

CONDITIONS SUMMARY

Application Number:	DA15/0730
Assessing Officer	Jonathon Wood
Land to be developed (Address):	Lot 3 DP 403405 48 Derby Street KINGSWOOD NSW 2747
Proposed Development:	Demolition of Existing Structures & Construction of 5 Storey to 8 Storey Mixed Use Development including 5 Ground Floor Commercial/Retail Tenancies, 191 Residential Apartments & Associated Basement Car Parking, Landscaping & Drainage Works

General

1 A001

The development must be implemented substantially in accordance with the plans and documents stamped approved by Council, the application form and any supporting information received with the application, except as may be amended in red on the approved plans and by the following conditions.

Document	Prepared by
Architectural Plans - Site Plan, Sheet No. AC-100B - Basement 2 Plan, Sheet No. AC-001 B - Basement 1 Plan, Sheet No. SK-002 B - Ground Level Plan, Sheet No. SK-003 B - Level 1 Plan, Sheet No. AC-104 B - Level 2 Plan, Sheet No. AC-105 B - Level 3 Plan, Sheet No. AC-106 B - Level 4 Plan, Sheet No. AC-107 B - Level 5 Plan, Sheet No. AC-108 B - Level 6 Plan, Sheet No. AC-109 B - Level 7 Plan, Sheet No. AC-110 B - Roof Plan, Sheet No. AC-111 B - Adaptable units, Sheet No. AC-112 B - Section Sheet 1, Sheet No. AC-151 B - Section Sheet 2, Sheet No. AC-152 B - Section Sheet 3, Sheet No. AC-153 B - Ramp Plan and Sections, Sheet No. AC-154 D - Elevation Sheet 1 , Sheet No. AC-161 D - Elevation Sheet 2 , Sheet No. AC-162 D - Material Board, Sheet No. AC-172 D	Robertson + Marks Architects
Landscape Plans Project No. 3793b L-01-L03, dated 18 September 2015	RFA Landscape Architects
Arboricultural Report and Tree Management Plan Report No. 1140v4, dated 1 July 2015	Redgum Horticultural
Geotechnical Report, Project No. 19870/4652C, Report No. 14/1907 dated September 2014	SMEC Testing Services Pty Ltd
Accessibility Report	PSE Access Consulting
BASIX Certificate No. 641361M dated 13 July 2015;	Building Sustainability Assessments
Stormwater Drainage Plans, Project No. 1511, H5500-H5505 Rev C dated 19 September 2015	J & M Group
Construction Waste Management Plan	Robertson + Marks Architects
Acoustic Impact Assessment, Report No. 150383R1, Rev 0, dated 10 September 2015	Rodney Stevens Acoustics

2 A004 - DA STAGING

The development is to be carried out in 2 stages and anything in this consent making reference to a Construction Certificate or Occupation Certificate is to be read as applying to the Construction Certificate or Occupation Certificate for the relevant stage.

3 A014 - LOT CONSOLIDATION

The allotments are to be consolidated into a single allotment. Written evidence that the request to consolidate the lots has been lodged with Land and Property Information division of the Department of Lands is to be submitted to the certifying authority before the Occupation Certificate for the relevant stage of the development can be issued by the certifier.

4 **A019 - OCCUPATION CERTIFICATE (ALWAYS APPLY)**

The development shall not be used or occupied until an Occupation Certificate has been issued for the relevant stage.

5 **A046 - Obtain Construction Certificate before commencement of works**

A **Construction Certificate** shall be obtained for the relevant stage prior to commencement of any building works.

6 **A CPTED Basement Car Parking**

Basement Car Parking

- A security system must be installed on all pedestrian and vehicle entry/exit points to the car park, including the lift and stairwell, to minimise opportunities for unauthorised access.
- All areas of the car park (including lift lobbies, stairwells, garbage rooms and storage areas) must be well-lit, with consistent lighting to prevent shadowing or glare.
- Signage must be in place to clearly identify exit and access points, the location of lifts and stairwells.
- Signage must clearly delineate spaces intended for use by residents and those for use by commercial tenants.

7 **A CPTED Building Security & Access Control**

Building Security & Access Control

- Install intercom, code or card locks or similar for main entries to buildings including the basement car park and front gates to the residential areas.
- Main entry doors for apartment buildings should be displayed requesting residents to not leave doors wedged open.
- Australian Standard 220 – door and window locks should be installed in all dwellings.
- Pedestrian entry to basement parking should be through secure access via the main building.
- Storage areas must be well secured and well lit.
- Install viewers on entry doors to allow residents to see who is at the door before it is opened.
- If security grills are used on windows they should be operable from inside in case of emergencies.
- Ensure skylights and /or roof tiles cannot be readily removed or opened from outside.
- Consider building supervisors or security guards.
- CCTV cameras are recommended for front entry points, lobby areas and basement car park. Cameras must be of sufficient standard to be useful for police in the event of criminal investigations. Lighting should be provided to support cameras at night (alternatively infra-red cameras are recommended). Signage must be displayed to indicate that CCTV cameras are in use.

8 **A CPTED Commercial Developments Building Identification**

Commercial Developments Building Identification

- Street numbers should be at least 7cm high, and positioned between 1m and 1.5m above ground level on the street frontage.
- Street numbers should be made of durable materials preferably reflective or luminous, and should be unobstructed (e.g. by foliage).
- Location maps and directional signage should be provided for larger developments.

9 **A CPTED Entrances**

Entrances

- The plans indicate that the entrances are at prominent positions. Clear signage and design features must be provided to ensure a clear delineation between public and private areas.
- The proposed use of glass paneling and see through materials will assist in allowing users to see into the building before entering.

10 **A CPTED Fencing**

Fencing

- The plans indicate that security gates are proposed to control access between the commercial/public areas at the front of the development and the residential areas. Gates must be constructed so they can be seen through, using open style panels that are dark in colour. Fencing/gates must be no higher than 2.1 metres in height.

11 **A CPTED Graffiti/Vandalism**

Graffiti/Vandalism

- Graffiti resistant coatings must be used to external surfaces where possible, including rendered surfaces, street furniture, retaining walls etc.
- Procedures must be in place to ensure the prompt removal and/or repair of graffiti or vandalism to the buildings, fencing, commercial tenancies and common areas. This includes reporting incidents to police and/or relevant authorities.

12 [A CPTED Lighting](#)

Lighting

- All areas intended to be used at night must allow appropriate levels of visibility.
- Pedestrian pathways, laneways and access routes in outdoor public spaces should be lit to the minimum Australian Standard of AS 1158. Lighting should be consistent in order to reduce the contrast between shadows and illuminated areas.
- Lighting must have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed. Moreover, lighting should clearly illuminate the faces of users of pathways.
- Lights should be directed towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points
- Lighting must be positioned to take into account vegetation and landscaping that may act as an entrapment spot.
- Lighting must be designed so that it is 'vandal tough' or difficult for vandals to break.
- Avoid lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance.
- As a guide, areas should be lit to enable users to identify a face 15 metres away.
- All lighting should be maintained and kept in a clean condition with all broken or burnt out globes replaced quickly.
- Ground level office/commercial frontages must be well lit (e.g. under awning lighting) to improve visibility of this area at night and to minimise opportunities for graffiti and malicious damage.

13 [A CPTED Residential Developments Building Identification](#)

Residential Developments Building Identification

- Each individual dwelling should be clearly numbered.
- Unit numbers should be clearly provided on each level.
- Each building entry should clearly state the unit numbers accessed from that entry.

14 [A CPTED Way Finding/Finding Help](#)

Way Finding/Finding Help

- Signs should be large and legible, and strong colours, standard symbols and simple graphics. They should indicate where to go for help or assistance.
- Signs should be strategically located at entrances and near activity nodes such as intersections of corridors or paths.
- Signs should indicate how to report maintenance problems in the complex.
- The main pedestrian route through a large building, sets of building or areas of open public space should be indicated as such with appropriate signage.
- Where exits to pedestrian routes are closed after hours this should be indicated at the entrance to the route and information on alternative routes should be clearly advised.
- Signs that provide way finding information should not be relied upon solely, the overall legibility of the design needs to be well considered. Users of the space need to be able to intuitively understand where they are within the complex or area and how they can get away.

15 [A Special \(BLANK\)](#)

Prior to works commencing on site, and prior to the issue of any Construction Certificate for the relevant stage, a dilapidation report is to be prepared that provides:

- A photograph record of the condition of adjoining structures on adjoining properties and associated structures.

Prior to the issue of an Occupation Certificate for the relevant stage a further dilapidation report is to be prepared that provides:

- A photographic record of the condition of adjoining structures on adjoining properties and associated structures.

Should damage be identified rectification works are to be carried out at full cost to the developer and these rectification works are to be completed prior to the issue of an Occupation Certificate for the relevant stage.

16 [A Special \(BLANK\)](#)

Prior to the issue of a Construction Certificate for Stage 1 the waste management arrangements are to be revised to reflect the below and plans are to be submitted to Penrith Council for consideration and approval:

Waste Storage and Collection Areas

Bins assigned to the development

The current development will be assigned 17x1,100L Residual Bins and 17x1,100L Recycling bins.

Domestic Waste Chute Room (located in basement)

Council requires a designated room be provided when a chute system is implemented. In the room it must be able to accommodate the number of 1,100L bins required for service, be mechanically ventilated, solid imperious non-slip floor graded towards a drainage system, have a hose system for cleaning, walled, adequate lighting, ceiling height similar to external basement, dual doors that can open outwards parallel to the wall structure and able to be locked to restrict access from residents. The room must be locked using an abloy key system only accessible to the care take and council collection staff.

Domestic Waste Storage Room (located in basement)

A separate room must be provided for the storage of all bins that are currently not in service or are full. This room must be able to accommodate the entire fleet of bins assigned to the building. This room must be mechanically ventilated, solid imperious non-slip floor graded towards a drainage system, have a hose system for cleaning, be walled, dual doors that can open outwards parallel to the wall structure and locked using an abloy key. Access to this room is restricted to the caretaker and council waste collection staff.

Bulky Waste Storage

Bulky waste areas are to be revised and provided with a 30sqm area for bulky waste storage at the ground floor level (in proximity to the truck turning bay area).

17 [A Special \(BLANK\)](#)

One (1) carwash bay is to be reallocated as a resident visitor car space so that a total of 207 resident car spaces are provided.

18 [A Special \(BLANK\)](#)

The south facing windows in Units B404, B405, C405 and C406 are to be revised to provide for external screens or treated with raised sill heights to mitigate privacy impacts to the south. In addition, the southern ends of the balconies to these units (other than Unit B404) are to be provided with a 1.8m high screen to mitigate privacy impacts to the south.

19 [A Special \(BLANK\)](#)

Prior to the issue of a Construction Certificate, a design verification statement from a qualified designer shall be submitted. The design verification statement shall verify that the Construction Certificate plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development.

20 [A Special \(BLANK\)](#)

Prior to the issue of an Occupation Certificate, a design verification statement from a qualified designer shall be submitted. The design verification statement shall verify that the development achieves the design quality shown in the approved Construction Certificate plans and specifications, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development.

Demolition

21 [B002 - AS FOR DEMOLITION AND DISPOSAL TO APPROVED LANDFILL SITE](#)

All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 "The Demolition of Structures". **Prior to demolition**, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All demolition and excavated material shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location(s) of all excavated material from the development site shall be provided to the Principal Certifying Authority **prior to commencement of demolition**.

22 [B003 - ASBESTOS](#)

You should read Council's Fact Sheet titled "Handling and Disposal of Fibrous Cement Products" **before any demolition works commence on the site**.

Prior to commencement of demolition works on site, a portaloo with appropriate washing facilities shall be located on the site and the Principal Certifying Authority is to be satisfied that:

- Measures are in place so as to comply with the WorkCover Authority's "Short Guide to Working with Asbestos Cement" and
- The person employed to undertake the works is a licensed asbestos removal contractor and is holder of a current WorkCover Asbestos Licence.

Any demolition works involving the removal of all asbestos shall only be carried out by a licensed asbestos removal contractor who has a current WorkCover Asbestos Licence.

All asbestos laden waste, including asbestos cement flat and corrugated sheeting must be disposed of at a tipping facility licensed by the Environmental Protection Authority to receive asbestos wastes.

23 [B004 - Dust](#)

Dust suppression techniques are to be employed during demolition and construction activities to reduce any potential nuisances to surrounding properties.

24 [B005 - Mud/Soil](#)

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

25 [B006 - Hours of work](#)

Demolition and construction works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No demolition or construction work is permitted on Sundays and Public Holidays.

In the event that the demolition or construction works relate to works inside the building and do not involve external walls or the roof, and do not involve the use of equipment that emits noise then the works are not restricted to the hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

Environmental Matters

26 [D001 - Implement approved sediment& erosion control measures](#)

Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004. (Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

The approved sediment and erosion control measures are to be installed prior to and maintained throughout the construction phase of the development until the landscaping, driveway and on-site parking areas have been completed for the development. These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

27 **D009 - Covering of waste storage area**

All waste materials stored on-site during the demolition and construction phases of the development are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

28 **D010 – Appropriate disposal of excavated or other waste**

All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

29 **D013 - Approved noise level 1**

Noise levels from the premises shall not exceed the relevant noise criteria detailed in the Acoustical Impact Assessment (Report 150383R1 Revision 0) prepared by Rodney Stevens Acoustics and dated 10 September 2015. The recommendations provided in the above-mentioned acoustic report shall be implemented and incorporated into the design and construction of the development, and shall be shown on plans accompanying the Construction Certificate application.

A compliance assessment is to be undertaken by a qualified acoustic consultant and a compliance report/certificate obtained certifying that the building has been constructed to meet the noise criteria in accordance with the approved Acoustical Impact Assessment (Report 150383R1 Revision 0) prepared by Rodney Stevens Acoustics and dated 10 September 2015. This compliance report/certificate is to be submitted to and approved by Penrith City Council **prior to the issue of an Occupation Certificate for the relevant stage**. Should the compliance certificate/report identify any non-compliance issues, the report is to provide suitable recommendations for the mitigation of those issues. The mitigation works are to be undertaken within thirty (30) days from the date of notice from Council, unless otherwise specified.

The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

30 **D014 - Plant and equipment noise**

Prior to the issue of the Construction Certificate for the relevant stage, further details on the type and location of all mechanical plant and equipment associated with the development, (including the mechanical plant and equipment that is required to be provided as detailed in the Acoustical Impact Assessment (Report 150383R1) prepared by Rodney Stevens Acoustics and dated 10 September 2015, is to be provided to Council for consideration and approval. Suitable data and information, assessed by a qualified acoustic consultant, is to be supplied to demonstrate that the operation of the mechanical plant and equipment will comply with the noise criteria required for the development, as well as complying with the provisions of the Protection of The Environment Operations Act 1997 that apply to the development, in terms of regulating offensive noise. In this regard, the operating noise level of all mechanical plant and equipment associated with the development as a whole, shall not exceed 5dB(A) above the background noise level when measured at the boundaries between the development and adjoining premises not associated with the development.

Prior to the issue of the Occupation Certificate for the relevant stage, a Compliance Certificate is to be submitted to and approved by Council. The Compliance Certificate is to be prepared by an appropriately qualified acoustic consultant and is to certify that all plant and equipment has been installed to comply with the above information and the established noise criteria. Should the Compliance Certificate identify any non-compliance issues, the Certificate is to provide suitable recommendations for mitigation of those issues. Any mitigation works are to be undertaken within thirty (30) days from the date of notice from Council, unless otherwise specified. This Compliance Certificate for the mechanical plant and equipment may be included in the Compliance Certificate that is required for the development as a whole with respect to certifying that the building has been constructed to meet the noise criteria established in the Acoustical Impact Assessment (Report 150383R1) prepared by Rodney Stevens Acoustics and dated 10 September 2015.

31 **D020 - Vehicle wash bay**

All vehicle washing shall be conducted in the wash bays approved, installed and connected to the sewer in accordance with Sydney Water's requirements.

Details of the vehicle wash bays including the Section 73 Certificate issued by Sydney Water for the discharge of trade waste from the premises shall be submitted to the Principal Certifying Authority before the wash bays can be installed.

32 **D06A – Approval for bulk earthworks/major filling operations (Use for bulk earthworks/ major filling operations)**

No fill material shall be imported to the site until such time as a Validation Certificate (with a copy of any report forming the basis for the validation) for the fill material has been submitted to Council. The Validation Certificate shall:

- state the legal property description of the fill material source site,
- be prepared by an appropriately qualified person (as defined in Penrith Contaminated Land Development Control Plan) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
- clearly indicate the legal property description of the fill material source site,
- provide details of the volume of fill material to be used in the filling operations,
- provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
- (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

An appropriately qualified person/s (as defined in the Penrith City Council Contaminated Land Development Control Plan) shall:

- Supervise the filling works,
- (On completion of filling works) carry out an independent review of all documentation relating to the filling of the site, and shall submit a review findings report to Council and any Principal Certifying Authority,
- Certify by way of a Compliance Certificate or other written documentation that fill materials have been placed on the site in accordance with all conditions of this consent and that the site will not pose an unacceptable risk to human health or the environment. A copy of the Compliance Certificate or other documentation shall be submitted to Council and any Principal Certifying Authority.

The contact details of any appropriately qualified person/s engaged for the works shall be provided with the Notice of Commencement.

If the Principal Certifying Authority or Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

{Note: Penrith Contaminated Land Development Control Plan defines an appropriately qualified person as "a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soils science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance."}

33 **D Special BLANK**

No waste water resulting from, or associated with, the excavation and construction phase of the development, is permitted to enter Council's stormwater system. All waste water from the site is to be removed by a licensed transporter and disposed of at an EPA licensed waste facility. All receipts and supporting documentation must be retained in order to verify lawful disposal of waste water and are to be made available to Penrith City Council on request. Should approval be obtained from Sydney Water for the discharge of any waste water from the excavation and construction phase of the development, to the sewer, evidence and details of this approval are to be submitted to both Council and the Certifying Authority prior to the commencement of works.

34 **D Special BLANK**

Each of the garbage rooms are to be provided with a water outlet for washing purposes, with wash water discharging to an approved drainage outlet connected to the sewer. Details showing the provision of a water outlet to each of the garbage rooms and drainage details demonstrating that all wash water will discharge to an approved sewer outlet, are to be shown on plans accompanying the Construction Certificate application.

35 **D Special BLANK**

Should any "unexpected finds" occur during site excavation and earthworks, including, but not limited to, the identification/finding of contaminated soils, buried building materials, asbestos, odour and/or staining, works are to cease immediately and Council notified. Any such "unexpected finds" shall be addressed by an appropriately qualified environmental consultant.

All remediation works within the Penrith Local Government Area are considered to be Category 1 works under State Environmental Planning Policy 55-Remediation of Land. Should any contamination be found during development works and should remediation be required, development consent is to be sought from Penrith City Council before the remediation works commence.

BCA Issues

36 **E009 - Annual fire safety-essential fire safety (Class 2-9 buildings)**

The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:

- (a) deal with each essential fire safety measure in the building premises, and
- (b) be given:

- within 12 months after the last such statement was given, or
- if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.

As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.

37 **E01A - BCA compliance for Class 2-9**

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

- (a) complying with the deemed to satisfy provisions, or
- (b) formulating an alternative solution which:

- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/ statement for the building.

Health Matters and OSSM installations

38 **F006 - Water tank & nuisance**

The rainwater tanks must be maintained so as not to create a nuisance and it must be protected against mosquito infestation.

Utility Services

39 **G002 - Section 73 (not for**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's website at www.sydneywater.com.au then the "e-developer" icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate for the relevant stage.

40 [G004 - Integral Energy](#)

Prior to the issue of a Construction Certificate for the relevant stage, a written clearance is to be obtained from Endeavour Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

In the event that a pad mounted substation is necessary to service the development, Penrith City Council shall be consulted over the proposed location of the substation before the Construction Certificate for the relevant stage of the development is issued as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council.

Construction

41 [H001 - Stamped plans and erection of site notice](#)

Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details are to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the Occupation Certificate has been issued for the development.

Prior to the commencement of construction works:

(a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by the council, or
- alternatively, any other sewage management facility approved by council.

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

(c) 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:

- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating 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, (includes a public road and any other public place).

(d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:

- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
- the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
- any such hoarding, fence or awning is to be removed when the work has been completed.

43 **H036 - Rainwater Tank (Also impose H037, H038, H039, G005 & Q010)**

The rainwater tank(s) is to be:

- erected on a self-supporting base in the approved location on the property in accordance with the stamped-approved site plans for the development,
- structurally sound and constructed in accordance with AS/NZS 3500 1.2- 1998: National Plumbing and Drainage - Water Supply - Acceptable Solutions,
- fully enclosed and all openings sealed to prevent access by mosquitoes,
- fitted with a first flush device,
- fitted with a trickle system to top up from mains water,
- provided with an air gap, and
- installed by a licensed plumber in accordance with Sydney Water's "Plumbing requirements Information for rainwater tank suppliers and plumbers April 2003" and the NSW Code of Practice: Plumbing and Drainage.

Additionally, the following are to be provided:

- A back flow prevention device shall be provided at the water meter in accordance with Sydney Water requirements.
- In the event of a power failure, a back up supply of mains water shall be provided to at least one toilet in the dwelling.
- The rainwater tank(s) and associated piping is to be labelled 'Rainwater - Not for Drinking' in accordance with Sydney Water requirements.
- The rainwater tank and pipework is to be painted in colours matching the external finishes of the dwelling and is to be of non-reflective finish.
- The overflow for the rainwater tank is to be connected into the existing stormwater disposal system on the site.

Before a rainwater tank(s) can be used, a certificate or suitable document is to be submitted to the Principal Certifying Authority stating that the rainwater tank has been installed in accordance with:

- the Manufacturer's Specifications, and
- Sydney Water and NSW Health requirements.

This certificate or documentation is to be provided by the licensed plumber who installed the rainwater tank on the property, and is to be submitted prior to the issue of the Occupation Certificate.

44 **H037 - Safe supply of water from catchment areas (Also impose H036, H038 & H039)**

The catchment area (for the rainwater tank) includes the parts of the roof of the dwelling(s) from which water is collected and includes gutters. To ensure a safe supply of water:

- roof catchment areas must be kept clear of overhanging vegetation,
- gutters must have sufficient fall to downpipes to prevent pooling of water,
- overflow, discharge from bleed off pipes from roof mounted appliances such as airconditioners, hot water services and solar heaters must not discharge into the rainwater catchment area,
- for roofs containing lead based, tar based or asbestos material the tank supply must not be connected to drinking, bathing and gardening tap water outlets,
- appropriate measures must be installed to prevent foreign materials from contaminating the water which enters the rainwater tank.

45 **H038 - Connection of rainwater tank supply (Also impose H036, H037 & H039)**

The rainwater tank supply must not be connected to drinking and bathing water tap outlets.

46 **H039 - Rainwater tank pumps (Also impose H036, H037 & H038)**

The rainwater tank pump must not exceed 5dBA above ambient background noise level at the nearest residential property boundary. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

47 [H041 - Hours of work \(other devt\)](#)

Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy and do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

Roads Act Requirements

48 [I Special BLANK](#)

Prior to the issue of a Construction Certificate for the relevant stage, agreement from Council's Waste and Community Protection Department is required for on-site waste collection service arrangements. A Delivery Management Plan that includes Waste Services to ensure efficient management of the proposed on site loading and turnaround area, is to be provided to the satisfaction of Council.

49 [I Special BLANK](#)

All vehicles are to enter/exit the site in a forward direction.

50 [I Special BLANK](#)

Sight distance requirements and driveway widths are to be met in accordance with AS/NZS 2890.1: 2004 and Council requirements.

Engineering

51 [K101 - Works at no cost to Council](#)

All roadworks, stormwater works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.

52 [K202 - Section 138 Roads Act – Minor Works in the public road](#)

Prior to the issue of a Construction Certificate for the relevant stage, a Section 138 Roads Act application/s, including payment of fees shall be lodged with Penrith City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to the following:

- Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
- Road opening for utilities and stormwater (including stormwater connection to Council infrastructure)
- Road occupancy or road closures

All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Penrith City Council's specifications. Contact Council's **City Works Department** on (02) 4732 7777 for further information regarding the application process.

53 [K202A - Infrastructure Bond](#)

An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Council's Public Infrastructure Assets. The bond is to be lodged with Council **prior to the issue of a Construction Certificate for the relevant stage**. The bond shall be determined accordance with Council's adopted Fees and Charges.

The bond is refundable once a final inspection has been carried out by Council's City Works Department and the works have been completed to Council's satisfaction. The bond may be used to repair or reinstate any damage that occurs to Council's Public Infrastructure Assets as a result of the development works.

Contact Council's City Works Department on 4732 7777 or visit Council's website to obtain the form and request for final inspection.

54 [K203 - Section 138 Roads Act \(roadworks requiring approval of civil drawings\)](#)

Prior to the issue of a Construction Certificate for the relevant stage for building works the Certifying Authority shall ensure that a Section 138 Roads Act application, including the payment of application and inspection fees, has been lodged with, and approved by Penrith City Council (being the Roads Authority under the Roads Act), for provision of stormwater drainage works in Derby Street.

Engineering plans are to be prepared in accordance with the development consent, Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works, Engineering Construction Specification for Civil Works, Austroad Guidelines and best engineering practice.

Note:

1. Where Penrith City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Construction Certificate.
2. Contact Penrith City Council's **Engineering Services Department** on (02) 4732 7777 to ascertain applicable fees.

55 [K209 - Stormwater Management](#)

The stormwater management system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by J & M Group, reference number H5500-H5505, revision B, dated 30/06/2015.

Engineering plans and supporting calculations for the stormwater management systems are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

Prior to the issue of a Construction Certificate for the relevant stage, the Certifying Authority shall ensure that the stormwater management system has been designed in accordance with Council's Stormwater Drainage for Building Developments Policy and Water Sensitive Urban Design Policy.

56 [K211 - Stormwater Discharge \(Basement Car parks\)](#)

Prior to the issue of a Construction Certificate for the relevant stage, the Certifying Authority shall ensure that the stormwater drainage system for the basement car park has been designed in accordance with the requirements for pumped systems in AS 3500.3:2003.

57 [K220 - Overland Flow - General](#)

Prior to the issue of a Construction Certificate for the relevant stage, the Certifying Authority shall ensure that: *Nominate*

- a) The crest in the access ramp to the basement car park is a minimum of 300mm above the top of kerb.

Details prepared by a qualified person, demonstrating compliance with these requirements, shall form part of any Construction Certificate issued.

58 [K221 - Access, Car Parking and Manoeuvring – General](#)

Prior to the issue of a Construction Certificate for the relevant stage, the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS 2890.2, AS 2890.6 and Penrith City Council's Development Control Plan.

59 [K301 - Sediment & Erosion Control](#)

Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997.

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

60 **K302 - Traffic Control Plan**

Prior to commencement of works, a Traffic Control Plan including details for pedestrian management shall be prepared in accordance with AS 1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Penrith City Council.

61 **K407- Major Filling/ Earthworks**

All earthworks shall be undertaken in accordance with AS 3798 and Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works.

The level of testing shall be determined by the Geotechnical Testing Authority/ Superintendent in consultation with the Principal Certifying Authority.

62 **K501- Penrith City Council clearance – Roads Act/ Local Government Act**

Prior to the issue of an Occupation Certificate for the relevant stage, the Principal Certifying Authority shall ensure that all works associated with a Section 138 Roads Act approval or Section 68 Local Government Act approval have been inspected and signed off by Penrith City Council.

63 **K502 - Works as executed – General and Compliance Documentation**

Prior to the issue of an Occupation Certificate for the relevant stage, works-as-executed drawings, final operation and maintenance management plans and any other compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments Policy.

An original set of works-as-executed drawings and copies of the final operation and maintenance management plans and compliance documentation shall also be submitted to Penrith City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

64 **K503 - Stormwater Compliance**

Prior to the issue of an Occupation Certificate for the relevant stage, the Principal Certifying Authority shall ensure that the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)

Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.

- Have met the design intent with regard to any construction variations to the approved design.
- Any remedial works required to be undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

65 **K504 - Restriction as to User and Positive Covenant**

Prior to the issue of an Occupation Certificate, a restriction as to user and positive covenant relating to the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)

shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Stormwater Drainage for Building Development.

66 **K509 - Directional signage**

Prior to the issue of an Occupation Certificate for the relevant stage, directional signage and linemarking shall be installed indicating directional movements and the location of customer parking to the satisfaction of the Principal Certifying Authority.

67 [K - Waterways - Stormwater Management system operation and maintenance](#)

The stormwater management systems shall continue to be operated and maintained in perpetuity to the satisfaction of Council in accordance with the final operation and maintenance management plan. Regular inspection records are required to be maintained and made available to Council upon request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the treatment measure/s

68 [K Special \(BLANK\)](#)

The required sight lines around the driveway entrance and exit are not to be compromised by street trees, landscaping, fencing or signposting.

69 [K Special \(BLANK\)](#)

All car parking and manoeuvring must be in accordance with AS/NZS 2890.1: 2004, AS/NZS 2890.1: 2004/Amt. 1:2005, AS 2890.2:2002, AS 2890.3: 1993, AS 2890.5: 1993, AS/NZS 2890.6:2009 and Council requirements.

70 [K Special \(BLANK\)](#)

The proposed accessible parking spaces are to be designed to conform to AS/NZS 2890.6: 2009 and Council requirements.

71 [K Special \(BLANK\)](#)

All car spaces are to be sealed/line marked and dedicated for the parking of vehicles only and not be used for storage of materials/products/waste materials, etc.

72 [K Special \(BLANK\)](#)

Subleasing of car parking spaces, other than for the specified commercial tenancies or residential units, is not permitted by this consent.

73 [K Special \(BLANK\)](#)

Secure bicycle parking for at least 52 bicycles is to be provided in accordance with AS 2890.3: 1993 and Council requirements.

74 [K Special \(BLANK\)](#)

Prior to the issue of a Construction Certificate for the relevant stage, a Pedestrian Management Plan and a Traffic Management Plan shall be prepared and submitted to Council for approval prior to the commencement of the road works. This is to include the arrangements for pedestrians and traffic flow during the construction period, address arrangements for ambulance movements along Derby Street in consultation with Nepean Hospital, address issues of associated localized traffic congestion and strategies for dealing with traffic and parking management during peak periods.

75 [K Special \(BLANK\)](#)

Prior to the issue of a Construction Certificate for the relevant stage, a plan showing the adjustment of the line marked parking spaces in conjunction with the removal of the existing driveways and provision of the proposed driveways along the development frontage of Derby Street is to be provided to the satisfaction of Council.

76 [K Special \(BLANK\)](#)

Signage indicating the location of staff/ visitor/ customer parking is required at the driveway entrance and in the internal car parking areas.

77 [K Special \(BLANK\)](#)

The entry and exit driveways in the car park are to be presented in a way to highlight the right of way of pedestrians and cyclists on the path in Derby Street.

78 [K Special \(BLANK\)](#)

As much public parking as possible is to be maintained on Derby Street during construction works. All construction activities associated with the proposed development are to be contained on site. Any temporary construction zones will only be considered on Derby Street on application in exceptional circumstances. Any temporary construction zones required during construction will be the subject to a separate application to the Council and payment of the appropriate fees.

Landscaping

79 L001 - General

All landscape works are to be constructed in accordance with the stamped approved plans and Sections F5 "Planting Techniques", F8 "Quality Assurance Standards" and F9 "Site Management Plan" of Penrith Council's Landscape Development Control Plan.

Landscaping shall be maintained:

- in accordance with the approved plan, and
- in a healthy state, and in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity as the vegetation which died or was removed.

80 L002 - Landscape construction

The approved landscaping for the site must be constructed by a suitably qualified and experienced landscape professional.

81 L003 - Report requirement

The following series of reports relating to landscaping are to be submitted to the nominated consent authority at the appropriate time periods as listed below. These reports shall be prepared by a suitably qualified and experienced landscape professional.

i. Implementation Report

Upon completion of the landscape works associated with the development and prior to the issue of an Occupation Certificate for the relevant stage of the development, an Implementation Report must be submitted to the Principal Certifying Authority attesting to the satisfactory completion of the landscaping works for the development. The report is to be prepared by a suitably qualified and experienced landscape professional.

An Occupation Certificate, for the relevant stage, should not be issued until such time as a satisfactory Implementation Report has been received. If Penrith City Council is not the Principal Certifying Authority, a copy of the satisfactory Implementation Report is to be submitted to Council together with the Occupation Certificate for the development.

ii. Maintenance Report

On the first anniversary of the date of the Occupation Certificate issued for relevant stage of the development, a Landscape Maintenance Report is to be submitted to Penrith City Council certifying that the landscape works are still in accordance with the development consent and the plant material is alive and thriving.

This report is to be prepared by a suitably qualified and experienced landscape professional.

iii Three Year Landscaping Report

Three years after an Occupation Certificate was issued for the relevant stage of the development, a suitably qualified and experienced landscape professional shall prepare a Landscaping Report for Council's consideration and approval, certifying to one of the following:

- (a) The landscaping on site has matured and is in accordance with the original landscape approval.
- (b) The landscaping on site has not matured in accordance with the original design philosophy and requires significant restoration.

In this case, restoration plans are to be submitted to Council for its consideration and approval. The approved plans shall be implemented at the expense of the property owners.

82 L005 - Planting of plant

All plant material associated with the construction of approved landscaping is to be planted in accordance with the Tree Planting Specification prescribed in Penrith Council's Landscape Development Control Plan.

83 L006 - Aust Standard

All landscape works are to meet industry best practice and the following relevant Australian Standards:

- AS 4419 Soils for Landscaping and Garden Use,
- AS 4454 Composts, Soil Conditioners and Mulches, and
- AS 4373 Pruning of Amenity Trees.

84 L007 - Tree protection measures—no TMP with DA

All trees that are required to be retained as part of the development are to be protected in accordance with the minimum tree protection standards prescribed in the Landscape Section of Penrith Development Control Plan 2014.

85 [L008 - Tree Preservation Order](#)

No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.

Development Contributions

86 [N001 - Section 94 contribution \(apply separate condition for each Contribution Plan\)](#)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan for Cultural Facilities. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$63,406 to be paid to Council prior to the issue of a Construction Certificate for the relevant stage being issued for this development (the rates are subject to quarterly reviews). The final Section 94 invoice will be issued for each respective stage to facilitate staged payment of development contributions.

If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for Cultural Facilities may be inspected at Council's Civic Centre, 601 High Street, Penrith.

87 [N001 - Section 94 contribution \(apply separate condition for each Contribution Plan\)](#)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan for District Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$675,094 to be paid to Council prior to the issue of a Construction Certificate for the relevant stage being issued for this development (the rates are subject to quarterly reviews). The final Section 94 invoice will be issued for each respective stage to facilitate staged payment of development contributions.

If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for District Open Space be inspected at Council's Civic Centre, 601 High Street, Penrith.

88 [N001 - Section 94 contribution \(apply separate condition for each Contribution Plan\)](#)

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan for Local Open Space. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$244,089 to be paid to Council prior to the issue of a Construction Certificate for the relevant stage being issued for this development (the rates are subject to quarterly reviews). The final Section 94 invoice will be issued for each respective stage to facilitate staged payment of development contributions.

If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for Local Open Space be inspected at Council's Civic Centre, 601 High Street, Penrith.

89 **N001 - Section 94 contribution (apply separate condition for each Contribution Plan)**

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan for Kingswood Neighbourhood Centre. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$64,293 is to be paid to Council prior to the issue of a Construction Certificate for the relevant stage being issued for this development (the rates are subject to quarterly reviews). The final Section 94 invoice will be issued for each respective stage to facilitate staged payment of development contributions.

If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for Kingswood Neighbourhood Centre may be inspected at Council's Civic Centre, 601 High Street, Penrith.

Certification

90 **Q01F - Notice of Commencement & Appointment of PCA2 (use for Fast Light only)**

Prior to the commencement of any earthworks or construction works on site, the proponent is to:

- (a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
- (b) submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

91 **Q05F - Occupation Certificate for Class10**

An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the occupation/use of the development

The Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding.

A copy of the Occupation Certificate and all necessary documentation supporting the issue of the Certificate is to be submitted to Penrith City Council, if Council is not the Principal Certifying Authority.