

JRPP-16-03319

Property: Lot 101 DP 1053959 and Lot 2 DP 1144920
134-140 Reservoir Road, Blacktown

Proposal: Integrated Development Application for staged alterations and additions to the existing St Hedwig Village Seniors Housing development under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. The proposal is for the consolidation of the lots, demolition of some structures, removal of 96 trees, retention of the hostel and nursing home at the rear of the site, and the construction of 65 Independent Living units within 2 buildings which are three and four storeys in height, a three storey residential aged care facility with 135 beds, a single storey reception building, a chapel, support facilities, a total of 204 car parking spaces at the basement level and at-grade, associated services, driveways, outdoor recreational areas and landscaping.

1 ADVISORY NOTES

1.1 Terminology

1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.

1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 6.4 of the Environmental Planning and Assessment Act 1979.

1.2 Scope of Consent

1.2.1 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

1.3 Other Approvals

1.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.

1.4 Services

1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) A recognised Energy Provider
- (c) Natural Gas Company
- (d) The relevant local telecommunications carrier

regarding any requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

All approved building construction plans attached to the Construction Certificate should be submitted to Sydney Water Tap In, 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. The plans are to be appropriately stamped and all amended plans will require re-stamping. For further information go to: www.sydneywater.com.au, then follow the “Developing Your Land” link or telephone 1300 082 746 for assistance.

Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

The proposed development site is traversed by a wastewater main.

Where proposed works are in close proximity to a Sydney Water asset, the developer may be required to carry out additional works to facilitate their development and protect the wastewater main. Subject to the scope of development, servicing options may involve adjustment/deviation and or compliance with the Guidelines for building over/adjacent to Sydney Water assets. Refer to your Water Servicing Coordinator for details of requirements.

- 1.4.2 Information regarding the location of underground services may be obtained from the Sydney “Dial Before You Dig” service, telephone number 1100, fax number (02) 9806 0777. Inquirers should provide the street/road name and number, side of street/road name and the nearest cross street/road name.
- 1.4.3 Prior to any demolition works, all services or utilities associated with those works shall be disconnected in consultation with the relevant service provider.
- 1.4.4 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- 1.4.5 Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number: 1800 810 443.
- 1.5 **Demolition**
 - 1.5.1 Where any work on an older building is proposed, the applicant should ascertain whether the building contains any contaminants that may present a potential health risk to humans (including asbestos, lead-based paint and the like) and apply appropriate precautions during the work. Further information regarding safe working methods may be obtained from the following organisations and publications (including those which may supersede such publications):

- a. NSW WorkCover Authority (Ph: 13 10 50) – “Short Guide to Working with Asbestos”,
- b. NSW Department of Environment and Conservation (Ph: 9995-5000) – “A Guide to Keep Your Family Safe from Lead”, “A Renovators Guide to the Dangers of Lead”,
- c. “Code of Practice for the Safe Removal of Asbestos” – National Occupational Health and Safety Commission:2002 (1988),
- d. Australian Standard 4361.1-1995 – Guide to Lead Paint Management (Industrial Applications),
- e. Australian Standard 4361.2-1998 – Guide to Lead Paint Management (Residential and Commercial Applications), and
- f. Australian Standard 2601-2001 – The Demolition of Structures.

1.6 Identification Survey

- 1.6.1 The applicant is advised to obtain an identification survey from a registered surveyor to ascertain the correct location of the property boundaries, and to ensure the development does not encroach upon adjoining properties.

1.7 Engineering Notes

- 1.7.1 Any Construction Certificate covering Engineering Works must include and address the following:

- Design of specified Engineering Works as required by this consent.
- Any ancillary works necessary to make the construction effective

If both Building and Engineering works are required, separate construction certificates can be issued for the following works:

- Construction Certificate for Building Works
- Construction Certificate for Engineering Works (As nominated in the ‘Prior to Construction Certificate (Engineering)’ section of the consent)

Works which require approval under the *Roads Act 1993* or *Local Government Act 1993* CAN NOT be privately certified. Examples of these works are, but not limited to:

- Works in public areas (i.e. Road Reserve, Public Reserves)
- Inter-allotment drainage (i.e. drainage outside the boundary of the land being developed)

Engineering works (as nominated in the ‘Prior to Construction Certificate (Engineering)’ section of the consent) can be included within a Construction Certificate for Building works, provided that:

- All Engineering Works are specifically mentioned on the Construction Certificate
- The Certifier holds relevant qualifications to issue a Construction Certificate for the Engineering works. Appropriate accreditation qualifications must be shown on Construction Certificate.

- 1.7.2 All works requiring approval under the *Roads Act 1993* or *Local Government Act 1993* must be approved PRIOR to the issue of any Construction Certificate.

1.8 Payment of Engineering Fees

1.8.1 If the applicant wishes for Council to issue the Construction Certificate for Engineering Works (As nominated in the 'Prior to Construction Certificate (Engineering)') the applicant must:

- Complete application form
- Submit all relevant plans produced by a suitably qualified person and in accordance with Councils Standards.

A quote will be provided verbally generally within 6 weeks followed by confirmation in writing.

1.8.2 If the applicant wishes for Council to undertake Construction inspections and issue a Compliance Certificate for engineering works, the applicant must:

- Complete application form
- Submit all relevant plans produced by a suitably qualified person
- If plans are privately certified, applicant must supply Construction Certificate covering the required works.

A quote will be provided verbally generally within 6 weeks, followed by confirmation in writing.

2 GENERAL

2.1 Scope of Consent

2.1.1 This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:

Drawing No.	Dated
Architectural Plans prepared by RAAA:	
Cover Sheet, 1508-000, Issue B	10.02.2017
Site Plan 1508-001, Issue B	10.02.2017
General Plans - Basement to First Floor 1508-002, Issue B	10.02.2017
General Plans - Second Floor to Roof 1508-003, Issue B	10.02.2017
Elevations and Sections 1508-004, Issue B	10.02.2017
Height Calculation Diagrams 1508-015, Issue B	10.02.2017
Area Calculation Diagram 1508-016, Issue B	10.02.2017
Area Calculation Diagram 1508-017, Issue B	10.02.2017
Carparking Use Diagram 1508-019, Issue B	10.02.2017
Waste Management Diagrams 1508-020, Issue A	7.02.2017
Retaining Walls & Fences 1508-021, Issue A	7.02.2017

Area and % of 4 levels and possible building area if no easement 1508-025, Issue A	10.02.2017
NEW SELF-CONTAINED DWELLINGS - INDEPENDENT LIVING (IL):	
General Plans - Basement 1508.1IL-001, Issue C	10.02.2017
General Plans - Ground Floor 1508.1IL-002, Issue H	27.05.2017
General Plans - First Floor 1508.1IL-003, Issue B	10.02.2017
General Plans - Second Floor 1508.1IL-004, Issue B	10.02.2017
General Plans - Third Floor and Roof 1508.1IL-005, Issue B	10.02.2017
Elevations 1508.1IL-006, Issue C	10.02.2017
Sections 1508.1IL-007, Issue B	10.02.2017
Finishes Schedule – IL 1508.1IL-501, Issue A	20.06.2016
NEW RESIDENTIAL CARE FACILITY (RCF):	
General Plans - Basement 1508.2AC-001, Issue B	10.02.2017
General Plans - Ground Floor 1508.2AC-002, Issue B	10.02.2017
General Plans - First Floor 1508.2AC-003, Issue B	10.02.2017
General Plans - Second Floor 1508.2AC-004, Issue B	10.02.2017
General Plans – Roof Plan 1508.2AC-005, Issue B	10.02.2017
Elevations & Sections 1508.2AC-006, Issue B	10.02.2017
Sections 1508.2AC-007, Issue B	10.02.2017
Finishes Schedule – Aged Care 1508.2AC-501, Issue A	20.06.2016
New Infill Chapel:	
General Plans, Elevations & Sections 1508.3H-001, Issue B	10.02.2017
Finishes Schedule – Chapel 1508.3H-501, Issue A	20.06.2016
Landscape Plans prepared by Taylor Brammer:	
Site Plan, LA01, Issue A	22.06.2016
Village Character, LA02, Issue A	22.06.2016
Tree Removal & Retention Plan, LA03, Issue B	01.03.2018
Landscape Detail Plan – Village Square LA04, Issue A	22.06.2016
Landscape Detail Plan – Village Meadow LA05, Issue A	22.06.2016
Landscape Detail Plan – Community Activity Centre and Entry Gateway	22.06.2016

LA06, Issue A	
Planting Character LA07, Issue A	22.06.2016
Landscape Sections LA08, Issue A	22.06.2016
Landscape Sections LA09, Issue A	22.06.2016

* Unless modified by any condition of this consent

2.2 Services

- 2.2.1 Low voltage electricity and telecommunications services for the approved development shall be reticulated underground.

2.3 Suburb Name

- 2.3.1 The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

Suburb: BLACKTOWN

2.4 Signage

- 2.4.1 Discreet directional signage which provides clear way finding directions for pedestrians and vehicles are permitted to be erected. No illuminated, LED or moving signs are permitted. No business identification signage is approved.

Any other signage requires separate Council approval prior to installation, except where signage is permitted pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

2.5 Compliance with BASIX Certificate

- 2.5.1 All commitments listed in the BASIX Certificate number: 728166M shall be complied with.

2.6 Engineering Matters

2.6.1 Design and Works Specification

- 2.6.1.1 All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

(a) Blacktown City Council's Works Specification - Civil (Current Version)

(b) Blacktown City Council's Engineering Guide for Development (Current Version)

(c) Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management

(d) Blacktown City Council Growth Centre Precincts Development Control Plan

(e) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version)

(f) Blacktown City Council On Site Detention General Guidelines and Checklist

(g) Upper Parramatta River Catchment Trust On Site Stormwater Detention Handbook
THIRD Edition December 1999.

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements **MUST** be submitted to Council with any application for Construction Certificate, *Road Act 1993* or *Local Government Act 1993* approval.

Any Construction Certificates issued by Private Certifiers must also be accompanied by the above documents.

NOTE: Any variations from these design requirements must be separately approved by Council.

2.6.1.2 The Applicant is required to submit to Council, Bonds and/or Contributions for works associated with the development in conjunction with the civil engineering works required to be constructed as part of this development. Works may include:

- Maintenance of the construction works

These matters will be individually addressed within the consent

2.6.1.3 Prior to release of any bond securities held by Council for civil engineering works, the payment of a bond release inspection fee in accordance with Council's Goods and Services Pricing Schedule must be made.

2.6.1.4 Written notice must be provided to adjacent properties, at least 5 days prior to works commencing, where works are approved by this consent and located within Council controlled lands (i.e. Roads, drainage reserves, parks, etc)

A copy of this notice must be provided to Council's Co-ordinator of Engineering Approval.

2.7 Other Necessary Approvals

2.7.1 A separate application will be required for the following approvals, under the *Local Government Act 1993* and/or the *Roads Act 1993*.

ROADS ACT APPROVAL 1993

- Vehicular Crossing (application form only)
- Construction of any stormwater drainage located within the public road

LOCAL GOVERNMENT ACT APPROVAL 1993

- Construction of any stormwater drainage located within an adjacent property

2.8 Other Matters

2.8.1 Any future substation, temporary drainage works or other utility installation required to service the approved subdivision/development (other than that approved in this application) shall not be sited on future or existing Council land, including road reservations and/or public reserves.

2.12 Drainage Section Requirements

- 2.12.1 Each year by the first business day on or after 1 September the registered proprietor/lessee is to provide to Council's Asset Design Services Section a report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices in accordance with the approved maintenance schedule and details of all non-potable water used. All material removed are to be disposed of in an approved manner. Copies are to be provided of all contractor's cleaning reports or certificates to Council's WSUD Compliance Officer.

2.8 NSW Rural Fire Service Matters – General Terms of Approval

The following conditions are deemed a bush fire safety authority by the NSW Rural Fire Service as required under section 100B of the *Rural Fires Act 1997*:

- 2.8.1 Asset Protection Zones – At the commencement of building works and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
- 2.8.2 Water and Utilities - Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.
- 2.8.3 Evacuation and Emergency Management - A Bush Fire Emergency Management and Evacuation Plan shall be prepared consistent with 'Development Planning- A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014' and Australian Standard AS3745 2010 'Planning for Emergencies in Facilities'.
- 2.8.4 Access - Internal roads shall comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.
- 2.8.5 Design and Construction - New construction of buildings associated with St Hedwig Square shall comply with Sections 3 and 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.
- 2.8.6 Design and Construction - New construction of buildings associated with St Hedwig Green shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.
- 2.8.7 Design and Construction - Existing buildings are required to be upgraded to improve ember protection. This is to be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vents, weepholes and eaves. External doors are to be fitted with draft excluders.
- 2.8.8 Landscaping – Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.
- 2.8.9 General Advice – The above conditions regarding construction standards are based on the continual management of off-site APZs within Blacktown City Council's Reserve R752.

2.9 NSW Roads and Maritime Services Matters

- 2.9.1 Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system 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 or Fax: 8849 2766.
- 2.9.2 In accordance with AS 2890.1- 2004 (Parking Facilities, Part 1: Off-street car parking), the driveway shall be a minimum of 5.5 metres in width for a minimum distance of 6 metres from the property boundary.
- 2.9.3 The design and construction of the gutter crossing on Reservoir Road shall be in accordance with Roads and Maritime requirements. Details of these requirements should be obtained from Roads and Maritime Services, Manager Developer Works, Statewide Delivery, Parramatta (telephone 9598 7798).
- Detailed design plans of the proposed gutter crossing are to be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works.
- A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.
- 2.9.4 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.
- 2.9.5 Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Reservoir Road during construction activities. A ROL can be obtained through
<https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>
- 2.9.6 The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004, AS2890.6-2009 and AS 2890.2 – 2002 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.
- 2.9.7 Sight distances from the proposed vehicular crossings to vehicles on Reservoir Road are to be in accordance with the Austroads 'Guide to Traffic Engineering Practice, Part 5: Intersections at Grade, Section 6.2 – Sight Distance' and AS 2890. Vegetation and proposed landscaping/fencing must not hinder sight lines to and from the vehicular crossings to motorists, pedestrians and cyclists.
- 2.9.8 Parking for building maintenance and removalists is to be provided on site.
- 2.9.9 The swept path of the longest vehicle (including garbage trucks, building maintenance vehicles and removalists) entering and exiting the subject site, as well as manoeuvrability

through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.

- 2.9.10 All vehicles are to enter and leave the site in a forward direction.
- 2.9.11 All vehicles are to be wholly contained on site before being required to stop.
- 2.9.12 The proposed development will generate additional pedestrian movements in the area. Pedestrian safety is to be considered in the vicinity.
- 2.9.13 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 Reservoir Road.

2.10 Endeavour Energy Matters

- 2.10.1 Network Capacity / Connection - In due course the applicant for the future proposed development of the site will need to submit an application for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Depending on the outcome of the assessment, any required padmount or indoor / chamber substations will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please find attached a copy of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. Further details are available by contacting Endeavour Energy's Network Connections Branch via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm or on Endeavour Energy's website under 'Home > Residential and business > Connecting to our network' via the following link:
<http://www.endeavourenergy.com.au>

- 2.10.2 Easement Management / Network Access – The development is to adhere to Endeavour Energy's 'General Restrictions for Overhead Power Lines' The following is a summary of the usual / main terms of Endeavour Energy's electrical easements / protected electrical works requiring that the land owner:

- Not install or permit to be installed any services or structures within the easement site.
- Not alter the surface level of the easement site.
- Not do or permit to be done anything that restricts access to the easement site without the prior written permission of Endeavour Energy and in accordance with such conditions as Endeavour Energy may reasonably impose.

If the proposed works will encroach/affect Endeavour Energy's easements contact must first be made with the Endeavour Energy's Easements Officer, Jeffrey Smith, on 9853 7139 or alternately
Jeffrey.Smith@endeavourenergy.com.au.

It is imperative that the access to the existing electrical infrastructure adjacent and on the site is maintained at all times. To ensure that supply electricity is available to the community, access to the electrical assets may be required at any time.

Refer to the approval with conditions for work within Endeavour Energy's easement area was issued to the Applicant on the 29 August 2016.

- 2.10.3 Safety Clearances - Any future proposed buildings, structures, signage etc. must comply with the minimum safe distances / clearances for voltages up to and including 132,000 volts (132kV) as specified in AS/NZS 7000:2010 'Overhead line design - Detailed procedures' and the 'Service and Installation Rules of NSW'. Different voltages are kept at different heights, the higher the voltage, the higher the wires are positioned on the pole. Similarly, the higher the voltage, the greater the required building setback. These distances must be maintained at all times and to all buildings and structures eg. for the erection of scaffolding etc., and regardless of the Council's allowable building setbacks etc. under its development controls, allowance must be made for the retention of appropriate / safe clearances.
- 2.10.4 Earthing - The construction of any building or structure (including fencing) that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with AS/NZS 3000:2007 'Electrical installations' to ensure that there is adequate connection to the earth. Inadequate connection to the earth places persons and the electricity network at risk.
- 2.10.5 Noise - The electricity network is operational 24/7/365, i.e. all day, every day of the year. Overhead power lines can produce an audible sound or buzz as a side effect of carrying electricity. The sound can be louder if there is increased moisture (during rain, fog, frost etc.) or pollutants in the air. The sound usually occurs at the poles at the insulators supporting the power lines. The transformer in substations may emit a hum – especially when under heavy load say in the summer peak when use of air conditioning is at its highest. These sounds are generally not an issue in non-urban / non-residential areas but with increasing density and building heights Endeavour Energy believes it is worth considering. Where development is proposed in the vicinity of electricity infrastructure, Endeavour Energy is not responsible for any acoustic / noise amelioration measures for such noise that may impact on the nearby proposed development.
- 2.10.6 Electric and Magnetic Fields (EMF) - Endeavour Energy recognises that a causal link between power-line EMF exposure and demonstrated health effects has not been established, even after much scientific investigation throughout the world. There are no state or federal exposure standards for 50/60- hertz (Hz) EMF based on demonstrated health effects. Nor are there any such standards world-wide. Among those international agencies that provide guidelines for acceptable EMF exposure to the general public, the International Commission on Non-Ionizing Radiation Protection established a level of 1000 milligauss (mG). Endeavour Energy recognises that timely additional research is unlikely to prove the safety of power-line EMF to the satisfaction of all.

Endeavour Energy is committed to ensuring that its activities and assets conform to all relevant International and Australian Standards, National Health and Medical Research Council (NH&MRC) Standards, Energy Networks Association (ENA) Standards and NSW legislation. This includes a commitment to a policy of prudent avoidance as endorsed by the ENA with regard to the location of assets and electric and magnetic fields. Please find attached a copy of ENA's 'Electric & Magnetic Fields – What We Know, January 2014' which can also be accessed via the ENA's website at <http://www.ena.asn.au/>.

- 2.10.7 Asbestos – Endeavour Energy's G/Net master facility model indicates that the site is in a locality identified or suspected of having asbestos or asbestos containing materials (ACM) present. Whilst Endeavour Energy's underground detail is not complete within G/Net in some areas, in older communities, cement piping was regularly used for the electricity distribution system and in some instances containing asbestos to strengthen the pipe; for insulation; lightness and cost saving.

When undertaking works on or in the vicinity of Endeavour Energy's electricity network, asbestos or ACM must be identified by a competent person employed by or contracted to the applicant and an asbestos management plan, including its proper disposal, is required whenever construction works has the potential to impact asbestos or ACM.

The company's potential locations of asbestos to which construction / electricity workers could be exposed include:

- customer meter boards;
- conduits in ground;
- padmount substation culvert end panels; and
- joint connection boxes and connection pits.

Further details are available by contacting Endeavour Energy's Health, Safety & Environment via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm.

- 2.10.8 Vegetation Management - The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure. Accordingly only low growing shrubs not exceeding 3.0 metres in height, ground covers and smaller shrubs, with non-invasive root systems are the best plants to use. Landscaping that interferes with electricity infrastructure may become subject to Endeavour Energy's Vegetation Management program and/or the provisions of the Electricity Supply Act 1995 (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.
- 2.10.9 Dial before You Dig – Before commencing any underground activity the applicant is required to obtain advice from the **Dial before You Dig 1100** service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical or other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.
- 2.10.10 Demolition - Demolition work is to be carried out in accordance with Australian Standard AS2601: The demolition of structures (AS 2601). All electric cables or apparatus which are liable to be a source of danger, other than a cable or apparatus used for the demolition works shall be disconnected, i.e. the existing customer service lines will need to be isolated and/or removed during demolition. Appropriate care must be taken to not otherwise interfere with any electrical infrastructure on or in the vicinity of the site, e.g. street light columns, power poles, overhead and underground cables, etc.
- 2.10.11 Public Safety – As the proposed development will involve work near electricity infrastructure, workers run the risk of receiving an electric shock and causing substantial damage to plant and equipment. I have attached Endeavour Energy's public safety training resources, which were developed to help general public / workers to understand why you may be at risk and what you can do to work safely. The public safety training resources are also available via Endeavour Energy's website via the following link:
<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/community/safety/safety+brochures>
- 2.10.12 Emergency Contact - In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note Emergencies Telephone is 131 003 which can be contact 24 hours/7 days.

2.11 NSW Local Police Matters

- 2.11.1 Surveillance – CCTV surveillance cameras proposed for the development, ensure particular attention to those areas susceptible to anti-social behaviour and criminal activity and also difficult to supervise. The exterior coverage should capture all entrances and exits and the immediate vicinity of the building.
- 2.11.2 Surveillance – By ensuring clear sightlines, the opportunity to commit a crime is decreased. Given the vulnerability of the residents residing in these complexes, CCTV is required to be installed and operating to assist with providing security to staff, residents and visitors.
- 2.11.3 Surveillance – The CCTV is required to operate 24 hours a day with images kept for a minimum of 30 days for viewing by police as required. Staff are to be trained in the operation of the system.
- 2.11.4 Lighting - A Lighting Maintenance Policy is to be established for the development. The development is to be maintained in accordance with this Policy.
- 2.11.5 Lighting - Lighting should be vandal resistant and placed around the perimeter of the property, at all entry/exits points, including and not limited to the driveway, footpaths and remainder of the enclosed premises. Possible entrapment spots such as the loading dock, storage units, waste/rubbish bin areas should be lit with vandal-resistant and energy saving lighting. The lighting should be checked regularly to ensure it is operating effectively.
- 2.11.6 Lighting - External sensor lighting is highly recommended for the independent living units including balconies.
- 2.11.7 Lighting - The ceiling of the car park should be light in colour, and preferably painted white. This will enhance the lighting operating in this space.
- 2.11.8 Lighting - Lighting used in the carpark areas should illuminate continuously in hours of darkness.
- 2.11.9 Space Activity Management - The common areas are to be specifically monitored by CCTV. In line with Worker Health and Safety Regulations, adequate CCTV is to be installed in the interior and immediate exterior of common areas. This CCTV coverage should capture all area of the common areas. The exterior coverage should capture all entrances and exits and the immediate vicinity of the buildings including the driveway.
- 2.11.10 Access Control – The contact details of a key holder are to be provided to emergency service agencies to aid with entry by emergency services personnel should there be any obstruction/issues to them gaining immediate access.
- 2.11.11 Landscaping and Vegetation - Landscaping and vegetation enhance the natural amenity of any site. However, it is important to ensure dense foliage and inappropriate planting does not lead to opportunities for concealment.

It is recommended that the plants are low lying shrubs and/or grass like plants which are free from stones and/or rocks at the soil base (eliminating stones used for projectiles). These low lying shrubs and or grass like plants should be planted to avoid clumping and to retain sightlines and opportunities for surveillance around the communal areas. The plants proposed should have an appearance of impenetrability and qualities that minimises concealment opportunities.

- 2.11.12 Territorial Re-enforcement - Appropriate signage is to be erected, such as 'Trespassers will be prosecuted, surveillance systems operating and security personal on duty,' etc.
- 2.11.13 Territorial Re-enforcement - Warning signs are to be erected in the car parks which are clear and concise displaying the area/s in which cars should be parked.
- 2.11.14 Territorial Re-enforcement - Warning signs are to be erected in the car parks which are clear and prominent warning people not to leave valuables in their cars. For example 'Lock it or lose it' or 'Don't leave valuables in your vehicle.'
- 2.11.15 Territorial Re-enforcement – It is preferred that the letter box locations for the two Independent Living Units are location within the buildings / foyers areas, and not placed external to the buildings so as to deter incidents of mail theft and identification fraud.

Recommendations include a segregated mailbox room/foyer area. This will enable the delivery of letter/pamphlets, however ONLY residents/staff can access the room through a swipe card, pin code entry system, or the like. Residents can then utilise a key system to gain access to their personal mail box. CCTV is to be installed in the foyer/mail room.

3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

3.1 DA Plan Consistency

- 3.1.1 A Construction Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.

3.2 Road Deposit/Bond

- 3.2.1 The current road inspection fee of \$180.00 (which is subject to periodic review and may vary at time of payment) shall be lodged with Council.

Council will undertake initial and final inspection of civil assets outside the development site. The applicant will held liable for any damage arising from construction activities. Council will undertake reinstatement works and recover the costs from the applicant in accordance with Council's current Goods & Services Pricing Schedule.

- 3.2.2 The payment of the following fee to Council's Maintenance Section pursuant to Sections 608 and 609 of the Local Government Act 1993. The fee is subject to periodic review and may vary at actual time of payment.

Vehicular Crossing Application and Inspection Fee: \$145.00

3.3 Contamination and Hazardous Building Materials

- 3.3.1 The recommendations of the Hazardous Building Materials Audit and a Hazardous Materials Management Plan, both prepared by Progressive Risk Management and dated August 2016 shall be implemented.

3.4 Section 7.11 Contributions

- 3.4.1 The following monetary contributions pursuant to Section 7.11 (previously 94) of the *Environmental Planning & Assessment Act 1979* must be paid. The amounts below are as at the date of this consent. They WILL BE INDEXED from the base date of June 2010 to

the date of payment. Payment of the indexed amounts must be made prior to the issue of a Construction Certificate (for building works) either by Council or any accredited certifier, whichever occurs first.

PLEASE NOTE: Payments must be made by BANK CHEQUE IF IMMEDIATE CLEARANCE IS REQUIRED. Payments of the full amount by credit card or EFTPOS are accepted. However, payments by credit card or EFTPOS over \$10,000.00 are levied a 3% surcharge on the whole amount and cannot be split between different credit or EFTPOS cards.

Contribution Item	Base Amount	Relevant C.P.
Open Space South Blacktown	\$161,735.00	1
Community Facilities South Blacktown	\$ 34,408.00	1

The contribution(s) will be indexed according to the Australian Bureau of Statistics' Consumer Price Index (Sydney Housing) or Consumer Price Index (All Groups Sydney).

Copies of the following relevant Contributions Plan(s) may be inspected/purchased from Council's Development Services Unit:

CP No. 1 1980s Release Area

The Section 7.11 Contribution(s) have been based on the total developable area, the site's road frontage and/or the potential additional population nominated below. Should the final plan of survey indicate any change in the total developable area or should amendments change the potential additional population, the Section 7.11 Contribution(s) will be adjusted accordingly.

Additional population: 63.6 persons

3.5 Aesthetics / Landscaping

- 3.5.1 The reflectivity index of glass used in the external facade of the development is not to exceed 20 percent.
- 3.5.2 The development approved by Council is to be constructed in accordance with the approved External Finishes Schedules.
- 3.5.3 All proposed new retaining walls shall be made of masonry material. Where these walls are to be visible from a public place or road they are to be finished in a decorative appearance and not left as plain blockwork.
- 3.5.3 Service conduits which are located on the external facade of the building, and which are visible from the public domain, are not permitted to be exposed, and are to be appropriately screened from view so as to blend in and integrate with the overall presentation of the building.

3.6 Biodiversity

- 3.6.1 The climbing plants / creepers indicated to be planted along the retaining walls along the southern boundary adjoining Council's reserve on the approved landscape plans, are to be Cumberland Plain Woodland climber species, such as *Hardenbergia violacea*, *Glycine clandestine* and *Glycine tabacina*.

3.7 Trees and Street Tree Planting

- 3.7.1 All trees in the vicinity of the stormwater headwall located within Harper's Bush (Blacktown City Council's 'Reserve 752') are to be retained and protected.
- 3.7.2 2 trees which are located on Harper's Bush (Blacktown City Council's 'Reserve 752') and as shown on the Tree Removal and Retention Plan prepared by TaylorBrammer, Revision B and dated 1 March 2018, are required to be retained and protected as per AS 4970-2009 Protection of Trees on Development Sites. The 3 remaining trees on the boundary and/or on Harper's Bush as shown on the Tree Removal and Retention Plan are permitted to be removed due to the impact of the replacement works to the driveway on the structural root zone of these 3 trees.
- 3.7.3 A monetary contribution is required to be paid by the developer/person acting on this consent at a rate 6:1 as per Council's Goods and Services Pricing Schedule for the replacement of the 3 trees to be removed as shown on the Tree Removal and Retention Plan prepared by TaylorBrammer, Revision B and dated 1 March 2018 which are located on the boundary and/or on Harper's Bush (Blacktown City Council's 'Reserve 752'), which is a threatened ecological area.

The offset plantings costs will be for 18 trees at \$230.00 per tree (as per Council's Goods and Services Pricing Schedule) for a total of \$4,140.00 which can be paid over the counter at the Blacktown Civic Centre, quoting Account Number RA300373-368.

The offset street tree plantings will be undertaken within the Council Reserves to the sides or the rear of the development, being Reserves 751 and 752 (Harper's Bush).

- 3.7.4 A Street Tree Planting Plan is required to be submitted for approval prior to a Construction Certificate being issued and is to be in accordance with Council's requirements for street tree species, street tree planting details and specifications, maintenance and performance, bonds, services and charges.
- 3.7.5 Council's Project Officer for Civil and Open Space Infrastructure is required to be notified when new street trees have been planted so practical completion can be given on the street tree planting and the 12 month maintenance period can commence.

3.8 Access / Parking

- 3.8.1 All car parking spaces (being 99 spaces for Stage 1 and 201 spaces for Stage 2) and internal driveways/roads shall be maintained to a standard suitable for the intended purpose. All car parking spaces are to be available to residents, staff, visitors and church patrons at all times in accordance with the Carparking Use Diagram Plan, Drawing No. 1508-019, Issue B, dated 10 February 2017. A total of 8 car parking spaces are to be provided for persons with disabilities at all times.
- 3.8.2 The layout of the car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, parking bay dimensions, headroom, loading areas, etc.) are to be designed in accordance with Australian Standard AS2890.1.
- 3.8.3 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6, including parking space dimensions and clearance.
- 3.8.4 All internal roads and other paved areas shall be designed to provide continuous surface

drainage flow paths to approved points of discharge.

3.9 Construction Traffic Management Plan

- 3.9.1 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 prior to the issue of any Construction Certificate.

3.10 Waste Collection

- 3.10.1 The Construction Certificate documentation is to include confirmation that the roads, driveways and loading areas are designed for construction in accordance with the dimensions indicated on the approved Architectural Plans, CAD files and vertical cross-section plans submitted with this Development Application (demonstrating compliance with Australian Standards for headroom allowances) and showing adequate truck entry and exit and in all manoeuvring areas.

- 3.10.2 The Construction Certificate documentation is to include confirmation that the roads, driveways and loading areas which will be utilised by any waste collection vehicle are rated for an 8.8 m long, medium rigid vehicle.

3.11 Staging

- 3.11.1 The development is permitted to be constructed and occupied in a staged manner, in accordance with the 'staging' detailed on the Site Plan, Drawing No. 1508-002, Issue B and dated 10 February 2017 and as detailed in the Statement of Environmental Effects prepared by Lawrence Winnacott & Associates Pty Limited and dated June 2016.

3.12 Services/Utilities

- 3.12.1 The following documentary evidence shall accompany any Construction Certificate:
- (a) A "Notification of Arrangement" Certificate from a recognised energy provider, stating that arrangements have been made with the service authority for electrical services, including the removal of any power poles and any provision of street lighting, to the development.
 - (b) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

4 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

4.1 Building Code of Australia Compliance

- 4.1.1 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:
- (a) Complying with the deemed to satisfy provisions, or
 - (b) Formulating an alternative solution which:
 - (i) complies with the performance requirements, or
 - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - (iii) A combination of (a) and (b).

4.1.2 The structural alterations to the building shall not unduly reduce or compromise:

- (a) the existing level of fire protection afforded to persons accommodated in or resorting to the building, or
- (b) the existing level of resistance to fire of the building, or
- (c) the existing safeguards against the potential spread of fire to adjoining buildings.

4.2 BASIX Certificate Compliance

4.2.1 The plans and specifications must indicate compliance with the commitments listed in the BASIX Certificate Number: 728166M.

5 PRIOR TO CONSTRUCTION CERTIFICATE (ENVIRONMENTAL HEALTH)

5.1 Food Premises

5.1.1 Plans and specifications submitted for issue of a Construction Certificate shall demonstrate compliance with the requirements of;

- Food Act 2003 and Regulations there under.
- Australian Standard 4674-2004 *Design, construction and fit-out of food premises*.

5.1.2 All works carried out shall comply with the requirements of;

- Food Act 2003 and Regulations there under.
- Australian Standard 4674-2004 *Design, construction and fit-out of food premises*.

5.1.3 The walls and floor of the premises are to be constructed with an approved durable, smooth, impervious material capable of being easily cleaned.

5.2 Environmental Management

5.2.1 All recommendations provided in the Acoustic Assessment Report for St Hedwig Village Revitalisation and Extension, prepared by JHA Services, dated 23 June 2016, shall be implemented.

6 Prior to Construction Certificate (Engineering)

6.1 General

6.1.1 All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate can be issued.

6.1.2 All fees for Construction, Roads Act 1993 and Local Government Act 1993 approvals must be paid to Council prior to the issue of any of the above certificates or approvals. All fees for Compliance Certificates must be paid to Council prior to any construction certificate works commencing.

6.1.3.1 Construction certificate plans shall be generally in accordance with the following drawings:

Prepared By	Project No.	Drawing No.	Sheet No.	Revision	Dated
Henry & Hymas	15C87_DA_	C000	-	02	09.06.2016
		C100			
		C101			16.06.2016

		C102			17.06.2016
		C103			
		C111			
		C112			
		C200		01	09.06.2016
		C201			
		C202			
		C203			
		C204			
		C205			
		C210		02	
		C211			
		C212			
		C213			
		C214			
		C250			
		C251		03	17.06.2016
		C252			
		C253			
		SE01		01	09.06.2016
		SE01			

6.1.3.2 The following items are required to be addressed on the Construction Certificate plans:

- i. Provide stormwater long-section drawings and additional information for proposed drainage traversing Reservoir Road and demonstrating concept capability.

In particular, drawings shall:

- a) Confirm any assumed invert levels used in the proposal
- b) Detail any utility or service which may hinder or render the concept proposal in either functionality or performance
- c) Confirm the stormwater design gradients and depth in accordance with the Design and Works Specification section of this consent
- d) Roads and Maritime Services confirmation of acceptance of design

DRAINAGE SECTION REQUIREMENTS

- ii. Either amended drainage plans are required to the satisfaction of the Manager Asset Design to provide full on-lot water quality treatment in accordance with the water quality targets required under Part J of DCP 2015 for:

- any part of the site discharging to Reservoir Road, and
- all of the redeveloped site (the subject to this DA) discharging to the Harper's Bush Reserve.

or,

A Voluntary Planning Agreement (VPA) must be entered into with Council in accordance with Council's Voluntary Contribution Scheme for the provision of off-site water quality treatment and the following monetary contributions under the VPA must be paid. The amounts below are BASE contributions which WILL BE INDEXED from the nominated base date to the date of payment. Payment of the indexed amounts must be made (BY BANK CHEQUE IF IMMEDIATE CLEARANCE IS REQUIRED; NOTE Council DOES NOT accept payment of VPA Contributions by credit card or EFTPOS) prior to the issue of a

Construction Certificate (for building works) or Subdivision Certificate (for subdivision works) either by Council or any accredited certifier, whichever occurs first.

Contribution Item	Base Amount	Base Date
(i) Water Quality	\$ 100,561	01/03/2015
(ii) Administration Fee	\$ 1,508	01/03/2015

The contribution(s) will be indexed according to the Australian Bureau of Statistics' Implicit Price Deflator for Gross Fixed Capital Expenditure (Private Dwellings) and the Consumer Price Index (Sydney Dwellings).

The VPA Contribution(s) have been based on the total developable areas. Should the final plan of survey indicate any change in the total developable area, the VPA Contribution(s) will be adjusted accordingly.

Developable Area: 1.5990 hectares (0.7445 hectares for the front of the site and 0.8545 hectares for the rear of the site).

- iii. An experienced Drainage Engineer registered with NER and supported by a DRAINS or similar electronic hydraulic drainage model is to certify that the internal drainage system (excluding the OSD tanks) is capable of carrying the 20 year ARI flows without surcharge at any pits and that the 100 year flows discharging to Reservoir Road through pipe or surface flows can reach the detention tank except for any nominated bypass.
- iv. Amended architectural plans are required for buildings, or parts of buildings, that are not affected by BASIX, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
 - i. 4 star dual-flush toilets;
 - ii. 3 star showerheads;
 - iii. 4 star taps (for all taps other than bath outlets and garden taps);
 - iv. 3 star urinals; and
 - v. Water efficient washing machines and dishwashers are to be specified.
- v. A Professional Structural Engineer, registered with NER, must certify the structural design for pier footings adjacent to the below ground detention, stormwater and rainwater tanks to be founded a minimum of 300mm below the underside of the tanks. The depth of piers away from the tanks will be subject to the zone of influence.
- vi. Provide a minimum 120kL Stormwater Reuse Tank (SWT 1) immediately upstream of the discharge point to the Harper Bush Reserve to collect only the treated flows from the upstream water quality treatment devices. This non-potable water is only used for landscape watering and pond top-up only. The Stormwater tank overflow (maximum storage level) will be set to the invert level of the inflow pipes. Provide sections and details with dimensions with the 120kL provided below the overflow. The high flow bypass of the upstream water quality device is to discharge direct to the new headwall and bypass the tank. Provide a non-return flap on the return line from the tank to the bypass line. Where a VPA is entered into, the tank is to collect the treated flow from the two Vorticity HS21 units. Stormwater 360 can provide a detail for the Internal Treated Outflow Pipe to discharge to the tank. Where a VPA is not entered into and full

water quality on-lot treatment is provided, then the treated flow from the highest standard upstream treatment device is to direct flows to the tank.

- vii. An experienced irrigation specialist is to prepare and certify a detailed Landscape Watering Plan for all non-potable landscape watering and pond top-up using water from the **120 kL Stormwater tank** only. The plan is to show the stormwater pipe and tank arrangement including:
 - i) a first flush or pre-treatment system (this can be the GPT or similar),
 - ii) dual alternating pumps with isolation valves and a warning light to indicate pump failure;
 - iii) a mains water direct tank top up with air gap for landscape watering,
 - iv) **flow meters** on the mains water tank top-up line and the pump outflow line, to determine actual non-potable usage.
 - v) a timer and control box for landscape watering, allowing for seasonal variations and split systems;
 - vi) ensuring all the stormwater reuse pipes are coloured purple;
 - vii) an inline automatic backwash filter. Additional cartridge filters or similar as required to achieve the required water quality and avoid blockage of drip irrigation nozzles.
 - viii) the treatment system for the Stormwater Irrigation Reuse is to meet as a minimum the Level 2 criteria from Table 6.4 of Managing Urban Stormwater Harvesting and reuse DEC 2006 and detail whether this includes UV treatment or similar particularly if spray irrigation required.
 - ix) how the system is designed to automatically achieve a minimum average usage rate of 0.4 kL/yr/m² of landscape areas including increasing the frequency of watering by 50% above average for the hotter months and a total minimum usage of 2000 kL/year.
 - x) fitting warning signs to all external taps using stormwater.
 - xi) certification that all Sydney Water requirements have been satisfied.
- viii. An experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply Plan for toilet/urinal flushing as detailed below for the minimum **130 kL rainwater tank near the front boundary**. The plan is to show the rainwater pipe and tank arrangement including:
 - i) supply of rainwater for flushing of the two visitor toilets west of the community care office, the toilets to visitor studios E.05 and E.06 and all toilets/urinals for the medical suites as detailed on drawing 1508.1IL-002 (A).
 - ii) supply of rainwater for flushing of all the toilets/urinals within the second floor of the new Residential Care Facility.
 - iii) a first flush or pre-treatment system (typically 0.2 litres / m² of roof area (minimum 3,300 m²) going to the tank or similar),
 - iv) a pump with isolation valves and a warning light to indicate pump failure;
 - v) a solenoid controlled mains water bypass for toilet flushing only;
 - vi) **flow meters** on the solenoid controlled mains water bypass line and the pump outflow line, to determine actual non-potable usage;
 - vii) ensuring all the rainwater reuse pipes are coloured purple;
 - viii) an inline filter and preferably an automatic backwash inline filter.
 - ix) fitting rainwater warning signs to all external taps using rainwater;
 - x) certification that all Sydney Water requirements have been satisfied.
- ix. An experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply Plan for toilet/urinal flushing as detailed below for the minimum **190 kL rainwater tank at the rear adjacent to the Residential Care**

Facility. The plan is to show the rainwater pipe and tank arrangement including:

- i) supply of rainwater for flushing of all the toilets/urinals within the ground and first floors of the new Residential Care Facility.
 - ii) a first flush or pre-treatment system (typically 0.2 litres / m² of roof area (minimum 2,400 m²) going to the tank or similar),
 - iii) a pump with isolation valves and a warning light to indicate pump failure;
 - iv) a solenoid controlled mains water bypass for toilet flushing only;
 - v) **flow meters** on the solenoid controlled mains water bypass line and the pump outflow line, to determine actual non-potable usage;
 - vi) ensuring all the rainwater reuse pipes are coloured purple;
 - vii) an inline filter and preferably an automatic backwash inline filter.
 - viii) fitting rainwater warning signs to all external taps using rainwater;
 - ix) certification that all Sydney Water requirements have been satisfied.
- x. Details are to be provided for permanent interpretive signage minimum A0 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the major water quality device. The wording and detail is to be approved by Council.
- xi. Amended Engineering plans from Henry and Hymas are to be provided to meet the requirements under Council's Part J of DCP 2015 and Council's Engineering Guide for Development 2005. The amended plans must address the following:
- A. Rainwater Tanks:
 - a) The rainwater tank at the front, downstream of the two Independent living buildings is to be increased from 65kL to 130 kL. Call this RWT 1. Demonstrate that a minimum of 3,300 m² of roof area is directed to this tank.
 - b) The rainwater tank at the rear, downstream of the Residential Care Building is to be reduced from 200kL to a minimum 190 kL. Call this RWT 2. Demonstrate that a minimum of 2,400 m² of roof area is directed to this tank.
 - c) These volumes are measured below the overflow.
 - d) These tanks are only to be used for toilet/urinal flushing.
 - B. Provide a minimum 120kL Stormwater Reuse Tank (SWT 1) immediately upstream of the discharge point to the Harper Bush Reserve to collect only the treated flows from the upstream water quality treatment devices.
 - C. The existing roof overflows from the existing Community Centre and Hostel that discharge independently to the Reserve are to be collected and piped directly to the Stormwater Tank (SWT 1).
 - D. Where the section 94 contribution for water quality under CP19 is not paid then amended drainage plans are required to the satisfaction of the Manager Asset Design to provide full on-lot water quality treatment in accordance with the water quality targets required under Part J of DCP 2015 for any part of the site discharging to Reservoir Road.
 - E. Where the VPA contribution for water quality is not paid then amended drainage plans are required to the satisfaction of the Manager Asset Design to provide full on-lot water quality treatment in accordance with the water quality targets required under Part J of DCP 2015 for all of the redeveloped site (the subject to this DA) discharging to the Harpers Bush Reserve.
 - F. Where the section 94 contribution for trunk drainage improvements under CP1 is not paid then amended drainage plans are required to the satisfaction of the Manager Asset Design to provide full on-site detention in accordance with

- Council's WSUD Drawing A(BS) 175M under Part J of DCP 2015 at 455 m³/Ha for all of the redeveloped site (the subject to this DA) discharging to the Harpers Bush Reserve.
- G. Where the section 94 contribution for trunk drainage improvements under CP1 is paid then provide an additional OSD volume of 88 m³ below the overflow pipes within the 190kL rainwater tank (RWT 2) to achieve a combined OSD and Rainwater tank unit. Call this additional OSD as OSD 2. The outlet pipe is to be a 150mm orifice, with three 225mm diameter overflow pipes. Reassess the tank dimensions to include the minimum storage volume of 88 m³ required.
 - H. The OSD tank at the front near Reservoir Road is to be called OSD 1.
 - I. All discharge pipes to the reserve are to comply with the requirements of Controlled Activities – Outlet Structures under the Water Management Act 2000. This is to include scour protection and energy dissipation.
 - J. On drawings C101, C102 and C103 show all roof downpipes and provide a detailed dedicated pipe network that directs all new roof water to the rainwater tanks RWT 1 and RWT 2. Delete the roof connections to the surface collection systems.
 - K. The internal pipe network is to be designed in accordance with the current Council's Engineering Guide for Development to carry the 20 year ARI storm flows.
 - L. The overflow from the 130kL Rainwater tank (RWT 1) is to be connected to a separate pit outside of the rainwater tank and discharge directly into the High Early Discharge (HED) pit in OSD 1.
 - M. The drainage line collecting the surface flows through Pits E-1A to E-5 need to discharge and connect into the HED pit. Alternatively, this line can be picked up via the new drainage line from the rainwater tank (RWT 1) to the HED pit in OSD 1.
 - N. Provide a minimum 2% slope in the OSD storage. Reassess tank dimensions to achieve the minimum storage volumes for OSD 1. Provide a plan of the base levels for the tank.
 - O. There are insufficient access grates for the below ground detention tanks for OSD 1. Access grates to the below ground detention tank must be a minimum 900 mm by 900 mm and are positioned such that the maximum distance from any point in the tank to the nearest grate is not greater than 3 m in accordance with the requirements of Council's Engineering Guide for Development 2005.
 - P. The HED pit size is to be increased to 1200mm x 1200mm for OSD 1. Delete the weep holes in the base as they are irrelevant with the concrete benching.
 - Q. On drawing C201(01) delete the rainwater tank overflow weir to the extended storage on Section A and show new arrangement for overflow to the HED pit.
 - R. On drawing C201(01) Section A in the HED pit lower the benching level to at or just below the orifice invert.
 - S. On drawing C201(01) Section A 10 x 225 non-return flaps are excessive. Reduce the size/number to match or just exceed the PSD.
 - T. Provide a copy of Council's standard OSD Design Summary sheet for checking for OSD 1.
 - U. Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the water treatment devices, rainwater tanks, stormwater tank and detention tanks in accordance with Council's Engineering Guide for Development 2005.
 - V. Provide on-site detention (OSD) warning signs as per the Upper Parramatta River Catchment Trust guidelines.
 - W. The minimum storage and dual alternating pump requirements for the basement garage is to satisfy AS/NZS 3500.3:2015 – Plumbing and Drainage Part 3: Stormwater Drainage.

- X. Provide a basement design that ensures a minimum 0.5% slope to all surface inlet pits.
- Y. All the existing overflows to the reserve are redirected to the GPTs or direct to the stormwater tank if roofwater only.

6.2 Construction Certificate Requirements

6.2.1 Under the *Environmental Planning and Assessment Act 1979* a Construction Certificate for engineering work is required. These works include but are not limited to the following:

- Internal drainage construction
- On-site stormwater detention (including water tanks)
- Water quality treatment

The above requirements are further outlined in this section of the consent.

6.3 Local Government Act Requirements

6.3.1 Under *Section 68 of the Local Government Act 1993* an approval for engineering work is required. These works include but are not limited to the following:

- Any works on adjoining land (outside the subject site boundaries)

The above requirements are further outlined in this section of the consent.

6.4 Roads Act Requirements

6.4.1 Under *Section 138 of the Roads Act 1993* an approval for engineering work is required. These works include but are not limited to the following:

- Any works within Council's road reserve
- Construction of any stormwater drainage located within the public road
- Vehicular crossings (application form only)

The above requirements are further outlined in this section of the consent.

6.5 Other Engineering Requirements

6.5.1 Submit a detailed estimate of costs for the engineering works. If this detailed estimate is \$25,000 or greater then a long service levy payment is required. Provide proof of this payment to Council.

6.5.2 Any ancillary works undertaken shall be at no cost to Council.

6.5.3 Submit written permission from the affected property owner for any works proposed on adjoining land.*

* In particular, written permission from Council's Property Section to part drain from the site and discharge through a headwall and energy dissipation system onto Lot 2 DP 1046713 must be provided including specification of the easement widths required

6.5.4 Submit written evidence from the Roads and Maritime Services indicating compliance with all necessary requirements.

- 6.5.5 Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.

6.6 Roads

- 6.6.1 Submit a traffic management plan (TMP) including but not limited to a Traffic Control Plan (TCP) and Pedestrian Management Plan, for any works within public road reserves. The TCP shall be approved, signed and dated by a suitably qualified Roads and Maritime Services (RMS) accredited work site traffic designer.

- 6.6.2 Proposed new private internal driveways shall be designed and constructed generally as follows:

Certification that the internal private driveway has been designed in accordance with the relevant Australian and Councils Standards including but not limited to:

- Where an alternate designs to ridged pavement designs are proposed the design must be accompanied by supporting evidence from a geotechnical engineer as to the bearing capacity of the subgrade and the structural adequacy of the proposed pavement design.
- A statement clearly detailing that the proposed road design is 'fit for purpose' supported by swept path analysis and traffic report of the proposed design

- 6.6.3 Replace any redundant layback (or part thereof) and footway crossing with Council's standard kerb and gutter. The footway area shall be restored with turf in accordance with Council's specifications.

6.7 Drainage

- 6.7.1 Drainage from the site shall generally be constructed in accordance with the nominated drawings within this consent.

CONSTRUCTION OF ANY STORMWATER DRAINAGE LOCATED WITHIN THE PUBLIC ROAD

Part drainage from the site shall be connected into Council's existing drainage system. In this regard it is required to construct new reinforced concrete stormwater pipe system and associated service pit infrastructure.

These works shall be undertaken under a separate Roads Act Approval as described with the consent.

Any vehicle crossing disturbed during these works must be replaced in accordance with Councils standard details.

ANY WORKS ON ADJOINING LAND (OUTSIDE THE SUBJECT SITE BOUNDARIES)

Part drainage from the site shall discharge through a headwall and energy dissipation system onto/over Lot 2 DP 1046713. In this regard additional information is to be provided as generally described within the Design and Works Specification section of this consent or as requested by Council under any subsequent application.

These works shall be undertaken under a separate Local Government Act Approval as described with the consent.

- 6.7.2 Any overland or stormwater flows must be intercepted at the property boundary, conveyed through the site in a piped or channelled drainage system and discharged in a satisfactory manner.
- 6.7.3 Provide an open style fence wherever it crosses the overland flow path. This is to ensure flows are not restricted. The underside of the fence shall have a minimum clear opening of 150 millimetres.
- 6.7.4 Where the internal driveway cannot be drained to an internal pit a grated trench drain shall be provided at the property boundary.
- 6.8 **Erosion and Sediment Control**
- 6.8.1 Provide a sediment and erosion control plan in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development.
- 6.9 **Earthworks**
- 6.9.2 Finished levels of all internal works at the road boundary of the property must be 4% above the top of kerb.
- 6.10 **On-Site Detention (including Rainwater Tanks)**
- 6.10.1 Provide an on-site detention system in accordance with Council's Engineering Guide for Development.
- 6.10.2 The engineering drawings approved under this consent are not to be used for construction. The Construction Certificate drawings shall be generally in accordance with the approved drawings however any significant variation to the on-site detention design shall require a section 96 application.
- 6.10.3 Submit the following certificates which are to be prepared by a registered engineer (NER):
- Certification that the structures associated with the on-site stormwater detention system (including rainwater tanks) have been designed to withstand all loads likely to be imposed on them during their lifetime.
 - Certification that the on-site stormwater detention system will perform to meet the on-site stormwater detention requirements.
- 6.10.4 The following documents shall be submitted to accompany the on-site detention design (including rainwater tanks) in accordance with the design and construction specification:
- Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
 - OSD detailed design submission and calculation summary sheet
 - A maintenance schedule that is signed and dated by the designer
- 6.11 **Stormwater Quality Control**
- 6.11.1 Provide a stormwater quality treatment system in accordance with Council's Engineering Guide for Development and Development Control Plan Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.

6.11.2 The engineering drawings approved under this consent are not to be used for construction. The Construction Certificate shall be generally in accordance with the approved DA plans however any significant variation to the water quality treatment design shall require a section 96 application.

6.11.3 Provide a maintenance schedule for the stormwater quality device that is signed and dated by the designer.

6.12 Vehicular Crossings

6.12.1 All proposed vehicle crossings shall generally be designed and constructed to Council's standard drawing Commercial and Industrial Vehicle Crossings A(BS)103S*.

In addition to this, the proposal must satisfy any Roads and Maritime Services conditions imposed.

In particular, each vehicle crossing must be designed and constructed perpendicular to the existing road and not be located within 1m of a proposed or existing service, utility, street tree or other possible obstruction.

* A reduced width on the northern most vehicle crossing maybe accepted within this consent where approved by Councils Maintenance Engineer.

7 PRIOR TO DEVELOPMENT WORKS

7.1 Safety/Health/Amenity

7.1.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, or
- (b) a temporary on-site toilet which is regularly maintained and the waste disposed to an approved sewerage management facility.

7.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

7.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or

rendered inconvenient, or
(b) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

7.1.4 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.

7.1.5 All soil erosion and sedimentation control measures indicated in the documentation accompanying the Construction Certificate shall be installed prior to the commencement of development works.

7.1.6 A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport of soil onto any public place. Such access shall be provided in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. Single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.

7.1.7 Any excavation and/or backfilling associated with the development shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent such work being dangerous to life or property.

7.1.8 Should any excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:

- (a) shall be preserved and protected from damage, and
- (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
- (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting work commences, be given notice of such intention and particulars of the excavation or supporting work.

7.2 Notification to Council

7.2.1 The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice under Clauses 135 and 136 of the Environmental Planning and Assessment Regulation 2000, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.

7.3 Sydney Water Authorisation

7.3.1 Sydney Water Corporation's approval, in the form of appropriately stamped Construction Certificate plans, shall be obtained and furnished to the Principal Certifying Authority to verify that the development meets the Corporation's requirements concerning the relationship of the development to any water mains, sewers or stormwater channels.

OR

The approved plans are to be submitted to a Sydney Water Tap In, 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. The plans must be appropriately stamped and all amended plans will require restamping. For further information please refer to the "Developing Your Land" section of the website: www.sydneywater.com.au, or telephone 1300 082 746 for assistance.

7.4 Construction Details

- 7.4.1 Structural details of the nominated building component(s), prepared and/or certified by a professional engineer or other appropriately qualified person, shall be lodged with Council prior to commencing or erecting that portion of the approved development.

Nominated Component

- (a) Footing piers
- (b) Footing system
- (c) Floor slab
- (d) Structural concrete
- (e) Wall frame bracing
- (f) Roof trusses
- (g) Structural steelwork
- (h) Retaining walls

8 PRIOR TO DEMOLITION WORKS

8.1 Safety/Health/Amenity

- 8.1.1 Security fencing shall be provided around the perimeter of the demolition site to prevent unauthorised entry to the site. Notices complying with AS 1319-1994 and displaying the words "DANGER - DEMOLITION IN PROGRESS", or similar message shall be fixed to the fencing at appropriate places to warn the public.

- 8.1.2 A sign shall be erected in a prominent position on the land indicating the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

- 8.1.3 Should the demolition work:

- (a) be likely to be a danger to pedestrians in a public place or occupants of any adjoining land or place,
- (b) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (c) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place or adjoining land or place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place or adjoining land or place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

- 8.1.4 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

(a) a standard flushing toilet, and

(b) connected:

- (i) to a public sewer, or
- (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility provided by the Council, or
- (iii) if connection to a public sewer or an accredited sewage management facility is not practicable to some other sewage management facility approved by Council.

- 8.1.5 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.

8.2 Tree Protection

Any tree not indicated on the approved Development Application plans as being removed shall be effectively protected against damage.

8.3 Other Matters

- 8.3.1 The Applicant is to advise all adjoining neighbours, and those located opposite the subject development site, by letter, of their intention to commence demolition work. The letter shall be distributed at least 2 days prior to the intended work and include the following information:

- date/s, hours and duration of the works.
- contact name and phone number of the applicant
- contact name and phone number of the licensed demolisher
- WorkCover NSW contact number 131050, and email address contact@workcover.nsw.gov.au

9 DURING DEMOLITION WORKS

9.1 Safety/Health/Amenity

- 9.1.1 Security fencing shall be maintained around the perimeter of the demolition site to prevent unauthorised entry to the site at all times during the demolition works. Notices lettered in accordance with AS 1319-1994 and displaying the words "DANGER - DEMOLITION IN PROGRESS", or similar message shall be maintained on the fencing at appropriate places to warn the public.
- 9.1.2 A sign shall be maintained in a prominent position on the land indicating the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- 9.1.3 Any hoarding or protective barrier required to be erected between the work site and the public place on adjoining land or place shall be maintained in an effective condition.

- 9.1.4 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.
- 9.1.5 Soil erosion and sediment control measures shall be maintained in accordance with Council's Soil Erosion and Sediment Control Policy.
- 9.1.6 Any excavation and/or backfilling associated with the demolition works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.
- 9.1.7 All demolition work and handling of materials shall be in accordance with Australian Standard 2601-2001 (Demolition of Structures) and all applicable NSW WorkCover Authority requirements including the Code of Practice for the Safe Removal of Asbestos" – National Occupational Health and Safety Commission:2002 (if applicable)
- 9.1.8 The remaining portions of each structure being demolished shall be maintained in a stable and safe condition at all stages of the demolition work. Temporary bracing, shoring, bracing or guys, or any combination of these, shall be provided for stability, where necessary.
- 9.1.9 All plant and equipment used on the land shall be operated by a competent person. Cranes used for hoisting and lowering of materials shall comply with AS 1418.1 and AS 1418.5 and be fitted with a load indicator and hoist limited device.
- 9.1.10 At least one access and egress route shall be made available connecting any undemolished floor to an open space well clear of the structure being demolished. The egress route shall be clearly identified as an emergency exit and maintained clear of obstructions at all times.
- 9.1.11 A valid public liability insurance policy of at least \$10,000,000 shall be maintained throughout the demolition works.
- 9.1.12 Demolished materials, plant, equipment and the like shall not be stored or placed at any time on Council's footpath, roadway or any public place.
- 9.1.13 Should any excavation associated with the demolition works extend below the level of the base of the footings of a building on an adjoining allotment of land, including a public road or place, the person causing the excavation to be made:
- (a) must preserve and protect the building from damage, and
 - (b) if necessary, must underpin and support the building in an approved manner, and
 - (c) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

- 9.1.14 All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities

regarding their requirements for the disconnection of services.

- 9.1.15 The demolisher has an obligation to ensure that the adjoining buildings and property are not damaged.

9.2 Nuisance Control

- 9.2.1 Any objectionable noise, dust, concussion, vibration or other emission from the demolition works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 9.2.2 Any noise generated during demolition shall not exceed those limits specified in the Protection of the Environment Operations Act 1997 and shall be limited to between 7.00am and 6.00pm, Monday to Friday, and 8.00am to 1.00pm, Saturday, with no demolition work being undertaken on Sundays or public holidays.
- 9.2.3 The waste material sorting, storing and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of the demolition works.

10 DURING DEMOLITION AND CONSTRUCTION (PLANNING)

10.1 Contaminated Material

- 10.1.1 Should any contaminated material be unearthed or fly-tipped rubbish be encountered during construction, all works are to cease immediately. In this situation, a Remediation Action Plan (RAP) is to be submitted to Council's Manager, Development Services for further consideration and all potentially contaminated material is to be tested, removed or undergo remediation. In this regard, the environmental consultant engaged for this project is to be on site for regular monitoring of the approved site works.
- 10.1.2 The recommendations of the Hazardous Building Materials Audit and a Hazardous Materials Management Plan, both prepared by Progressive Risk Management and dated August 2016 shall be implemented.

10.2 European Heritage

- 10.2.1 If, during the course of construction, the applicant or persons acting on this consent become aware of any previously unidentified heritage object(s), all work likely to affect the object(s) shall cease immediately and the Heritage Council of New South Wales shall be notified immediately in accordance with section 146 of the *Heritage Act 1977*. Relevant works shall not recommence until written authorisation from the Heritage Council is issued.

10.3 Aboriginal Heritage

- 10.3.1 If, during the course of construction, the applicant or persons acting on this consent become aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the NSW Office of Environment & Heritage informed in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Relevant works shall not recommence until written authorisation from the NSW Office of Environment & Heritage is received by the Applicant. In addition, a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

10.4 Construction Traffic Management Plan

10.4.1 All works/activities are to be in accordance with the submitted Construction Traffic Management Plan.

10.5 **NSW Local Police Matters**

10.5.1 The Sign In book is to be utilised for all visitors and contractors working at the location.

10.5.2 All visitors entering the location are to be checked to confirm the reason for their visit and relationship to the occupant/s. A security guard to be on site outside business hours including public holidays and weekends, from the day construction commences until completion.

10.5.3 Suitable traffic control and safety message signage is to be erected throughout the construction process to increase safety to motorists and pedestrians and to minimise risk.

10.5.4 All tools and building materials must be stored in strong rooms with tamper proof security systems.

10.6 **Ecological Matters**

10.6.1 1 tree located within Council's Harper's Bush Reserve 752 and 2 trees located on the property boundary shared with Harper's Bush Reserve 752 are permitted to be removed, as indicated on the approved Tree Removal and Retention Plan. All retained trees and native vegetation adjacent to this area must be protected by appropriate measures. All clearing work must be supervised by a suitably qualified and experienced Ecologist. Adequate sediment and erosion control must occur adjacent to these areas.

All woody debris is to be retained and placed in these areas (clear of the stormwater management works) at the conclusion of work to assist with rehabilitation of the area. Branches with a diameter less than 100mm may be mulched with the mulch to be used for rehabilitation in the impact area or alternatively branches can be laid down across the impact area at the conclusion of works.

11 **DURING CONSTRUCTION (BUILDING)**

11.1 **Safety/Health/Amenity**

11.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

11.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:

- (c) the name, address and telephone number of the principal certifying authority for the work, and
- (d) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
- (e) stating that unauthorised entry to the work site is prohibited.

11.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or

(b) involves the enclosure of a public place,

the required hoarding, awning or protective barrier shall be maintained between the land and the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.

11.1.4 Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.

11.1.5 All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.

11.1.6 A single vehicle/plant access to the land shall be maintained to minimise ground disturbance and transport of soil onto any public place. Such access shall be maintained in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. As a minimum, single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided.

11.1.7 Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.

11.1.8 Should any excavation associated with the ongoing development works extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:

(a) shall be preserved and protected from damage, and

(b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and

(c) the owner(s) of which shall, at least 7 days before any such excavation or supporting works be given notice of such intention and particulars of the excavation or supporting works.

11.1.9 Building and construction materials, plant, equipment and the like shall not to be placed or stored at any time on Council's footpath, roadway or any public place.

11.1.10 All exits and paths of travel shall be maintained throughout the development works in accordance with Part D2 of the Building Code of Australia.

11.1.11 All Essential Fire Safety Measures shall be maintained and available and in accordance with the relevant Standard of performance of each measure.

11.2 Building Code of Australia Compliance

11.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.

11.3 Surveys

11.3.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with

the Principal Certifying Authority to verify the approved position of each structure in relation to the property boundaries.

11.4 Nuisance Control

- 11.4.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 11.4.2 The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays: 8.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.
- 11.4.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

11.5 Stormwater Drainage

- 11.5.1 Stormwater, surface water and sub-surface seepage (other than natural flows) shall be prevented from entering the building or being diverted onto any adjoining land (as applicable) by:
 - (a) the floor level being a minimum 225mm above the adjoining finished ground level, and/or
 - (b) being drained to an effective drainage system.

11.6 Waste Control

- 11.6.1 The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works.

11.7 Construction Inspections

- 11.7.1 The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):
 - (a) After excavation for, and prior to placement of, any footings; and
 - (b) Prior to pouring any in-situ reinforced concrete building element; and
 - (c) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and
 - (d) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2,3 or 4 building); and
 - (e) Prior to covering any stormwater drainage connections; and
 - (f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection “(f)” must be carried out by the Principal Certifying Authority.

Any inspection conducted by an accredited other than the nominated PCA for the project must be verified by way of a Compliance Certificate issued for the relevant works.

Note: Failure to ensure the relevant inspections are conducted will preclude the issue of an Occupation Certificate.

12 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)

12.1 Environmental Management

12.1.1 A Compliance Certificate shall be obtained verifying that the following works have been installed in accordance with the criteria nominated in the Prior to Issue of Construction Certificate section of this consent.

- (a) All recommendations provided in the Acoustic Assessment Report for St Hedwig Village Revitalisation and Extension, prepared by JHA Services, dated 23 June 2016.

12.1.2 Where any warm water or water cooling system is installed, the following shall be undertaken:

- (a) A Compliance Certificate shall be obtained certifying that the system has been installed in accordance with the provisions of the Public Health Act 2010, the Regulations thereunder, the NSW Code of Practice for the Control of Legionnaires Disease and Australian Standard 3666.
- (a) The occupier of the premises shall be given both an operation and maintenance manual. The system shall be maintained monthly. All inspection results shall be kept on site.
- (b) Submit a Warm Water System Registration form to Council.

12.2 Food Premises

12.2.1 On completion of the installation of the ventilation system, a Compliance Certificate is to be submitted to Council certifying that the system has been installed and commissioned in accordance with the approved details.

12.2.2 The food preparation areas shall be constructed so as to comply with the requirements of;

- (a) The Food Act 2003 and Regulations there under.
- (b) Australian Standard 4674-2004 *Design, construction and fit-out of food premises*.
- (c) Australian Standard 1668.2-2002 *The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control*.

12.2.3 A designated hand washbasin is to be provided within the activity area. The hand washbasin shall be provided with a supply of hot and cold water through an approved mixing device with a single spout.

12.3 Premises Construction

- 12.3.1 Any asbestos material is to be handled and treated in accordance with the WorkCover document *"Your Guide to Working With Asbestos - Safety guidelines and requirements for work involving asbestos"* dated March 2008.

13 DURING CONSTRUCTION (ENGINEERING)

13.1 Notification of Works

- 13.1.1 A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works required by this consent. This must be submitted a minimum five (5) business days prior to commencement of engineering works.
- 13.1.2 A notification of works flyer (letter drop) is to be provided to all residential housing, businesses and organisations adjacent to any engineering works approved by this consent. This is for works undertaken on Council controlled lands such as roads, drainage reserves and parks. The notification of works flyer must contain details of the proposed works, locality map of works, contact details and the anticipated time period. A signed copy of the notice is to be provided to Council's Engineering Approvals Team and is to show the date of the letter drop as well as highlight the area that received the notification.

13.2 Insurances

- 13.2.1 Current copies of relevant insurance Certificates of Currency are to be submitted to Council's Engineering Approvals Team. This shall be submitted prior to commencement of engineering works required by this consent that are carried out on Council controlled lands such as roads, drainage reserves and parks. This includes Public Liability Insurance with a minimum of \$20,000,000.00 Indemnity and Workers Compensation.

13.3 Boundary Levels

- 13.3.1 Any construction at the property boundary, including but not limited to fences, retaining walls and driveways shall not be carried out until boundary alignment levels have been fixed.

13.4 Tree Protection and Preservation

- 13.4.1 Existing vegetation and trees shall be left undisturbed except where roads, stormwater drainage infrastructure, site filling and/or building works are proposed.

13.5 Soil Erosion and Sediment Control Measures

- 13.5.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 13.5.2 Re-vegetation and restoration of all disturbed areas as a result of the development works shall be completed as soon as practicable after the completion of earthworks and before the commencement of any other works on-site. The revegetated/restored areas must be established prior to the release of maintenance security/bonds. Note: All open drains must be turfed.
- 13.5.3 All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period and until all disturbed areas are restored to the satisfaction of Council in accordance with the design and construction specification.

Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.

13.6 Filling of Land and Compaction Requirements

13.6.1 Special attention is drawn to the below listed requirements of Council's Works Specification - Civil (Current Version).

- a) Submission of compaction certificates for fill within road reserves.
- b) Submission of compaction certificates for road sub-grade.
- c) Submission of compaction certificates for road pavement materials (sub-base and base courses).
- d) The submission of 2 contour lot fill diagrams and lot fill compaction certificates. A restriction as to User with Council's standard wording must be placed on filled lots.
- e) Compliance Certificates from road material suppliers (the relevant certified stockpile number shall be digitally shown from supplier)

Note: Council's Works Specification (Civil) requires road pavement and pipe bedding materials be sourced from approved suppliers. A listing of these materials and approved stockpile numbers can be found on Council's webpage.

13.6.2 Site filling within lot boundaries (not in road reserves) and compaction is to be carried out under the supervision of a Chartered Geotechnical Engineer and shall be in accordance with Blacktown City Council's "Works Specification - Civil (Current Version)". Minimum standard compaction of 95% must be achieved and certified by a NATA registered soils lab and details submitted to Council.

13.6.3 Only clean fill shall be deposited/imported on site in accordance with Council's Works Specification - Civil (Current Version). Note: dry builder's waste i.e. bricks plaster and timber industrial waste or putrescible materials are not to be deposited on site. Validation of the imported fill material will be required by a suitably qualified registered engineer.

13.6.4 Appropriate dust control measures are to be implemented during construction to reduce any impact on local air quality and reduce dust emissions. This will include but not be limited to regularly wetting down of the site during the course of works being carried out in order to control wind blown dust.

13.6.5 All roads adjoining the site must be kept clean and free of all materials. Infringement Notices incurring a monetary penalty may be issued by Council where this measure is not being complied with.

13.6.6 Trucks transporting material must have their loads covered and provisions of "shaker pads" and wash-down areas for trucks leaving the site are to be made available. All details are to be shown on soil erosion and sediment control plans.

13.6.7 Prior to the placement of any fill on the site all topsoil and vegetation must be removed down to a suitable sub-grade material. The topsoil is to be stockpiled for use in revegetation of the site.

13.7 Inspection of Engineering Works - Environmental Planning & Assessment Act 1979

13.7.1 Comprehensive inspection compliance certificate(s) to be issued for all engineering works required by this consent and the approved construction certificate. The inspection compliance certificate(s) can only be issued by Council or an accredited certifier, under

Part 4A of the Environmental Planning and Assessment Act 1979 as amended. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

Where Council is appointed as the Principal Certifying Authority for the development, only compliance certificates issued by accredited certifiers will be accepted. All compliance certificate(s) must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction Certificate.

13.8 Inspection of Engineering Works:

ROADS ACT 1993 AND LOCAL GOVERNMENT ACT 1993

- 13.8.1 All inspection(s) required by this consent for any engineering works that are approved must be made by Council's Development Overseers.

Inspections must be pre-booked with a minimum twenty-four (24) hours notice. Council's Development Overseers may be contacted on 02 9839 6586 between 7am - 8am and 12.30pm - 1.30pm, Monday to Friday. Note: A site inspection is required prior to commencement of work. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

13.9 Public Safety

- 13.9.1 The applicant is advised that all works undertaken are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe and recover all reasonable costs incurred from the applicant.

13.10 Site Security

- 13.10.1 Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.

13.11 Traffic Control

- 13.11.1 Any "Traffic Control Plan" utilised for engineering works required by this consent must be prepared by a suitably qualified Roads and Maritime Services (RMS) accredited work site traffic designer for all works that are carried out in or adjacent to a public road. This Plan must satisfy all the requirements of AS 1742.3 - 2002.
- 13.11.2 Traffic control devices/facilities (i.e. barricades, signs, lights, etc) must be setup, installed, monitored and maintained in accordance with the certified Traffic Control Plan and by suitably qualified RMS accredited work site traffic controllers.
- 13.11.3 Persons undertaking the control of traffic through or around work sites on Council controlled roads must hold with them their RMS Traffic controllers accreditation.
- 13.11.4 The applicant is advised that prior to implementation of any traffic control system and during the entire course of construction suitably qualified RMS accredited work site traffic controllers will ensure a smooth transition with other nearby traffic control setups. The coordination, communication and cohesion between adjacent traffic control systems shall be addressed by the applicant and must satisfy all the requirements of AS 1742.3 - 2002.

13.12 DRAINAGE SECTION REQUIREMENTS

- 13.12.1 The nominated water quality devices are not to be replaced with a smaller unit or an alternate supplier.

14 PRIOR TO OCCUPATION CERTIFICATE

14.1 Road Damage

- 14.1.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

Note: Should the cost of damage repair work not exceed the road maintenance bond Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued.

14.2 Compliance with Conditions

- 14.2.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.
- 14.2.2 Prior to occupation/use of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of Section 109H of the Environmental Planning & Assessment Act 1979.

14.3 Fire Safety Certificate

- 14.3.1 An interim or final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

14.4 Services / Utilities

- 14.4.1 A Trade Waste Agreement shall be obtained from Sydney Water Corporation.
- 14.4.2 A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Applications must be made through an authorised Water Servicing Coordinator. Please refer to the "Building Plumbing and Developing" Section of the website www.sydneywater.com.au, then follow the "Developing Your Land" link 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 Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation of the development/release of the plan of subdivision, whichever occurs first.
- 14.4.3 A "Notification of Arrangement" Certificate from a recognised energy provider, stating that electrical services, including the provision of street lighting, have been made available to the development.
- 14.4.4 A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have

been made for the provision of services to the development.

14.5 Consolidation of the Lots

- 14.5.1 The lots shall be consolidated into one title which shall be registered with the NSW Land Registry Services.

14.6 Other Matters

- 14.6.1 The landscaped areas for each stage are to be provided in accordance with the approved landscaping design plan prior to the issue of the Occupation Certificate for the relevant stage.
- 14.6.2 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 14.6.3 Appropriate way finding signage is to be erected which directs staff, visitors and delivery vehicles to the appropriate locations.
- 14.6.4 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.
- 14.6.5 All common open space areas and internal driveways shall be appropriately illuminated by the use of bollard lighting or the like to provide for the safety and convenience of occupants and other people resorting to the land at night.
- 14.6.6 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.
- 14.6.7 All required internal roads and car parking spaces for the use of staff, residents, visitors, deliveries and loading/unloading shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.
- 14.6.8 All privacy screening measures and boundary fencing detailed on the approved plans are to be installed and completed prior to the issue of any Occupation Certificate.
- 14.6.9 Any above ground rainwater tank and other services/utilities that is visible from the street or a public place is to be screened from view by a physical screen and landscape screening.

14.7 Acoustic and Vibration Impacts

- 14.7.1 Prior to the occupation / operation of each of the approved stages of this development, certification must be provided by a qualified acoustic engineer that all work associated with the building (including walls, all door and window openings and the roof), installation of the acoustic measures and noise attenuation has been completed in accordance with the certified design and to the standard required by this consent. This certification is required to consider the operation of the premises and all associated plant and equipment to ensure it satisfies the relevant policies during the day and night periods with regard to noise and vibration impacts. Should any neighbouring properties or residential receivers be adversely impacted with regard to excessive noise and vibration impacts, improved acoustic mitigation measures are required to be introduced.

14.8 Street Tree Planting

- 14.8.1 Prior to the issue of the final Occupation Certificate, all required street tree planting and payments of bonds are to be completed to Council's Maintenance Section satisfaction.

14.9 Waste Collection

- 14.9.1 The operator of the facility is responsible for:

- i. The maintenance of the garbage collection system (including any bin movement aides) and bin cleaning.
- ii. Ensuring that the waste collection points are clear and unobstructed prior to collection times.
- iii. The appointment of a building manager/caretaker to manage bins and bulky waste onsite in accordance with the approved waste management plan.
- iv. The method of communication to new residents regarding the waste management services and collection system for the development.
- v. All medical waste management and disposal/collection.

- 14.9.2 As the development will be serviced by private waste and recycling contractors, residents are unable to access Council's household clean up service, or garbage and recycling service. These must be provided by the Owner / Operator of the development. This must be communicated in writing to all residents.

14.10 Total Maintenance Plan

- 14.10.1 A "total" maintenance plan is to be prepared for the site. The plan is to ensure the following:

(a) The long term up-keep and cleanliness of the development, to ensure all buildings, driveways, car park areas, fencing, soft and hard landscaping, outdoor areas, security systems, directional signage, lighting, plant and equipment, loading areas and services are regularly inspected and maintained at optimum levels at all times.

(b) That security, cleanliness and general repairs are managed appropriately, and that areas are not left unattended for long periods thereby substantially increasing the opportunity for graffiti or anti-social behaviour. Any unwanted "junk mail" is to be collected on a regular basis and disposed of as necessary.

(c) The development is always managed by a Building Manager / Caretaker.

A copy of the Plan is to be submitted to Council prior to the release of any Occupation Certificate.

14.11 Graffiti Management Plan

- 14.11.1 A "Graffiti Management Plan" is to be submitted for the separate approval of Council. The Plan is to address the following issues:

(a) Methods to minimise the potential for graffiti;

(b) Management/notification procedures for the "early" removal of graffiti;

(c) Annual review of any "management agreement" for the removal of graffiti to ensure the property is maintained at its optimum level; and

(d) Maintenance of suitable landscaping to minimise the potential for graffiti attacks.

14.12 Restriction as to User

14.12.1 As required by clause 18 'Restrictions on occupation of seniors housing allowed under this Chapter,' pursuant to SEPP (Housing for Seniors or People with a Disability) 2004, a restriction as to user shall be registered against the title of the property(s) in accordance with section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which the application relates to the kinds of people referred to in subclause (1) as follows:

- (a) seniors or people who have a disability,
- (b) people who live within the same household with seniors or people who have a disability,
- (c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.

14.13 Fire Sprinklers

14.13.1 As required by clause 22 'Fire sprinklers in residential care facilities for seniors,' pursuant to SEPP (Housing for Seniors or People with a Disability) 2004, a fire sprinkler system is to be installed in accordance with the relevant BCA requirements.

14.14 Standards concerning accessibility and useability for self-contained dwellings

14.14.1 As required by Schedule 3 Standards concerning accessibility and useability for hostels and self-contained dwellings pursuant to SEPP (Housing for Seniors or People with a Disability) 2004, documentation is required to be submitted to the satisfaction of the PCA that the approved new Independent Living Units are required to demonstrate that they satisfy all requirements of this clause.

14.15 Privacy Screening

14.15.1 The privacy screening measures as detailed on the approved plans are to be erected. These measures are to ensure that the visual privacy of residential properties in the immediate vicinity are appropriately protected.

14.16 Fee Payment

14.16.1 Any fee payable to Council as part of a Construction, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

14.17 Engineering Matters

14.17.1 Surveys/Certificates/Works As Executed plans

14.17.1.1 A Work-as-Executed (WAE) plan signed by a Registered Engineer (NER) or a Registered Surveyor must be submitted to Council when the engineering works are completed. A hardcopy (A1 size) and softcopy (on a CD/USB with file format .PDF) of the WAE plans are to be submitted to Council. All engineering Work-as-Executed plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works.

14.17.1.2 The Work-as-Executed (WAE) plan must confirm that the On Site Detention system identification plate has been installed in accordance with the Upper Parramatta River

Catchment Trust Guidelines. The On Site Detention system identification plate can be purchased from Council.

- 14.17.1.3 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the On-Site Detention System (including Rainwater Tank System) as constructed will perform to meet the requirements in accordance with the approved design plans.

DRAINAGE SECTION REQUIREMENTS

In particular, A Civil Engineer registered with NER, is to certify that:

- i) all the requirements of the approved drainage plan have been undertaken;
- ii) the 190 kL rear Rainwater tank (RWT 2) has been provided collecting a minimum 2400 m² of roof area from the Residential Aged Care Building;
- iii) the 130 kL front Rainwater tank (RWT 1) has been provided collecting a minimum 3300 m² of the roof area from the Self Contained Independent Units;
- v) the 120 kL Stormwater Tank has been provided to collect treated flow only from the water quality devices;
- vi) the orifice size for each detention system is as per the approved Construction Certificate plans;
- vii) the detention storage is a minimum of 88 m³ for OSD 2 and 295 m³ for OSD1;
- viii) OSD 2 is within RWT2 and has an outlet pipe of 150mm orifice and with three 225mm diameter overflow pipes;
- ix) all the signage and warning notices have been installed;

- 14.17.1.4 A certificate from a Registered Engineer (NER) must be lodged with Council verifying that the structures associated with the Rainwater Tank(s) and On-Site Detention System(s) have been constructed to withstand all loads likely to be imposed on them during their lifetime.

- 14.17.1.5 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system will function effectively in accordance with Blacktown Council's DCP Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.

DRAINAGE SECTION REQUIREMENTS

In particular, A Civil Engineer registered with NER, is to certify that:

- i) where the Section 94 CP19 water quality contributions and VPA contributions have been paid the Vortsentry HS15 and Vortsentry HS21 GPTs have been installed as per the manufacturer's instructions;
- ii) the 120 kL Stormwater Tank has been provided to collect treated flow only from the water quality devices;
- iii) all the signage and warning notices have been installed;
- iv) any proprietary water quality devices have been installed for the site as per the manufacturer's recommendations;
- v) where the VPA and S.94 for water quality are not paid that full on-lot water quality treatment has been provided to achieved the targets as per part J of DCP 2015

- 14.17.1.6 Written evidence is to be obtained from the Roads and Maritime Services (RMS) indicating compliance with its requirements including the payment of any necessary works supervision fees.

- 14.17.1.7 The submission to Council of Compliance Certificate(s) and construction inspection reports required by this consent for engineering works. A final inspection report is to be included noting that all works are complete.

When Council has been nominated or defaulted as the nominee for engineering compliance. Final inspections can be arranged through Councils Coordinator of Engineering Approvals contactable on (02) 9839 6263. A final inspection checklist must be completed by the applicant prior to the final inspection.

14.17.2 **Easements/Restrictions/Positive Covenants**

- 14.17.2.1 Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:

(a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).

(b) The standard format for easements and restrictions as accepted by the NSW Land Registry Services.

- 14.17.2.2 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Government - Land and Property Information over the on-site detention storage (including rainwater tank areas) and outlet works.

- 14.17.2.3 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Land Registry Services over the Stormwater Quality Control devices/system and outlet works.

- 14.17.2.4 The creation of an Easement to Drain Water, with a minimum width in accordance with Councils Engineering Guide for Development (current issue), or as defined by Council over the following nominated lot(s) free of cost to Council. The easement must be created under the *Conveyancing Act 1919* and have the nominated lot(s) burdened and each and every lot upstream benefited.

NOMINATED LOT(S):

Burdened: Lot 2 DP 1046713

Benefited: Lot 2 DP 1144920

- 14.17.2.5 Each of the proposed lots serviced by the existing inter-allotment drainage easements shall have this burden and benefit created pursuant to Section 88B of the *Conveyancing Act 1919*.

- 14.17.2.6 All Section 88B restrictions and covenants created, as part of this consent shall contain a provision that they cannot be extinguished or altered except with the consent of Blacktown City Council.

14.17.3 **Bonds/Securities/Payments in Lieu of Works**

- 14.17.3.1 A maintenance security of 5% of the value of the required engineering works must be lodged with Council prior to the practical completion of the works. Council will hold this security for a period of at least twelve months.

- a) In the case of subdivision - This period commences at the release of the final plan of subdivision. (Issue of Subdivision Certificate)
- b) In the case where no subdivision occurs - This period commences at the date of practical completion of the development.

This maintenance period may be extended in the following situations to allow for the completion of i) necessary maintenance and or ii) all outstanding minor works.

- 14.17.3.2 Where Council's has granted approval of providing security in lieu of outstanding works. A security, in the form of a bank guarantee or a cash deposit, shall be lodged with Council to cover outstanding works required by this consent. The security amount will be calculated at Council's approved rate upon request.

14.17.4 **Inspections**

- 14.17.4.1 Any additional Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

14.17.5 **CCTV Inspection of Stormwater Drainage Structures**

- 14.17.5.1 All road stormwater drainage structures (pipelines and pits) must be inspected via CCTV on completion of the provision of all public utility services in accordance with Council's current Works Specification Civil. CCTV reports must be submitted to council in the form of a DVD of the inspection, a hard copy printout of the SEWRAT (or equivalent) report and a certified CCTV statement in accordance with section 6.8 of Council's Works Specification Civil indicating that any defects identified by this inspection have been rectified.

14.17.6 **DRAINAGE SECTION REQUIREMENTS**

- 14.17.6.1 A Restriction to User and Positive Covenant is to be provided over the Stormwater Quality Improvement Devices and Rainwater Tanks in accordance with the requirements of Council's Engineering Guide for Development 2005. The covenant requirements are to include the submission of an annual report on water treatment and non-potable water usage by the first business day on or after 1 September each year. The Restriction to User and Positive Covenant must be registered with Land & Property Information prior to the final occupation certificate.
- 14.17.6.2 Maintenance requirements are to be provided for each of the proposed Stormwater Quality Improvement Devices, Rainwater Tanks and Stormwater Tank. Where these devices are located in roadway/parking areas these are to include traffic management requirements. The designer of the stormwater treatment system must prepare the Maintenance schedule and this schedule must show the designer's name, company, signature and date on it.
- 14.17.6.3 Provide written evidence that the registered owner/lessee has entered into a minimum five (5) year signed and endorsed maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the water quality devices, stormwater tank and rainwater tanks. Forward a copy of the signed and endorsed contract(s) and maintenance contractor(s) details to Council's WSUD Compliance Officer.

- 14.17.6.4 A plumber, licensed with NSW Fair Trading, or experienced hydraulic engineer, is to certify that all the requirements of the detailed Non-Potable Water Supply Plan for the front RWT 1 have been installed and are working correctly and that the toilets/urinals detailed below are being supplied by rainwater:
- i) for flushing of the two visitor toilets west of the community care office, the toilets to visitor studios E.05 and E.06 and all toilets/urinals for the medical suites as detailed on drawing 1508.1IL-002 (A).
 - ii) for flushing of all the toilets/urinals within the second floor of the new Residential Care Facility.
- Provide a copy of the certification and a signed, works-as-executed Non-Potable Reuse Plan to Council's WSUD Compliance Officer.
- 14.17.6.5 A plumber, licensed with NSW Fair Trading, or experienced hydraulic engineer, is to certify that all the requirements of the detailed Non-Potable Water Supply Plan for the rear RWT 2 have been installed and are working correctly and that the toilets/urinals detailed below are being supplied by rainwater:
- i) for flushing of all the toilets/urinals within the ground and first floors of the new Residential Care Facility.
- Provide a copy of the certification and a signed, works-as-executed Non-Potable Reuse Plan to Council's WSUD Compliance Officer.
- 14.17.6.6 An experienced irrigation specialist is to certify that all the landscape irrigation requirements and pond top-up of the detailed Landscape Watering Plan have been sourced from the stormwater tank and installed as per the approved plan and are working correctly. Provide a signed, works-as-executed Plan to Council's WSUD Compliance Officer.
- 14.17.6.7 A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
- i. 4 star dual-flush toilets;
 - ii. 3 star showerheads;
 - iii. 4 star taps (for all taps other than bath outlets and garden taps);
 - iv. 3 star urinals; and
 - v. Water efficient washing machines and dishwashers have been used.
- 14.17.6.8 Twelve months after final occupation, a sample of the treated stormwater from the Stormwater tank is to be collected prior to use (e.g. at the pond). The water is to be sampled and tested by an approved NATA Laboratory to ensure that the water quality has achieved the targets for Level 2 criteria from Table 6.4 of Managing Urban Stormwater Harvesting and reuse DEC 2006. Where these targets are not achieved, additional treatment mechanisms are required and the water retested to ensure compliance. Provide a copy of the results to Council's WSUD Compliance Officer.

15 OPERATIONAL (ENVIRONMENTAL HEALTH)

15.1 Environmental Management

- 15.1.1 A post commissioning noise report is to be submitted to Council by a qualified acoustic consultant who is a member of the Australian Association of Acoustic Consultants. This report must demonstrate that the acoustic treatments to the building satisfy the terms outlined in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 Section 34.

- 15.1.2 Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the Department of Environment and Conservation's Environmental Noise Management - NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants and shall be submitted to Council for consideration.
- 15.1.3 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 15.1.4 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 15.1.5 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.
- 15.1.6 No amplified music or speech is permitted to be played within the hours of 9pm-8am where they can be heard at the boundary shared with any adjoining residential properties.
- 15.1.7 Amplified sound equipment must be kept within the building.
- 15.2 **Access / Parking**
- 15.2.1 All required off-street car parking spaces (104 spaces for Stage 1 and 201 spaces for Stage 2) and internal roads shall be maintained to a standard suitable for the intended purpose.
- 15.2.2 All loading, unloading operations and parking shall take place at all times wholly within the confines of the land.
- 15.2.3 All vehicles must enter and exit the site in a forward direction.
- 15.2.4 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.
- 15.2.5 All activities related to waste collection and loading / unloading activities which utilise the driveway and manoeuvring area in the vicinity of 144 Reservoir Road, Blacktown, are only permitted to be carried out between 7.00am to 6.00pm Monday to Friday, 8.00am to 6.00pm Saturday, with no collection permitted on Sundays and public holidays. Should a public holiday occur on a Saturday, waste collection is permitted to occur on that day between 9.00am to 2.00pm.
- 15.3 **Specific Uses**
- 15.3.1 The approved '*Seniors Housing*' development shall comply with the requirements of the following definitions contained within Blacktown Local Environmental Plan 2015:
- 'Seniors Housing'** which means "*a building or place that is:*
- (a) *a residential care facility, or*
- (b) *a hostel within the meaning of clause 12 of State Environmental Planning Policy*

(Housing for Seniors or People with a Disability) 2004, or
(c) a group of self-contained dwellings, or
(d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),
and that is, or is intended to be, used permanently for:
(e) seniors or people who have a disability, or
(f) people who live in the same household with seniors or people who have a disability, or
(g) staff employed to assist in the administration of the building or place or in the
provision of services to persons living in the building or place,
but does not include a hospital.”

‘Place of public worship’ which means “*a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.*”

15.3.2 The approved offices, medical consulting rooms, café, hairdresser, computer kiosk and dining/meeting rooms shall be used solely in conjunction with the use of the buildings as a Seniors Housing development and Place of Public Worship. The separate use or occupation of these approved office spaces is not permitted by this consent.

15.3.3 This consent does not authorise the sale or display of goods for retail to the general public.

15.3.4 The development shall not be used or converted for use for any purpose other than that:

(a) Granted consent by Council's Notice of Determination, or
 (b) Which is “Exempt Development” under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other NSW or Council planning instrument.

15.3.5 Any change of use of the development, other than a ‘*seniors housing*’ development and a ‘*place of public worship*’, will require separate development consent to be obtained from Council and will be required to provide the minimum number of car parking spaces as required by the Blacktown Development Control Plan 2015 for that new land use.

15.4 **Waste Collection**

15.4.1 It is the responsibility of the operator / building manager / caretaker to transfer bins to the nominated collection points/areas for private waste collection. The bins must be immediately returned to their storage areas upon the completion of the waste collection process.

15.4.2 As the development will be serviced by private waste and recycling contractors, residents are unable to access Council's household clean up service, or garbage and recycling service. These must be provided by the Owner / Operator of the development. This must be communicated in writing to all residents.

15.5 **Chapel**

15.5.1 Any events/gatherings/mass to be hosted within the ‘place of public worship’ are required to be held between the hours of 8am to 9pm, 7 days a week, including public holidays, subject to compliance with **Conditions 15.5.2, 15.5.3, 15.5.4 and 15.5.5** below.

15.5.2 The Chapel Bells are only permitted to be rung/played between the hours of 9am to 8pm, 7 days a week, including public holidays.

- 15.5.3 All staff and visitors/persons attending the Centre are to park within the nominated car parking spaces as shown on the Carparking Use Diagram Plan, Drawing No. 1508-019, Issue B, dated 10 February 2017.
- 15.5.4 The use of the land is not to interfere with the amenity of the residential area. In particular, the following is to be appropriately managed to minimise amenity impacts:
- i. Noise generated as a result of movement of staff and vehicles when a shift changeover occurs. Shift changeovers are to be scheduled for suitable times.
 - ii. The use of the outdoor and communal open space areas.
 - iii. Any persons smoking within and around the site.
- 15.5.5 The Chapel is permitted to be attended by persons associated with St Hedwig Village and the general public.
- 15.6 **General**
- 15.6.1 All meetings and events, including the amplification of any speech or music must cease at 9pm.
- 15.6.2 The privacy screening measures are to be maintained for the life of the development.
- 15.6.3 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 15.6.4 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 15.6.5 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 15.6.6 No signage, goods, materials, or the like, are to be stored at any time outside of the buildings on the internal vehicular driveways, car parking area, landscaping or footpaths.
- 15.6.7 All loading and unloading operations shall take place at all times wholly within the confines of the land. All unloading activities are to be conducted in a manner that does not impact on the amenity of adjoining property owners/occupants.
- 15.6.8 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.
- 15.6.9 Removal of any graffiti visible from any public road or place is the responsibility of the property owner/s. Once identified, all graffiti must be removed within 48 hours. The development is to be maintained in accordance with the Total Maintenance Plan and Graffiti Management Plan as required by **Conditions 14.10 and 14.11**.
- 15.6.10 The maintenance of the boundary fencing is the responsibility of the Applicant/operator of this development. This fence is to be kept in a well maintained condition for the life of the development.
- 15.6.11 Separate development consent is required from Council should the operation of this Seniors housing development and place of public worship operate outside of the scope of this development consent as this is considered to be an intensification of use.