

DRAFT CONDITIONS

(Rev C - 18.10.2016)

PROPERTY:	Lot 1 DP 1193301 Nos. 2-4 Burley Street, Lane Cove
DA NO.	DA 33/2016, 2016 SYE 049
PROPOSED DEVELOPMENT:	Construction Of An 8 Storey Residential Flat Building Comprising 93 Dwellings with Basement Car Parking For 153 Cars

General Conditions

1. That the development be strictly in accordance with the following architectural drawings prepared by Stanisic Architects for Project No. 15011 and the landscape drawings prepared by Sturt Noble Associates:

- Basement 4 Plan, DA 101, Issue D dated 11.08.16;
- Basement 3 Plan, DA 102, Issue D dated 11.08.16;
- Basement 2 Plan, DA 103, Issue D dated 11.08.16;
- Basement 1 Plan, DA 104, Issue D dated 11.08.16;
- Level 1 Plan, DA 105, Issue C dated 11.08.16;
- Level 2 Plan, DA 106, Issue C dated 11.08.16;
- Level 3 Plan, DA 107, Issue C dated 11.08.16;
- Level 4 Plan, DA 108, Issue C dated 11.08.16;
- Level 5 Plan, DA 109, Issue C dated 11.08.16;
- Level 6 Plan, DA 110, Issue C dated 11.08.16;
- Level 7 Plan, DA 111, Issue C dated 11.08.16;
- Level 8 Plan, DA 112, issue C dated 11.08.16;
- Roof Plan, DA 113, Issue C dated 11.08.16;
- Elevations-S, DA 203, Issue C dated 11.08.16;
- Elevations – SW & W, DA 204, Issue C dated 11.08.16;
- Section AA & BB, DA 205, Issue C dated 11.08.16;
- Section CC & DD, DA 206, Issue C dated 11.08.16;
- External Materials, Finishes & Colour Board for Amended Development Application (undated)
- Landscape Plan, DA-1582-01, Issue C, dated 13.09.2016;
- Existing Trees Plan, DA-1582-02, Issue C, dated 13.09.2016;
- Courtyard Plan, DA-1582-03, Issue C, dated 13.09.2016;
- Sections, DA-1582-04, Issue B, dated 29.02.2016.

and except as amended by the following conditions.

2. Amended plans and specifications incorporating the following amendments are to be submitted with the application for a Construction Certificate:

Details of fencing to comply with the requirements of Section 3.7 of Part C of Lane Cove DCP 2010.

3. The submission of a Construction Certificate and its issue by Council or Private Certifier PRIOR TO CONSTRUCTION WORK commencing.
4. All building works are required to be carried out in accordance with the provisions of the Building Code of Australia.
5. The approved plans must be submitted to a Sydney Water Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site www.sydneywater.com.au see Your Business then Building & Developing then Building & Renovating or telephone 13 20 92.

The consent authority or a private accredited certifier must:-

- Ensure that a Quick Check agent/Sydney Water has appropriately stamped the plans before the issue of any Construction Certificate.
6. Approval is subject to the condition that the builder or person who does the residential building work complies with the applicable requirements of Part 6 of the Home Building Act 1989 whereby a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy Council or the PCA that they have complied with the applicable requirements of Part 6. **Council as the PCA will not release the Construction Certificate until evidence of Home Owners Warranty Insurance or an owner builder permit is submitted.** THE ABOVE CONDITION DOES NOT APPLY TO COMMERCIAL/INDUSTRIAL CONSTRUCTION, OWNER BUILDER WORKS LESS THAN \$5,000 OR CONSTRUCTION WORKS LESS THAN \$20,000.
 7. An Occupation Certificate being obtained from the Principal Certifying Authority before the occupation of the building.
 8. The payment of a contribution for additional persons in accordance with Council's Section 94 contributions plan. This payment being made prior to the issue of construction certificate and is to be at the current rate at time of payment. The amount is **\$1,475,000.00** at the current rate of \$10,000.00 per person (2016-2017). Note: payment must be in bank cheque. Personal cheques will not be accepted.

This contribution is for community facilities, open space/ recreation and road under the lane cove Section 94 Contributions Plan which is available for inspection at the Customer Service Counter, Lane Cove Council, 48 Longueville Road, Lane Cove.

Note:

The Section 94 Contribution is calculated in the following manner:

No. of bedrooms	S94 per dwelling	Required contribution
35 x 1 bedroom	\$10,000/person x 1.2 person/dwelling = \$12,000	\$420,000 (35x\$12,000)
44 x 2 bedroom	\$10,000/person x 1.9 person/dwelling = \$19,000	\$836,000 (44 x \$19,000)
6 x 3 bedroom	\$10,000 x 2.4 person/dwelling = \$24,000 = \$20,000.00 (cap)	\$280,000 (14 x \$20,000)
Total		\$1,536,000

A credit of \$61,000 for the construction of a public footpath along Taylors Lane and the dedication of land required for same is applicable and has been deducted from the calculation of the Section 94 Contribution.

Total Section 94 Contribution payable **\$1,475,000.00 (\$1,536,000-\$61,000).**

9. **Hours of Building Works for a Major Residential Flat Building**

All demolition, building construction work, including earthworks, deliveries of building materials to and from the site to be restricted as follows:-

Monday to Friday (inclusive)	7am to 5.30pm <u>High noise generating activities, including rock breaking and saw cutting must not be carried out continuously for longer than 3 hours without a 1 hour break.</u>
Saturday	8am to 12 noon with NO excavation, haulage truck movement, rock picking, sawing, jack hammering or pile driving to be undertaken. Failure to fully comply will result in the issue of a breach of consent P.I.N.
Sunday	No work Sunday or any Public Holiday.

A Notice/Sign showing permitted working hours and types of work permitted during those hours, including the applicant's phone number, project manager or site foreman, shall be displayed at the front of the site.

10. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by water to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.
11. The development shall be conducted in such a manner so as not to interfere with the amenity of the neighbourhood in respect of noise, vibration, smell, dust, waste water, waste products or otherwise.
12. All advertising signs/structures being the subject of a separate development application.
13. The provision of 154 on-site car parking spaces and 10 motor bike parking spaces for the use of the development at all times.

14. A "Fire Safety Schedule" specifying the fire safety measures that are currently implemented in the building premises and the fire safety measures proposed or required to be implemented in the building premises as required by Clause 168 – Environmental Planning & Assessment Regulation 2000 are to be submitted and approved **PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**.
15. Depositing or storage of builder's materials on the footpath or roadways within the Municipality without first obtaining approval of Council is PROHIBITED.
- Separate approval must be obtained from Council's Works and Urban Services Department PRIOR TO THE PLACEMENT of any building waste container ("Skip") in a public place.
16. Prior to the commencement of any construction work associated with the development, the Applicant shall erect a sign(s) at the construction site and in a prominent position at the site boundary where the sign can be viewed from the nearest public place. The sign(s) shall indicate:
- a) the name, address and telephone number of the Principal Certifying Authority;
 - b) the name of the person in charge of the construction site and telephone number at which that person may be contacted outside working hours; and
 - c) a statement that unauthorised entry to the construction site is prohibited.
- The signs shall be maintained for the duration of construction works.
17. The cleaning out of ready-mix concrete trucks, wheelbarrows and the like into Council's gutter is PROHIBITED.
18. Where Lane Cove Council is appointed as the Principal Certifying Authority, it will be necessary to book an inspection for each of the following stages during the construction process. Forty eight (48) hours notice must be given prior to the inspection being required:-
- a) All reinforcement prior to filling with concrete.
 - b) Framework including roof and floor members when completed and prior to covering.
 - c) Installation of steel beams and columns prior to covering.
 - d) Waterproofing of wet areas.
 - e) Stormwater drainage lines prior to backfilling.
 - f) Completion.
19. Structural Engineer's details being submitted PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE for the following:-
- a) retaining walls;
 - b) footings;
 - c) reinforced concrete work;
 - d) structural steelwork;
 - e) upper level floor framings.
20. All metal deck roofs being of a ribbed metal profile or colourbond corrugated galvanised or zincalume iron, in a mid to dark colour range.
21. A check survey certificate is to be submitted at the completion of:

- a The establishment of each floor level prior to pouring concrete
- b The roof framing; and
- c The completion of works.

Note: All levels are to relate to the reduced levels as noted on the approved architectural plans and should be cross-referenced to Australian Height Datum.

22. The removal, handling and disposal of asbestos from building sites being carried out in accordance with the requirements of the Occupational Health and Safety Act and the Regulations. Details of the method of removal to be submitted PRIOR TO COMMENCING ANY DEMOLITION WORKS.
23. The use of mechanical pick machines:
 - (a) The use of mechanical rock pick machines on building sites is prohibited due to the potential for damage to adjoining properties.
 - (b) Notwithstanding the prohibition under condition (a), the principal certifying authority may approve the use of rock pick machines providing that:-
 - (1) A Geotechnical Engineer's Report that indicates that the rock pick machine can be used without causing damage to the adjoining properties.
 - (2) The report details the procedure to be followed in the use of the rock pick machine and all precautions to be taken to ensure damage does not occur to adjoining properties.
 - (3) With the permission of the adjoining owners and occupiers comprehensive internal and external photographs are to be taken of the adjoining premises for evidence of any cracking and the general state of the premises PRIOR TO ANY WORK COMMENCING. Where approval of the owners/occupiers is refused they be advised of their possible diminished ability to seek damages (if any) from the developers and where such permission is still refused Council may exercise its discretion to grant approval.
 - (4) The Geotechnical Engineer supervises the work and the work has been carried out in terms of the procedure laid down.

COMPLIANCE WITH THE REQUIREMENTS OF THIS CONDITION MUST BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE.

24. The proposed works must be confined within the boundaries of the site.
25. The site must be cleared of all debris and left in a clean and tidy condition at the completion of all works.
26. All machinery used on the site during demolition shall have a noise emission no greater than 75dB(A) when measured at a radius of 7.0 metres from the specified item.

27. All spillage deposited on the footpaths or roadways to be removed at the completion of each day work.
28. The site being properly fenced to prevent access of unauthorised persons outside of working hours.
29. Compliance with the Construction Waste Minimisation Plan prepared by Jones Nicholson Consulting Engineers and the Waste Management Plan prepared by Elephants Foot submitted with the development application.
30. It should be understood that this consent in no way relieves the owners or applicant from any obligation to obtain any other approval which may be required under any covenant affecting the land or otherwise nor relieve a person from the legal civil consequences of not complying with any such covenant.
31. Lane Cove Council charges a fee of \$36 for the registration of any Part 4A Certificates (compliance, construction, occupation or subdivision certificates) issued by an accredited certifier under the Environmental Planning and Assessment Act.
32. **Long Service Levy** – Compliance with Section 109F of the *Environmental Planning and Assessment Act 1979*; payment of the Long Service Levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or, where such a levy is payable by instalments, the first instalment of the levy) – All building works in excess of \$25,000 are subject to the payment of a Long Service Levy at the rate of 0.35%.

COMPLIANCE WITH THE REQUIREMENTS OF THIS CONDITION MUST BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE.

33. **BASIX** – Compliance with all the conditions of the amended BASIX Certificate (No. 706267M_02 dated 17/8/16) lodged with Council as part of this application.
34. Access and parking spaces for disabled persons is to be provided in accordance with Part D.3 of the Building Code of Australia.
35. **Prior to the issue of an Occupation Certificate**, the applicant must make written application to Council for the provision of domestic waste services.
36. (24) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

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

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

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the plan of subdivision.

37. (139) A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority PRIOR TO THE CONSTRUCTION CERTIFICATE BEING ISSUED.
38. A 1.5m wide concrete footpath is to be constructed along the full length of the property frontage to Taylors Lane generally as shown on plan nos. DA 104 and 105. The footpath and all associated works are to be constructed at no cost to Council. Detailed design plans are to be submitted to and approved by Council as the Roads Authority prior to issue of any Construction Certification for the development. The land required for the footpath is to be dedicated to Lane Cove Council as public road prior to the issuing of any Occupation Certificate. In accordance with Condition 8, a S.94 credit for the land required for the construction of the public footpath along Taylors Lane is applicable .

General Engineering Conditions

39. **(A1) Design and Construction Standards:** All engineering plans and work shall be carried out in accordance with Council's standards and relevant development control plans except as amended by other conditions.
40. **(A2) Materials on Roads and Footpaths:** Where the applicant requires the use of Council land for placement of building waste, skips or storing materials a "*Building waste containers or materials in a public place*" application form is to be lodged. Council land is not to be occupied or used for storage until such application is approved.
41. **(A3) Works on Council Property:** Separate application shall be made to Council's Urban Services Division for approval to complete, any associated works on Council property. This shall include vehicular crossings, footpaths, drainage works, kerb and guttering, brick paving, restorations and any miscellaneous works. Applications shall be submitted **prior to the start of any works on Council property.**
42. **(A4) Permit to Stand Plant:** Where the applicant requires the use of construction plant on the public road reservation, an "*Application for Standing Plant Permit*" shall be made to Council. Applications shall be submitted and approved **prior to the start of any related works.** Note: allow 2 working days for approval.
43. **(A5) Restoration:** Public areas must be maintained in a safe condition at all times. Restoration of disturbed Council land is the responsibility of the applicant. All costs associated with restoration of public land will be borne by the applicant.
44. **(A6) Public Utility Relocation:** If any public services are to be adjusted, as a result of the development, the applicant is to arrange with the relevant public utility authority the alteration or removal of those affected services. All costs associated with the relocation or removal of services shall be borne by the applicant.
45. **(A7) Pedestrian Access Maintained:** Pedestrian access, including disabled and pram access, is to be maintained throughout the course of the construction as per AS-1742.3, '*Part 3 - Traffic control devices for works on roads*'.

46. **(A8) Council Drainage Infrastructure:** The proposed construction shall not encroach onto any existing Council stormwater line or drainage easement. If a Council stormwater line is located on the property during construction, Council is to be immediately notified. Where necessary the stormwater line is to be relocated to be clear of the proposed building works. All costs associated with the relocation of the stormwater line are to be borne by the applicant.
47. **(A9) Services:** Prior to any excavation works, the location and depth of all services must be ascertained. All costs associated with adjustment of the public utility will be borne by the applicant.
48. **(B1) Council infrastructure damage bond:** The applicant shall lodge with Council a \$100,000 cash bond or bank guarantee. The bond is to cover the repair of damage or outstanding works to Council's roads, footpaths, kerb and gutter, drainage or other assets as a result of the development. The bond will be released upon issuing of the Occupation Certificate. If Council determines that damage has occurred as a result of the development, the applicant will be required to repair the damage. Repairs are to be carried out within 14 days from the notice. All repairs are to be carried in accordance with Council's requirements. The full bond will be retained if Council's requirements are not satisfied. Lodgement of this bond is required **prior to the commencement of any demolition works.**
49. **(H3) Heavy Vehicle Duty Employee and Truck Cleanliness:** The applicant shall
- Inform in writing all contractors of Council's requirements relating to truck cleanliness leaving the site.
 - Keep a register of all contractors that have been notified, the register is to be signed by each contractor. The register must be available for access by Council officers at all times.
 - Place an employee within close proximity of the site exit during site operation hours to ensure that all outgoing heavy vehicles comply with Council's requirements. This employee shall liaise with heavy vehicle drivers and provide regular written updates to drivers on the conditions of entry to the subject site.
- Those drivers who have been determined to continually not comply with Council's requirements, either by the developer or authorised Council officers, shall not be permitted re-entry into the site for the duration of the project.
50. **(H4) Truck Shaker:** A truck shaker ramp must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass the truck shaker. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.
51. **(D7) Safety fence along the boundary of the property:** Before commencement of any works, barrier or temporary fencing is to be provided along the full frontage of the property. This fence is for the safety of pedestrians on the public footpath.
52. **(H5) Covering Heavy Vehicle Loads:** All vehicles transporting soil material to or from the subject site shall ensure that the entire load is covered by means of a tarpaulin or similar material. The vehicle driver shall be responsible for ensuring that dust or dirt particles are not deposited onto the roadway during transit. It is a requirement under the Protection of the Environment Operations (Waste) Regulation, 1996 to ensure that all loads are adequately covered, and this shall be strictly enforced by Council's ordinance inspectors. Any breach of this legislation is subject to a "*Penalty Infringement Notice*" being issued to the drivers of those vehicles not in compliance with the regulations.

53. **(O1) Positive Covenant Bond:** The applicant shall lodge with Council a \$2,000.00 cash bond to cover the registration of a Positive Covenant over the on-site detention system. Lodgement of this bond is required **prior to the issue of the Construction Certificate**.
54. **(O2) Positive Covenant OSD:** Documents giving effect to the creation of a positive covenant over the on-site detention system shall be registered on the title of the property **prior to the issue of the Occupation Certificate**. The wording of the terms of the positive covenant shall be in accordance with Part O, Council's DCP-Stormwater Management.
55. **(O3) On-Site Stormwater Detention System - Marker Plate:** The on-site detention system shall be indicated on the site by fixing a marker plate. This plate is to be of minimum size: 100mm x 75mm and is to be made from non-corrosive metal or 4mm thick laminated plastic. It is to be fixed in a prominent position to the nearest concrete or permanent surface or access grate. The wording on the marker plate is described in part O Council's DCP-Stormwater Management. An approved plate may be purchased from Council's customer service desk.
56. **(O4) On-Site Stormwater Detention Tank:** All access grates to the on- site stormwater detention tank are to be hinged and fitted with a locking bolt. Any tank greater than 1.2 m in depth must be fitted with step irons.
57. **(K2) Cast in Situ Drainage Pits:** Any drainage pit within a road reserve, a Council easement, or that may be placed under Council's control in the future, shall be constructed of cast in situ concrete and in accordance with Part O Council's DCP- Stormwater Management.
58. **(O4) On-Site Stormwater Detention Tank:** All access grates to the on site stormwater detention tank are to be hinged and fitted with a locking bolt. Any tank greater than 1.2 m in depth must be fitted with step irons.
59. **(F1) Overland Flow around below ground structures:** To prevent stormwater from entering the basement carpark, a driveway crest or equivalent is required above 1 in 100 year flood level or 150mm above the top of the kerb (a crest up before descent on an access driveway) is required in order to prevent basement car park areas from flooding.
60. **(R1) Rainwater Reuse Tanks:** The proposed rainwater tank is to be installed in accordance with Council's rainwater tank policy and relevant Australian standards.
Note:
 - Rainwater draining to the reuse tank is to drain from the roof surfaces only. No "on - ground" surfaces are to drain to the reuse tank. "On - ground" surfaces are to drain via a separate system.
 - Mosquito protection & first flush device shall be fitted to the reuse tank.
 - The overflow from the rainwater reuse tank is to drain by gravity to the receiving system.
61. **(T1) Design of Retaining Structures:** All retaining structures greater than 1m in height are to be designed and certified for construction by a suitably qualified engineer. The structural design is to comply with, all relevant design codes and Australian Standards. The design and certification shall be submitted to the Principal Certifying Authority **prior to the issue of the Construction Certificate**.

62. **(S1) Stormwater Requirement:** The following details need to be added to the amended stormwater design plans:
- Stormwater shall be directed to Council Pipe located within the easement via a construction of a stormwater pit over the pipeline.
 - discharge of stormwater by direct connection to the existing Council stormwater pipe within the easement;
 - compliance with the objectives and performance requirements of the BCA Report;
 - provision of a rainwater tank with a of capacity of 5,000 litres to collect roof water only and overflows directed to the OSD;
 - rainwater tank is connected to all external non-potable water uses such as landscaping and pool top-ups;
 - provision of a Gross Pollutant Pit inside the private property;
 - provision of OSD capacity of 80m³.
 - basement car park is to be water proofed to prevent seepage flows;
 - gross Pollutant Trap is provided

The design and construction of the drainage system is to fully comply with AS-3500 and Part O Lane Cove DCP 2010 -Stormwater Management. The design shall ensure that the development, either during construction or upon completion, does not impede or divert natural surface water so as to have an adverse impact upon adjoining properties.

Engineering conditions to be complied with prior to Construction Certificate

63. **(D2) Drainage Plans Amendments:** The stormwater drainage concept prepared by Jones Nicholson Consulting Engineers Reference No. 20160145 and drawings numbered C002 to C004 Revision 0 Dated 03 Mar 2016 is to be amended to reflect the above condition titled 'Stormwater requirement'. The amended design is to be certified that it fully complies with, AS-3500 and part O Council's DCP-Stormwater Management; certification is to be by a suitably qualified engineer. The amended plan and certification shall be submitted to the Principal Certifying Authority **prior to the issue of the Construction Certificate**.

The Principal Certifying Authority is to be satisfied that the amendments have been made in accordance with the conditional requirements and the amended plans are adequate for the purposes of construction. They are to determine what details, if any, are to be added to the construction certificate plans, in order for the issue of the Construction Certificate.

64. **(V8) Car Parking:** All parking and associated facilities are to be designed and constructed in accordance with AS 2890 Series. The following plans shall be prepared and certified by a suitably qualified engineer demonstrating:
- Longitudinal section along the extreme wheel paths of the driveway/access ramp at a scale of 1:20 demonstrating compliance with the scaping provisions of AS2890.1. It shall include all levels and grades, including those levels stipulated at boundary levels, both existing and proposed. It shall extend from the centre line of the roadway through to the parking area.
 - Sections showing the clearance to the underside of any overhead structure demonstrating compliance with the clearance provisions of AS2890.1.

The design is to be certified that it fully complies with AS 2890 Series and Council's standards and specifications. The design and certification shall be submitted to the Principal Certifying Authority **prior to the issue of the Construction Certificate**.

65. **(T1) Design of Retaining Structures:** All retaining structures greater than 1m in height are to be designed and certified for construction by a suitably qualified engineer. The structural design is to comply with, all relevant design codes and Australian Standards. The design and certification shall be submitted to the Principal Certifying Authority **prior to the issue of the Construction Certificate**.
66. **(D1) Excavation Greater Than 1m:** Where there are structures on adjoining properties including all Council infrastructures, located within 5 metres of the proposed excavation. The applicant shall:-
- (a) seek independent advice from a suitably qualified engineer on the impact of the proposed excavations on the adjoining properties
 - (b) detail what measures are to be taken to protect those properties from undermining during construction
 - (c) provide Council with a certificate from the engineer on the necessity and adequacy of support for the adjoining properties

The above matters are to be completed and documentation submitted to principal certifying authority **prior to the issue of the Construction Certificate**.

- (d) Provide a dilapidation report of the adjoining properties and Council infrastructure. The dilapidation survey must be conducted **prior to the issue of the Construction Certificate**. The extent of the survey must cover the likely "zone of influence" that may arise due to excavation works, including dewatering and/or construction induced vibration. The dilapidation report must be prepared by a suitably qualified engineer. A second dilapidation report, recording structural conditions of all structures originally assessed shall be submitted to the principle certifying authority **prior to the issue of the Occupation Certificate**.

All recommendations of the suitably qualified engineer are to be carried out during the course of excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before the excavation works commence.

67. **(D2) Geotechnical Report:** A geotechnical report is to be completed for the excavation and ground water impacts associated with this development. The Geotechnical Report and supporting information are to be prepared by a suitably qualified geotechnical engineer and be submitted to Principle Certifying Authority **prior to issue of a Construction Certificate**.
68. **(D3) Geotechnical Monitoring Program:** Excavation works associated with the proposed development must be overseen and monitored by a suitably qualified engineer. A Geotechnical Monitoring Program shall be submitted to the principle certifying authority **prior to issue of a Construction Certificate**. The Geotechnical Monitoring Program must be produced by suitably qualified engineer ensuring that all geotechnical matters are regularly assessed during construction.

The Geotechnical Monitoring Program for the construction works must be in accordance with the recommendations of the Geotechnical Report and is to include

- Recommended hold points to allow for inspection by a suitably qualified engineer during the following construction procedures;
 - Excavation of the site (face of excavation, base, etc)
 - Installation and construction of temporary and permanent shoring/ retaining walls.
 - Foundation bearing conditions and footing construction.
 - Installation of sub-soil drainage.
- Location, type and regularity of further geotechnical investigations and testing.

Excavation and construction works must be undertaken in accordance with the Geotechnical and Monitoring Program.

69. **(D4) Construction Methodology Report:** There are structures on neighbouring properties that are deemed to be in the zone of influence of the proposed excavations. A suitably qualified engineer must prepare a Construction Methodology report demonstrating that the proposed excavation will have no adverse impact on any surrounding property and infrastructure. The report must be submitted to Principal Certifying Authority **prior to issue of a Construction Certificate**. The details must include a geotechnical report to determine the design parameters appropriate to the specific development and site.

The Report must include recommendations on appropriate construction techniques to ameliorate any potential adverse impacts. The development works are to be undertaken in accordance with the recommendations of the Construction Methodology report.

70. **(D5) Dilapidation Report** The applicant is to provide a dilapidation report of all adjoining properties and any of Councils infrastructure located within the zone of influence of the proposed excavation. The dilapidation report must be conducted by a suitably qualified engineer **prior to the commencement of any demolition, excavation or construction works**. The extent of the survey must cover the zone of influence that may arise due to excavation works, including dewatering and/or construction induced vibration. The Initial dilapidation report must be submitted to Principal Certifying Authority **prior to issue of a Construction Certificate**.

A second dilapidation report, recording structural conditions of all structures originally assessed prior to the commencement of works, must be carried out at the completion of the works and be submitted to Principle Certifying Authority **prior to issue of an Occupation Certificate**.

71. **(D6) Certification of Retaining Structures and Excavations:** A suitably qualified engineer shall provide certification to the principal certifying authority that all retaining structures and excavations have been carried out;
- In accordance with Geotechnical Report, prepared by Alliance, Ref No. E22928 GA, dated 10th March 2016;
 - In accordance with the relevant Australian Standards and Codes of Practise.

The certification and a complete record of inspections, testing and monitoring (with certifications) must be submitted to the principal certifying authority **prior to the issue of the Occupation Certificate**.

72. **(H1) Road Dilapidation Survey:** The applicant shall prepare a dilapidation survey and a dilapidation report detailing the existing state of repair / condition of the road surfaces along Pacific Highway, Longueville Road, Burley Street and Taylors Lane and adjacent to the site. The survey and report need to be submitted to the Council prior to the issue of the first **Construction Certificate**.
Following completion of construction of the development and **prior to the issue of the first Occupation Certificate**, the applicant is to prepare a second dilapidation survey and a dilapidation report that includes details of all changes and damage caused to the surface of the said public roads as a consequence truck movements associated with the construction of the development. The Council may apply funds realised from the security referred to in applicable condition to meet the cost of making good any damage caused to the surface of the said public road as a consequence truck movements associated with the construction of the development to which the consent relates. The dilapidation surveys and reports must be prepared by an engineer registered with the Institute of Engineers.
73. **(V4) Car Parking and layout Certification:** The plans and supporting calculations of the internal driveway, turning areas, ramps, garage opening widths, parking space dimensions and any associated vehicular manoeuvring facilities shall be submitted to the Principal Certifying Authority and is to include the following amendments:
- Waiting bay of 2 car space length needs to be provided within the site as per the queuing analysis model.
- The plans shall be prepared and certified by a suitably qualified engineer. The design is to be certified that it fully complies with AS 2890 Series and Council's standards and specifications. The design and certification shall be submitted to the Principal Certifying Authority **prior to the issue of the Construction Certificate**.
74. **(V1) Proposed Vehicular Crossing:** The proposed vehicular crossing is to be as far 27m from the Pacific Hwy as possible and shall be constructed to the specifications and levels issued by Council. A '*Construction of a Multi Unit Footpath Crossing*' application shall be submitted to Council **prior to the issue of the Construction Certificate**. All works associated with the construction of the crossing shall be completed **prior to the issue of the Occupation Certificate**.
75. **(A10) Boundary Levels:** The levels of the street alignment shall be obtained from Council. These levels are to be incorporated into the design of the internal pavements, car parking, landscaping and stormwater drainage plans and shall be obtained **prior to the issue of the Construction Certificate**. Note: The finished floor level of the proposed basement shall be determined by Council if required.
76. **(A11) Work Zone:** A Traffic Construction Management Plan and an application for a Work Zone adjacent the development shall be submitted to and approved by Lane Cove Council **prior to the commencement of the demolition and prior to any works that require construction vehicle and machinery movements to and from the site**. If the development has access to a State Road, the Construction Management Plan and Work Zone need to be referred to RMS for approval. The approval of the Traffic Construction Management Plan and application for a Work Zone by Council's Traffic Section must be submitted to the Principal Certifying Authority **prior to the issue of the Construction Certificate**.

77. **(K1) Council Construction Requirements:** The applicant shall construct / reconstruct the following:
1. A 1.5m wide footpath adjacent the entire frontage of Longueville Road, Pacific Highway and Burley Street frontages to Council's satisfaction.
 2. Replace or reinstate kerb and gutter along the entire frontage of Taylors Lane, Longueville Road, Pacific Highway and Burley Street frontages to Council's satisfaction;
 3. Reinstate all adjustments to the road surfaces to Council's satisfaction.
 4. Reinstate all existing nature-strips with turf and soil to Council's satisfaction.
 5. Provision of a raised coloured pavement threshold within Taylors Lane at the entry to 11-13 Longueville Road and the loading dock of 2-4 Burley Street.
 6. Installation of a "Give Way" sign facing 11-13 Longueville Road and the proposed loading dock at 2-4 Burley Street.
 7. Construction of a 1.5m wide concrete footpath along the Taylors Lane frontage on the subject site as detailed in Condition 38 to connect the existing footpath on Taylors Lane west of the site and the existing footpath along the western side of Burley Street. This footpath is to be the same level as the proposed raised coloured pavement thresholds such that no pram ramps will be required.

A \$20,000 cash bond or bank guarantee shall be lodged with Council to cover the satisfactory construction of the above requirements. Lodgement of this bond is required prior to the issue of the Construction Certificate. The Bond will be held for a period of six months after satisfactory completion of the works. All works shall be carried out prior to the issue of the Occupation Certificate. All costs associated with the construction of the above works are to be borne by the applicant.

78. **(K4) Council Inspection Requirements:** The following items shall require Council inspections.
- All new footpaths on Council Property
 - New kerb and gutter on Council Property
 - All asphalt adjustments to the roadway
 - All the approved stormwater drainage works on Council property

Each item is to be inspected prior to the pouring of any concrete (formwork) and on completion of the construction. An initial site meeting is to be conducted with Council and the contractor prior to the commencement of any of the above works to allow for discussion of Council construction / setout requirements.

An Inspection fee of \$580.00 is to be paid **prior to the issue of the Construction Certificate.**

79. **(C1) Erosion and Sediment Control Plan:** An *Erosion and Sediment Control Plan* (ESCP) shall be prepared by a suitably qualified consultant in accordance with the guidelines set out in the manual "*Managing Urban Stormwater, Soils and Construction Fourth Edition 2004 Volume 1*" prepared by LANDCOM. The plan is to be submitted to the principal certifying authority to **prior to the issue of the Construction Certificate**

Engineering condition to be complied with prior to commencement of construction

80. **(C2) Erosion and Sediment Control:** The applicant shall install appropriate sediment control devices **prior to the start of any works on the site.** The devices are to be installed in accordance with the approved plan satisfying condition '(C1) *Erosion and sediment control*'. The devices shall be maintained during the construction period and replaced when necessary.

Engineering Condition to be complied with prior to Occupation Certificate

81. **(M1) Stormwater System Engineering Certification:** On completion of the drainage system a suitably qualified engineer shall certify that the drainage system has been constructed in accordance with the approved plans, part O Council's DCP-Stormwater Management and AS-3500. The certification is to include a work as executed plan. The work as executed plan shall:
- (a) be signed by a registered surveyor, &
 - (b) Clearly show the surveyor's name and the date of signature.

All documentation is to be submitted to the Principle Certifying Authority **prior to the issue of the Occupation Certificate.**

82. **(V3) Redundant Gutter Crossing:** All redundant gutter and footpath crossings shall be removed and the kerb, gutter and footpath reinstated to the satisfaction of Council's Urban Services Division. These works shall be carried out **prior to the issue of the Occupation Certificate.**

83. **(D6) Certification of Retaining Structures and Excavations:** A suitably qualified engineer shall provide certification to the principal certifying authority that all retaining structures and excavations have been carried out in accordance with the relevant Australian Standards and Codes of Practise.

The certification and a complete record of inspections, testing and monitoring (with certifications) must be submitted to the principal certifying authority **prior to the issue of the Occupation Certificate.**

84. **(O2) Positive Covenants OSD and Pump Out System:** Documents giving effect to the creation of a positive covenants over the on-site detention system and over the basement pump out system shall be registered on the title of the property **prior to the issue of the Occupation Certificate.** The wordings of the terms of the positive covenants shall be in accordance with part O Council's DCP-Stormwater Management.

Landscaping Conditions

85. Detailed landscape working drawings for construction prepared by showing sections, elevations and landscape profiles and specifications consistent with Council's Landscape Checklist and complying in all respects with the conditions of the development consent are to be submitted to the Principal Certifying Authority (PCA) prior to the issue of a Construction Certificate. Each plan or drawing is to be certified by a qualified landscape architect, environmental designer or horticulturist. The drawings must show treatment of the common open space areas, side and rear setbacks and full construction details of balconies and on-structure plantings, sections illustrating all raised areas with soil profiles, volumes and specified planting media in keeping with Lane Cove DCP 2010 requirements for on-structure planting volumes, any decking, raised screening or general landscaping/irrigation treatments.
86. A sufficient number of locally indigenous groundcovers and low shrubs species must be planted at appropriate distances and depths, to eliminate bare mulched gardens areas within twelve (12) months of completion of all landscaping works. Where screen planting is required throughout the development, plants must have a height of 2 m at planting

87. All landscape works is to be completed to a professional standard, free of any hazards or unnecessary maintenance problems and that all plants are consistent with NATSPEC specifications
88. The proposed tree plantings are to have a mature height of no less than 6 m at maturity, to be installed in pot sizes no smaller than 75 litres in accordance with the Landscape Plans prepared by Sturt Noble and Associates Issue C dated 13.09.2016 and Sections Issue B dated 29.02.2016.
89. Item 10 (Feature Tree) shown on the courtyard plan Issue C dated 13.09.2016 in the northern corner must be a large scale native canopy tree such a 100l Angophora costata and must be detailed for construction to provide adequate soil volumes as per Lane Cove DCP 2010 Part J to support such a tree.
90. A qualified landscape architect, landscape/environmental designer or horticulturist is to certify that the proposed subsoil drainage and any associated waterproofing membrane, have been installed in accordance with the details shown on the landscape working drawings and specification. Works are not to progress until the principal certifying authority has confirmed that this condition has been satisfied.
91. A landscape practical completion report prepared by a qualified landscape architect, landscape/environmental designer or horticulturist is to be submitted to the Principal Certifying Authority within 7 working days of the date of practical completion of all landscape works. This report is to certify that all landscape works have been completed in accordance with the approved landscape working drawings. A copy of this report is to accompany a request for the issue of an Occupation Certificate.
92. Prior to the issue an Occupation Certificate, the applicant/developer is to submit evidence of an agreement for the maintenance of all site landscaping by a qualified horticulturist, landscape contractor or landscape architect, for a period of 12 months from date of issue.
93. At the completion of the maintenance period, the consultant landscape architect, landscape/environmental designer or horticulturist is to submit a report to the Principal Certifying Authority, certifying that all plant material has been successfully established and that all of the outstanding maintenance works or defects have been rectified prior to preparation of the report and that a copy of the 12 month landscape maintenance strategy has been provided to the Strata Managers /Owners/ Occupiers.

Tree Management Conditions

94. (300) Lane Cove Council regulates the **Preservation of Trees and Vegetation** in the Lane Cove local government area. Clause 5.9(3) of *Lane Cove Local Environmental Plan 2009* [the "LEP"], states that a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by development consent or a permit granted by the Council. Removal and/or pruning of trees or vegetation protected by the regulation is an offence against the Environmental Planning and Assessment Act 1979 (NSW). The maximum penalty that may be imposed in respect to any such offence is \$1,100,000. The co-operation of all residents is sought in the preservation of trees in the urban environment and protection of the bushland

character of the Municipality. All enquiries concerning the Preservation of Trees and Vegetation must be made at the Council Chambers, Lane Cove.

95. (302) The applicant must obtain a Tree Preservation Order Work Authority prior to removal of any trees designated for retention. A permit must also be obtained prior to pruning of any tree including the cutting of tree roots greater than 40mm in diameter.
96. (354) Bulk excavation or excavation for strip footings, service lines including storm water lines or sewer lines is **NOT PERMITTED** within 3m of any tree designated for retention including neighbouring trees. If approved excavation work is required within 3m of the trunk of trees, this work must be carried out using hand held tools only with no tree roots greater than 40mm diameter to be severed or damaged.
97. (303) There must be no stockpiling of topsoil, sand, aggregate, spoil or any other construction material or building rubbish on any nature strip, footpath, road or public open space park or reserve.
98. (317) The two remaining Brushbox street trees known as Trees 34 & 40 must be retained and protected. A 1.8m high chain mesh fence shall be erected a radial distance of not less than 1.2m from the trunk of these two street trees. The tree protection zones shall not be used for the storage of building materials, machinery, site sheds, or for advertising and soil levels within the tree protection zones shall remain undisturbed.
99. (new) The owner of the property shall bear the responsibility and cost of removing the two (2) Brushbox street trees known as Tree 41 & Tree 42 including grinding out of the stumps.
100. (new) Trees numbered 1 to 22 must be retained and protected; except Trees numbered 3- 3A and 13, which may be removed. These trees must be protected for the duration of the development. A 1.8m high chain mesh fence shall be erected a radial distance of not less than 2.4m from the trunk of the twenty three trees. The tree protection zones shall not be used for the storage of building materials, machinery, site sheds, or for advertising and soil levels within the tree protection zones shall remain undisturbed.
101. (new) All trees designated for retention and protection must be tagged by the site arborist prior to commencement of works. The identification tags must show the tree species, tree number and tree protection specifications for each individual tree. The tags must be placed on each tree at 1.6m from ground level and be in legible size for examination. The tags must remain on the trees for the duration of the development works including landscape construction. The arborist shall certify that all trees have been tagged correctly and this certification must be obtained by the Private Certifier prior to commencement of works on the site.
102. (new) A waterproof sign must be placed on all tree protection zones stating 'NO ENTRY TREE PROTECTION ZONE – this fence and sign are not to be removed or relocated for the work duration.' Minimum size of the sign is to be A3 portrait with NO ENTRY TREE PROTECTION ZONE in capital Arial Font size 100, and the rest of the text in Arial font size 65.
103. (new) All tree protection measures and signage must be erected **PRIOR TO COMMENCEMENT OF WORK**. This includes demolition or site preparation work and, tree protection measures must remain in place for the duration of the development including construction of the driveway crossing.

STREET TREE BOND

104. (new) Pursuant to Section 80A(6)(a) and (7) of the Environmental Planning and Assessment Act 1979, the applicant must, prior to the issue of the first construction certificate, provide security in the amount of **\$15,000** (by way of cash deposit with the Council, or a guarantee satisfactory to the Council) to ensure Council's two (2) remaining **Brushbox** street trees located on the public road reserve immediately adjoining the land subject to this development consent is protected during development.

Council may apply funds realised from the security to meet the cost of making good any damage caused, as a consequence of the doing of anything to which this development consent relates, to the said trees. If the cost of making good any damage exceeds the amount of the security provided by the applicant, additional security must be provided by the applicant to the Council to cover the cost of making good the damage.

The applicant shall contact Council to have the street tree inspected following issue of the final Occupation Certificate to trigger release of the street tree bond

Traffic Management Conditions

105. The proposed Car Park design shall comply with AS 2890.1-2004. This includes all parking access, spaces, ramps, aisles, disabled parking and loading areas. All other aspects of the Car Parking areas are required to comply with AS 2890.2-2002 for Loading Facilities and Service Vehicles (car parking spaces comply with Council's requirements).
106. All accessible car spaces in the public car park are to be adequately signposted and line marked, and provided in accordance with AS2890.6: 2009 including the adjacent shared space and the height clearance.
107. The garbage collection area is to be clearly signposted and line marked, and provided in accordance with AS2890.2: 2002. On site garbage collection must be provided for with sufficient headroom and to allow the vehicle to enter and exit in a forward direction.
108. The developer is required to install a raised threshold at the driveway of the property for vehicles exiting into Burley Street to improve pedestrian safety along Burley Road.
109. Pedestrian access on Taylors Lane, including people with disabilities and pram access, is to be maintained throughout the course of the construction as per AS-1742.3, 'Part 3 - Traffic control devices for works on roads'.
110. All cycling racks and secure bike parking provided on-site must meet the minimum standards as outlined in Section 4.3 in Part R of Lane Cove DCP 2010 and designed in accordance with AS 2890.3:2015. Alternative designs that exceed the Australian Standards will also be considered appropriate.
111. The design of the development, particularly access and egress arrangements to/from the property, must not restrict cycling activities on Burley Street and Taylors Lane. The development must complement and facilitate the implementation of this green infrastructure and should generally be designed with the needs of cyclists in mind.

112. The Construction Traffic Management Plan must be submitted to Lane Cove Council for further approval before issuing the construction certificate.
113. All traffic and parking activity during the construction phases shall be conducted in such a manner so as not to interfere with the amenity of the surrounding properties in respect of noise, vibration, dust and safety.
114. Any construction related machinery or trucks, (other than in an approved Works Zone), that are required to stand on the road or footway, (including unloading and loading of trucks and standing of any demolition or construction related machinery or plant), must be covered by an approved Stand Plant permit. Application for the permit is to be made to Council 10 working days before the day of the related works.
115. Due to requirements for safe traffic and pedestrian movement, loading or unloading of any vehicle or trailer carrying material associated with the development must not take place on the public road unless within an approved Works Zone. The proposed Works Zones must be approved by the Council and have a minimum length of 60 metres unless it is not possible to achieve 60m length due to site constraints. Works Zone signs are only to be erected by Council staff for minimum six months period. The Works Zone application is to be submitted to and approved by Council prior to the earlier of the following two situations occurring; either (a) issue of any Construction Certificate or (b) any work commencing, in the case where work is to occur on a Public Road during demolition.

The developer must give the Council written notice of at least six weeks prior to the date upon which use of the Works Zone will commence and the duration of the Works Zone approval shall be taken to commence from that date. All vehicle unloading/loading activities on a public roadway/footway are to be undertaken within an approved Works zones.

Advice Note:

1. While a permit parking scheme currently does not exist in the area, this development will not be eligible for any residential parking permits including visitor permits in the future if a new scheme is developed in the area.
2. Resident cycle parking in the basement car park should be as close to the car park entrance as possible so as to be both convenient and safe for cyclists to use. Secure bike lockers or a bike cage should be provided for residents' bikes.
3. The bicycle facilities are to be clearly labelled, and advisory/directional signage is to be provided at appropriate locations.
4. Vehicles, particularly trucks will not be permitted to queue on public roads within the site vicinity. Trucks will therefore need to be appropriately timed.
5. Lane Cove Council will not be liable for any traffic or pedestrian safety matters.
6. Any construction vehicles exiting the site during demolition/construction should have their tyres washed in order to avoid any construction material, dust, etc coming in contact with the road pavement.

7. Parking for workers must be provided on site or alternatives suggested including encouraging workers to car pool to the site.
8. All complaints and concerns from the community must be dealt with by the applicant in the first instance. Council will not take responsibility for the complaints arising from the development.
9. The applicant will be liable to reinstate any road infrastructure if damage is caused by construction trucks or any construction related activities.
10. Any changes to the Construction Traffic Management Plan must be submitted to Lane Cove Council for further approval.

Waste Management Condition

116. The car park entry must have a minimum clearance of 2.6 metres;
117. The ceiling clearance height must be a minimum of 2.6 metres throughout the travel path and stationary positions required by the waste collection vehicle.

Environmental Health Conditions:

118. **(401) Demolition Works and Asbestos Removal/Disposal**
The demolition of any existing structure is to be carried out in accordance with *Australian Standards AS 2601-1991: The Demolition of Structures*. All vehicles leaving the site carrying demolition materials are to have the loads covered and are not to track any soil or waste materials into the road. Pursuant to Section 27A of the Occupational Health and Safety Act 1983 "notification to Commence Demolition Work" form is to be submitted to Workcover at least seven days prior to work commencing. All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with the Workcover Authority and EPA guidelines and requirements. The asbestos must be removed by a bonded asbestos licensed operator. Dockets/receipts verifying recycling/disposal must be kept and presented to Council when required.
119. **(403) Dust During Construction**
Dust suppression techniques are to be employed during works to reduce any potential nuisances to surrounding residences
120. **(404) Erosion and Sedimentation Controls – Major Works**
Erosion and sediment control devices are to be provided. All devices are to be established prior to the commencement of engineering works and maintained for a minimum period of six months after the completion of all works. Periodic maintenance of the erosion and sedimentation control devices is to be undertaken to ensure their effectiveness.
121. **(406) Stabilised Access Point**
A stabilised all weather access point is to be provided prior to commencement of site works, and maintained throughout construction activities until the site is stabilised. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (blue Book)

122. **(407) Site Water Management Plan**
A site water management plan is to be submitted to Council for approval. The plan is required to be site specific and be in accordance with "Managing Urban Stormwater – Soils and Construction" (the blue book) produced by the NSW Department of Housing.
123. **(440) Acoustic Consultant**
A qualified acoustic consultant shall be engaged to certify that the design and construction of the traffic noise affected portions of the building complies with the EPA's – Environmental criteria for road traffic noise. An acoustic report shall be submitted to Council with the Construction Certificate
124. **(441) Operation of Plant or Equipment**
To minimise the impact of noise from the development, all sound producing plant, equipment, machinery, mechanical ventilation systems and or refrigeration systems, shall be designed and or located so that the noise emitted does not exceed 5db(A) above the ambient background level when measured from the boundary of any affected premises between the hours of 8am to 10pm. Between the hours of 10pm and 8am, noise shall not exceed the ambient background level when measured at the boundary of an affected premises.
- All sound producing equipment shall comply with the Protection of the Environmental Operations Act 1997.
125. **(447) Noise Monitoring**
Noise monitoring must be carried out by a qualified acoustical consultant if complaints are received, or if directed by Council, and any control measures recommended by the acoustical consultant must be implemented during the demolition work
126. **(448) Road Traffic Noise**
The residential flat building must be designed and constructed so that road traffic noise levels comply with the satisfactory design sound level in *Australian/New Zealand AS/NZS 2107:2000 Acoustics – Recommended design sound level and reverberation times for building interior*, with windows and doors closed.
127. **Construction Noise Management**
The developer is to comply with all recommendations detailed in Chapter 3 of the Construction Noise Management Plan SYD2015-1112-R002A prepared by Acouras Consultancy dated 04/03/2016.
128. **Acoustic Requirements**
The development is to incorporate and comply with all requirements detailed in Recommendations 3.1 and 3.2 of the Acoustic DA Assessment SYD2015-1112-R001C prepared by Acouras Consultancy dated 04/03/2016. Certification that all measures have been complied with is to be provided to the PCA prior to the issue of the Occupation Certificate.
129. **Verification of Compliance with RAP**
Submission of evidence to the PCA **prior to the commencement of works** verifying compliance with all requirements and recommendations of the Remediation Action Plan approved by Council.

130. (467) **Assessment of Potentially Contaminated Soils**
All stockpiles of potentially contaminated soil must be assessed in accordance with relevant NSW Environment Protection Authority guidelines, such as the publication titled *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non – Liquid Wastes* (EPA, 1999).
131. (468) **Offsite Disposal of Contaminated Soil**
All contaminated soil removed from the site must be disposed at a waste facility that can lawfully receive that waste.
- Copies of all test results and disposal dockets must be retained for at least 3 years and be made available to authorised Council officers on request.
132. (444) **Noise Control – Car Park Security Grills**
To minimise the impact on the amenity of surrounding residents, all sound producing plant, equipment, machinery or fittings within or forming part of the proposed security door fitted to the car parking area entrance shall be acoustically attenuated so that the noise emitted does not exceed 5db(A). Notwithstanding the above, any noise that is emitted shall not be audible within any premises and comply with the Protection of the Environment Operations Act 1997.
133. (453) **Ventilation – Garbage Rooms**
Garbage rooms shall be ventilated by:
- a) An approved system of mechanical exhaust ventilation in accordance with the requirements of the Building Code of Australia and *Australian Standard AS 1668*.
 - b) Permanent unobstructed natural ventilation openings with contact direct to the external air, having an aggregate area of not less than 1/20th of the floor area. One half of the openings shall be situated at or near the floor level and one half at or near the ceiling level.
 - c) Where permanent natural ventilation openings are provided the openings shall be designed to prevent the entry of rainwater.
134. (454) **Car Park Ventilation**
The covered car park must be provided with an adequate system of permanent natural ventilation or an approved system of mechanical ventilation.
135. (455) **Landscaping not to Impede Ventilation of Car Park**
The proposed landscaping must not impede the free flow of air through any natural ventilation openings for the car park.

RMS Conditions

136. All buildings and structures, together with any improvements integral to the future use of the site, are to be wholly within the freehold property (unlimited in height or depth) along the Longueville Road and Pacific Highway boundaries.
137. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime Services for assessment and approval **prior**

to the issue of any construction certificate, 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 8849 2114

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.

138. Detailed design plans and hydraulic calculations of any changes to the Roads and Maritime Services' stormwater drainage system are to be submitted to Roads and Maritime Services for approval, prior to the commencement of any works.

Details should be forwarded to:
The Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114.

139. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Longueville Road and Pacific Highway during construction activities.
140. A construction zone will not be permitted on Longueville Road and Pacific Highway.
141. All works/regulatory signposting associated with the proposed development are to be at no cost to Roads and Maritime.