

DRAFT CONDITIONS

(Rev C – 20/1/2017)

PROPERTY:	Lots 101 and 102 DP 1013285 and Lot 31 DP 540796
	Nos. 296-314 Burns Bay Road, Lane Cove
DA No.:	DA 172/2016
JRPP Reference No:	2016SYE121
PROPOSED DEVELOPMENT:	Construction of an eight (8) storey residential flat building comprising 107 dwellings and 194 car parking spaces, an attached childcare centre, an attached neighbourhood shop and associated tree removal, site works and landscaping.

DEFERRED COMMENCEMENT CONDITIONS:

1. The submission to and approval by Council of a Remediation Action Plan (RAP) in accordance with the provisions of SEPP 55. Council reserves the right to request that the RAP and validation report at the conclusion of excavation works be reviewed by a NSW EPA Accredited Site Auditor; and
2. The submission to and approval by Council of amended plans which demonstrate the provision of accessible storage for individual units in accordance with Part C(3.13) of Lane Cove DCP 2010.

OPERATIVE CONDITIONS:

General Conditions

1. (20) That the development be strictly in accordance with drawing number * dated * by * **(FINAL PLAN NUMBERS TO BE INSERTED UPON SUBMISSION OF PLANS TO ADDRESS DEFERRED COMMENCEMENT CONDITIONS)** except as amended by the following conditions.
2. Details of fencing to comply with the requirements of Section 3.7 of Part C of Lane Cove DCP 2010 are to be submitted to and approved by the Principal Certifying Authority as part of the application for a Construction Certificate.
3. Stratum subdivision does not form part of this consent. Any future stratum subdivision of the land or development is to be the subject of a separate development application.
4. The public art items required under Part L of Lane Cove DCP 2010 are to be provided as generally negotiated and agreed with Council's Landscape Architect prior to lodgement of the application. Full details of these items are to be included in the landscape documentation to be submitted as part of the construction certificate and approved by Council's Landscape Architect prior to the commencement of works. Confirmation that such items have been provided to satisfaction of Council's Landscape Architect is to be submitted to the Principal Certifying Authority prior to the issue of the occupation certificate.
5. The initial fit out and use of the shop is to be the subject of a separate development application or complying development certificate.

6. The maximum hours of operation of the child care centre shall be between 7.00am and 6pm, Monday to Friday.
7. All advertising signs/structures being the subject of a separate development application.

Sydney Water Conditions

8. (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.

9. Foundations of the building are to meet Sydney Water requirements to protect the NOOS from superimposed loads from any building. To this end, the design of the building is to be approved by Sydney Water prior to the issue of a construction certificate. Evidence of such approval is to be provided to the Principal Certifying Authority prior to issue of the Construction Certificate.
10. (11) The approved plans must be submitted to Sydney Water online approval portal “Sydney Water Tap In”, please refer to web site www.sydneywater.com.au. This is 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. An approval receipt with conditions shall be issued by Sydney Water (if determined to be satisfactory) and is to be submitted to the accredited certifier prior to the issue of a Construction Certificate.
11. (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.

Lot Amalgamation

12. Prior to the issue of any occupation certificate, evidence is to be provided to the Principal Certifying Authority that the allotments the subject of this application have been consolidated into one (1) allotment (and any public roads and public reserves as necessary).

Community Liaison Committee

13. The developer is to establish a Community Liaison Committee, consisting of developer representatives, community representatives and an appointed Council staff representative, to facilitate information flow to the community regarding the progress of the development and to address any issues and complaints that arise may throughout the construction phase and any solutions required to address same. A newsletter should be produced and circulated to adjoining residents and occupants. Meetings are to be chaired by developer representatives.

Adaptable Housing

14. All adaptable dwellings shall be prominently marked and highlighted on the plans, a list of adaptable units prepared and provided to Council prior to the issue of Construction Certificate. The Section 149 planning certificate and any promotional material shall mention whether the unit is adaptable.

Voluntary Planning Agreement

15. A Voluntary Planning Agreement (VPA) has been entered into between Lane Cove Council and the applicant for the subject site which forms part of the consent the requirements of which shall be complied with as per the agreement.

Certificates/BCA Conditions

16. (1) The submission of a Construction Certificate and its issue by Council or Private Certifier PRIOR TO CONSTRUCTION WORK commencing.
17. (2) All building works are required to be carried out in accordance with the provisions of the Building Code of Australia.
18. (17) An Occupation Certificate being obtained from the Principal Certifying Authority before the occupation of the building.

Section 94 Contributions

19. (21) The payment of a contribution in accordance with Council's Section 94 contributions plan as shown in the table below. This payment is to be made prior to the issue of any construction certificate and is to be at the current rate at time of payment. Note: Payment must be in bank cheque. Personal cheques will not be accepted. This contribution is for community facilities, open space/recreation and roads 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.

Residential Contributions

DWELLING TYPE	TOTAL NUMBER OF PERSONS PER DWELLING	CONTRIBUTION PAYABLE @\$10,000/PERSON 2016/2017 FEES AND CHARGES
7 x Studio	7 x 1.2 = 8.40	\$84,000.00
39 x 1 bedroom	39 x 1.2 = 46.8	\$468,000.00
48 x 2 bedroom	48 x 1.9 = 91.2	\$912,000.00
13 x 3 bedroom	A cap of \$20,000 per dwelling has been imposed under the <i>Reforms of Local Development Contribution</i> 13 x \$20,000 = \$260,000.00	\$260,000.00
Total 107 units		\$1,724,000.00

Total Section 94 Contributions Payable = \$1,724,000.00

Site Preparation/Construction Conditions

20. (35) 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.

21. (36) 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.
22. (37) 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.
23. (43) Access and parking spaces for disabled persons being provided in accordance with Part D.3 of the Building Code of Australia.
24. (45) 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.
25. (50) The cleaning out of ready-mix concrete trucks, wheelbarrows and the like into Council's gutter is PROHIBITED.
26. (49) 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.

27. (48) 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.

28. (56) 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) Installation of steel beams and columns prior to covering
- c) Waterproofing of wet areas
- d) Stormwater drainage lines prior to backfilling
- e) Completion.

29. (57) 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;

30. (63) All metal deck roofs being of a ribbed metal profile, in a mid to dark colour range with an anti glare finish. The intent of the condition is to reduce sun reflection and glare to protect the amenity of the surrounding resident.

31. (64) A check survey certificate is to be submitted at the completion of:-

- a The establishment of each floor level;
- b 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.

32. (66) 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.

33. (67) Mechanical Rock Piling 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:
 - i. A Geotechnical Engineer's Report that indicates that the rock pick machine can be used without causing damage to the adjoining properties.
 - ii. 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.

- iii. 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 are to 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.
- iv. 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.

- 34. (73) The site being cleared of all debris and left in a clean and tidy condition at the completion of all works.
- 35. (77) All spillage deposited on the footpaths or roadways to be removed at the completion of each day's work.
- 36. (78) The site being properly fenced to prevent access of unauthorised persons outside of working hours.
- 37. (87) Pedestrians' portion of footpath to be kept clear and trafficable at all times.

Long Service Levy

- 38. (141) 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.**

BASIX

- 39. (142) Compliance with all the recommendations and conditions of the BASIX Certificate (No. 743530M_03 dated 18/8/16) and associated Thermal Comfort, NatHERS and Section J documentation lodged with the application.

Critical Concrete Pours

- 40. (145) The applicant may apply to undertake critical concrete pours outside of normal working hours provided all of the following requirements are satisfied:
 - the submission, at least seven (7) working days prior to the critical concrete pour, to Council of an application along with the prescribed fee, in the prescribed Council form, that includes a written statement of intention to undertake a critical concrete pour and that also contains details of the critical concrete pour, the number of such pours required, their likely time duration, impact statement and how foreseeable impacts will be addressed (i.e. light spill/ noise/ traffic etc);

- adjoining and nearby affected residents being notified in writing at least two (2) working days prior to the pour, and a copy of this notice to be provided to Council for review prior to issue;
- no work and deliveries to be carried out before 7.00am and after 10pm; and
- no work occurring on a Sunday or any Public Holiday.

All other relevant requirements relating to critical concrete pours that are the subject of other conditions of this development consent remain relevant at all times.

Following any critical concrete pour, the applicant must advise Council in writing no later than seven (7) working days after the completion of the pour, what measures were actually undertaken by the applicant with a view to minimising any potential adverse impacts as a result of the pour, including but not limited to impacts with respect to noise, light spillage, and the positioning of the required vehicle(s), so that all related matters can be reviewed and any potential adverse events and/or impacts addressed in future critical concrete pours.

NOTE:

- **There is a critical concrete pour application fee**
- **A critical concrete pour application and prior approval is required**
- **No work shall be undertaken outside standard working hours without prior written approval from Council.**
- **Council reserves the right to refuse the application with or without reason.**

Tree Conditions

41. Bulk excavation or excavation for strip footings, service lines including storm water lines or sewer lines is NOT PERMITTED within 5 metres of Tree 1 (the Red Bloodwood).
42. 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.
43. Tree 1 must be retained and protected. A 1.8m high chain mesh fence shall be erected a radial distance of not less than 1.2 metres from the trunk of the tree. The tree protection zone shall not be used for the storage of building materials, machinery, site sheds, or for advertising and soil levels within the tree protection zone shall remain undisturbed.
44. A waterproof sign must be placed on the tree protection zone 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.
45. 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.

AUSGRID Conditions

46. Impact on existing electrical plant and equipment

There are existing high voltage underground cables under the footpath outside the boundary of the site and to the existing substation S3469 near the development site. The surface level of the existing footpath and the path to S3469 must not be altered without permission from Ausgrid. If the existing level is to be lowered, the developer is required to contact Ausgrid's Customer Connection Branch (8569 6727) to determine whether or not relocation/lowering of existing underground cables will be required. Additionally, no structures or objects should be put on the footpath or on the access path to the substation that impede our access to our cables. At all times, Ausgrid must be able to access the substation, open the substation doors and have unimpeded space for us to replace substation equipment if they fail.

Should any further information on this matter be required, please contact Alex Cheng on 9981 9901 or acheng@ausgrid.com.au.

Evidence to demonstrate that Ausgrid's requirements have been satisfied is to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

Landscaping Conditions

47. Compliance with the submitted Landscape Design prepared by iScape Landscape Architecture dated 11 August 2016 submitted with the application other than as modified by conditions of this consent.
48. Submission of detailed landscape working drawings for construction (providing sections, elevations and landscape profiles and specifications, consistent with Councils Landscape Checklist) that complies in all respects with the conditions of the development consent, are to be submitted to the private certifier prior to the issue of a Construction Certificate. Each plan/sheet is to be certified by a qualified landscape architect. The landscape plan is to show the treatment of common open space areas, play areas, front, rear and side setbacks, roof top gardens or on-structure plantings, any decking and raised screening or general landscaping treatment.
49. The Applicant must ensure that 'on structure' landscaping has adequate soil depth, volume and suitable profile to support the species and number of trees and shrubs and turf areas indicated on the approved DA plan.
50. All landscape works are to be completed to a professional standard, free of any hazards or unnecessary maintenance problems and that all plants are consistent with Australian Standard 2303: Tree Stock for Landscape Use.
51. Fourteen (14) large canopy trees must be planted in suitable locations along the western and northern boundaries of the site to replace and compensate for those trees to be removed as part of the development. The trees must be planted prior to the issue of the occupation certificate. All specimens must conform to Australian Standard 2303: Tree Stock for Landscape Use and be of a minimum 45L pot size and have a height at maturity of at least 8 m tall.

52. All boundary screen plant species to be used for landscaping must be a native species in keeping with Lane Cove Council's Landscape Policy and are to be installed in the same locations as the indicated on the DA plans prepared by iScape Landscape Architecture; drawings 1–6 of job # 81.16/254'B' dated 11 August 2016.
53. A suitable professional 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.
54. A landscape practical completion report is to be prepared by a consultant landscape architect and submitted to Council or the accredited certifier 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 and the Landscape DA conditions of consent have been met. A copy of this report is to accompany a request for the issue of an Occupation Certificate.

RMS Conditions:

55. All buildings and structures together with any improvements integral to the future use of the site are to be wholly within the freehold property boundary (unlimited in height or depth) along Burns Bay Road boundary.
56. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

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

The report and any enquiries should be forwarded to:
Project Engineer, External Works
Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.
Telephone 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) day notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

57. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system in Burns Bay Road are to be submitted to Roads and Maritime 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.

58. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Burns Bay Road during construction activities.
59. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate.
60. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Burns Bay Road. Should you have any further enquiries in relation to the above matter, please contact Ahsanul Amin on 8849 2762 or email at development.sydneyrms.nsw.dov.au.

Environmental Conditions

61. (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.

62. (402) Dust Control

The following measures must be taken to control the emission of dust:

- a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work
- b) Any existing accumulations of dust (e.g. in ceiling voids and wall cavities) must be removed using an industrial vacuum cleaner fitted with a high efficiency particulate air (HEPA) filter
- c) All dusty surfaces must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the street or stormwater system
- d) All stockpiles of materials that are likely to generate dust must be kept damp or covered
- e) Demolition work must not be carried out during high winds, which may cause dust to spread beyond the boundaries of the site.

63. (403) Dust During Construction

Dust suppression techniques are to be employed during works to reduce any potential nuisances to surrounding residences

64. (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.

65. (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)

66. (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.

67. (408) Stockpiles

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.

68. (409) Construction and Fit out of Food Premises

To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, all work involving construction or fitting out of the premises shall comply with the requirements of the Food Safety Standards Code (Australia) and Australian Standards AS4674 – Design, Construction and Fitout of Food Premises.

69. (410) Food Shop Registration Requirements

Occupation of the premises shall not occur until:

- a) a registration application to be submitted to Council’s Health and Environment Department for the food shop
- b) notification of the NSW Health Department under Standard 3.2.2 Division 2 Section 4 Notification. This requirement is to be met by notifying through the following website: <http://www.foodnotify.gov.au>

70. (411) Final Inspection (Food premises)

A final site inspection relating to the works carried out on the premises shall be arranged by the applicant and shall be undertaken by Council before trading commences.

71. (412) Grease Trap (Food Premises)

Trade waste water shall be disposed of in accordance with the permit requirements of Sydney Water the proprietor owner shall contact the Trade Waste Office of Sydney Water so as to ensure that the sewerage pre – treatment system installed is appropriate for the proposed use of the premises.

72. (418) Maintenance and cleanliness of food preparation areas

To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas all building work in connection with the occupation or the use of the premises intended for the preparation and storage of food shall be designed and implemented in accordance with the requirements of:

- a) Food Act 2003 & Food Regulations 2004
- b) Food Safety Standards 3.1.1, 3.2.2, 3.2.3
- c) Sydney Water Corporation – Trade Waste Section
- d) The Protection of the Environmental Operations Act 1997
- e) Australian Standard AS 1668 Part 1 & 2
- f) The Building Code of Australia.

73. (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.

74. Construction Noise and Vibration Management

The developer is to comply with all recommendations detailed in Section 7 of the “Construction Noise and Vibration Management Plan nss22468 – Final” prepared by Noise and Sound Services dated August 2016 except where modified by conditions of this consent.

75. Acoustic Requirements – Residential Component

The development is to incorporate and comply with all requirements detailed in Section 6 of the “Road Traffic Noise and Vibration Assessment nss22468 – Final” prepared by Noise and Sound Services dated August 2016. Certification that all measures have been complied with is to be provided to the PCA prior to the issue of the Occupation Certificate.

76. Acoustic Requirements – Child Care Centre Component

The development is to incorporate and comply with all requirements detailed in Sections 6 and 7 of the “Proposed Child Centre – Noise Impact Assessment nss22468 – Final” prepared by Noise and Sound Services dated August 2016 except as follows:

- The acoustic fence around the outdoor play area is to be constructed of decorative masonry and/or timber materials (not colourbond steel) in a manner and finish consistent with the design and finish of the residential flat building and child care centre. Details are to be submitted to Council for approval prior to commencement of construction.

Certification that all measures have been complied with is to be provided to the PCA prior to the issue of the Occupation Certificate.

77. (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.

78. (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.

79. A compliance certificate from an acoustic consultant is to be submitted to the Principle Certifying Authority prior to the issue of the Occupation Certificate confirming that all plant and equipment associated with the proposed development (e.g. air conditioners) will operate in accordance with the provisions of the noise provisions of the Protection of the Environment Operations Act, 1997.

Contamination

80. 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 as part of the Deferred Commencement consent.

81. (466) Storage of Potentially Contaminated Soils

All stockpiles of potentially contaminated soil must be stored in an environmentally acceptable manner in a secure area on the site.

82. (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).

83. (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.

84. (484) Access for maintenance purposes

Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by Australian Standard AS3666.2:2002 Air handling and water systems of buildings – Microbial control – Operation and maintenance.

85. (485) Registration of water cooling and warm water systems

All water cooling and warm water systems regulated under the Public Health Act 1991 must be registered with Council's Environmental Services Unit within one month of installation.

Waste Conditions

86. Garbage Chutes:

- A garbage chute system and interim recyclable storage facilities must be provided to the development.
- Garbage chutes must be constructed in accordance with the requirements of the Building Code of Australia (BCA).
- Garbage chutes must be located and insulated in a manner that reduces noise impacts.
- Chutes, service openings and charging devices must be constructed of material (such as metal) that is smooth, durable, impervious, non-corrosive and fire resistant.
- Chutes, service openings and charging devices must be capable of being easily cleaned.
- Chutes must be cylindrical and have a diameter of at least 500mm.
- Chutes must not have any vends or sections of reduced diameter in the main shaft of the chute;
- Internal overlaps in the chute must follow the direction of waste flow.
- Chutes must deposit rubbish directly into a bin or compactor located within a waste/recycling storage room.
- A cut-off device must be located at or near the base of the chute so that the bottom of the chute can be closed when the bin or compacting device at the bottom of the chute is withdrawn or being replaced.
- The upper end of the chute must extend above the roofline of the building.
- The upper end of the chute must be weather protected in a manner that does not impede the upward movement of air out of the chute.
- Compaction of garbage must not exceed a ratio of 2:1. No compaction is permitted for recyclable material or green waste.

87. Garbage Chute Service Rooms

- The service opening (for depositing rubbish into the main chute) on each floor of the building must be located in a dedicated service room. Amended plans including garbage chute service

rooms designed to the following requirements must be submitted prior to the issue of a construction certificate.

- The charging device for each service opening must be self-closing and must not project into the main chute.
- Branches connecting service openings to the main chute must be no longer than 1m.
- Each service room must include provision for 2x240l recycling bins for the storage of recyclable materials. Signage regarding the materials that can be recycled must be displayed near these recycling bins.
- Each service room must be located for convenient access by users and must be well ventilated and well lit.
- The floors, walls and ceilings of service rooms must be finished with smooth durable materials that are capable of being easily cleaned.
- Service rooms must include signage that clearly describes the types of materials that can be deposited into the garbage chute, the types of materials which must be deposited into recycling bins, and bulky waste collection arrangements including the location and travel paths to the bulky waste storage room.

88. Waste and Recycling Storage Rooms

- Level 1 waste and recycling rooms must be of sufficient size to accommodate garbage chute systems,
- Minimum clearance between bins of 300mm;
- Minimum door openings of 1700mm; &
- Minimum distance of 1700mm between rows of bins (where bins are located on either side of the room).
- The floor of waste and recycling rooms (including bulky waste storage rooms) must be constructed of either:
 - Concrete which is at least 75mm thick; or
 - Other equivalent material; and
 - Graded and drained to a floor waste which is connected to the sewer
- All floors must be finished to a smooth even surface, coved at the intersection of walls and floor.
- The walls of waste and recycling rooms, bulky waste storage areas and waste service compartments must be constructed of solid impervious material and must be cement rendered internally to a smooth even surface coved at all intersections.
- All waste and recycling rooms and bulky waste storage rooms must be provided with an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock.
- A close-fitting and self-closing door that can be opened from within the room must be fitted to all waste/recycling and bulky waste storage rooms.
- All waste/recycling and bulky waste storage rooms must be constructed to prevent the entry of vermin.
- All waste/recycling and bulky waste storage rooms must be ventilated by either:
 - Mechanical ventilation systems exhausting at a rate of 5L/s per m² of floor area, with a minimum rate of 100l/s; or
 - Permanent, unobstructed natural ventilation openings direct to the external air, not less than 1/20th of the floor area.
- All waste/recycling and bulky waste storage rooms must be provided with artificial light controlled by switches located both outside and inside the rooms.
- Clearly printed "No Standing" signs must be affixed to the external face of each waste/recycling and bulky waste storage room.

89. Bulky Waste Storage Room

- Bulky waste storage rooms must be of sufficient size to accommodate a minimum of 6m³ of bulky waste at any given time. Doorways and travel paths must be a minimum width of 1700mm and of sufficient height and be free of obstructions to permit easy transport from individual units to the storage area, and from the storage area to collection point.

90. Access to Waste Collection Point

- All waste must be collected on-site via on-site access by Council's garbage collection vehicles. Amended plans including the access paths to the waste collection point designed to the following requirements must be submitted prior to the issue of a construction certificate:
- The location(s) of waste and recycling rooms & bulky waste storage areas must be conveniently accessible for both occupants and Council's waste collection contractors.
- The minimum finished ceiling height must be 2.6m along the path of travel from the street to the residential waste and recycling collection point and manoeuvring area. This clearance must be kept free of any overhead ducts, services and other obstructions.
- The maximum grade of any access road leading to the waste and recycling collection point must not be more than 1:5 (20%). The turning area at the base of any ramp must be sufficient for the manoeuvre of a 6.0m rigid vehicle to enter and exit the building in a forward direction.
- Where security gates are proposed, a Council master key system must be installed to permit unimpeded access.

91. Indemnity

Prior to the issue of an Occupation Certificate, the applicant must enter into a suitable Deed indemnifying Council and its contractors against claims for loss or damage to common property, liabilities, losses, damages and any other demands arising from any on-site collection service.

92. Internal Waste Management

Internal waste/recycling cupboards with sufficient space for one day's garbage and recycling generation must be provided to each dwelling. Amended plans identifying the internal waste/recycling cupboards must be submitted prior to the issue of a construction certificate.

93. Provision of Waste Services

94. Prior to the issue of an Occupation Certificate, the applicant must make written application to Council for the provision of domestic waste services.

General Engineering Conditions

95. (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.
96. (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.

97. (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, pumping of water to Council's roadway, installation of temporary rock anchors under the roadway, kerb and guttering, brick paving, restorations and any miscellaneous works. Applications shall be submitted prior to the start of any works on Council property.
98. (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.
99. (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.
100. (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.
101. (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'.
102. (A8) Council Drainage Infrastructure: The proposed construction shall not encroach onto any existing Council storm water 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.
103. (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.
104. (A10) Ground Anchors: If temporary ground anchors under Council land are proposed, a separate application, including payment of fees, must be made to Council under Section 138 of the Roads Act 1993. Application forms and Council's "Rock Anchor Policy" are available from Council's customer service. Approval may be granted subject to conditions of consent before issuing the Construction Certificate.
105. (B1) Council infrastructure damage bond: The applicant shall lodge with Council a cash bond or bank guarantee of \$80,000. 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.

106. (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.

107. (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.
108. (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.
109. (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.
110. (O1) Positive Covenant Bond: The applicant shall lodge with Council a \$2000.00 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
111. (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.
112. (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 of Council's DCP-Stormwater Management. An approved plate may be purchased from Council's customer service desk.
113. (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.

114. (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.
115. (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.
116. (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
117. (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.
118. (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
119. (S1) Stormwater Requirement: The following details need to be added to the amended stormwater design plans:
- Compliance the objectives and performance requirements of the BCA Report;
 - Provision of Rainwater Tank of capacity of 10,000 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 Gross Pollutant Pit inside the private property;
 - Provision of OSD capacity of 110 m³; and
 - General compliance with Council's DCP 2010 Part O – Stormwater Management.

The design and construction of the drainage system is to fully comply with, AS-3500 and part O Council's DCP-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

120. (D2) Drainage Plans Amendments: The stormwater drainage Jones Nicholson Consulting Engineers, referenced 160449, drawing numbered C200 A, dated 26 July 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.

121. (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.
122. (D1) Excavation Greater Than 1m: Where there are structures on adjoining properties including all Council infrastructures, located within 5 meters 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.

123. (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.
124. (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.
- Provide tanking of all below ground structures to prevent the entry of all ground water such that they are fully tanked and no on-going dewatering of the site is required
- 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.

125. Construction Methodology Report: 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.

126. (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. Any damage identified in the second dilapidation report not shown in the initial report will be assumed to have been caused as a result of the construction works authorised under this consent and must be rectified to the satisfaction of Council at the applicants/developers expense prior to the release of any Occupation Certificate.

127. (H1) Road Dilapidation Survey: The applicant shall prepare a dilapidation survey and a dilapidation report detailing the existing state of repair / condition of the surfaces of all roads adjacent 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 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.

128. (V1) Proposed Vehicular Crossing: The proposed vehicular crossings 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

129. (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.

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.

130. (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 scraping provisions of AS2890.1. The driveway profile is to start from the road centreline and include the kerb and be along the worst case edge of the proposed driveway. Gradients and transitions must be in accordance with Clause 2.5.3 of Australian Standard 2890.1 – 2004, Part 1 – Off-street car parking. The driveway profile submitted to Council must be to (1:25) scale (for template checking purposes) and contain all relevant details: reduced levels, proposed design, grades, natural surface levels and distances. The existing footpath levels are to be maintained wherever possible and cannot be altered without Council's approval
- Sections showing the clearance to the underside of any overhead structure

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.

131. (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.

132. (A11) Work Zone: A Traffic Construction Management Plan and an application for a Work Zone adjacent the development shall be submitted to Lane Cove Council for determination, 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.

133. (K1) Council Construction Requirements: The applicant shall:

- a) re-instate or repair as necessary any damage to the footpath or kerb and gutter on Burns Bay Road and Waterview Drive to Council's satisfaction;
- b) Reinstall all adjustments to the road surfaces to Council's satisfaction; and
- c) Reinstall all existing nature-strips with turf and soil to Council's satisfaction.

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.

134. (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.

135. (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 prior to the issue of the Construction Certificate

Engineering Conditions to be Complied with Prior to Commencement of Construction

136. (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 Conditions to be Complied with Prior to Occupation Certificate

137. (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:

- be signed by a registered surveyor; and
- 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.

138. (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.

139. (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.

140. (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.

141. (O3) Ground Anchors: Re-instatement of road assets is required to the satisfaction of the Council standards and requirements after completion of all works and all the temporary ground anchors have been safely de-stressed or removed before issuing the Occupation Certificate.