to 5:30pm Mondays to Fridays inclusive, and from 7:00am to 4:00pm Saturdays. No work shall be carried out on Sundays or Public Holidays. The owner/builder shall be responsible for the compliance of this condition by all sub-contractors, including demolishers.
- (45) The approved structure shall not be used or occupied unless an Occupation Certificate (being a Final Certificate or an Interim Certificate) as referred to in section 109C(1)(c) of the *Environmental Planning & Assessment Act 1979* has been issued.

(Vide Section 109M *Environmental Planning & Assessment Act 1979*)

- (46) The building works are to be inspected during construction by the Principal Certifying Authority or an appropriate Accredited Certifier authorised by the Principal Certifying Authority at the stages of construction listed in the following schedule. The Principal Certifying Authority must be satisfied that the construction satisfies the standards specified in the Building Code of Australia or in this approval before proceeding beyond the relevant stage of construction.

SCHEDULE OF CONSTRUCTION STAGES REQUIRING INSPECTION

- ★ After the commencement of the excavation for, and before the placement of, the first footing;
- ★ Prior to covering waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within a building;
- ★ Prior to covering any stormwater drainage connections; and
- ★ After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

- (47) An application for a Construction Certificate is to be made to Council or an Accredited Certifier. Council's "Construction Certificate Application" form is to be used where application is made to Council. Copies are available upon request. A Construction Certificate must be obtained **prior to the commencement of any building work.**

- (48) Dial Before You Dig is a free national community service designed to prevent damage and disruption to the vast pipe and cable networks which provides Australia with the essential services we use everyday – electricity, gas, communications and water.

Before you dig call "Dial Before You Dig" on 1100 (listen to the prompts) or register on line at www.1100.com.au for underground utility services information for any excavation areas.

The Dial Before You Dig service is also designed to protect Australia's excavators. Whether you are a backyard renovator, an individual tradesman or a professional excavator, the potential for injury, personal liability and even death exists everyday. Obtaining accurate information about your work site significantly minimises these risks.

Reason: To ensure that essential services such as electricity, gas, communications and water are not affected by excavation or construction works.

- (49) All building works being erected wholly within the boundaries of the property.
- (50) All sanitary plumbing being concealed in suitably enclosed ducts. Such ducts are to be constructed internally (i.e. not on the outside face of an external wall) and are to be adequately sound-proofed.
- (51) All plumbing and drainage work being carried out by licensed tradesmen and in accordance with the requirements of the Plumbing Code of Australia.
- (52) The floor of the wet areas being of a material impervious to moisture and graded and drained to the sewers of Sydney Water.
- (53) The noise emitted by any air-conditioning equipment being inaudible in your neighbours' homes between 10:00pm and 7:00am weekdays and 10:00pm and 8:00am on weekends and public holidays. Council is to be consulted prior to the installation of any air-conditioning equipment.
- (54) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- (55) Safety glazing complying with B1.4 of the Building Code of Australia 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 Australian Standard AS 1288–2006: Glass in Buildings - Selection and Installation. Details of the method of complying with this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**

- (56) 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 Australian Standard AS 1288-2006, Table 4.5 SAA Glass Installation Code (Human Impact Considerations) and B1.4 of the Building Code of Australia. Details of the method of complying with this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
- (57) Treatment for the protection of the building from subterranean termites must be carried out in accordance with Australian Standard AS 3660.1-2014 "Termite management - New building Work."

If the method of protection is to be by way of a chemical barrier, it becomes the responsibility of the owner to maintain a suitable maintenance procedure in accordance with the manufacturer's requirements. Such responsibility is placed solely upon the owner.

After treatment the following is to be carried out:-

- a. A durable notice must be permanently fixed to the building in a prominent location, such as the meter box, indicating:-
 - (i) The method of protection.
 - (ii) The date of installation of the system.
 - (iii) Where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label.
 - (iv) The installer's or manufacturer's recommendation for the scope and frequency of future inspection for termite activity.
- b. Provide the Principal Certifying Authority with a Certificate which verifies that termite protection has been provided in accordance with Australian Standard AS 3660.1-2014. In the case of Reinforced Concrete Slab construction the Certificate is to verify that the protection incorporates both beneath slab (Part A) and slab penetrations (Part B) treatment.

Details showing compliance with this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**

- (58) *Dividing Fences Act 1991* - Your attention is directed to any obligations or responsibilities under the *Dividing Fences Act 1991* in respect of adjoining property owner/s which may arise from this application. Any enquiries in this regard may be made to the Crown Lands Division on (02) 8836 5332.
- (59) No part of the front fencing including footings must encroach upon Council's footpath. Entrance gates must open within/into the property.
- (60) A registered surveyor's certificate being submitted to the Principal Certifying Authority, **prior to the issue of an Occupation Certificate**, as follows:-
- a. Before pouring of concrete slab on every level to indicate the height of the

finished floor level and to show boundary clearances; and

- b. On completion of the buildings to indicate the height of the finished floor levels, the height of the roof ridge/parapet and to show boundary clearances and areas of the site occupied by the building.

(61) Prior to the commencement of building work, the following is to be carried out:-

- a. Submit to Council a “Notice of Intention to Commence Building Work and Appointment of a Principal Certifying Authority” form. Council's “Notice of Intention to Commence Building Work and Appointment of a Principal Certifying Authority” form is to be used where application is made to Council.
- b. Ensure detailed plans and specifications of the building are endorsed with a Construction Certificate by Council or an Accredited Certifier. Council's “Construction Certificate Application” form is to be used where application is made to Council. Copies are available on request.

(Vide Section 81A *Environmental Planning & Assessment Act 1979*)

(62) A “Section 73 Compliance Certificate” under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority **prior to the issuing of an Occupation Certificate.**

(63) Structural engineer's details prepared and certified by a practicing Structural Engineer for all reinforced concrete and structural members being submitted to the Principal Certifying Authority for approval **prior to the issuing of a Construction Certificate.**

(64) The Principal Certifying Authority **or** Structural Engineer is to also supervise the construction. All Certificates from the supervising Structural Engineer are to be submitted to the Principal Certifying Authority before an Occupation Certificate is issued stating that all reinforced concrete and/or structural members have been erected in accordance with his/her requirements and the relevant SAA Codes.

(65) Timber sizes and the framework in general are to conform with the requirements of Australian Standard AS 1684 "Residential timber-framed construction."

(66) Mechanical ventilation/air conditioning details are to be submitted to the Principal Certifying Authority for approval **prior to the issuing of a Construction Certificate** and must include the following:-

- a. The location and size of proposed ductwork.

- b. The location of equipment.
- c. The performance characteristics of the proposed motor/s and fan/s.
- d. The air flow characteristics of the system.

At the completion of work a Certificate from an Accredited Certifier, Mechanical Engineer or other suitably qualified person, to the effect that the ventilation system has been installed and performs in accordance with the provisions of Part F4 of the Building Code of Australia, Australian Standard AS 1668 "SAA Mechanical Ventilation and Air Conditioning Code", Part 1 and Part 2, Australian Standard AS 3666-1989 and the *Noise Control Act 1975*, must be submitted to the Principal Certifying Authority **prior to the issue of an Occupation Certificate.**

- (67) Fire Resistance Levels of all structural members, including external and internal walls, spandrels, external and internal columns, lift shafts and stair shafts, ventilation, pipe and like shafts, floors and roofs shall comply with the requirements of Specification C1.1 of the Building Code of Australia. Details of the method of achieving this must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
- (68) All materials used in the building must comply with early fire hazard criteria of Specification C1.10 of the Building Code of Australia.
- (69) Means of access and egress complying with Section D of the Building Code of Australia. Details of the method of achieving this must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
- (70) The building being provided with both access and sanitary facilities (where required) for people with disabilities. The sanitary facilities are to be provided in accordance with F2.4 of the Building Code of Australia and are to comply with the requirements of Clause 10 of AS 1428.1-2009. Access is to be provided to and within the building so as to comply with all the requirements of Part D3 of the BCA and the relevant provisions of AS 1428.1-2009. Details of the method of achieving this must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
- (71) The *Commonwealth Disability Discrimination Act 1992* may apply to this particular proposal. Submissions and/or approval of the application does not imply or confer compliance with this Act. Applicants should satisfy themselves and make their inquiries to the Human Rights and Equal Opportunity Commission.
- (72) Continuous balustrades shall be provided along the side/s of any stairway or ramp, any corridor, hallway, balcony, access bridge or the like, any path of access to a building if:-
 - a. It is not bounded by a wall; and
 - b. The change in level is more than one (1) metre, or five (5) risers in the case of

a stairway, from the floor or ground surface beneath;

except where specific exemptions are provided in the Building Code of Australia.

Balustrades shall prevent as far as practicable:

- a. Children climbing over or through it; and
- b. Persons accidentally falling from the floor; and
- c. Objects which might strike a person at a lower level falling from the floor surface.

Balustrade heights and designs shall comply with Part D2.16 of the Building Code of Australia and Australian Standard AS/NZS 1170 Part 1 – Structural design actions. Height above nosings of stair treads, landing, corridors and the like shall generally be not less than 865mm.

Details of the method of satisfying these requirements must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**

- (73) The building being equipped with a smoke alarm system as required by Table E2.2a of the Building Code of Australia. The system is to satisfy the requirements of Specification E2.2a of the Building Code of Australia and in particular is to comply with the relevant parts of AS 3786-2014 and AS 1670.1-2004. Details of the method of complying with this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
- (74) Protection of openings is to be in accordance with Part C3.2 and C3.4 of the Building Code of Australia. Details of the method of satisfying this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
- (75) Protection of openable windows is to be in accordance with Part D2.24 of the Building Code of Australia. Details of the method of satisfying this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
- (76) A Fire Safety Certificate (copies available from Council) is to be given to the Principal Certifying Authority prior to applying for an Occupation Certificate or Interim Occupation Certificate and thereafter once in every 12 month period an Annual Fire Safety Statement is to be given to Council. The certificate and statement attest to both the inspection of all essential fire safety measures by a properly qualified person and to the regular maintenance of the fire safety measures. A copy of the Fire Safety Certificate and the Fire Safety Schedule are to be given to the Commissioner of New South Wales Fire and Rescue **by the building owner** and copies of these documents are to be prominently displayed in the building. Similarly copies of Annual Fire Safety Statements are also to be given to the Commissioner and displayed in the building.

(Vide clause 153 & Division 3 of the *Environmental Planning & Assessment Regulation 2000*)

- (77) Noise transmission and insulation ratings for building elements being in accordance with Specification Part F5 of the Building Code of Australia.

Details of the method of satisfying this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**

- (78) Engineering Design – Basement Excavation

The following engineering details or design documentation shall be submitted to the Principal Certifying Authority (Council or Accredited Certifier) **prior to the issuing of a Construction Certificate:**

- (a) Documentary evidence prepared by a suitably qualified professional Geotechnical Engineer that confirms the suitability of the site for the proposed excavation and building, as well as certifying the suitability and adequacy of the proposed design and construction of the building for the site.
- (b) A report shall be prepared by a professional engineer **prior to the issuing of a Construction Certificate**, detailing the proposed methods of excavation, shoring or pile construction including details of vibration emissions and detailing any possible damage which may occur to adjoining or nearby premises due to building and excavation works. Any practices or procedures specified in the Engineer's Report in relation to the avoidance or minimisation of structural damage to nearby premises, are to be fully complied with and incorporated into the plans and specifications for the Construction Certificate.

A copy of the Engineer's Report is to be submitted to Council, even if the Council is not the Principal Certifying Authority.

DEMOLITION

- (79) Removal of any asbestos must be undertaken in compliance with the requirements of WorkCover. Refer to their publication "Your Guide to Working with Asbestos."
- (80) Demolition of the building is to be carried out in accordance with the requirements of Australian Standard AS 2601 – 2001, where applicable.
- (81) Hours of demolition work shall be from 7:00am to 5:30pm Mondays to Fridays inclusive, and from 7:00am to 4:00pm Saturdays. No demolition work shall be carried out on Sundays or Public Holidays. The owner/builder shall be responsible for the compliance of this condition by all sub-contractors, including demolishers.
- (82) Access to the site is to be restricted and the site is to be secured when demolition work is not in progress or the site is otherwise occupied.

- (83) The demolition site is to be provided with measures to mitigate against dust nuisances arising on adjoining sites and roadways. To achieve this, a fence or barrier is to be erected around the site. The construction may be steel mesh which is covered with a suitable filtering medium or such other construction acceptable to Council. An effective program of watering the site is also required to be maintained.
- (84) All demolition and excavation materials are to be removed from the site or disposed of on site using methods that comply with relevant environmental protection legislation.
- (85) When demolition of any existing building is involved, burning of any demolition materials on the site is prohibited.
- (86) Dilapidation surveys are to be carried out by a Practicing Structural Engineer, which is to include a full photographic record of the exterior and interior of the buildings at the applicants/owners expense on all premises adjoining the site and the survey is to be submitted to Council and the adjoining land owners **prior to the commencement of any works**. A further dilapidation survey is also to be carried out and submitted to Council and the adjoining owners **prior to the issuing of an Occupation Certificate**. The dilapidation surveys shall be dated accordingly.

SUBDIVISION

- (87) Submission of a separate application for any strata or further subdivision of the development.
- (88) All car spaces (with exception to the visitor space) shall be designated to a lot in any strata plan. Car spaces shall not be designated as separate lots.
- (89) The visitor car space shall be designated as common property, line marked and identified accordingly.
- (90) The OSD system including the OSD tank shall be designated on any future plan as common property.

HEALTH

Environmental Management:

- (91) An Environmental Management Plan is to be submitted to Council for approval, prior to the commencement of any works, detailing the control and management methods to be implemented in addressing the following issues during the demolition, excavation and construction phases of the project::
- Noise and vibration control
 - Dust and odour suppression and control
 - Storm water control and discharge
 - Erosion control
 - Waste storage and recycling control

- Litter control
 - Construction material storage
 - Truck cleaning methods on site so as to prevent spread of soil and like materials onto Council's roadways
- (92) Mechanical ventilation and or air conditioning systems and equipment are to be designed and installed in locations that do not cause any noise nuisance or disturbance to near-by residential or commercial premises.
- (93) The construction of windows / sliders, doors, external walls and roofs are to be comply with the recommendations listed in Part 5 of the Acoustic Report (Ref:TG785-01F03 dated 22 May 2015) prepared by Renzo Tonin & Associates in order to achieve the required noise reduction targets and levels as required by Burwood Council development Control Plan 2013, Clause 102 of the State Environmental Planning Policy–(Infrastructure) 2007 and Australian Standard AS/NZS 2107
- (94) A car wash area / bay is to be provided in the basement area and be graded and drained to a waste water disposal system in accordance with the requirements of Sydney Water.

Site Contamination:

- (95) The applicant is to implement in full the measures listed in *Part 12 – Conclusions and Recommendations* of the Environmental Site Assessment Report prepared by Douglas Partners (Project 84832.00 dated May 2015) to ensure the site is suitable for the proposed use.
- (96) The applicant is to undertake a hazardous building material (HBM) survey of the existing buildings to identify any hazardous building materials and prepare a management plan for submission to Council for approval outlining location and removal methods of the materials prior to bulk demolition.
- (97) A *Site Validation Report* confirming that no further contamination was detected during excavation and construction works and that the site is suitable for the proposed use is to be submitted to Council for approval prior to the issuing of an occupation certificate.

Waste Management:

- (98) The ongoing waste management for the development is to comply with the requirements outlined in the Waste management Plan prepared by Elephants Foot Recycling Solutions issued April 2015.
- (99) A waste cupboard or other storage area is to be provided within each dwelling which is of sufficient size to hold a single day's waste and to enable source separation of general waste, recyclables and compostable materials.
- (100) An area is to be nominated on the site to provide the capability for onsite communal composting. The location and design are to be in accordance with the controls set out on in Councils DCP – 6.2 Waste Management and Appendix 8.1.

- (101) The waste and recycling storage rooms are to be:
- a. Supplied with both **hot and cold** water;
 - b. Paved with impervious floor materials;
 - c. Coved at the intersection of the floor and the walls;
 - d. Graded and drained to a floor waste which is connected to the sewer in accordance with the requirements of Sydney Water;
 - e. Adequately ventilated (mechanically or naturally) so that odour emissions do not cause offensive odour as defined by the Protection of the Environment Operations Act 1997;
 - f. Fitted with appropriate interventions to meet fire safety standards in accordance with the Building Code of Australia.
 - g. Suitable signage is to be installed in each waste service room encouraging the separation of recyclables from the general waste stream.
- (102) Suitable signage is to be installed in each level of the chute waste service rooms encouraging the separation of recyclables from the general waste stream.
- (103) A Caretaker is to be appointed for the development who will have ongoing responsibility for the proper management of the waste and recycling services
- (104) All waste collections are to be carried out from within the building (not from the kerb side). The caretaker is to wheel the waste and recycling bins to the nominated bin holding area in Stanley Street for collection.
- (105) The applicant shall provide to Council a legally drafted agreement at their own expense in the form approved by Council which gives right of access and absolves Council and / or any of its waste collection contractors from any damage or injury that may arise from the onsite collection of waste and recyclables.
- (106) The vehicular access to the loading dock waste storage area is to be designed to allow for access into the collection bay by a fully laden waste and / or recycle collection vehicle.
- (107) Waste and recycling bins shall be kept clean and hygienic condition. Bins are to be washed regularly within the garbage storage room with any waste water being discharged to the sewer by way of a grated drain.
- (108) Prior to the issue of the Occupation Certificate, the applicant is to arrange with Council's Environment and Health Section the issue of the appropriate number of garbage and recycling bins and payment of the necessary fees to enable commencement of the waste and recycling service.

ENGINEERING

- (1) Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe system to:-
- a. *Council's drainage system located in Stanley St*

- (2) A detailed drainage design shall be submitted to the Principal Certifying Authority.
- a. The design and calculations shall indicate the details of the proposed method of stormwater disposal and shall be prepared by a competent practicing hydraulic/civil engineer in accordance with Council's Stormwater Management Code.
 - b. 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 property.
 - c. Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site, as well as from any on-site stormwater detention storage.
 - d. The design is to be reviewed by Council or an Accredited Certifier - Civil Engineering **prior to the issuing of a Construction Certificate.**
- (3) Details and calculations shall be prepared by a competent practicing Hydraulic/Civil Engineer. They shall include:
- a. a catchment plan
 - b. plans showing proposed and existing floor, ground and pavement levels to Australian Height Datum (AHD)
 - c. details of pipelines/channels showing calculated flows, velocity, size, materials, grade, invert and surface levels
 - d. details and dimensions of pits and drainage structures
 - e. hydrologic and hydraulic calculations
 - f. details of any services near to or affected by any proposed drainage line
 - g. any calculations necessary to demonstrate the functioning of any proposed drainage facility is in accordance with Council's requirements
 - h. the depth and location of any existing stormwater pipeline and/or channel being connected to shall be confirmed by the applicant on site. Certification of such is to be provided to Council prior to the release of the construction certificate

The details and calculations are to be reviewed by Council or an Accredited Certifier - Civil Engineering, **prior to the issuing of a Construction Certificate.**

- (4) On-site stormwater detention storage shall be provided in conjunction with the stormwater disposal system.

- a. This storage shall be designed by a competent practicing Hydraulic/Civil Engineer in accordance with Council's Stormwater Management Code and submitted to the Principal Certifying Authority.
 - b. The design is to be reviewed by Council or an Accredited Certifier - Civil Engineering, **prior to the issuing of a Construction Certificate.**
- (5) All building foundations shall be designed to ensure that no additional loads are exerted on Council's drainage pipes and that the pipeline(s) can be maintained and/or replaced without affecting the structural stability of the proposed building(s). The design is to be certified by an Accredited Certifier - Structural Engineering, **prior to the issuing of a Construction Certificate.**
- (6) The stormwater works on the development property and connection to Council's stormwater system are to be inspected during construction by a competent practicing hydraulic/civil engineer. The inspections are to be carried out at the stages of construction listed in the following schedule. A compliance Certificate verifying that the construction is in accordance with the approved design, this development consent and satisfies the relevant Australian Standard is to be submitted to the Principal Certifying Authority before proceeding beyond the relevant stage of construction.

SCHEDULE OF CONSTRUCTION STAGES REQUIRING INSPECTION

- a. Following placement of pipe bedding material. Confirm trench/pipe location, adequacy of depth of cover, bedding material and depth.
 - b. Following joining of pipes and connection to Council's stormwater system.
 - c. For on-site detention systems:-
 - (i) Following set out of detention tank/area to confirm area and volume of storage.
 - (ii) Following placement of weep-holes, orifice and/or weir flow control, outlet screen and overflow provision.
 - d. Following backfilling. Confirm adequacy of backfilling material and compaction.
- (7) Following completion of all drainage works:-
- a. Works-as-executed plans, prepared and signed by a registered surveyor, shall be prepared. These plans shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels. These plans are to be reviewed by the competent practicing hydraulic/civil engineer that inspected the works during construction.
 - b. The Principal Certifying Authority is to be provided with a Certificate from a competent practicing hydraulic/civil engineer. The Certificate shall state that

all stormwater drainage and related work has been constructed in accordance with the approved plans and consent conditions as shown on the work-as-executed plans, prior to the issuing of an Occupation Certificate.

- (8) A physical barrier (nominally 150mm high and wide) shall be constructed along the southern boundary, excepting at vehicular and pedestrian access points, to prevent surface runoff onto the road reserve.

The Principal Certifying Authority is to be provided with a Certificate from a competent practicing hydraulic/civil engineer. The Certificate shall state that the physical barrier has been constructed in accordance with the approved plans and this consent condition as shown on the work-as-executed plans, **prior to the issuing of an Occupation Certificate.**

- (9) Grated drains shall be provided along the property boundary at the vehicular crossings and are to connect to the internal drainage system.

The Principal Certifying Authority is to be provided with a Certificate from a competent practicing hydraulic/civil engineer. The Certificate shall state that the grated drains have been constructed in accordance with the approved plans and this consent condition as shown on the work-as-executed plans, **prior to the issuing of an Occupation Certificate.**

- (10) A Positive Covenant under section 88E of the *Conveyancing Act* shall be created on the title of the property(s) detailing the

- i) *On-site Stormwater Detention system*
- ii) *Pump and rising main system*

incorporated in the development. The wording of the Instrument shall include but not be limited to the following:

- a. The proprietor of the property agrees to be responsible for keeping clear and the maintenance of the facilities consisting of:
 - i) *On-site Stormwater Detention system*
 - ii) *Pump and rising main system*
- b. The proprietor agrees to have the facilities inspected annually by a competent practicing Hydraulic/Civil Engineer.
- c. The Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean repair and maintain in good working order the facilities in or upon the said land; and recover the costs of any such works from the proprietor.
- d. The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from failure of any component of the facilities.

The applicant shall bear all costs associated with the preparation of the 88E Instrument. The wording of the Instrument shall be submitted to, and approved by Council prior to lodgement at the Land and Property Information office. Evidence that the Instrument has been registered at the Land and Property Information office shall be submitted to Council, **prior to issuing of an Occupation Certificate.**

- (11) The pump system is only permitted for the drainage of the basement areas where the finished slab is below the ground level. The following conditions are to be satisfied:
- a. A pump and rising main design shall be submitted to the Principal Certifying Authority and shall satisfy the following conditions:
 - (i) The holding tank for the pump shall be capable of storing runoff from a one hour, 1 in 100 year ARI storm event.
 - (ii) The pump system shall consist of two (2) pumps, connected in parallel, with each pump being capable of emptying the holding tank at a rate equal to the lower of the allowable on site detention discharge rate, or the rate of inflow for the one hour duration storm.
 - (iii) An overflow, flashing light and audible alarm are to be provided, to warn of pump failure.
 - (iv) Full details of the holding tank, pump type, discharge rate and the delivery line size are to be documented.
 - (v) Any drainage disposal to the street gutter, from a pump system must have a stilling sump provided at the property line, and connected to the street gutter by a suitable gravity line.
 - (vi) The capacity of the stilling sump and outlet pump shall be determined and verified by calculations which are to be documented.
 - b. Pumping system details shall be submitted to Council or an Accredited Certifier - Civil Engineering, **prior to the issuing of a Construction Certificate.**
 - c. The applicant shall submit written evidence to the Principal Certifying Authority that a contract has been let for the regular maintenance of the pumping system for a minimum period of 12 months. Information to be submitted to the Principal Certifying Authority **prior to issuing of an Occupation Certificate.**
- (12) All activities and works external to the site, or that affect public roads, are to be carried out in accordance with Council's Policies including but not limited to the Works on Council's Road Reserve Assets Policy, Rubbish Skips Policy, Work Zone Policy and Temporary Road Closure (Including Standing Plant) Policy.
- (13) A road-opening permit shall be obtained for all works carried out on public or Council controlled lands. Restoration of landscaping, roads and paths shall be carried out by

Council at the applicant's expense in accordance with Council's **Schedule of Fees and Charges**. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$20 million, and shall provide proof of such cover to the Principal Certifying Authority prior to carrying out the works. **Please see Burwood Council's web site www.burwood.nsw.gov.au - Go to Development/Working on Footpaths or Roadways?/Works on Council Property (Application Form).**

- (14) Spoil and building materials shall not be placed, stored, thrown or caused to fall on any public roadway or footpath. Waste containers shall be placed in accordance with Council's Rubbish Skips Policy. Contact Council for a list of approved skip bin suppliers.
- (15) The builder is to ensure footpaths and roads affected by construction works are kept safe and prevent any damage to Council property. The builder shall erect and maintain where necessary approved hoardings, barricades, warning signs and night warning lamps to ensure public safety. Pedestrian access across the footpath must be maintained at all times.
- (16) The following matters shall apply to the damage deposit listed in the Table of Fees:
 - a. This deposit is refundable if no damage occurs. Any damage caused will be repaired at Council's restoration rates, at the applicant's expense. All or part of the deposit will be forfeited to cover damage to Council's property during the course of demolition and/or construction.
 - b. Council will carry out two inspections of the Council's footpath, kerb and gutter, stormwater drainage system and roadway, prior to works commencing and at the completion of all work covered by this consent. Council is aware that damage may be caused by individual contractors that culminate in the damage inspected at Council's final inspection. The applicant is responsible for attributing any part of the damage to their individual contractors. Council will not refund any part of a damage deposit until the completion of the work covered by this consent.
- (17) The following matters apply to the construction of the proposed vehicular crossing listed in the Table of Fees:
 - a. A vehicular crossing 5.5m m wide to Stanley shall be constructed by the Applicant/Council at the applicant's cost.
 - b. The cost of any necessary adjustments to public utility services is not included, and shall be paid by the applicant to the relevant authority prior to Council commencing the work.
 - c. The driveway shall be 1m clear of any pits, lintels, poles and 2m clear of trees in the road reserve.
 - d. All redundant vehicular crossings shall be removed and replaced with kerb and gutter and footpath at no cost to Council.

- (18) Internal driveway levels shall be designed and constructed to conform with existing footpath and road profiles such that vehicles are not damaged while accessing the property. Council footpath and road profiles will not be altered for this purpose.
- (19) Stormwater from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe to Council's street drainage system.
- (20) The applicant is to have prepared a longitudinal section of the proposed vehicular ramp access, drawn at 1:25 natural scale.
- a. The longitudinal section shall be prepared by a competent practicing civil engineer in accordance with AS 2890.1.
 - b. The design is to be reviewed by Council or an Accredited Certifier - Civil Engineering **prior to the issuing of a Construction Certificate.**
- (21)
- a. Temporary measures shall be provided during demolition, excavation and/or construction to prevent sediment and polluted waters discharging from the site.
 - b. An erosion and sediment control plan showing such measures shall be prepared by a competent practicing hydraulic/civil engineer in accordance with Supplement 10 of Council's Stormwater Management Code.
 - c. The erosion and sediment control plan is to be reviewed by Council or an Accredited Certifier - Civil Engineering **prior to the issuing of a Construction Certificate.**
- (22) All demolition and excavation materials are to be removed from the site or disposed off site using methods that comply with relevant environmental protection legislation.
- (23) Vehicles removing demolished materials from the site shall access and depart from the site through Hornsey St, Wentworth Rd & Parramatta Rd. Vehicles involved in removing materials from the site shall be limited to an 8 tonne gross weight per axle.
- (24) All public utility(s) are to be relocated by the relevant service authority prior to the construction of the vehicle crossing. The applicant is responsible for all liaison and co-ordination with the relevant utility authority. Council will only permit to construct the vehicle crossing following completion of the utility(s) structure's relocation.

ADDITIONAL STORMWATER CONDITIONS

The submitted stormwater drainage concept plans must be revised with the following recommendations and submitted to Council prior to the issuance of Construction Certificate.

- (1) OSD storage design on DWG H5503 Rev C & H5500 Rev B must include the following:
- Both the OSD system shall be designed to control outflow for all storm events from 2 to 100 years ARI. Detailed calculations shall be provided for orifices (at different levels) diameter. The calculation must show the pre-development

and post-development conditions. The post-development discharge must be restricted to the pre-development discharge value with the maximum impervious area considered not more than 65% of the total site area.

- The long and cross sections of both the OSD system should show water level at various storm events from 2 to 100 year ARI.
 - Overflow chamber/weir should be accommodated in both the OSD system.
 - Where DRAINS model is used for calculation of OSD system; data assumptions, rainfall, hydrological input tables and calculation output table extracted from DRAINS should be shown on the drawings itself. Rainfall used for calculation must be extracted from Council's Stormwater management Code. DRAINS template of the rainfall can be requested from Council.
 - Sizing of outlet orifices should be demonstrated with calculations on the drawing itself.
 - Soft copy of the DRAINS model must also be submitted to Council.
 - A long section of pipe from the Outlet of OSD storages to Council's pits must be shown in scale of 1:100 (Horizontal & Vertical) with HGL shown. Method of connection to existing pit together with pit cross section should be included in the drawing.
- (2) Pump-out pit shown on DWG H5501 Rev B must include calculations along with the pump specification, rating curve and maintenance schedule for the period of at least 12 months from the completion of the building construction. Also, a cross section of pump out pit should be included showing the maximum water level and operating level. The pit size should be revised to accommodate 100year ARI rainfall for 1 hour duration.
- (3) Sediment and Erosion Control Plan DWG H5510 Rev B should be revised showing the prevention/measures of sediments entering into the existing drainage system.
- (4) Car wash bay as shown on DWG 45501 Rev B on basement level 2 should be provided with the peripheral bund/levee for retaining the water inside the bay. Car wash bay is not allowed to discharge into stormwater system. It must discharge to sewerage system and that must be mentioned on the drawing.
- (5) A plan showing excavation, bulk earthworks, shoring or ground anchoring design must be prepared and submitted to Council. The plan must also incorporate the management measures for groundwater & surface water during excavation.

PUBLIC DOMAIN

- (1) The detailed public domain improvement shall be undertaken and completed in accordance with Burwood Council DCP-35 and Public Works Element Manual.
- (2) The Applicant shall prepare detailed survey reports of all existing service authority assets at **Conder Street, Hornsey Street and Stanley Street**. Surveys should include, but not be limited to, high and low voltage electricity, water, stormwater, sewer, gas, telecommunications, street lighting and drainage assets, etc.

- (3) The Applicant shall liaise with all relevant service authorities to satisfy all requirements of the service authority providers in respect of protection, termination or relocation of existing assets. A written consent shall be required where a service authority asset will be affected.
- (4) Three copies of a detailed Public Domain Plan drawn at 1:100 scales shall be prepared and certified by a qualified architect or landscape architect or urban designer and shall be submitted to Council for its records **prior to the issuing of a Construction Certificate.**
- (5) The plan shall show the entire layout and the location, the existing and proposed construction levels, a long section and cross sections of footpath paving, kerb & gutter, pram ramps, bollards, service pits, stormwater pipes, pit & lintel.
- (6) The plan shall incorporate the standard specifications and details in accordance with the Public Works Elements Manual and shall include technical specifications of the proposed works.

EXCAVATION, BULK EARTHWORKS AND SHORING

- (1) No opening is to be made in any road or footpath, nor is any hoarding to be erected without the prior consent of Council. The builder is to obtain the relevant permit for which fees will be charged in accordance with Council's Schedule of Fees and Charges.
- (2) The builder shall erect and maintain in good order all necessary hoardings, barricades and warning signs required to provide adequate public safety. Night warning lamps are to be provided where necessary.
- (3) Public roads to be kept clean and free of any material which may fall from vehicles or plant. Waste containers shall be placed in accordance with Council's Code for Activities Affecting Roads and are subject to the payment of appropriate fees.
- (4) Heavy vehicles entering and leaving the site must only cross the footpath where it is adequately timbered and strapped. Pedestrian access across this footpath must be maintained in good order at all times during the excavation work.
- (5) The contractor shall strictly implement all erosion and sediment control measures prior to the commencement of excavation. Such measures shall be inspected at site by a competent practicing hydraulic/civil engineer and the PCA shall be provided with a compliance certificate in regards to that.
- (6) The Applicant shall prepare detailed survey reports of all existing service authority assets in and around the site of the proposed development that may be affected in any way by the proposed excavation. Surveys should include, but not be limited to, high and low voltage electricity, water, stormwater, sewer, gas, telecommunications, street lighting and drainage assets, etc.
- (7) The Applicant shall liaise with all relevant service authorities (including, but not limited to electricity, water, stormwater, sewer, gas, telecommunications, street

lighting and drainage) to develop final designs that satisfy all requirements of the service authority providers in respect of protection, termination or relocation of existing assets, temporary access and future permanent access for maintenance of assets.

- (8) The Applicant shall prepare detailed method statements to demonstrate how the proposed excavation is to be conducted such that all relevant utility authority assets are protected and maintained throughout the construction stage of the development, or are relocated. Method statements are to be submitted to the relevant utility authorities for their written approval.

CONDITION FOR THE INSTALLATION OF TEMPORARY GROUND ANCHORS

- (1) Ground Anchors Damage Deposit - security deposit against damages occurring to Council's roadway fronting the development along Railway Parade and Oxford Street is **\$50,000**. The Applicant shall also comply with all other conditions stipulated in this conditional DA consent that apply to the protection of Council's public infrastructures. **Payment is to be made to Council in the form of a Bank Guarantee prior to the commencement of Installation of temporary ground anchors See Fee Condition 7**

NOTE: This deposit is refundable if no damage occurs.

- i) Should the applicant require the use of temporary ground anchors to shore the bulk excavation within the public road, an NPER Registered Structural Engineer's certificate along with certified plans showing the details and extent of work shall be submitted to Council for its record. The following conditions to be complied with:
 - a) The contractor shall be responsible to obtain and submit to Council a written authority from all public utility authorities that they have no objection in regards to the installation of temporary ground anchors, prior to works commencing.
 - b) The contractor shall be responsible to obtain permission from the neighbors of the adjoining properties prior to the installation of the anchors.
 - c) The contractor shall be responsible for any injury or damage either to persons or property due to the presence or failure of the supporting structure on the public way and the contractor shall indemnify the Council against all claims that may arise from the installation of the supporting structure. In this regard the contractor shall provide written evidence of public liability insurance cover to the minimum value of \$20 million, with Council named in the insurance policy, prior to work commencing.
 - d) The anchors shall be installed in accordance with the manufacturer's instructions.
 - e) The construction of ground anchors shall be of a temporary nature only and a written undertaking shall be given that the ground anchors are temporary only and shall be de-stressed after final lateral supports are in place. The written undertaking is to be provided to Council, prior to work commencing.

- f) Council may unilaterally use the damage deposit for the demolition and removal of the shoring elements constructed within the public road including the repair/reconstruction of any other associated damage to Councils infrastructure, it be necessary due to non-compliance with these conditions.
- g) All shoring with the exception of the released temporary ground anchors shall be completely removed from the public road to a depth of 2.5m on completion. The void shall be backfilled by suitable materials and compacted.
- h) All shoring including ground anchors are to be certified by a practicing professional structural engineer. Certification is required as follows:
 - i) That the proposed shoring and anchor scheme is capable of supporting the public road, to be submitted prior to work commencing.
 - ii) Certification that the shoring and anchor scheme has been adequately constructed, following installation.
 - iii) Final certification that the anchors have been de-stressed and all shoring with the exception of the anchors have been removed to a depth of 2.5m, on completion following de-stressing of the anchors.
- i) Council's footpath and roadway are to be kept safe for the passage of motorists and pedestrians at all times. Closure of any part of the public thoroughfare shall only be carried out with the approval of Council's Traffic Engineer.
- j) All stockpiled shoring materials and equipment shall be kept solely within the private property and not obstruct the footpath or roadway at any time.
- k) All earth and rock anchors shall be released before the completion of building work.

TRAFFIC AND PARKING

- (1) All owners, tenants and occupiers of this building are not eligible to participate in any existing or proposed Council on-street resident parking schemes.
- (2) Signs reading 'all owners, tenants and occupiers of this building are advised that they are not eligible to obtain an on-street resident parking permit from Council' must **be permanently displayed and located** in prominent places such as at display apartments and on all directory boards or notice boards, where they can easily be observed and read by people entering the building. The signs must be erected prior to an Occupation Certificate being issued and must be maintained in good order at all times **by the Owners Corporation**.
- (3) A minimum of 116 off-street car parking spaces must be provided on-site. The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking and Council's Development Control Plan.

- (4) The approved parking spaces must be allocated as detailed below. All spaces must be appropriately line-marked and labelled according to this requirement prior to the issue of an Occupation Certificate. If the development is to be strata subdivided, the car park layout must respect the required allocation:
- a) 97 residential parking spaces.
 - b) 19 visitor parking spaces.
- (5) No part of the common property, apart from the visitor vehicle spaces which are to be used only by visitors to the building, is to be used for the parking or storage of vehicles or trailers. The strata subdivision of the building is to include an appropriate documentary restriction pursuant to Section 88B of the Conveyancing Act 1919, so burdening common property, with the Council being the authority to release, vary or modify the restriction.
- (6) Any stacked parking spaces (maximum 2 spaces, nose to tail) must be attached to the same strata title comprising a single dwelling unit or commercial/retail tenancy, subject to the maximum parking limit applying. The stacked parking spaces must be designated (with appropriate signage) for employee or tenant parking only (not visitor parking).
- (7) Visitor parking spaces must not at any time be allocated, sold or leased to an individual owner/occupier and must be strictly retained as common property by the Owners Corporation for use by building visitors.
- (8) All visitor parking spaces must be grouped together, and located at the most convenient location to the car parking entrance. All spaces must be clearly marked 'visitor' prior to the issue of an Occupation Certificate. All signs must be maintained in good order at all times.
- (9) Where a boomgate or barrier control is in place, the visitor spaces must be accessible to visitors by the location of an intercom (or card controller system) at the car park entry and at least 6m clear of the property boundary, wired to all units. The intercom must comply with *'Australian Standard AS 1428.2-1992: Design for access and mobility - Enhance and additional requirements - Building and facilities Sections 22 and 23'*.
- (10) Of the required car parking spaces, at least 11 must be designed and provided for accessible car parking for people with mobility impairment in accordance with Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking. Accessible car parking spaces must have a minimum headroom of 2.5m and must be clearly marked and appropriately located as accessible parking for people with mobility impairment.
- (11) Where a car park is serviced by lifts, accessible spaces for people with mobility impairment are to be located close to lifts. Where a car park is not serviced by lifts, accessible spaces for people with mobility impairment are to be located at ground level, or accessible to ground level by a continually accessible path of travel, preferably under cover.

- (12) The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities.
- (13) The site must be configured to allow a vehicle to be driven onto and off the site in a forward direction.
- (14) The following signs must be provided and maintained within the site at the point(s) of vehicle egress:
 - (a) Compelling drivers to stop before proceeding onto the public way.
 - (b) Compelling drivers to "Give Way to Pedestrians" before crossing the footway.
- (15) A system of traffic mirrors must be installed at the ends of all ramps, to indicate traffic movement on the ramps.
- (16) Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RMS Technical Directives and must be referred to and agreed to by the Traffic Committee prior to any work commencing on site.
- (17) All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with any relevant Australian Standards, Austroads Guides and RMS Technical Directions.
- (18) All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.
- (19) **Prior to the issue of a Construction Certificate**, the applicant must prepare a Construction Traffic Management Plan. The following matters should be addressed in the plan (where applicable):
 - a) A plan view of the entire site and frontage roadways indicating:
 - i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways.
 - ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.
 - iii) The proposed locations of work zones where it is not possible for loading/unloading to occur on the site in the frontage roadways (which will require separate approval by Council).
 - iv) Location of any proposed crane and concrete pump and truck standing areas on and off the site (which will require separate approval by Council).
 - v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
 - vi) Details of vertical and horizontal material handling and deliveries.

- vii) Any on-site parking area for employees, tradespersons and construction vehicles where possible.
 - viii) Traffic routes to and from the site from the closest arterial road in all directions.
- b) Traffic control plan(s) for the site must be in accordance with the Roads and Maritime Services publication “Traffic Control Worksite Manual” and prepared by a suitably qualified person. The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each stage.
- (20) Should works require any of the following on public property (footpaths, roads, reserves), an application shall be submitted and approved by Council prior to the commencement of the works associated with such activity or the Construction Certificate (whichever occurs first)
- (ii) Work zone.
 - (iii) Temporary closure of roadway/footpath.
 - (iv) Mobile crane or any standing plant
 - (v) Scaffolding/Hoardings (fencing on public land)
 - (vi) Road works including vehicle crossing/kerb & guttering, footpath, stormwater provisions etc.
 - (vii) Installation or replacement of private stormwater drain, utility service or water supply