

CONDITIONS OF CONSENT

- 1) The proposal shall comply with the conditions of Development Consent. A Construction Certificate shall not be issued until the plans and specifications meet the required technical standards and the conditions of this Development Consent are satisfied.
- 2) Development shall take place in accordance with Development Application No.DA-3/2015, submitted by Platinum Design Architects, accompanied by the following drawings:

| Drawings Prepared by Platinum Design Architects | | | |
|---|------------------------------------|----------|----------|
| Drawing No. (565) | Drawing Name | Revision | Date |
| General Site Arrangement | | | |
| DA002 | Current Site Allotment Plan | P1 | 08-12-14 |
| DA003 | Construction Staging Plan | P3 | 29-05-15 |
| DA004 | Building Layout Plan | P1 | 08-12-14 |
| DA010 | Basement LVL02 Site Plan | P3 | 21-08-15 |
| DA011 | Basement LVL01 Site Plan | P5 | 21-08-15 |
| DA012 | Ground Floor Site Plan Sheet 1 | P5 | 21-08-15 |
| DA013 | Ground Floor Site Plan Sheet 2 | P4 | 21-08-15 |
| DA014 | Stage 1 – Basement LVL02 Site Plan | P1 | 29-05-15 |
| DA015 | Stage 1 – Basement LVL01 Site Plan | P2 | 21-08-15 |
| DA016 | Stage 1 - Ground Level Site Plan | P2 | 21-08-15 |
| DA017 | Stage 2 - BasemenLVL01 Site Plan | P2 | 21-08-15 |
| DA018 | Stage 2 - Ground Level Site Plan | P2 | 21-08-15 |
| DA050 | Site Sections | P2 | 21-08-15 |
| SK001 | Ground Floor Site Plan Sketch | P1 | 21-09-15 |
| Building 1 | | | |
| DA101 | Site Locality Plan | P4 | 21-08-15 |
| DA102 | Basement Plan | P4 | 21-08-15 |
| DA103 | Ground Floor Plan | P4 | 21-08-15 |
| DA104 | Level 1- Floor Plan | P2 | 21-08-15 |
| DA105 | Level 2 – Floor Plan | P2 | 29-05-15 |
| DA106 | Level 3 – Floor Plan | P2 | 29-05-15 |
| DA107 | Roof Plan | P2 | 29-05-15 |
| DA110 | Western and Eastern Elevations | P2 | 21-08-15 |
| DA111 | Hume Hwy Façade Detail – Sheet 1 | P3 | 21-08-15 |
| DA112 | Hume Hwy Façade Detail – Sheet 2 | P3 | 21-08-15 |
| DA113 | Northern and Southern Elevations | P4 | 21-08-15 |

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|-------------------|---------------------------------|----|----------|
| DA114 | Sections A-A & B-B | P4 | 21-08-15 |
| DA115 | Sections C-C & E-E | P2 | 29-05-15 |
| DA116 | Sections D-D | P3 | 21-08-15 |
| DA117 | Sections G-G & H-H | P3 | 21-08-15 |
| DA120 to DA-122 | Unit Types | P2 | 29-05-15 |
| Building 2 | | | |
| DA201 | Site Locality Plan | P4 | 21-08-15 |
| DA202 | Basement Plan | P4 | 21-08-15 |
| DA203 | Ground Floor Plan | P4 | 29-05-15 |
| DA204 | First Floor Plan | P2 | 29-05-15 |
| DA205 | Roof Plan | P2 | 29-05-15 |
| DA210 | Western and Eastern Elevations | P3 | 21-08-15 |
| DA211 | Material Palette | P3 | 21-08-15 |
| DA213 | Sections A-A & B-B | P3 | 21-08-15 |
| DA214 | Sections C-C | P3 | 21-08-15 |
| Building 3 | | | |
| DA301 | Site Locality Plan | P3 | 21-08-15 |
| DA302 | Basement Level 2 Plan | P2 | 29-05-15 |
| DA303 | Basement Level 1 Plan | P3 | 21-08-15 |
| DA304 | Ground Floor Plan | P3 | 21-08-15 |
| DA305 | First Floor Plan | P2 | 29-05-15 |
| DA306 | Second Floor Plan | P2 | 29-05-15 |
| DA307 | Third Floor Plan | P2 | 29-05-15 |
| DA308 | Roof Plan | P2 | 29-05-15 |
| DA310 | Western and Northern Elevations | P3 | 21-08-15 |
| DA311 | Southern and Eastern Elevations | P3 | 21-08-15 |
| DA312-DA314 | Sections | P3 | 21-08-15 |
| DA320 | Unit Types | P2 | 29-05-15 |
| DA321 | Unit Types | P2 | 10-04-15 |
| DA322 & DA323 | Unit Types | P3 | 02-09-15 |
| DA324-DA326 | Unit Types | P2 | 29-05-15 |
| Building 4 | | | |
| DA401 | Site Locality Plan | P3 | 21-08-15 |
| DA402 | Basement Level 2 Plan | P2 | 21-08-15 |
| DA403 | Basement Level 1 Plan | P3 | 21-08-15 |
| DA404 | Ground Floor Plan | P3 | 21-08-15 |
| DA405 | First Floor Plan | P2 | 29-05-15 |
| DA406 | Second Floor Plan | P2 | 29-05-15 |
| DA407 | Third Floor Plan | P2 | 29-05-15 |
| DA407 | Fourth Floor Plan | P2 | 29-05-15 |
| DA409 | Roof Plan | P2 | 29-05-15 |
| DA410 | North-West Elevation | P3 | 21-08-15 |
| DA411 | South-East Elevations | P2 | 29-05-15 |
| DA412 | NE & SW Elevations | P3 | 21-08-15 |
| DA420-DA429 | Unit Types | P2 | 29-05-15 |

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| Building 5 | | | |
| DA501 | Site Locality Plan | P3 | 21-08-15 |
| DA502 | Basement Plan | P3 | 21-08-15 |
| DA503 | Ground Floor Plan | P2 | 29-05-15 |
| DA504 | First Floor Plan | P2 | 29-05-15 |
| DA505 | Second Floor Plan | P2 | 29-05-15 |
| DA506 | Roof Plan | P2 | 29-05-15 |
| DA510 | Eastern & Southern Elevations | P2 | 29-05-15 |
| DA511 | Western & Northern Elevations | P2 | 29-05-15 |
| DA512-DA513 | Sections | P2 | 29-05-15 |
| DA320 | Unit Types | P2 | 29-05-15 |
| DA321 | Unit Types | P2 | 10-04-15 |
| DA520- DA525 | Unit Types | P2 | 29-05-15 |
| DA324-DA326 | Unit Types | P2 | 29-05-15 |
| Townhouses | | | |
| DA601 | Site Locality Plan | P5 | 21-08-15 |
| DA602 | Ground Floor Plan | P5 | 21-08-15 |
| DA603 | Level 1 Floor Plan | P3 | 29-05-15 |
| DA604 | Level 2 Floor Plan | P3 | 29-05-15 |
| DA605 | Roof Plan | P3 | 29-05-15 |
| DA610-DA614 | Elevations and Sections | P3 | 29-05-15 |
| DA620-DA622 | Townhouse Types | P3 | 29-05-15 |

all affixed with Council's approval stamp, except where otherwise altered by the specific amendments listed hereunder and/or except where amended by the conditions contained in this approval.

The development plans shall be amended as follows:

- a) The ground floor layout for Buildings 1 & 2 shall be amended as depicted on Drawing No. SK001, Issue P1, titled 'Ground Floor Site Plan Sketch', prepared by Platinum Design Architects, dated 21 September 2015. All site plans, floor plans and sections shall be consistent with this drawing.
 - b) First and second floor windows provided along the rear elevations of Townhouses 2, 9 and 12 are to have a minimum sill height of 1.7 metres above the finished floor level.
- 3) No approval is granted or implied for the use of the commercial floor space within the approved buildings. Separate Development Consent for the use of the commercial floor space is required prior to occupation of these premises

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

Prior to the release of a Construction Certificate the following conditions MUST be satisfied and nominated fees/contributions/bonds paid:

- 4) The Certifying Authority must ensure that any certified plans forming part of the Construction Certificate are not inconsistent with this Development Consent and accompanying plans.
- 5) A detailed landscape plan prepared by a qualified landscape architect or designer is to be approved prior to the issue of a Construction Certificate. The landscape plan is to be prepared in accordance with the relevant DCP and is to show all features, built structures including retaining walls, irrigation, mulch and natural features such as significant gardens, landscaping, trees, natural drainage lines and rock outcrops that occur within 3 metres of the site boundary. The landscape plan shall consider any stormwater, hydraulic or overland flow design issues where relevant.
- 6) Approval is granted for the removal of all the trees on the subject properties. All tree removal works must comply with the Amenity Tree Industry – Code of Practice, 1998 (Workcover, NSW).
- 7) Approval is granted for the removal of the following trees:

| Tree Species | Location |
|--|---|
| 5 x <i>Eucalyptus baueriana</i> (Blue Box) | Nature strip along the Hume Highway frontage of the site. |

The tree removal works are subject to the following conditions:

- All tree removal works must be carried out by a qualified arborist - minimum qualification Australian Qualification Framework (AQF) Level 3 or equivalent;
- The tree removal contractor must hold a Public Liability Insurance Certificate of Currency with a minimum indemnity of \$20 million, together with a NSW Workers Compensation Insurance Certificate of Currency;
- The tree removal work must comply with the Amenity Tree Industry – Code of Practice, 1998 (Workcover, NSW);
- The tree stump is to be ground to 300mm below ground level. Investigation to locate underground services shall be the responsibility of the applicant.
- All tree material shall be removed from site, and the nature strip shall be backfilled, compacted and restored to the original level.
- The site must be maintained in a safe condition at all times;
- Appropriate hazard signage to be in place at all times during the tree works.

All other street vegetation not specifically identified above is to be retained and protected from construction damage and pruning.

- 8) The Landscape Plan shall be amended as follows:
 - (a) Plant 15 x *Tristanopsis laurina* 'Luscious' (Water Gum) on the Hume Highway nature strip and 4 x *Tristanopsis laurina* 'Luscious' (Water Gum) on the Northcote Road nature strip forward of the development site. The trees are to be planted at approximately 8.0 metre centre, no closer than 10.0 metres from the intersection, and no closer than 2.5 metres from the

vehicle footpath crossing. The trees shall be a minimum of 200 Litre container size, shall comply with NATSPEC Specifying Trees: a guide to assessment of tree quality (2003) or Australian Standard AS 2303 – 2015 Tree stock for landscape use, and be planted and maintained in accordance with Councils street tree planting specifications Standard Drawing No. S-201.

- (b) Investigation to locate underground services shall be the responsibility of the applicant. Should such services be located and there is a reasonable belief that damage may occur to those services by the new plantings, the applicant is to:
1. Carry out engineering works to protect those services from damage; or
 2. Relocate the plantings to a more suitable location following written approval from Bankstown City Council; or
 3. Substitute the approved tree species with an alternative species following written approval from Bankstown City Council.

- (c) The trees shall be planted by a qualified landscape contractor and to the satisfaction of Councils Tree Management Planner.

The Applicant shall contact Council to book an inspection by the Tree Management Planner of the completed tree planting prior to the issue of an occupation certificate. Inspections must be booked at least 5 working days prior to being required.

- (d) Plant 9 x *Corymbia maculata* (Spotted Gum) in the deep soil buffer area along the Hume Highway setback of the site and 2 x *Corymbia maculata* (Spotted Gum) in the deep soil buffer area along the Northcote Road setback of the site. The trees shall be a minimum of 400Litre size and shall comply with NATSPEC Specifying Trees: a guide to assessment of tree quality (2003) or Australian Standard AS 2303 – 2015 Tree stock for landscape use. The trees shall be planted and maintained for the establishment period by a qualified landscape contractor experienced in managing advanced sized trees.
- 9) The landscape plan shall include the provision for the replacement of all boundary fencing. A new 2.0m fence is to be erected along all side and rear boundaries of the subject allotment at full cost to the developer. The colour of the fence is to complement the development and the fence is to be constructed of lapped and capped timber paling, sheet metal or other suitable material unless the type of material is stipulated in any flood study prepared for the site. The selection of materials and colours of the fence is to be determined in consultation with the adjoining property owners. Fencing forward of the building line shall be no higher than 1m unless otherwise approved by Council.
- 10) Approval in accordance with Council's Tree Preservation Order (TPO) is granted to lop or remove only the trees identified to be lopped or removed on the approved plans. Separate approval shall be obtained to prune or remove trees on adjoining properties or other trees located on the site. Failure to comply with Council's TPO may result in a fine of up to \$100,000.

- 11) All of the relevant and appropriate water conservation and energy efficient requirements of Bankstown DCP 2005 – Part D7 shall be complied with. Details of the proposed measures to demonstrate compliance with the above DCP shall be submitted with the Construction Certificate
- 12) A soil erosion and sediment control plan must be prepared by a suitably qualified professional, in accordance with the Bankstown Demolition and Construction Guidelines and Council's Development Engineering Standards, and submitted to the certifying authority for approval prior to the issue of a construction certificate.
- 13) 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 further requirements need to be met. Plans will be appropriately stamped.

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

- Quick Check agent 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.

- 14) A Construction Certificate shall not be issued until written proof that all bonds, fees and/or contributions as required by this consent have been paid to the applicable authority.
- 15) A long service levy payment which is 0.35% of the total cost of the work is to be paid to the Building and Construction Industry Long Service Payments Corporation.
- 16) Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979, and the Bankstown City Council Section 94A Development Contributions Plan 2009 (Section 94A Plan) , a contribution of \$488,633.96 shall be paid to Council.

The amount to be paid is to be adjusted at the time of actual payment, in accordance with the provisions of the Section 94A plan. The contribution is to be paid before the issue of the construction certificate.

Note: The Section 94A Contributions Plans may be inspected at Council's Customer Service Centre, located at Upper Ground Floor, Civic Tower, 66-72 Rickard Road, Bankstown, between the hours of 8.30am-5.00pm Monday to Friday.

- 17) Finished surface levels of all internal works and at the street boundary, including driveways, landscaping and drainage structures, must be as shown

on the approved plans. The levels at the street boundary must be consistent with the Street Boundary Alignment Levels issued by Council.

- 18) A Work Permit shall be applied for and obtained from Council for the following engineering works in front of the site, at the applicant's expense:
- a) A single heavy duty VFC of maximum width of 8.0 metres at the property boundary in Northcote Road and another single heavy duty VFC of maximum width of 8.0 metres at the property boundary in Hillcrest Avenue.
 - b) Drainage connection through an underground on site detention system discharging to Council's system.
 - c) 1.2 metre wide concrete footway paving along the sites frontage to Northcote Road and Hillcrest Avenue, where it does not already exist.
 - d) Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs.
 - e) Repair of any damage to the public road including the footway occurring during development works.
 - f) Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority.

Note: As a site survey and design is required to be prepared by Council in order to determine the necessary information, payment for the Work Permit should be made at least twenty one (21) days prior to the information being required and must be approved prior to the issue of the Construction Certificate.

- 19) Stormwater drainage from the development shall be designed so as to comply with Council's Development Engineering Standards and the requirements of the BASIX Certificate. A final detailed stormwater drainage design shall be prepared by a qualified Professional Civil Engineer in accordance with the above requirements and shall generally be in accordance with the concept stormwater plan No. 20140171, C102, C106 Revision – A prepared by S & G Consultants Pty Ltd. The final plan shall be certified by the design engineer that it complies with Council's Development Engineering Standards, the BASIX Certificate and the relevant Australian Standards.
- 20) Where Council approved cut or fill exceeds 200mm and stable batter of 1 vertical to 3 horizontal maximum grade cannot be achieved, then a masonry or other proprietary material retaining wall, intended and suitable for that purpose, shall be constructed within the development site. Note, filling of the site needs specific approval from Council.

The retaining wall shall be located so that it will not impede or obstruct the natural flow of stormwater. Retaining walls exceeding 600mm in height shall be designed by a qualified professional Civil/Structural Engineer. Plans and details prepared and signed by the Engineer are to be submitted to the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate.

All works associated with the construction of the wall, including backfilling and drainage, is to be located wholly within the allotment boundaries.

- 21) An all weather pavement shall be designed to withstand the anticipated wheel loads for all areas subjected to vehicular movements. Internal pavements specification prepared and certified by all qualified professional Civil Engineer to comply with the relevant Australian Standards, shall be submitted to the Principal Certifying Authority (PCA) for approval prior to the issue of a construction certificate.
- 22) The development is to be carried out in accordance with the commitments shown on the BASIX Certificate. The BASIX commitments approved with this Development Application are to be reflected in the Construction Certificate plans and specifications. Any proposed changes to the BASIX commitments after the Construction Certificate has been issued will require an updated BASIX Certificate and a new Construction Certificate.
- 23) A Construction Certificate shall not be issued until design verification from a qualified designer has been received. The design verification is a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development of which Development Consent was granted, having regard to the design quality principles set out in Part 2 of SEPP No. 65.
- 24) The proposed development is on land adjacent to an arterial road. The approved buildings shall be erected to comply with Australian Standard 3671 "Acoustics-Road Traffic Noise Intrusion, Building Siting and Construction" and Australian Standard 2107 "Acoustics - Recommended Design Sound Levels and Reverberation Times for Building Interiors." Evidence of compliance with such standards shall be submitted with the Construction Certificate Application with a report prepared by a suitably qualified acoustic Consultant. The Construction Certificate plans shall include all of the attenuation measures recommended in the Acoustics Report. The development shall be constructed to include all of the recommended attenuation measures and the acoustic consultant shall certify that all recommendations have been incorporated into the development prior to the issue of the Occupation Certificate.
- 25) The Construction Certificate plans shall include details of the garbage receptacle areas. The garbage receptacle areas shall be designed and located generally as shown on the approved architectural plans. Prior to the issue of the Construction Certificate, a waste management plan shall be submitted to the satisfaction of Council's Manager Resource Recovery.
- 26) Prior to the issue of any Construction Certificate for this development, the applicant must obtain approval from Council for a Site, Pedestrian and Traffic Management Plan. This Plan must address the measures that will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and other requirements as specified below.

A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN

This plan shall include details of the following:

- a) Proposed ingress and egress points for vehicles to and from the construction site;
- b) Proposed protection of pedestrians, adjacent to the construction site;
- c) Proposed hoardings, scaffolding and/or fencing to secure the construction site;
- d) Proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- e) Proposed measures to be implemented for the protection of all public roads and footway areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
- f) Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;
- g) Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc. are required to be displayed and shall be in accordance with Council's and the NSW Roads and Maritime Services requirements and AS1742.3.
- h) Proposed method of support of any excavation, adjacent to adjoining buildings or the public road. The proposed method of support is to be certified by a Civil Engineer with National Professional Engineering Registration (NPER) in the construction of civil works.
- i) Proposed measures to be implemented in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the public road.
- j) Proposed measures for protection of the environment including procedures to control environmental impacts of work e.g. sediment control, proper removal, disposal or recycling of waste materials, protection of vegetation and control/prevention of pollution i.e. water, air noise, land pollution.

The approved Site, Pedestrian and Traffic Management Plan is to be implemented prior to the commencement of any works on the construction site. The applicant will be required to pay for inspections by Council Officers in accordance with Council's adopted fees and charges.

In addition a RMS Approval / Road Occupancy Licence will be required for works on Regional or State Roads or within 100m of a traffic facility including roundabouts and traffic signals. Refer to Council's Development Engineering Standards for a list of Regional and State Roads.

- 27) As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the Roads Act 1993 and/or Section 68 of the Local Government Act 1993, Council requires that prior to any Construction Certificate for this development being issued, a Works Permit and or a Roadway/Footpath Building Occupation

Permit shall be obtained where one or more of the following will occur, within, on or over the public footway or public road:

A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS

WORKS REQUIRING A 'WORKS PERMIT'

- a) Dig up, disturb, or clear the surface of a public footway or public road,
- b) Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road,
- c) Connect a road (whether public or private) to a classified road,
- d) Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road,
- e) Install utilities in, under or over a public road,
- f) Pump water into a public footway or public road from any land adjoining the public road,
- g) Erect a structure or carry out a work in, on or over a public road
- h) Require a work zone on the public road for the unloading and or loading of vehicles
- i) Pump concrete from within a public road,
- j) Stand a mobile crane within a public road
- k) Store waste and recycling containers, skips, bins and/or building materials on any part of the public road.
- l) The work is greater than \$25,000.
- m) Demolition is proposed.
- n) Subdivision is proposed.
- o) A Swimming pool is proposed.

Assessment of Works Permits (a to e) includes the preparation of footway design levels, vehicular crossing plans, dilapidation reports and issue of a Road Opening Permit.

All proposed works within the public road and footway shall be constructed under the supervision and to the satisfaction of Council. The applicant/developer shall arrange for necessary inspections by Council whilst the work is in progress.

For commercial or multi-unit residential developments within the designated CBD or an urban village area, footway design and construction and street tree supply, installation and tree hole detailing shall be as per the Council master plan for that area. Full width footways are to be supplied and installed at full cost to the developer to specification as supplied by Council. Layout plan of pavement to be submitted to Council for approval prior to the issue of the Works Permit.

All Council fees applicable, minimum restoration charges and inspection fees shall be paid prior to the assessment of the Work Permit in accordance with Council's adopted fees and charges. Note: Additional fees after approval will be charged where the Work Permit requires occupation of the Road or Footpath i.e. Hoardings, Work Zones etc.

In determining a Works Permit, Council can impose conditions and require inspections by Council Officers.

Forms can be obtained from Council's Customer Service counter located on the ground floor of Council's administration building at 66 - 72 Rickard Road, Bankstown or Council's website www.bankstown.nsw.gov.au

Part of any approval will require the person or company carrying out the work to carry public liability insurance to a minimum value of ten million dollars. Proof of the policy is to be provided to Council prior to commencing any work approved by the Work Permit including the Road Opening Permit and must remain valid for the duration of the works.

The commencement of any works on public land, including the footway or public road, may incur an on the spot fine of not less than \$1100 per day that work continues without a Works Permit and/or a Roadway/Footpath Building Occupation Permit.

All conditions attached to the permit shall be strictly complied with prior to occupation of the development. Works non-conforming to Council's specification (includes quality of workmanship to Council's satisfaction) shall be rectified by the Council at the applicant's expense.

- 28) The pump out drainage system for the access ramp and basement car parking area shall be provided in accordance with Council's Development Engineering Standards. Engineering details and specifications shall be submitted to the Principal Certifying Authority (PCA) for approval prior to the issue of any Construction Certificate.
- 29) Engineering details and manufacturers specifications for the pumps, switching system and sump pit shall be submitted to the Principal Certifying Authority (PCA) for approval prior to issue of any Construction Certificate.
- 30) Stormwater runoff from within the property shall be collected and controlled by means of an underground on site detention system in accordance with Council's Development Engineering Standards. The runoff from the detention storage shall be conveyed to an inspection pit through a gross pollutant trap, to be located at the Hillcrest Avenue access of the site and from there to Council's storm water pipe network. Stormwater runoff from areas naturally draining to the site shall be collected, conveyed and piped to the inspection pit downstream of the detention storage basin.

A final stormwater drainage and on site detention system plan, shall be prepared by a qualified professional Civil Engineer in accordance with the above requirements and the requirements contained in Council's Development Engineering Standards. The final stormwater drainage plan shall also be generally in accordance with the concept plan no: 20140171, C102, C106 Revision – A prepared by S & G Consultants Pty Ltd. The final plan shall be certified by the design engineer that it complies with Council's Development Engineering Standards and the relevant Australian Standards.

- 31) For internal driveways with a gradient exceeding 10% (1 in 10), longitudinal profiles of all vehicular driveways and ramps shall be submitted for approval by the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate. The maximum grade of the driveway/ramp shall not exceed **25%** and shall comply with AS 2890.1. The profile shall be drawn at a reduction ratio of 1 to 25 vertical and horizontal and shall be related to the datum used for the issue of the footway design levels and shall also show the road centre line levels, Council issued footway design levels and gutter levels. Council's Car Clearance Profile in Council's Development Engineering Standards, (Plan No. S 006) shall be used to design the profile.
- 32) The basement of the development is located adjacent to a Council Public Road Reserve. Separate approval and Work Permit is to be obtained from Council for any temporary or permanent anchoring works under Council's Public Road.
- 33) The route for transportation to and from the development site of bulk and excavation materials shall generally be by the shortest possible route to the nearest "regional road", with every effort to avoid school zones on public roads. The applicant shall nominate the route for approval by Council prior to commencement of any work on the site. An Agreement to Council's satisfaction, signed by the applicant/owner specifying the approved route and acknowledging responsibility to pay Council for damages to public property adjacent to the site shall be lodged with Council prior to release of any Construction Certificate. All damage must be rectified upon completion of work.
- 34) A minimum of five (5) of the residential units and associated parking spaces shall be designed to comply with the provisions of AS4299 – Adaptable Housing and AS1428.1 – Design for Access and Mobility with such details being incorporated in the Construction Certificate drawings.
- 35) Documentary evidence from the relevant public authorities (e.g. Sydney Water, Telstra etc.) shall be submitted to the Principal Certifying Authority to confirm that all of their requirements have been satisfied, prior to issue of the Construction Certificate for the relevant stage.
- 36) Disabled car parking spaces shall conform to Australian Standards AS2890.6:2009.
- 37) The driveway to the internal road from Northcote Road shall be designed as a Category 3 driveway.
- 38) The internal road from Hillcrest Avenue shall include footpaths on both sides and street lighting designed to Council's Traffic Engineer's satisfaction.
- 39) A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Roads and Maritime for determination prior to the issue of a construction certificate.
- 40) Should the post development storm water discharge from the subject site into the Roads and Maritime system exceed the pre-development discharge,

detailed design plans and hydraulic calculations of any charges are to be submitted to Roads and Maritime for approval, prior to the commencement of works.

Details should be forwarded to:

Sydney Asset Management
Roads and Maritime Services
PO BOX 973
Parramatta CBD 2124

- 41) The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004.
- 42) The proposed development should be designed such that road traffic noise from adjacent public roads is mitigated by durable materials, in accordance with EPA criteria for new land use developments (The Environmental Criteria for Road Traffic Noise, May 1999). Roads and Maritime's Environmental Noise Management Manual provides practical advice in selecting noise mitigation treatments.
- 43) The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime.

The report and any enquiries should be forwarded to:

Project Engineer, External Works
Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.

Telephone 8848 2114
Fax 8849 2766

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

- 44) Any proposed landscaping and/or fencing must not restrict sight distance to pedestrians and cyclists travelling along the footpath.

- 45) The remediation works shall be carried out in accordance with Remediation Action Plan Document Number ES6324, prepared by Aargus Pty Ltd, dated 26 August 2015, Council must be informed in writing of any variation to the proposed remediation works.

Any variation or modification to the Remedial Action Plan in terms of compliance work must be requested from the Consent Authority (Bankstown City Council) in writing prior to validation. With regard to remediation work, any proposed variation of works must be approved by the Consent Authority (Bankstown City Council) in writing prior to the works being undertaken.

Any additional investigation of the site (as required by the Remediation Action Plan) that identifies contaminated material, comprising material that exceeds relevant criteria, is to be classified, removed off site and transferred to an appropriate licensed off-site soil recycling facility.

- 46) Upon completion of remediation works and prior to the issue of a Construction Certificate, a Validation Report must be provided and be prepared by an appropriately qualified and experienced environmental consultant. This report will need to include a Clearance Certificate prepared by an Occupational Hygienist and must comply with the NSW EPA 'Guidelines for Consultants Reporting on Contaminated Sites 2000.' This report must outline that the required remediation work has been completed and that the site is suitable for the proposed residential land use unconditionally.
- 47) If unexpected soil contaminants are unearthed during excavation and/or construction works, which has the potential to alter previous conclusions made regarding potential site contamination; all work is to cease and Council notified immediately.

The contaminated land situation is to then be evaluated by a suitably qualified and experienced environmental consultant and an appropriate response determined by the applicant and/or owner, which is agreed to by Council, prior to the re-commencement of works.

- 48) All fill removed from the property shall be classified in accordance with the NSW EPA Waste Classification Guidelines 2009 and be disposed of to an appropriate EPA licensed waste facility.
- 49) Any fill imported on to the site shall be classified/validated to ensure that it is suitable for the proposed residential land use. This validation must be undertaken by a suitably qualified and experienced environmental consultant in accordance with relevant EPA Guidelines. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.
- 50) All remediation works and the Validation Report shall be reviewed by a NSW EPA Accredited Site Auditor (Site Auditor) as defined under the *Contaminated Land Management Act 1997* at the conclusion of the remediation works.

The Site Auditor shall provide a Site Audit Statement (SAS) in accordance with the contaminated lands planning guidelines, *Contaminated Lands*

Management Act 1997, SEPP 55 and Council's Contaminated Lands Policy, confirming the land is suitable for the intended use unconditionally. The SAS shall be provided to the Consent Authority within 30 days following the completion of the remediation works and submission of the Validation Report.

CONDITIONS TO BE SATISFIED PRIOR TO CONSTRUCTION

51) Prior to the commencement of any works on site, a dilapidation report shall be prepared by the developer and a copy provided to the owners of properties directly adjoining the subject site. The report must clearly identify the condition of existing structures on these adjoining properties prior to the commencement of works. All care shall be taken during the construction process to ensure adjoining structures are protected, and should any change in condition occur from that recorded in the dilapidation report, the rectification of such shall be at full cost to the developer.

52) If unexpected soil contaminants are unearthed during demolition, excavation and/or construction works, which has the potential to alter previous conclusions made regarding site contamination; all work is to cease and Council notified immediately. The contaminated land situation is to then be evaluated by a suitably qualified and experienced environmental consultant and an appropriate response determined by the applicant which is agreed to by Council, prior to the re-commencement of works.

Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the new contamination information. The applicant must also adhere to any additional conditions, which may be imposed by the accredited site auditor, if required.

53) The building / subdivision work in accordance with the development consent must not be commenced until:

- a. a construction certificate for the building / subdivision work has been issued by the council or an accredited certifier, and
- b. the person having benefit of the development consent has:
 - i. appointed a principal certifying authority for the building / subdivision work, and
 - ii. notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
- c. the person having the benefit of the development consent, if not carrying out the building work as an owner-builder, has:
 - i. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and

- ii. notified the principal certifying authority of any such appointment, and
 - iii. unless the person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - d. the person having the benefit of the development consent has given at least 2 days' notice to the council of the person's intention to commence the building / subdivision work.
- 54) Existing trees within the vicinity of the construction works or paths of travel for construction vehicles accessing the development that are to be retained shall be protected with temporary fencing of a style non injurious to tree roots, placed 2m from the trunk base of the existing tree to prevent damage during construction, and retained in accordance with Council's Tree Preservation Order. There is to be no stockpiling of materials within the 2m fenced zone.
 - 55) Suitable erosion and sediment control measures shall be erected in accordance with the plans accompanying the Construction Certificate prior to the commencement of construction works and shall be maintained at all times.
 - 56) Council warning sign for Soil and Water Management must be displayed on the most prominent point of the site, visible to both the street and site works. The sign must be displayed throughout the construction period.
 - 57) Prior to the commencement of work, the applicant must provide a temporary on-site toilet if access to existing toilets on site is not adequate.
 - 58) 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.

- 59) Prior to the commencement of work, a fence must be erected around the area of the works, except where an existing 1.8m high boundary fence is in good condition and is capable of securing the area. Any new fencing shall be temporary (such as cyclone wire) and at least 1.8m high. All fencing is to be maintained for the duration of construction to ensure that the work area is secured.

Where the work is located within 3.6m of a public place then a Type A or Type B hoarding must be constructed appropriate to the works proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval prior to the commencement of work.

- 60) A sign shall be displayed on the site indicating the name of the person responsible for the site and a telephone number of which that person can be contacted during and outside normal working hours or when the site is unattended.
- 61) In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of the Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
- 62) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
- a. in the case of work for which a principal certifying is required to be appointed:
 - i. the name and licence number of the principal contractor, and
 - ii. the name of the insurer by which the work is insured under Part 6 of the Act,
 - b. in the case of work to be done by an owner-builder:
 - i. the name of the owner-builder, and
 - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

- 63) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- a. showing the name, address and telephone number of the principal certifying authority for the work, and
 - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.

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

- 64) Written notice must be given to adjoining land owners and residents seven (7) days prior to the commencement of demolition advising of the commencement date.
- 65) Written notice is to be given to Bankstown City Council for inspection prior to demolition. Such written notice is to include the date when demolition will commence and details of the name, address, contact telephone number and licence number of the demolisher. The following inspections must be undertaken by Bankstown City Council:
- (i) A pre-commencement inspection when all site works required as part of this consent are installed on the site and prior to demolition commencing;
 - (ii) A final inspection when the demolition works have been completed to ensure that the site is left in a satisfactory manner, in accordance with the conditions of this consent.

Note: Payment of an inspection fee at Council's rate will be required prior to each inspection. Council requires 48 hours notice to carryout inspections. Arrangements for inspections can be made by phoning 9707 9410, 9707 9412 or 9707 9635.

- 66) Prior to demolition work, a sign must be erected at the front of the property with the demolishers name, licence number, contact phone number and site address.
- 67) All demolition work must be carried out in accordance with Australian Standard AS 2601-2001 - The demolition of structures.
- 68) Where materials containing asbestos cement are to be removed, demolition is to be carried out by licensed contractors who have current WorkCover NSW accreditation in asbestos removal.
- 69) Hazardous and intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of WorkCover NSW and the NSW Environment Protection Authority.
- 70) Demolition procedures must maximise the reuse and recycling of demolished materials in order to reduce the environmental impacts of waste disposal.
- 71) The applicant must apply to the Bankstown Traffic Committee to have No Stopping signs installed on either side of the driveways at both Hillcrest Avenue and Northcote Road. The cost of the signs shall be borne by the applicant and paid prior to Traffic Committee consideration.
- 72) A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Hume Highway during construction activities.

CONDITIONS TO BE SATISFIED DURING CONSTRUCTION

- 73) The hours of site works shall be limited to between 7.00am and 6.00pm on weekdays and 7.00am and 1.00pm on Saturdays. No work shall be carried out on Sundays and public holidays, and weekends (Saturdays and Sundays) adjacent to public holidays.
- 74) The building work must be carried out in accordance with the requirements of the Building Code of Australia.
- 75) All Civil and Hydraulic engineering works on site must be carried out in accordance with Council's Development Engineering Standards. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must be carried out in accordance with Council's Work Permit requirements and to Council's satisfaction.
- 76) All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards.
- 77) If soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions must be made for drainage. Separate approval may be required for retaining walls should they be required.
- 78) If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - a. protect and support the adjoining premises from possible damage from the excavation, and
 - b. where necessary, underpin the adjoining premises to prevent any such damage.
- 79) All boundary fencing behind the building line shall be replaced by a 2.0m high lapped and capped timber or sheet metal fence, or as stipulated in a flood study prepared for the site, or as determined in consultation with the adjoining property owners at the developer's expense. Fencing forward of the building line shall be no higher than 1m unless otherwise approved by Council.
- 80) The stormwater drainage system shall be constructed in accordance with Council's Development Engineering Standards and the engineering plans and details approved by the Principal Certifying Authority (PCA).
- 81) A suitably qualified Professional Civil or Structural Engineer shall be engaged by the developer to carry out inspections relating to construction of internal driveways and parking areas. The work shall be carried out in accordance with the approved plans and specifications and certification from the Civil or Structural Engineer is to be provided upon completion.

- 82) Prior to the commencement of work, the builder shall prepare a photographic record of the road reserve which clearly shows its condition prior to works occurring on site. For the entirety of demolition, subdivision or construction works, there shall be no stockpiling of building spoil, materials, or storage of equipment on the public road, including the footway and the road reserve shall be maintained in a safe condition at all times. No work shall be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.
- 83) An identification report by a Registered Surveyor must be submitted to the principal certifying authority verifying that the proposed buildings finished floor levels and siting to the property boundaries conforms to the approved plans.
- 84) The development is to be carried out in accordance with the commitments shown on the BASIX Certificate.
- 85) All construction activity associated with the proposed development is to be contained on site as no construction zones will be permitted on Hume Highway in the vicinity of the site.
- 86) Any redundant driveways shall be removed and replaced with kerb and gutter to Roads and Maritime requirements.
- 87) All works/regulatory signposting associated with the proposed development are to be at no cost to Roads and Maritime.

CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION

- 88) The occupation or use of the building must not be commenced unless an occupation certificate has been issued for the building.
- 89) A final Occupation Certificate shall not be issued until all conditions relating to demolition, construction and site works of this development consent are satisfied and Council has issued a Work Permit Compliance Certificate.
- 90) Consolidation of the existing allotments must be registered by the office of Land and Property Information prior to the issue of an occupation certificate.
- 91) Three hundred and fifty five (355) off street car spaces being provided in accordance with the submitted plans. This shall comprise of:
 - Two hundred and forty (240) residential spaces
 - Thirty eight (38) residential visitor spaces
 - Seventy seven (77) business / commercial spaces

An appropriate number of the above car parking spaces are to be provided for people with mobility impairment in accordance with AS 2890.1. All car parking spaces shall be allocated and marked according to these requirements.

- 92) Landscaping is to be installed in accordance with the approved landscape plan. All works and methods nominated and materials and plants specified on the

approved landscape plan are to be completed prior to the issue of an occupation certificate. The landscaping shall be maintained for the life of the development.

- 93) A suitably qualified Professional Civil Engineer shall certify that the driveways, parking bays, and service areas have been constructed in accordance with the approved plans and specifications. Such Certification shall be submitted prior to the issue of the Occupation Certificate or occupation of the site.
- 94) Lighting must be provided to the entries of the dwellings, driveways and parking areas to promote a high level of safety and security at night and during periods of low light. Lighting provided should be hooded, shielded or directed away from neighbouring dwellings to minimise glare and associated nuisances to residents.
- 95) The premises must be readily identified from the street with the allocated house numbers. Numbering of the development without Council's written approval is not permitted. An official "house numbering" letter will be sent to the applicant indicating the proposed house numbers of the new development. Note: The house numbers of the development are subject to change depending of the type on subdivision that may occur at a later stage.
- 96) Prior to the issue of any Occupation Certificate a design verification from a qualified designer shall be submitted to the Principal Certifying Authority. The design verification is a statement in which the qualified designer verifies that the development as shown in the plans and specifications in respect of which the Construction Certificate was issued, having regard to the design quality principles set out in Part 2 of SEPP No. 65.
- 97) A registered surveyor shall prepare a Work As Executed Plan, and a suitably qualified Hydraulic Engineer shall provide certification of the constructed on-site stormwater detention system.

The Work As Executed information shall be shown in red on a copy of the approved stormwater plan and shall include all information specified in Council's Development Engineering Standards. The Work As Executed plan shall be submitted to the Hydraulic Engineer prior to certification of the on-site stormwater detention system.

The engineer's certification of the on-site stormwater detention system should be carried out similar to Council's standard form "On-Site Stormwater Detention System - Certificate of Compliance", contained in Council's Development Engineering Standards.

A copy of the Work As Executed Plan and Hydraulic Engineer's Certification shall be submitted to Council for information prior to issue of the final occupation certificate.

- 98) The developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of OSD on title", as outlined in Council's Development

Engineering Standards and in accordance with the appropriate provisions of the Conveyancing Act.

Note: The location of the "On-Site Stormwater Detention System" shall be shown on the plan of subdivision where subdivision is proposed. Where subdivision is not proposed the location of the "On-Site Stormwater Detention System" shall be included on an A4 size site plan attached to the Section 88E Instrument and registered on the title prior to the issue of the final occupation certificate.

The developer shall submit to Council evidence of the final registration of the Restriction and Positive Covenant on the title of the property.

- 99) A Copy of the Work Permit Compliance Certificate shall be submitted to the PCA Prior to the issue of the Occupation Certificate.
- 100) The Section 73 compliance certificate under the Sydney Water Act 1994 must be submitted to the principal certifying authority before occupation of the development / release of the plan of subdivision.
- 101) The development shall make provisions for the following safety and security measures:
 - Implementation of 'swipe' cards or key FOB's, to increase resident and occupant security when entering the premises and underground parking;
 - Letterboxes owned by residents and business occupants, to be key lockable;
 - CCTV surveillance be installed at key entry/exit points of the premises, including driveways and coverage of letterboxes;
 - Signage displayed at key entry/exit points and mailboxes, warning of surveillance measures.
- 102) The developer shall enter into an agreement with Bankstown Council to indemnify and keep indemnified Council from all actions, claims, costs, losses, expenses and damages (including the costs of defending or settling any action or claim) arising from Council or its contractors servicing the development for garbage and recycling.

END OF CONDITIONS