

ATTACHMENT B- DRAFT CONDITIONS OF CONSENT

General Matters

1. Development in accordance with submitted plans

The development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below, except where amended by other conditions of this consent and/or any plan annotations:

Drawing No.	Prepared By	Dated
Site Plan, Drawing No. A02-01. Revision 3.	Australian Consulting Architects	26.04.2017
Basement 1 Plan, Drawing No. A05-01, Revision 3.	Australian Consulting Architects	26.04.2017
Basement 1 Plan, Drawing No. A05-02, Revision 3.	Australian Consulting Architects	26.04.2017
Basement 1 Plan, Drawing No. A05-03, Revision 3.	Australian Consulting Architects	26.04.2017
Lower Ground Floor Plan, Drawing No. A05-04, Revision 3.	Australian Consulting Architects	26.04.2017
Ground Floor Plan, Drawing No. A05-05, Revision 3.	Australian Consulting Architects	26.04.2017
Level 1 Plan, Drawing No. A05-06, Revision 3.	Australian Consulting Architects	26.04.2017
Level 2 Plan, Drawing No. A05-07, Revision 3.	Australian Consulting Architects	26.04.2017
Level 3 Plan, Drawing No. A05-08, Revision 3.	Australian Consulting Architects	26.04.2017
Level 4 Plan, Drawing No. A05-09, Revision 3.	Australian Consulting Architects	26.04.2017
Level 5 Plan, Drawing No. A05-10, Revision 3.	Australian Consulting Architects	26.04.2017
Level 6 Plan, Drawing No. A05-11, Revision 3.	Australian Consulting Architects	26.04.2017
Level 7 Plan, Drawing No. A05-12, Revision 3.	Australian Consulting Architects	26.04.2017
Level 8 Plan, Drawing No. A05-13, Revision 3.	Australian Consulting Architects	26.04.2017
Section Plan, Drawing No. A08-01, Revision 3.	Australian Consulting Architects	26.04.2017
Section Plan, Drawing No. A08-02, Revision 3.	Australian Consulting Architects	26.04.2017
Section Plan, Drawing No. A08-03, Revision 3.	Australian Consulting Architects	26.04.2017
North & South Elevation Plan, Drawing No. A09-01, Revision 3.	Australian Consulting Architects	26.04.2017
East & West Elevation Plan, Drawing No. A09-02, Revision 3.	Australian Consulting Architects	26.04.2017
Building A Elevation Plan, Drawing No.	Australian Consulting Architects	26.04.2017

A09-03, Revision 3.	Architects	
Building B Elevation Plan, Drawing No. A09-04, Revision 3.	Australian Consulting Architects	26.04.2017
Pre & Post Adaptable Units Plan, Drawing No. A13.1-01, Revision 3.	Australian Consulting Architects	26.04.2017
Accessible Details, Drawing No. A13.1-02, Revision 3.	Australian Consulting Architects	26.04.2017
Materials and Finishes Schedule, Drawing No. A24-01, Revision 3.	Australian Consulting Architects	26.04.2017
Landscape Plan, Drawing No, L-01 to L5, Revision B	RFA Landscape Architects	20.04.2017
Stormwater Plan - Basement Level 3, Job No. 160963, Drawing No. D01, Revision B.	Australian Consulting Engineers	19.04.2017
Stormwater Plan - Basement Level 2, Job No. 160963, Drawing No. D02, Revision B.	Australian Consulting Engineers	19.04.2017
Stormwater Plan - Basement Level 1, Job No. 160963, Drawing No. D03, Revision C.	Australian Consulting Engineers	19.04.2017
Stormwater Plan – Lower Ground Level, Job No. 160963, Drawing No. D04, Revision C.	Australian Consulting Engineers	16.06.2017
Stormwater Plan – Ground Floor Level, Job No. 160963, Drawing No. D05, Revision D.	Australian Consulting Engineers	16.06.2017
Site Stormwater Plan, Job No. 160963, Drawing No. D06, Revision B.	Australian Consulting Engineers	19.04.2017
Site Stormwater Plan, Job No. 160963, Drawing No. D07, Revision C.	Australian Consulting Engineers	16.06.2017
Site Stormwater Plan, Job No. 160963, Drawing No. D08, Revision B.	Australian Consulting Engineers	19.04.2017
Sediment Control Plan, Job No. 160963, Drawing No. D10, Revision A.	Australian Consulting Engineers	14.09.2016
Sediment Control Details, Job No. 160963, Drawing No. D11, Revision A.	Australian Consulting Engineers	14.09.2016
Waste Management Plan, Drawing No. A05-15, Revision 3	Australian Consulting Architects	26.04.2017

Document(s)	Prepared By	Dated
Statement of Environmental Effects	Planning Ingenuity	October 2016
Waste Management Plan	Australian Consulting Architects	16.10.2016
Traffic Report	Varga Traffic Planning Pty Ltd	11.10.2016
BASIX Certificate No. 7578851M	BASIX	12.09.2016
Access Report	Wall to Wall Design + Consulting	10.10.2016
Acoustic Report	Pyramid Consulting Pty Ltd	12.02.2013

Note: In the event of any inconsistency between the architectural plan(s) and the landscape plan(s) and/or stormwater disposal plan(s) (if applicable), the architectural plan(s) shall prevail to the extent of the inconsistency.

This condition is amended pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

2. Construction Certificate

Prior to construction of the approved development, it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or an Accredited Certifier. Plans submitted with the Construction Certificate are to be amended to incorporate the conditions of the Development Consent.

3. Provision of Parking Spaces

The development is required to be provided with 146 off-street car parking spaces (comprising 121 resident spaces and 25 visitor spaces). These car parking spaces shall be available for off street parking at all times.

4. External Finishes

External finishes and colours shall be in accordance with the details submitted with the development application and approved with this consent.

5. Building Work to be in Accordance with BCA

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

6. Property Numbering

The responsibility for property numbering is vested solely in Council.

The property address for this development is: -

Units 1-124/16 Thallon Street, CARLING FORD NSW 2118

Please refer to approved numbering correspondence and plan. These unit numbers, as issued, are to be displayed clearly on all unit door entrances.

Clear and accurate external directional signage is to be erected on site at driveway entry points and on buildings. Unit numbering signage is also required on stairway access doors and lobby entry doors. It is essential that all numbering signage throughout the complex is clear to assist emergency service providers locate a destination with ease and speed, in the event of an emergency.

This condition is amended pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

7. Tree Removal

Tree removal within the site shall be undertaken in accordance with the Arboricultural Impact Assessment prepared by Redgum Horticultural dated 14 February, 2017.

This condition is amended pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

8. Planting Requirements

All trees planted as part of the approved landscape plan are to be minimum 75 litre pot size. All shrubs planted as part of the approved landscape plan are to be minimum 200mm pot size. Groundcovers are to be planted at 5/m².

9. Washing of Vehicles

Washing of vehicles/boats is to be conducted in a car wash bay, which is roofed and bunded to exclude rainwater. All wastewater from car washing is to be discharged to the sewer under a trade waste agreement from Sydney Water.

10. Contamination

Any new information, which comes to light during construction works, which has the potential to alter previous conclusions about site contamination, shall be immediately notified to Council.

11. Acoustic Requirements

The recommendations of the acoustic report prepared by Pyramid Consulting Pty Ltd dated 12 February 2013 and referenced as 11111NR2 010 submitted as part of the development application are to be implemented as part of this approval.

12. Adherence to Approved Waste Management Plan

The Waste Management Plan forms part of the development consent and must be adhered to at all stages in the demolition/construction/design of facilities and ongoing use phases except where amended by other conditions of consent. All waste material nominated for recycling must be reused or recycled. Any material moved off site is to be transported in accordance with the requirements of the Protection of the Environment Operations Act (1997) and only to a place that can lawfully be used as a waste facility. Dockets/receipts verifying recycling/disposal must be kept and presented to Council when required.

13. Waste Storage and Separation - Construction and Demolition

The reuse and recycling of waste materials must be maximised during construction and demolition. The separation and recycling of the following waste materials is required:

- (a) Masonry products (bricks, concrete, concrete roof tiles) to be sent for crushing/recycling;
- (b) Timber waste to be separated and sent for recycling;
- (c) Metals to be separated and sent for recycling;
- (d) Clean waste plasterboard to be returned to the supplier for recycling (excluding plasterboard from demolition); and
- (e) Mixed waste (plastic wrapping, cardboard etc) to be sent to a licenced Recycling or disposal facility.

This can be achieved by constructing a minimum of five trade waste compounds onsite. Each waste compound must be adequately sized to enclose the waste. Alternatively, mixed waste may be stored in one or more adequately sized waste compounds and sent to a waste contractor/waste facility that will sort the waste on

their site for recycling. Waste must be adequately secured and contained within designated waste areas and must not leave the site onto neighbouring public or private properties. Personal waste must not litter the site. Copies of actual weighbridge receipts verifying recycling/disposal must be kept and presented to Council when required.

14. Surplus Excavated Material

The disposal of surplus excavated material, other than to facilities that can lawfully receive such waste, is not permitted without formal approval from Council prior to the commencement of works on site. Any unauthorised disposal of surplus excavated material is a breach of the Protection of the Environment Operations Act 1997 and subject to substantial penalties. Receipts of excavation material tipping must be kept on site at all times and produced in a legible form to any authorised officer of the Council who asks to see them.

15. Commencement of Domestic Waste Services

All garbage, recycling and garden organics bins (including bulk bins) are to be ordered no earlier than (3) days prior to occupancy of the development. The bins are to be ordered by the property owner or agent acting for the owner by calling Council's Waste Hotline on Ph 1800 623 895.

16. Domestic Waste Management

Construction of the garbage and recycling bin storage areas is to be in accordance with The Hills shire Council's "Bin Storage Facility Design Specifications". Storage facility is to be provided for a minimum of 25 x 660 litre bulk garbage bins and 25 x 660 litre recycling bins to be emptied twice per week by a private contractor.

This condition is amended pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

17. Separate application for Strata Subdivision

A separate application must be submitted for any proposed strata titled subdivision of the approved development.

18. Protection of Public Infrastructure

Council must be notified of any damage to public infrastructure caused by the development. Adequate protection must be provided prior to work commencing and maintained during building operations. Any damage caused must be made good, to the satisfaction of Council, before an Occupation Certificate can be issued. Public infrastructure includes the road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the site.

19. Vehicular Access and Parking

The formation, surfacing and drainage of all driveways, parking modules, circulation roadways and ramps is required, with their design and construction complying with:

(a) AS/ NZS 2890.1:2004

(b) AS/ NZS 2890.6:2009

(c) AS 2890.2:2002

(d) DCP Part C Section 1 Parking

(e) Council's Driveway Specifications

Where conflict exists the Australian Standard must be used.

The following must be provided:

- (i) All driveways and car parking areas must be prominently and permanently line marked, signposted and maintained to ensure entry and exit is in a forward direction at all times and that parking and traffic circulation is appropriately controlled.
- (ii) All driveways and car parking areas must be separated from landscaped areas by a low level concrete kerb or wall.
- (iii) In urban areas, all driveways and car parking areas must be concrete or bitumen. The pavement design must consider the largest design service vehicle expected to enter the site.
- (iv) All driveways and car parking areas must be graded, collected and drained by pits and pipes to a suitable point of legal discharge.

20. Gutter and Footpath Crossing Application

Each driveway requires the lodgement of a separate gutter and footpath crossing application, accompanied by the current fee as prescribed by Council's Schedule of Fees and Charges.

20A. Number of Bedrooms

The number of bedrooms approved under this consent is limited to the number of bedrooms shown on the plans and details approved under this consent. No additional bedrooms are approved and no works, including internal alterations, which result in the creation of any additional bedrooms are permitted.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

21. Design Verification

Prior to the release of the Construction Certificate design verification is required from a qualified designer to confirm the development is in accordance with the approved plans and details and continues to satisfy the design quality principles in SEPP 65.

22. Approved Plans to be Submitted to Sydney Water

The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easement, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site www.sydneywater.com.au for:

- Quick Check agent details - See building and Developing then Quick Check and
- Guidelines for Building Over/Adjacent to /Sydney Water Assets - see Building

Developing then Building and Renovating

or telephone 13 20 92.

23. Section 94 Contribution - Carlingford

A monetary contribution comprising \$ **1,615,873.35** is payable to Parramatta City Council in accordance with Section 94 of the Environmental Planning and Assessment Act 1979 and the Hills Contributions Plan No.14- Carlingford Precinct Plan. Payment must be by EFTPOS, bank cheque or credit card only.

The contribution is to be paid to Council prior to the issue of a construction certificate.

This condition is amended pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

24. Erosion & Sediment Control Plan

Submission of an Erosion and Sediment Control Plan to the Principal Certifying Authority, including details of:

- (a) Allotment boundaries
 - (b) Location of the adjoining roads
 - (c) Contours
 - (d) Existing vegetation
 - (e) Existing site drainage
 - (f) Critical natural areas
 - (g) Location of stockpiles
 - (h) Erosion control practices
 - (i) Sediment control practices
 - (j) Outline of a maintenance program for the erosion and sediment controls
- (NOTE: For guidance on the preparation of the Plan refer to 'Managing Urban Stormwater Soils & Construction' produced by the NSW Department of Housing).

24A. Tree Retention

Prior to the issue of the Construction Certificate, the Certifying Authority must be satisfied that all stormwater infrastructure including the OSD tank is relocated outside the structural root zone of trees 21, 22 x 5, 23, 33-36 which are located within the adjoining

property. Refer to the arboricultural impact assessment prepared by Redgum Horticultural dated 14 February, 2017 for tree locations.

Plans submitted with the Construction Certificate application must reflect the above requirements.

This condition is amended pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

24B. Statement on specific tree protection

A Methodology Statement, prepared by a suitably qualified arboriculture's (Australian Qualification Framework Level 5), must accompany the application for a Construction Certificate. This statement is to identify the measures to be implemented for protection

of trees numbered Trees 21, 22 x 5, 23, 33-36 (located within the adjoining property) during construction and the expected future health of the trees. The statement is to be structured so that each of the following stages of construction are individually addressed, namely:

- (a) Excavation;
- (b) Canopy trunk and tree root protection;
- (c) Construction of any retaining wall;
- (d) Installation of services (i.e. bridging of roots); and
- (e) Back filling

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

25. Secure properties and maintain vegetation

The houses that are currently located on the proposed development site are to be made secure so that the public cannot access the house or dump rubbish on the land. The vegetation (excluding live trees, live shrubs and plants under cultivation) on the properties is to be maintained and controlled so that the properties do not become overgrown and thus create an unhealthy and / or unsafe environment.

26. Updated Acoustic Report

As recommended in section five (5) of the acoustic report prepared by Pyramid Consulting PTY L TD dated 12 February 2013 and referenced as 1111NR2, the following is to be provided prior to the construction certificate being issued:

'An updated acoustic report to be provided at the construction certificate stage.'

- The updated acoustic report shall include information, which is not limited to details of the mechanical equipment.
- The updated acoustic report shall include information to include the details of a total number of units from 105 to 124 as per the amended proposal prepared by Australian Consulting Architects, as listed in Condition No.1 of this consent.
- This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.
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This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

27. On site Stormwater Detention Upper Parramatta River Catchment Area

Onsite stormwater Detention (050) is required in accordance with Council's adopted policy for the Upper Parramatta River catchment area, the Upper Parramatta River Catchment Trust OSD Handbook.

The following stormwater concept plan prepared by Australian Consulting Engineers Is for DA purposes only and is not to be used for construction.

Stormwater Plan - Basement Level 3, Job No. 160963, Drawing No. D01, Revision B.	19.04.2017
Stormwater Plan - Basement Level 2, Job No. 160963, Drawing No. D02, Revision B.	19.04.2017
Stormwater Plan - Basement Level 1, Job No. 160963, Drawing No. D03, Revision C.	19.04.2017
Stormwater Plan – Lower Ground Level, Job No. 160963, Drawing No. D04, Revision C.	16.06.2017
Stormwater Plan – Ground Floor Level, Job No. 160963, Drawing No. D05, Revision D.	16.06.2017
Site Stormwater Plan, Job No. 160963, Drawing No. D06, Revision B.	19.04.2017
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Site Stormwater Plan, Job No. 160963, Drawing No. D08, Revision B.	19.04.2017

The detailed design must reflect the approved concept plan and the following necessary changes:

- (a) Concrete benching to the Invert of the orifice is required in the OSD Discharge Control Pit.

Comprehensive design plans showing full construction details must be prepared by an accredited OSD designer and submitted with:

- (i) A completed OSD Drainage Design Summary Sheet;
- (ii) Drainage calculations and details, including those for all weirs, overland flow paths and diversion (catch) drains, catchment areas, times of concentration and estimated peak run-off volumes;
- (iii) A completed OSD Detailed Design Checklist;
- (iv) A maintenance schedule.

The design and construction of the OSD system must be approved by either Council or an accredited certifier. This certification must be included with the documentation approved as part of any Construction Certificate.

A Design Compliance Certificate (DCC) certifying the detailed design of the OSD system can be issued by Council subject to the following being provided:

- (i) A completed application form;
- (ii) Four copies of the design plans and specifications;
- (iii) Payment of the applicable application and inspection fees.

27A. Roof Drainage System

Prior to the issue of a Construction Certificate, a certificate shall be submitted to the certifying Authority certifying that:

The piped drainage system has been designed to an Average Recurrence Interval of not less than 100 years.

Note: Where the City of Parramatta Council is nominated to issue a Construction Certificate for stormwater drainage, the following details will be required:

- i. Full details of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and Runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels etc.
- ii. A Plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regarding of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot levels.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

28. Basement Car Park and Subsurface Drainage

The stormwater pump-out system must provide for the following:

- (a) A holding tank sized to store the run-off from a 12 hour 1 in 100 year ARI storm event;
- (b) A alternating two pump system capable of emptying the holding tank at either the Permissible Site Discharge rate or the rate of inflow for a 5 hour 1 In 5 year ARI storm event, whichever is lower;
- (c) An alarm system to alert a pump failure;
- (d) 100mm freeboard to all nearby parking spaces;
- (e) The system must be connected to the Onsite Stormwater Detention system before being discharged to the street, under gravity.

All relevant plans, calculations, hydraulic details and manufacturer specifications for the pump must be submitted with certification from the designer confirming the design compiles with the above requirements.

29. Security Bond Pavement and Public Asset Protection

In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, a security bond of \$94,200.00 is required to be submitted to Council to guarantee the protection of the adjacent road pavement and public assets during construction works. The above amount is calculated at the rate of \$30.00 per square metre based on the public road frontage of the subject site 214m plus an additional 5m

on either side 314m and the width of the road measured from face of kerb on both sides 10m.

The bond must be lodged with Council prior to the issue of a Construction Certificate. The value of this bond shall be confirmed with Council prior to submission and may be in the form of cash or an unconditional bank guarantee. The bond is refundable upon written application to Council along with payment of the applicable bond release fee, and is subject to all work being restored to Council's satisfaction. Should the cost of restoring any damage exceed the value of the bond, Council will undertake the works and issue an invoice for the recovery of these remaining costs.

30. Bank Guarantee Requirements (Development)

Should a bank guarantee be the proposed method of submitting a security bond it must:

- (a) Have no expiry date;
- (b) Be forwarded direct from the issuing bank with a cover letter that refers to Development Consent DA 883/2013/JP;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen days prior to such action being taken. No bank guarantee will be accepted that has been issued directly by the applicant.

31. Engineering Works and Design

The design and construction of the engineering works listed below must be provided for in accordance with the following documents and requirements:

- (a) Council's Design Guidelines Subdivisions/ Developments
- (b) Council's Works Specifications Subdivisions/ Developments

Variation from these documents can only be approved by Council's Manager - Subdivision and Development Certification.

Engineering works can be classified as either "subdivision works" or "building works" as categorised below:

1. Works within an existing or proposed public road, or works within an existing or proposed public reserve. These works can only be approved, inspected and certified by Council in accordance with the Roads Act 1993 and the Local Government Act 1993 respectively. For Council to issue this approval the following must be provided:
 - (a) A completed application form.
 - (b) Four copies of the design plans and specifications.
 - (c) Payment of the applicable application and inspection fees.
 - (d) Payment of any required security bonds.
2. Works within the development site, or an adjoining private property, that relates to existing or proposed Council infrastructure assets, such as the laying of a stormwater

pipeline or the formation of an overland flowpath within a public drainage easement. These works can only be approved, inspected and certified by Council because Council will have an ongoing risk exposure and management/ maintenance liability with respect to these assets once completed.

65% reduction in the annual average load of total phosphorous
45% reduction in the annual average load of total nitrogen
All model parameters and data outputs are to be provided.

These elements must be designed and constructed in accordance with best practice water sensitive urban design techniques and guidelines. Such guidelines include, but are not limited to, the following:

Water Sensitive Urban Design - Technical Guidelines for Western Sydney, 2004,
<http://www.wsud.org/tools-resources/index.html>

Australian Runoff Quality - A Guide to Water Sensitive Urban Design, 2005.

31A. Retaining walls

If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600mm in height or within 900mm of any property boundary.

The provision of retaining walls along common boundary lines shall not impact on neighbouring properties. If impact upon neighbouring properties (including fences) is anticipated, then written approval from the affected neighbour shall be obtained and submitted to the certifying authority prior commencement of the works.

Structural details, certified by a practicing structural engineer, shall accompany the application for a Construction Certificate for assessment and approval by the certifying authority.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

31B. Accessible parking

A total of 13 accessible car-parking spaces must be provided as part of the total car-parking requirements. These spaces and access to these spaces must comply with AS2890.6 - 'Parking facilities' - 'Off-street parking for people with disabilities and AS1428.1 - 'Design for access and mobility' - General requirements for access - New building work' 2001 and 2009 and AS1428.4 - 'Design for access and mobility' - 'Tactile ground surface indicators for orientation of people with vision impairment' - 'Means to assist the orientation of people with vision impairment - Tactile ground surface indicators' 1992 and 2009.

Details are to accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

31C. Security roller shutters for basement car parking

Where a security roller shutter or boom gate prevents access to visitor carparking, an intercom system is required to be installed to enable visitor access to the car parking area. Details of the system and where it is to be located is to accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

31D. Ramp Gradients

The gradients of the internal ramps shall be checked using the method at Appendix C in AS2890.1:2004 and adjustments will be made to accommodate suitable transition lengths. Details are to be illustrated on plans submitted with the construction certificate.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

31E. Parking spaces

Parking spaces are to be provided in accordance with the approved plans referenced in condition 1 and with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

31F. Bicycle spaces

The dimensions and layout of the bicycle storage/racks are to comply with AS 2890.3 - 2015. Details are to be illustrated on plans submitted with the construction certificate.

Prior to the issue of the construction certificate, the PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

31G. Dial Before you Dig Service

Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to receive written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having the benefit of this consent are required to forward the written confirmation from NDBYD to their Principal Certifying Authority (PCA) prior to any excavation occurring.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

31H. Underground electricity supply

Electricity provision within the site is to be designed so that in the future the electrical connection from this site can be made to an underground connection within the street. Certification from an energy provider addressing their requirements for this provision is to be forwarded to the Certifying Authority with the application for a Construction Certificate.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

31I. Exhaust fumes

All mechanical exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1 - 1998 – 'The use of ventilation and air conditioning in buildings' – 'Fire and smoke control in multi-compartmented buildings'. Details showing compliance are to accompany an application for a Construction Certificate.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

PRIOR TO WORK COMMENCING ON THE SITE

32. Principal Certifying Authority

A sign is to be erected in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000.

33. Builder and PCA Details Required

Notification in writing of the builder's name, address, telephone and fax numbers to be submitted to the Principal Certifying Authority prior to work commencing.

Two days before work commences, Council shall be notified of the Principal Certifying Authority in accordance with the Regulations.

34. Erosion and Sedimentation Controls - Major Works

Erosion and sedimentation control devices are to be provided in accordance with Council's "Works Specification - Subdivisions/Developments" (August 1997), All devices are to be established prior to the commencement of engineering works and maintained for a minimum period of six (6) months after the completion of all works, Periodic maintenance of the erosion and sedimentation control devices is to be undertaken to ensure their effectiveness,

On completion of works all land that has been disturbed by earthworks is to be spray grassed or similarly treated to establish a grass cover.

35. Stabilised Access Point

A stabilised all weather access point is to be provided prior to commencement of site works, and maintained throughout construction activities until the site is stabilised. The controls shall be in accordance with the requirements with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater - Soils and Construction produced by the NSW Department of Housing (Blue Book).

36. Site Water Management Plan

A Site Water Management Plan is to be submitted to Council for approval. The plan is required to be site specific and be in accordance with "Managing Urban Stormwater - Soils and Construction" (The Blue Book) produced by the NSW Department of Housing.

37. Erosion & Sediment Control Plan Kept on Site

A copy of the Erosion and Sediment Control Plan must be kept on site at all times during construction and made available to Council officers on request.

38. Notification of Asbestos Removal

Prior to the commencement of any demolition works involving asbestos or asbestos containing materials, all adjoining and adjacent neighbours and Council must be given a minimum five days written notification of the works.

39. Demolition Works & Asbestos Removal/Disposal

The demolition of any existing structure IS to be carried out in accordance with the Occupational Health & Safety Regulations 2001 Part 8 and the Australian Standard AS 2601-1991: The Demolition of Structures. All vehicles leaving the site carrying demolition materials are to have loads covered and are not to track any soil or waste materials on the road. Should the demolition works obstruct or inconvenience pedestrian or vehicular traffic on adjoining public road or reserve, a separate application is to be made to Council to enclose the public place with a hoarding or fence. All demolition waste is to be removed from the site according to the Council's approved Waste Management Plan. All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with the Workcover Authority Guidelines and requirements.

The asbestos must be removed by a bonded asbestos licensed operator. Supporting documentation (dockets/receipts), verifying recycling and disposal must be kept, to be checked by Council if required.

40. Discontinuation of Domestic Waste Services

Prior to commencement of any demolition works, Council must be notified to collect any garbage or recycling bins from any dwelling/building that is to be demolished and to discontinue the waste service (where the site ceases to be occupied during works). Construction or demolition workers must not use Council's domestic and garbage and recycling service for the disposal of waste. Please contact Council's Waste Hotline on 1800 623 895 for the discontinuation of waste services.

41. Separate OSD Detailed Design Approval

No work is to commence until a detailed design for the OSD system has been approved by either Council or an accredited certifier.

42. Pre-Construction Public Infrastructure Dilapidation Report

A public infrastructure inventory report must be prepared and submitted to Council recording the condition of all public assets in the direct vicinity of the development site. The report shall include:

- (a) Designated construction access and delivery routes; and
- (b) Photographic evidence of the condition of all public assets. The report shall clearly identify the date of recording.

42A. Construction and Traffic Management Plan

Prior to the commencement of any works on site, the applicant must submit a Construction and/or Traffic Management Plan to the satisfaction of the Principle Certifying Authority. The following matters must be specifically addressed in the Plan:

- (a) Construction Management Plan for the Site. A plan view of the entire site and frontage roadways indicating:
 - (i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
 - (ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
 - (iii) The locations of proposed Work Zones in the egress frontage roadways,
 - (iv) Location of any proposed crane standing areas,
 - (v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
 - (vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
 - (vii) The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
 - (viii) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
 - (ix) A detailed description of locations that will be used for layover for trucks waiting to access the construction site.

- (b) Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.

Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Works Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.

- (c) Traffic Control Plan(s) for the site:

- (i) All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,
- (ii) Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property.

- (d) Where applicable, the plan must address the following:

- (i) Evidence of RTA concurrence where construction access is provided directly or within 20 m of an Arterial Road,
- (ii) A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
- (iii) Minimising construction related traffic movements during school peak periods,
- (iv) The Construction and Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

42B. Road Opening Permits

The applicant must apply for a road-opening permit where a new pipeline is proposed to be constructed within or across Council owned land. Additional road opening permits and fees may be necessary where connections to public utilities are required (e.g. telephone, electricity, sewer, water or gas).

No drainage work can be carried out within the Council owned land without this permit being issued. A copy is required to be kept on site.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

42C. Dilapidation survey & report for private properties

Prior to the commencement of any excavation works on site, the applicant must submit for approval by the Principal Certifying Authority (with a copy forwarded to Council) a dilapidation report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the excavation face to a depth of twice that of the excavation.

The report must include a photographic survey of the adjoining properties detailing their physical condition, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer in accordance with the recommendation of the geotechnical report. A copy of the dilapidation report must be submitted to Council.

In the event access to adjoining allotments for the completion of a dilapidation survey is denied, the applicant must demonstrate in writing that all reasonable steps have been taken to advise the adjoining allotment owners of the benefit of this survey and details of failure to gain consent for access to the satisfaction of the Principle Certifying Authority.

Note: This documentation is for record keeping purposes only, and made available to an affected property owner should it be requested to resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

42D. Geotechnical report

Prior to the commencement of any excavation works on site the applicant must submit, for approval by the Principal Certifying Authority (PCA), a geotechnical/civil engineering report which addresses (but is not limited to) the following:

- (a) The type and extent of substrata formations. A minimum of 4 representative bore hole logs which are to provide a full description of all material from the ground surface to a minimum of 1.0m below the finished basement floor level. The report is to include the location and description of any anomalies encountered in the profile, and the surface and depth of the bore hole logs shall be to Australian Height Datum.
- (b) Having regard to the findings of the bore hole testing, details of the appropriate method of excavation/shoring together with the proximity to

adjacent property and structures can be ascertained. As a result potential vibration caused by the method of excavation and how it will impact on nearby footings/foundations must be established together with methods to ameliorate any impact.

- (c) The proposed methods for temporary and permanent support required by the extent of excavation can be established.
- (d) The impact on groundwater levels in relation to the basement structure.
- (e) The drawdown effects if any on adjacent properties (including the road reserve), resulting from the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater.

Where it is considered there is potential for the excavation to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development. This design is to ensure there is no change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path of groundwater results, artificial drains such as perimeter drains and through drainage may be utilised.

- (f) The recommendations resulting from the investigations are to demonstrate the works can be satisfactorily implemented. An implementation program is to be prepared along with a suitable monitoring program (where required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction.

The implementation program is to nominate suitable hold points for the various stages of the works in order verify the design intent before certification can be issued and before proceeding with subsequent stages.

The geotechnical report must be prepared by a suitably qualified consulting geotechnical/hydrogeological engineer with demonstrated experience in such investigations and reporting. It is the responsibility of the engaged geotechnical specialist to undertake the appropriate investigations, reporting and specialist recommendations to ensure a reasonable level of protection to adjacent properties and structures both during and after construction. The report must contain site specific geotechnical recommendations and must specify the necessary hold/inspection points by relevant professionals as appropriate. The design principles for the geotechnical report are as follows:

- (i) No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
- (ii) No changes to the ground water level are to occur as a result of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.

- (iii) No changes to the ground water level are to occur during the construction of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- (iv) Vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development.
- (v) Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.
- (vi) An adverse impact can be assumed to be crack damage which would be classified as Category 2 or greater damage according to the classification given in Table CI of AS 2870 - 1996.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

42E Aquifer interference activity approval

Due to the extent of excavation proposed to accommodate the on-site car parking for the development should the excavation intersect groundwater an aquifer interference activity approval is required in accordance with *NSW Aquifer Interference Policy* – including the need to provide a thorough hydrogeological assessment of the predicted impacts of the proposed development and calculations of the volumes likely to be extracted from the NSW Office of Water.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

42F. Shoring and adequacy of adjoining property

If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:

- (a) Protect and support the adjoining premises from possible damage from the excavation
- (b) Where necessary, underpin the adjoining premises to prevent any such damage.

Note: If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

42G. Special Permits

Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely within the property boundaries. The applicant, owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:

(a) On-street mobile plant:

E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.

(b) Storage of building materials and building waste containers (skips) on Council's property.

(c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.

(d) Kerbside restrictions - construction zones:

The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

The application is to be lodged with Council's Customer Service Centre.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

42H. Oversize vehicles

Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within the City of Parramatta LGA.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

DURING CONSTRUCTION

43. Hours of Work

Work on the project to be limited to the following hours:

Monday to Saturday - 7.00am to 5.00pm.

No work to be carried out on Sunday or Public Holidays.

The builder/contractor shall be responsible to instruct and control sub-contractors regarding the hours of work. Council will exercise its powers under the Protection of the Environment Operations Act, In the event that the building operations cause noise to emanate from the property on Sunday or Public Holidays or otherwise than between the hours detailed above.

44. Compliance with BASIX Certificate

Under clause 97A of the Environmental Planning and Assessment Regulation 2000, it is a condition of this Development Consent that all commitments listed in BASIX Certificate No.757851M dated 12 September 2016 be complied with. Any subsequent version of this BASIX Certificate will supersede all previous versions of the certificate.

A Section 96 Application may be required should the subsequent version of this BASIX Certificate necessitate design changes to the development. However, a Section 96 Application will be required for a BASIX Certificate with a new number.

This condition is amended pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

45. Compliance with Critical Stage Inspections and Other Inspections Nominated by the Principal Certifying Authority

Section 109E(d) of the Act requires certain specific inspections (prescribed by Clause 162A of the Regulations) and known as "Critical Stage Inspections" to be carried out for building work. Prior to permitting commencement of the work, your Principal Certifying Authority is required to give notice of these inspections pursuant to Clause 103A of the Regulations.

N.B. An Occupation Certificate cannot be issued and the building may not be able to be used or occupied where any mandatory critical stage inspections or other inspections required by the Principal Certifying Authority are not carried out.

Where Council is nominated as Principal Certifying Authority, notification of all inspections required is provided with the Construction Certificate approval.

NOTE: You are advised that inspections may only be carried out by the PCA unless by prior agreement of the PCA and subject to that person being an accredited certifier.

46. Stockpiles

Stockpiles of topsoil, sand, aggregate or other material capable of being moved by water shall be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

47. Dust Control

The emission of dust must be controlled to minimise nuisance to the occupants of the surrounding premises. In the absence of any alternative measures, the following measures must be taken to control the emission of dust:

- Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the construction work.
- All dusty surfaces must be wet down and suppressed by means of a fine water spray. Water used for dust suppression must not cause water pollution; and
- All stockpiles of materials that are likely to generate dust must be kept damp or covered.

48. Asbestos Removal

Asbestos and asbestos containing material shall be removed by a licenced asbestos removalists and all work must be in accordance with the requirements of the NSW Workcover Authority. Asbestos and asbestos containing material is to be disposed of in accordance with the requirements of the Department of Environment, Climate Change and Water (DECCW). All docket and paper work for the disposal shall be retained and made available to Council upon request.

49. Construction Noise

The emission of noise from the construction of the development shall comply with the Interim Construction Noise Guideline published by the Department of Environment and Climate Change (July 2009).

49A Tree Removal

Tree removal within the site shall be undertaken in accordance with the Arboricultural Impact Assessment prepared by Redgum Horticultural dated 14 February, 2017.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

49B. Removal of trees by an arborist

All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the Safe Work Australia Guide to managing risks of tree trimming and removal work.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

49C. Damage to public infrastructure

Any damage to Council assets that impacts on public safety during construction is to be rectified immediately to the satisfaction of Council with all costs to be borne by the person having the benefit of the Development Consent.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

49D. Construction of a concrete footpath

A footpath is to be constructed in accordance with Council Standard Drawing DS3 in front of the site within the road reserve. Details of the proposed footpath works shall be submitted to and approved by Council's Civil Asset Team prior to commencement of footpath works. All costs are to be borne by the applicant.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

49E. Nomination of Engineering Works Supervisor

During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works". Certification is required to be provided with the Occupation Certificate.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

49F Occupation of the footpath during construction

Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.

PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

50. Design Verification Certificate

Prior to the release of the Occupation Certificate design verification is required from a qualified designer to confirm that the development has been constructed in accordance with approved plans and details and has satisfied the design quality principles consistent with that approval.

51. Section 73 Certificate must be submitted to the Principal Certifying

Authority before the issuing of an Occupation Certificate a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.col11.au > Building and developing> Developing your land > water Servicing Coordinator or telephone 13 20 92.

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

52. Provision of Electricity Services

Submission of a compliance certificate from the relevant service provider confirming satisfactory arrangements have been made for the provision of electricity services. This includes undergrounding of existing and proposed services where directed by Council or the relevant service provider.

53. Provision of Telecommunications Services

The submission of a compliance certificate from the relevant telecommunications provider, authorised under the Telecommunications Act confirming satisfactory arrangements have been made for the provision of, or relocation of, telecommunication services including telecommunications cables and associated Infrastructure. This includes undergrounding of aerial telecommunications lines and cables where required by the relevant telecommunications carrier.

54. Acoustic Compliance Report

As recommended in section five (5) of the acoustic report prepared by Pyramid Consulting PTY LTD dated 12 February 2013 and referenced as 11111NR2, the following is to be conducted:

'A suitably qualified person shall make regular site Inspections giving advice on construction detailing to ensure that the highest acoustic performance in terms of sound Insulation and plant noise mitigation is achieved - project principal to advise. Co-ordination with the construction manager will ensure site visits occur at specific times to maximize time and efficiency'.

55. Inspection of Bin Bay Storage Areas

Inspection of the bin bay storage areas is to be undertaken by Council's Resource Recovery Project Officer to ensure compliance with Council's design specifications.

56. Completion of Engineering Works

An Occupation Certificate must not be Issued prior to the completion of all engineering works covered by this consent, in accordance with this consent.

57. Post Construction Public Infrastructure Dilapidation Report

Before an Occupation Certificate is issued, an updated public infrastructure Inventory report must be prepared and submitted to Council. The updated report must identify any damage to public assets in the direct vicinity of the development site and the means of rectification for the approval of Council.

57A. Post Construction Private Property Dilapidation Report

The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings and or infrastructure.

The report is to be submitted to the PCA prior to the issue of the occupation certificate. In ascertaining whether adverse structural damage has occurred to adjoining buildings/ infrastructure, the PCA must compare the post-construction dilapidation report with the pre-construction dilapidation report, and

A copy of this report is to be forwarded to Council.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

58. Consolidation of Allotments

All allotments included in this consent must be consolidated into a single allotment before an Occupation Certificate is issued. A copy of the registered plan must be submitted to Council.

59. Pump System Certification

Certification that the stormwater pump system has been constructed in accordance with the approved design and the conditions of this approval must be provided by a suitably qualified hydraulic engineer.

60. OSD System Certification

The Onsite Stormwater Detention (OSD) system must be completed to the satisfaction of the Principal Certifying Authority (PCA) prior to the issuing of an Occupation Certificate. The following documentation is required to be submitted upon completion of the OSD system and prior to a final inspection:

- (a) Works as executed plans prepared on a copy of the approved plans;
- (b) A certificate of hydraulic compliance (Form B.11) from a suitably qualified engineer or surveyor verifying that the constructed OSD system will function hydraulically;
- (c) A certificate of structural adequacy from a suitably qualified structural engineer verifying that the structures associated with the constructed OSD system are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime.

Where Council is not the PCA a copy of the above documentation must be submitted to Council.

61. Creation and Registration of Restrictions and Positive Covenants

The submission to Council of all necessary documentation together with payment of the endorsement fee prescribed in Council's Schedule of Fees and Charges to create the following over the title of the property. The wording must nominate The Hills Shire

Council as the authority to release, vary or modify each restriction or positive covenant. Standard wording is available on Council's website and must be used.

(i) Restriction - OSD Modification

A restriction restricting development over or the varying of any finished levels and layout of the constructed onsite stormwater detention system.

(ii) Positive Covenant - OSD Maintenance

A positive covenant to ensure the ongoing maintenance of the constructed onsite stormwater detention system at the expense of the property owner.

(iii) Restriction - WSUD Modification

A restriction restricting development over or the varying of any finished levels and layout of the constructed water sensitive urban design elements.

(iv) Positive Covenant - WSUD Maintenance

A positive covenant to ensure the ongoing maintenance of the constructed water sensitive urban design elements at the expense of the property owner.

(v) Positive Covenant - Stormwater Pump Maintenance

A positive covenant to ensure the ongoing maintenance of the constructed stormwater pump-out system at the expense of the property owner.

62. Completion of Water Sensitive Urban Design Elements

An Occupation Certificate must not be issued prior to the completion of the WSUD elements conditioned earlier in this consent. The following documentation must be submitted in order to obtain an Occupation Certificate:

- (a) WAE drawings and any required engineering certifications;
- (b) Records of inspections;
- (c) An approved operations and maintenance plan; and
- (d) A certificate of structural adequacy from a suitably qualified structural engineer verifying that any structural element of the WSUD system are structurally adequate and capable of withstanding all loads likely to be imposed on them during their lifetime.

Where Council is not the PCA a copy of the above documentation must be submitted to Council.

62A. Construction of a concrete footpath

Proof of completion of footpath construction work shall be submitted to the satisfaction of Council prior to release of the Occupation Certificate.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

62B. Details of commercial contract for collection of waste

Prior to issue of the occupation certificate, the applicant shall enter into a commercial contract for the collection of trade wastes and recyclable materials arising from business operations on site. A copy of all-waste contracts and receipts shall be kept on site and made available to Council officers on request.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

THE USE OF THE SITE

63. Final Acoustic Report

Within three months from the Issue of an Occupation Certificate, an acoustical compliance assessment is to be carried out by an appropriately qualified person, in accordance with the EPA's (DECCW) - Industrial Noise Policy and submitted to Council for consideration,

This report should include but not be limited to, details verifying that the noise control measures as recommended in the acoustic report submitted with the application are effective in attenuating noise to an acceptable noise level and that activity does not give rise to "offensive noise" as defined under the Protection of the Environment Operation Act 1997, The report shall also take into consideration the nearest external receivers.

64. Lighting

Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Australian Standard AS 4282: 1997 The Control of Obtrusive Effects of Outdoor Lighting.

65. Servicing of Bins

A caretaker is to be responsible for transporting bins to and from the bin rooms to the bin collection area for servicing, returning them shortly after collection on the same day.

Recycling bins are required to be presented to Thallon Street for servicing.

65A. Trade Waste

Trade waste water shall be disposed of in accordance with the permit requirements of Sydney Water Corporation Ltd, Wastewater Source Control Branch.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

65B. Remove putrescible waste at sufficient frequency

All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

65C. Management of waste storage facilities

All waste storage areas are to be maintained in a clean and tidy condition at all times.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.

65D. Storage of bins between collection periods

Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.

This condition is added pursuant to Section 96AA of the Environmental Planning and Assessment Act 1979.