

DRAFT CONDITIONS OF CONSENT

DEVELOPMENT APPLICATION NO. 676.1/2016
SYDNEY SOUTH WEST REGIONAL PLANNING PANEL NO. 2016SYW227

PROPERTY:

LOT 121 DP 1017634, NO. 366 THE HORSLEY DRIVE, FAIRFIELD.

DESCRIPTION OF DEVELOPMENT:

DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF AN 8-STOREY MIXED USE DEVELOPMENT COMPRISING COMMERCIAL USES AND A PUBLICLY ACCESSIBLE PLAZA AT GROUND LEVEL, 280 RESIDENTIAL UNITS ACROSS 3 X 8-STOREY RESIDENTIAL BUILDINGS, COMMUNAL OPEN SPACE AT THE FIRST FLOOR PODIUM LEVEL, 3 LEVELS OF BASEMENT CARPARKING AND LANDSCAPING WORKS

APPROVED PLANS**1. Compliance with Plans and Documentation**

The development shall take place in accordance with the approved development plans as prepared by Nordon Jago Architects, except as modified in red by Council and/or any conditions of this consent.

DA DRAWINGS			
Sheet No.	Rev	Title	Date
DA.01	L	Cover Page	27.10.17
DA.001	E	Site Plan	03.04.17
DA.002	C	Site Analysis	03.04.17
DA.003	C	Locality Plan	03.04.17
DA.096	O	Basement 3	27.10.17
DA.097	O	Basement 2	27.10.17
DA.098	R	Basement 1	27.10.17
DA.100	S	Ground Floor Plan	01.09.17
DA.111	O	Level 1 Floor Plan	01.09.17
DA.112	G	Level-01 Building – A (Typical Floor Plan)	07.06.17
DA.113	F	Level-01 Building – B (Typical Floor Plan)	07.06.17
DA.114	F	Level-02 Building – C (Typical Floor Plan)	07.06.17
DA.115	H	Level-2 Floor Plan	07.06.17
DA.119	H	Level-3 Floor Plan	07.06.17
DA.123	H	Level-4 Floor Plan	07.06.17
DA.127	H	Level-5 Floor Plan	07.06.17
DA.131	H	Level-6 Floor Plan	07.06.17
DA.135	H	Level-7 Floor Plan	07.06.17
DA.139	H	Roof Floor Plan	07.06.17
DA.201	J	Sections	07.06.17
DA.202	A	Sections	07.06.17
DA.300	J	Principle Elevations	07.06.17
DA.301	J	Principle Elevations	07.06.17

DA.302	I	Building A Elevations	07.06.17
DA.303	H	Building B Elevations	07.06.17
DA.304	H	Building C Elevations	07.06.17
DA.600	H	3D Views from Court Road	03.04.17
DA.601	H	3D Views from The Horsley Drive	07.06.17
DA.602	B	3D Views from the plaza and landscape area	03.04.17
DA.700	C	Daylight Compliance Diagram	07.06.17
DA.701	C	Daylight Compliance Calculation	07.06.17
DA.702	C	Direct Sunlight Study – Level 1	07.06.17
DA.703	C	Direct Sunlight Study – Level 2	07.06.17
DA.704	C	Direct Sunlight Study – Level 3	07.06.17
DA.705	C	Direct Sunlight Study – Level 4	07.06.17
DA.706	C	Direct Sunlight Study – Level 5	07.06.17
DA.707	C	Direct Sunlight Study – Level 6	07.06.17
DA.708	C	Direct Sunlight Study – Level 7	07.06.17
DA.710	C	Shadow Diagram – March	01.09.16
DA.711	C	Shadow Diagram – June	01.09.16
DA.712	C	Shadow Diagram – June	01.09.16
DA.713	C	Shadow Diagram – September	01.09.16
DA.714	C	Shadow Diagram – December	01.09.16
DA.715	A	Shadow Diagram – 21 st June	17.02.17
DA.716	A	Shadow Diagram – 21 st June	17.02.17
DA.720	D	Cross Ventilation Typical Plan	07.06.17
DA.721	E	Cross Ventilation Diagram	07.06.17
DA.800	D	Site – Waste Management	01.09.16

- Stormwater Concept Plan as prepared by MYD Consulting Engineers, job number P2280, drawings SW01-SW06, dated 18 August 2016;
- Landscape plans prepared by Taylor Brammer Landscape Architects Pty Ltd;

Drawing No.	Rev.	Date
LA00	A	07.09.2016
LA01	C	21.07.2017
LA02	C	21.07.2017
LA03	B	06.03.2017
LA04	A	07.09.2016
LA05	B	21.07.2017

- Statement of Environmental Effects prepared by Jenson Bowers dated 12 October 2016;
- Traffic and Parking Assessment Report prepared by Varga Traffic Planning Pty Ltd, dated 12 April 2017;
- Crime Prevention Through Environmental Design (CPTED) report prepared by Harris Crime Prevention Services dated March 2017;
- Demolition, Construction and Operational Waste Management Plan prepared by Creative Planning Solutions dated 2 September 2016;
- Stage 2 – Flood Impact Assessment Report prepared by Advisian dated 16 September 2016;
- Preliminary Site Investigation Report prepared by KPMG dated 21 July 2016;
- Traffic Noise Assessment Report prepared by Rodney Stevens Acoustics dated 31 August 2016;

- Geotechnical Assessment Report prepared by JK Geotechnics dated 29 July 2016;

2. Final Stormwater Drainage Plan

The Construction Certificate application shall include a final detailed stormwater drainage plan and specifications suitable for construction, prepared by a qualified civil engineer experienced in stormwater drainage design and analysis. The final plan shall be in accordance with the above mentioned stormwater concept plan and shall comply with Fairfield City Council's Stormwater Drainage Policy, the BASIX requirements and with AS3500. In particular, the finished floor level shown on the Stormwater Plan shall be amended to be consistent with the Architectural Plans.

3. Final Architectural Plans

Prior to the issue of the Construction Certificate, Amended architectural plans are to be submitted to Fairfield City Council and approved by Council's Group Manager of City Development and Compliance incorporating the following amendments:

- a. The provision of a minimum 2.6m wide footpath from the face of the kerb to the landscape edge treatment located within the western property boundary adjacent to Court Road as marked in red on Architectural Plan Drawing No. DA.100 S, Revision S, dated 1 September 2017. Accordingly, the ground floor plan within this section shall be adjusted/amended to accommodate the footpath area.
- b. The loading bay width for the garbage trucks off the ROW shall be widened to 3.5m to provide adequate clearance.
- c. A set of stairs shall be provided in addition to the ramp to the landing area outside the doors of the commercial bin area as marked in red on Drawing No. DA.100 S, Revision S, dated 1 September 2017.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a Construction Certificate by a Certifying Authority. The Certifying Authority can be either Fairfield City Council or an Accredited Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a Construction Certificate.

4. Section 94 Contributions

Prior to the issue of a Construction Certificate, a receipt for the payment to Fairfield City Council of Section 94 contributions (pursuant to the Environmental Planning and Assessment Act 1979) for works detailed in the administration sheet attached to this consent shall be submitted to the Certifying Authority.

The total contribution to be paid to Council (as applicable at the date of this consent) is **\$2,206,963.00**.

The contribution amount payable will be adjusted at the date of payment to account for changes in infrastructure costs in line with the Australian Bureau of Statistics, Producer Price Index – Building Construction (New South Wales) and will be adjusted on a quarterly basis.

Council may allow for deferred payment of the monetary contribution in accordance with the provisions set out in the Direct (Section 94) Development Contributions Plan 2011. If approval to allow deferred payment is sought, such approval must be sought and obtained from Council prior to the issue of a Construction Certificate for the development. Council may refuse to allow deferred payment of the monetary contribution in its absolute discretion.

Refer to the Direct (Section 94) Development Contributions Plan 2011 for more information.

5. Outstanding Long Service Levy Fee

Prior to the issue of a Construction Certificate, a receipt for payment of the Long Service Levy (in accordance with the Building and Construction Industry Long Service Levy Payments Act 1986) shall be submitted to the Certifying Authority.

The Long Service Levy is calculated at 0.35% of the value of building works, as is in force at the date of this consent. The rate of calculation is subject to change and should be verified (and adjusted) at the date of payment. Payment can be made to Fairfield City Council or direct to the Long Service Levy Corporation.

6. Relocation of Sewer Main

Prior to the issue of a Construction Certificate, a statement from Nordon Jago Architects shall be submitted to the Principal Certifying Authority to the effect that the proposed sewer main relocation design does not affect the approved parking layout or vertical clearances within the car parking and driveway areas. Approval shall be obtained from Fairfield City Council if the relocation of sewer main results in changes to approved parking layout or any obstructions to vertical clearance in the parking or driveway areas. A detailed maintenance plan shall be included in the submission in case of any leakages in the sewer system within the basement areas.

7. Endeavour Energy Approval

Approval shall be obtained from Endeavour Energy for the relocation of the electrical substation to the south-eastern portion of the site as indicated on the Architectural Plan, Drawing No. DA.100 S, Revision S, dated 1 September 2017 prior to the issue of the Construction Certificate.

8. Landscape Plans Certified by Landscape Architect

Prior to the issue of a Construction Certificate, a detailed Landscape Plan prepared and certified by a qualified landscape architect in accordance with the Concept Landscape Package prepared by Taylor Brammer, dated 21 July 2017 and Council's Landscape Policy, shall be submitted to and approved by Fairfield City Council's Group Manager of City Development and Compliance.

Landscape plans shall contain the following information:

- a. Outline of the proposed building;
- b. Existing trees (height and location);
- c. Trees to be removed;
- d. Proposed planting (quantity, species, and expected mature height);
- e. Proposed earth mounding;
- f. Paths and paving (location and materials);
- g. The method of planting and the proposed maintenance program;
- h. Details of lighting, fencing, seating and paving; and
- i. Details of playground spaces and equipment including a Compliance Certificate from an independent play certifier demonstrating that the play equipment meets the relevant Australian Standards including AS 4685:2014.

The landscaping shall be of a scale that will match the scale of the development. Landscaping shall be designed to complement and enhance the development and where applicable, screen such features as open storage areas, carparks, loading docks and garbage storage areas.

9. Design Verification

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

10. Service Provider Requirements

Prior to the issue of a Construction Certificate, the following service provider requirements shall be submitted to the Certifying Authority:

Endeavour Energy – A letter of consent showing satisfactory arrangements have been made to service the proposed development.

11. Stormwater Drainage Certificate

Prior to the issue of a Construction Certificate, a certificate from a suitably qualified person shall be submitted to the Certifying Authority certifying that:

- a. Satisfactory arrangements have been made for the disposal of stormwater;
- b. The proposed development and alterations to the natural surface contours will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties;

- c. The piped drainage system has been designed in accordance with Council's Stormwater Drainage Policy and conditions of this consent.

Note: Where Fairfield City 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.

12. Construction Certificate (Engineering Approval)

Prior to the issue of a Building Construction Certificate, a Construction Certificate (Engineering Approval) shall be submitted to the Certifying Authority for the road and stormwater construction works in Court Road in accordance with approved plans and specifications at no cost to Council.

For the issue of Construction Certificate (Engineering Approval), five (5) copies of plans and specifications giving full details of the design and construction shall be submitted with the application.

13. Waste Management Plan

Prior to the issue of a Construction Certificate, a Waste Management Plan shall be submitted to and approved by the Certifying Authority. The Waste Management Plan shall be prepared in accordance with the requirements of the Fairfield City Council Waste Not DCP. The Waste Management Plan shall address the type of materials expected from demolition/construction; estimated volumes or tonnes of materials; proposed reuse or recycling methods; the contractors to be used; and the recycling outlet and/or landfill site.

14. Vehicular Crossing Application

Prior to the issue of a Construction Certificate, a vehicular crossing application shall be submitted to and approved by Council. Access to the development shall be via a 13m wide crossing off the ROW and a 11m wide crossing off Court Road in accordance with Council's requirements. All vehicular crossings shall be located a minimum of one (1) metre from any utility pillar/pole.

15. Erosion and Sediment Control Plan

Prior to the issue of a Construction Certificate, an Erosion and Sediment Control Plan shall be submitted to and approved by the Certifying Authority. The Erosion and Sediment Control Plan shall be prepared in accordance with the requirements of the Fairfield City Council's Erosion and Sediment Control Policy. The Erosion and Sediment Control Plan shall clearly show and demonstrate how erosion is to be minimised and how sediments are to be trapped on the site and prevented from escaping, transported, carried or discharged across and outside the boundaries of the site of the development or building activity.

16. Sydney Water Consent

The plans must be assessed by Sydney Water Tap in to determine whether the development will affect any Sydney Water asset and if any requirements need to be met. The plans will be appropriately stamped. All amended plans will require restamping.

Please refer to the web site <https://tap-in.sydneywater.com.au> for:

- See the Building plan approvals section on the Tap in site, and
- Guidelines for Building Over/Adjacent to Sydney Water Assets – see Building and developing then Building and renovating

Or telephone 13 20 92

17. Geo-Technical Engineering Report

Prior to the release of a Construction Certificate, a comprehensive Geo-Technical Engineering Report assessing the impact, suitability and safety of the proposed works on the subject land shall be prepared by a suitably experienced and qualified geo-practitioner and submitted to the Certifying Authority. The report must include the results of subsurface investigations involving either test pits to rock, or preferably the drilling of cored boreholes (to 1 metre below the proposed final excavation level). The report shall describe inter alia:

- i. an indication of the nature and condition of the material to be excavated;
- ii. indications of groundwater or seepages;
- iii. required temporary measures for support of any excavations deeper than 1 metre adjacent to property boundaries;
- iv. statement of required excavation methods in rock and measures required to restrict ground vibrations;
- v. other geotechnical information or issues considered relevant to design and construction monitoring, including those identified in the Geotechnical Assessment Report prepared by JK Geotechnics dated 29 July 2016.

18. Security Management

Prior to the issue of a Construction Certificate, final design details of proposed security systems shall be submitted to and approved by the Principal Certifying Authority. The security design details shall be prepared by a suitably qualified person and are to provide for the minimising of crime and vandalism related matters and shall include the recommendations outlined in the CPTED report prepared by Harris Crime Prevention Services dated March 2017.

19. Sydney Water Approval

Approval shall be obtained from Sydney Water Authority for the relocation of the sewer mains that traverses the subject site and provided to the Principal Certifying Authority prior to the issue of the Construction Certificate.

20. Roads and Maritime Services Approval for Road and Drainage Works

Approval shall be obtained from the Roads and Maritime Services for road and drainage connection works to the kerb inlet pits in The Horsley Drive, prior to the issue of the Construction Certificate.

21. Roads & Maritime Services (RMS)

The following RMS conditions outlined below shall be complied with as follows;

- a. All buildings and structures, together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth), along The Horsley Drive boundary.
- b. The modification to the existing left-in/left-out vehicular access on The Horsley Drive 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 8849 2495).

Detailed design plans of the modifications to the existing vehicular access 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.

- c. The proposed works within the Court Road/Nelson Street/The Horsley Drive intersection shall be designed to meet Roads and Maritime requirements. The Traffic Control Signal (TCS) plans shall be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner.

The submitted design shall be in accordance with Austroads Guide to Road Design in association with relevant Roads and Maritime supplements (available on www.rms.nsw.gov.au). The certified copies of the signal/civil design plans shall be submitted to Roads and Maritime for consideration and approval prior to the release of a Construction Certificate and commencement of road works.

Roads and Maritime fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.

The developer will be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. Please note that the WAD will need to be executed prior to Roads and Maritime assessment of the detailed civil design plans.

- d. 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 submitted to Suppiah.thillai@rms.nsw.gov.au

Further information may be requested regarding the effect that the development will have on The Horsley Drive during minor storm events.

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.

- e. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

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

Details should be submitted to Suppiah.thillai@rms.nsw.gov.au.

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days' notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

- f. The proposed development should be designed such that road traffic noise from The Horsley Drive is mitigated by durable materials in order to satisfy the requirements for habitable rooms under Clause 102 (3) of *State Environmental Planning Policy (Infrastructure) 2007*.
- g. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on The Horsley Drive during construction activities.

- h. 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 The Horsley Drive.
- i. 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.
- j. The developer shall be responsible for all construction works associated with the modification to the existing left-in/left-out vehicular access on The Horsley Drive, works associated with the proposed intersection improvements at the Court Road/Nelson Street/The Horsley Drive intersection, and any public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.
- k. All works/regulatory signposting associated with the proposed development are to be at no cost to Roads and Maritime Services.

22. Construction Management Plan

A Construction Management Plan shall be submitted to and approved by Council's Group Manager City Development and Compliance prior to the issue of the Construction Certificate, which demonstrates how the site will be managed during construction without impact or disruption to adjoining properties, in particular the residential towers located at 360-364 The Horsely Drive and the McDonald's store at 56-62 Court Road, Fairfield. As such, details of the hoardings, cranes and location of car parking, etc., shall be detailed in the Management Plan. The Construction Management Plan shall also include details of how workers vehicles will be managed during construction works that does not impact on the adjoining residents and McDonald's store in an unacceptable manner.

23. Construction Traffic Management Plan

A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be submitted to and approved by Council's Co-Ordinator Traffic and Transport, prior to the issue of a Construction Certificate.

24. Dilapidation Report

A Dilapidation Report including a photographic survey of the following properties must be provided to Council prior to the issue of a Construction Certificate. The dilapidation report must detail the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other similar items.

- a) No.360-364 The Horsley Drive, Fairfield
- b) No. 56-62 Court Road, Fairfield

The Dilapidation Report is to be prepared by a practising Structural Engineer agreed to by both the applicant and the owner of the adjoining properties. All costs incurred in achieving compliance with this condition shall be borne by the applicant. In the event that access for undertaking the Dilapidation Report is denied by an adjoining owner, the applicant must demonstrate, in writing that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from the Certifying Authority in such circumstances.

25. Loading Dock Management Plan

Prior to the issue of a Construction Certificate for building works, a Loading Dock Management Plan (LDMP) for the supermarket use shall be submitted to and approved by the Group Manager City Development and Compliance within Council, which provides details on all aspects of the operation of the proposed loading dock, and demonstrates that the loading dock can operate without impact to passenger vehicles within the subject site and adjoining right of carriageway.

26. Dust Suppression

Prior to the issue of a Construction Certificate, details related to dust mitigation shall be submitted to the Group Manager City Development and Compliance of Fairfield City Council for approval. Initiatives shall include, but not limited to boundary treatments, the contaminant of stockpiled material and exposed areas, including spraying as necessary, particularly during high winds and dry periods.

27. Public Domain Works Plan

Prior to the issue of a Construction Certificate, detailed plans in consultation with Council's Place Manager for Fairfield, shall be submitted and approved by the Group Manager City Development and Compliance of Fairfield City Council for the following:

- Upgrading of the footpath areas along Court Road and The Horsley Drive in accordance with the details shown in the Landscape Plan prepared by Taylor Brammer Landscape Architects Pty Ltd, dated 21st July 2017 and Council's Public Domain Manual.
- Upgrading works at the intersection of Court Road and The Horsley Drive in accordance with the details outlined in the Landscape Plan prepared by Taylor Brammer Landscape Architects Pty Ltd, dated 21st July 2017 and Council's Public Domain Manual.
- The Court Road Council verge to be a full width footpath (from back of kerb to property boundary).
- The existing advanced tress (i.e. Eucalyptus spp) along The Horsley Drive to be retained and proposed street trees be installed in respect to these locations.

- Details of the seating located under the proposed three (3) 'feature trees' are to be positioned so that they do not block pedestrian movement within the intersection of The Horsley Drive/Court Road.

The detailed plans shall include all proposed works identified in the landscape plan prepared by Taylor Brammer Landscape Architects dated 21st July 2017, any trees to be removed/retained, proposed planting (quantity, species and expected mature height), paths and paving (location, material and colours), details of feature wall, proposed public artworks within the proposed pavement, including the existing Fairfield Council gateway sign.

28. Basix Certificate

Prior to the issue of a Construction Certificate an updated BASIX Certificate shall be submitted to the Principal Certifying Authority demonstrating that all BASIX requirements have been met.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. A Certifying Authority can either be Fairfield City Council or an accredited certifier. All of these conditions are to be complied with prior to the commencement of any works on site.

29. Construction Certificate Required

Prior to the commencement of any building and construction works, a Construction Certificate is required to be issued by a Certifying Authority.

Enquiries regarding the issue of a Construction Certificate can be made to Council's Customer Service Centre on 9725 0222.

30. Appointment of a Principal Certifying Authority

Prior to the commencement of any construction works, the person having benefit of a Development Consent, must:

- a. appoint a Principal Certifying Authority; and
- b. notify Council of the appointment.

31. Notify Council of Intention to Commence Works

The applicant must notify Council, **in writing** of the intention to commence works at least two (2) days prior to the commencement of any construction works on site.

The applicant shall also notify the adjoining residents located at 360-364 The Horsley Drive, Fairfield in writing at least seven (7) days prior to the commencement date of construction works on site.

32. Kerb and Gutter Status Form

Prior to the commencement of any construction works on site, the applicant shall return the attached footpath/kerb and gutter form to Council detailing the existence of, and the condition of, any foot paving, and/or kerb and gutter provided adjoining the site for checking against Council's records. Damage to footpaths, kerbs, stormwater systems and general streetscape will require restoration at the developer's expense.

33. Erosion and Sedimentation Control

Prior to the commencement of any construction works on site, controls in accordance with **Chapter 3.12 of the Fairfield City Wide DCP 2013** shall be implemented prior to clearing of any site vegetation, to ensure the maintenance of the environment and to contain soil erosion and sediment on the property. Erosion and sediment controls shall be maintained until all construction works are completed and all disturbed areas are restored by turfing, paving and revegetation.

The documented erosion and sediment control plan shall be available on-site for inspection by Council Officers and all contractors undertaking works on the site.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

34. Toilet Facility

Prior to the commencement of any construction works on site, a flushing toilet facility is to be provided on site. The toilet must be connected to either a public sewer, or an accredited sewage management facility or to an alternative sewage management facility (chemical closet) approved by Fairfield City Council.

35. Required Signage

For building, subdivision or demolition work that will affect the external walls of the building, signage shall be installed in a prominent position detailing:

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

This sign shall be maintained while the building, subdivision or demolition work is being carried out and must be removed when the work has been completed.

36. Unexpected Finds Protocol

An Unexpected Finds Protocol for the assessment/management of any contamination discovered during the course of works shall be in place prior to any works commencing.

PRIOR TO OCCUPATION OF THE DEVELOPMENT

The following conditions of consent must be complied with prior to the issue of an Interim Occupation Certificate or Final Occupation Certificate by the Principal Certifying Authority.

37. Interim / Final Occupation Certificate Required

Prior to the commencement of any use and/or occupation of the subject development (whole or part), either an Interim Occupation Certificate or Final Occupation Certificate must be issued.

Prior to the issue of any Occupation Certificate, the Principal Certifying Authority must be satisfied that the development (part or whole) is in accordance with the respective Development Consent, Construction Certificate or Complying Development Certificate.

38. Design Verification

Prior to the issue of an Occupation Certificate, a design verification from a qualified designer, being a statement in which the qualified designer verifies that the development as shown in the plans and specifications in respect of which the Construction Certificate was issued, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development, shall be submitted to the Principal Certifying Authority.

39. Works on Adjacent Roads

Prior to the issue of the Final Occupation Certificate, the following works are to be completed:

- a. All redundant kerb laybacks shall be removed and replaced with Council's standard kerb and gutter. Any redundant crossings shall be removed and the footpath topsoiled and turfed.

All works to be carried out on adjacent lands under the control of Council, shall be in accordance with the standard requirements and specifications of Council.

40. Footpath Paving

Prior to the issue of the Final Occupation Certificate, Council's standard concrete footpath paving shall be constructed by the developer at no cost to Council for the full road frontage of the property in Court Road and in accordance with the Public Domain works plan required by **Condition 27** of this consent. The area of the footway not paved shall be topsoiled and turfed. The developer shall complete any necessary transitioning to the existing footway beyond the boundary of this property at no cost to Council.

41. Works-As-Executed Plans for Stormwater Drainage

Prior to the issue of the Final Occupation Certificate, Works-As-Executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved shall be submitted to the Principal Certifying Authority.

42. Interim Fire Safety Certificate

Prior to the issue of an Occupation Certificate (Interim or Final) fire safety certificate shall be submitted to and approved by the Principal Certifying Authority.

Note: An Annual Fire Safety Statement for the building premises dealing with essential fire safety measures shall be submitted to Council in accordance with the requirements of Clauses 177 and 181 of the Environmental Planning and Assessment Regulation 2000.

43. Basix Certification

Prior to the issue of an Occupation Certificate (Interim or Final), a compliance certificate shall be submitted to the Principal Certifying Authority, certifying that the building has been constructed in accordance with the commitments identified on the updated BASIX Certificate required by **Condition 28** of this consent.

Should the design of the development alter or the commitments to Basix change, a new Basix Certificate is required to be completed and submitted to the Principal Certifying Authority and the Consent Authority.

44. Adjustments to Public Utilities

Prior to the issue of the Final Occupation Certificate, adjustments to any public utilities necessitated by the development are to be completed in accordance with the requirements of the relevant Authority. Any utility costs are to be at no cost to Council.

45. Mailbox Required

Prior to the issue of the Final Occupation Certificate, a mailbox shall be provided on site in accordance with the requirements of Australia Post.

46. Intercom on Entrance Lobby Required

Prior to the issue of the Final Occupation Certificate, a hard-wired intercom system shall be provided at the entrances of the residential lobbies, to alert occupants of any visitors, including entrance to the basement carpark.

47. Environmental Reports Certification

Prior to the issue of an Occupation Certificate (Interim or Final), written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Fairfield City Council, stating that all works/methods/procedures/control measures/recommendations approved by Council in the following reports have been completed:

- a. Statement of Environmental Effects, prepared by Jensen Bowers Group Consultants Pty Ltd, dated 12 October 2016.
- b. Traffic Noise Assessment (TNA), Report No. R160461R1, prepared by Rodney Stevens Acoustics and dated 31 August 2016.
- c. Preliminary Site Assessment (PSA), Project No. 298874, prepared by KPMG SGA Property Consultancy Pty Limited and dated 7 July 2016.

48. Completion of External Finishes

Prior to the issue of the final Occupation Certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes are to be completed to the satisfaction of the Principal Certifying Authority.

49. Building in Saline Environments

The whole of the Fairfield Local Government Area is potentially saline affected, and as such appropriate design features and building materials need to be incorporated into the construction of buildings, to minimise the risk of salt damage.

Prior to the issue of an Occupation Certificate (Interim or Final), documentary evidence shall be submitted to the Principal Certifying Authority, certifying that the building has been constructed in accordance with Fairfield City Council's 'Building in Saline Environments Policy'.

50. Landscape Certificate

Prior to the issue of an Occupation Certificate (Interim or Final), a Landscape Certificate from a qualified landscape architect, certifying that the completed landscape works on site are in accordance with the approved landscape plans shall be submitted to Fairfield City Council.

51. Unit Numbers

Prior to the issue of the Final Occupation Certificate, the applicant shall contact Council's Information Management branch on phone 9725 0384 to request allocation of unit numbers.

52. Water and Gas Outlets

Prior to the issue of an Occupation Certificate, water and gas outlets are to be provided on all balconies.

53. Dilapidation Report

A second Dilapidation Report including a photographic survey must be submitted after the completion of works. A copy of this Dilapidation Report together with the accompanying photographs must be given to the property owners referred to in this Development Consent. A copy must be lodged with Council and the Principal Certifying Authority prior to the issue of an Occupation Certificate.

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land. A Principal Certifying Authority can either be Fairfield City Council or an accredited certifier.

54. Compliance with the Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia. 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 provisions; or
- c. a combination of (a) and (b).

55. Demolition Requirements

Demolition of the existing building(s) shall be carried out in accordance with the requirements of AS 2601 – 2001 and the following:

- a. The property being secured to prevent unauthorised entry.
- b. Asbestos sheeting shall only be removed by licensed operators in accordance with the requirements of the WorkCover Authority. Proper procedure shall be employed in the handling and removal of asbestos to minimise the risk to personnel and the escape of particles to the atmosphere.
- c. All other materials and debris is to be removed from the site and disposed of to approved outlets in accordance with the approved Waste Management Plan.
- d. Five (5) days notification to commence demolition work shall be given to WorkCover NSW in accordance with Clause 466(1) of the Work Health and Safety Regulation 2011.
- e. Should you require information in relation to the safe disposal of asbestos waste, please contact the Environment Protection Authority NSW (www.environment.nsw.gov.au)

56. Air Quality

Where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, dust is to be suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport, and in accordance with the dust suppression details required by **Condition 26** of this consent.

57. Filling with a Building Envelope

Any fill imported into the site must meet the criteria of 'Virgin Excavated Natural Material' or 'Excavated Natural Material' as defined in EPA Environmental Guidelines – Assessment Classification and Management of Liquid and Non-Liquid Wastes 1999 and written verification provided to the satisfaction of the Principal Certifying Authority and Council.

58. Fill Validation Report

Prior to the importation of any landfill material onto the site, a validation report prepared in accordance with the Environment Protection Authority's *'Guidelines for Consultants Reporting on Contaminated Sites'*, 2011, shall be submitted to Council for approval. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

59. Chain of Custody Documentation

'Chain of Custody' documentation shall be kept for the transport of the validated fill material from the source site, to the subject premises. A record of 'Chain of Custody' shall be submitted to Council within 7 days of the fill material being moved to or from the subject site.

60. Hoarding / Fencing

During construction, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place.

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

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

61. Encroachment or Overhand of any Structures

This consent does not authorise the encroachment or overhang of any structures over any easements or right of carriageways at any time. Accordingly, all buildings and other structures shall be contained wholly within the site's boundaries.

62. Excavation and Backfilling

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

63. Deep Excavation

If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- 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 seven (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, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

64. Awnings over Council Footpath Area

An Awning Maintenance Plan shall be submitted and approved by the Group Manager City Development and Compliance of Fairfield City Council. The Plan shall demonstrate how maintenance will be carried out over the life of the consent in order to maintain the condition of the awning.

65. Administration Fee for the Lodgement of Certificates

Where a Principal Certifying Authority has been appointed other than Council, an administration fee is charged by Council for the lodgement of Construction Certificates, Interim Occupation Certificates and Occupation Certificates.

66. During Construction or Demolition

During the construction or demolition period, the applicant must ensure that:

- a. There is provision of a trade waste service to ensure that all debris and waste material is removed from the site for the period of construction or demolition;
- b. All plant equipment, fencing or materials of any kind is not placed or stored upon any public footpath or roadway; and

c. Any building work is to be carried out within the following hours.

1. Monday – Friday between the hours of 7:00am to 6:00pm and Saturday between 8:00am and 1:00pm in all zones. No work may be carried out on Sundays or public holidays.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement

67. Method of Stormwater Drainage

The stormwater drainage generated from the development shall be directed to the existing stormwater pit located in The Horsley Drive.

Note: Drainage lines across the footpath shall be of 75mm x 200mm galvanised R.H.S laid at a fall not exceeding 1:40 (A 100mm sewer grade pipe is an acceptable alternative for single lot residential applications).

Note: If a street outlet is required it shall be constructed using a 100mm x 50mm galvanised rectangular connector laid into the kerb with the invert of the connector to be 10mm above the invert of the gutter.

The complete roof guttering system must be operational as soon as the roof is clad. Surface stormwater shall not be directed or cause nuisance to adjoining properties.

68. Disabled Access

Access for disabled people shall be provided in the building or portion of the building in accordance with Clause D3.2, D3.3 and Table D3.2 of the BCA and to the standards set out in AS 1428.1 and Disability (Access to Premises – Buildings) Standards.

69. Endeavour Energy – Safety Clearances from Electricity Assets

During construction, the applicant must ensure that the construction and/or development site must comply with Endeavour Energy guidelines for safety clearances from their electricity assets and any other relevant legislation/guidelines. For further information, please contact Endeavour Energy.

70. Traffic Management and Vehicle Conditions

The following traffic management measures shall be implemented/incorporated into the development as follows;

- The modifications to the traffic control signals at the Court Road/Nelson Road/The Horsley Drive intersection (including the lane modifications) shall be referred to Fairfield Traffic Committee as an information item once all the required approvals have been obtained from the Roads & Maritime Services.

- All vehicles exiting from the basement carpark onto the Right of Carriageway shall be restricted to left turn only. Signage shall be installed in the appropriate locations advising of this restriction.
- The bicycle parking spaces provided within the development shall be in accordance with AS 2890.3:2015 Part 3 Bicycle.
- The columns located in the basement plan shall comply with Figure 5.2 of AS/NZS 2890.1 Part 1 – Off street car parking.
- Appropriate Stop or Give-way line marking and signage shall be installed at the intersections within the car park to avoid conflicts between the motorists.
- “No Visitor parking beyond this point” stencilled pavement markers shall be installed at the basement car parks as shown in the architectural plans.
- All car parking spaces shall be clearly line marked with the appropriate residential unit number.
- All car parking spaces shall be clearly line marked and sign posted showing that it is a visitor car parking space or retail car parking space.
- All vehicles shall enter and exit the site in a forward direction only.
- All commercial tandem carparking spaces shall be for staff use only.
- Minimum vertical clearance of 4.5m shall be provided within the loading dock areas for MRV and HRV in accordance with AS2890.2:2002.
- Adequate signage shall be provided to the effect that all vehicles leaving the basement carpark onto the ROW shall be restricted to left turn only.

71. Right of Carriageway and Other Easements

This consent does not affect or authorise a breach of the rights of any land owners benefitted by the right of carriageway or any other easements that burdens Strata Plan 75812, formerly Lot 102 DP 1041594.

72. Right of Carriageway, Easement of Services and Maintenance Covenant

A Right of Carriageway, easement for services and maintenance covenant of variable width, shall be created, burdening the subject allotment 121 DP 1017634, in favour of Lot 101, DP 1041594 and Strata Plan 75812, formally Lot 102, DP 1041594, over the Roads and Maritime Services (RMS) imposed road widening requirements.

73. Landscaping to be Completed

The provision and maintenance of landscaping in accordance with the Concept Landscape Plan prepared by Taylor Brammer Landscape Architects Pty Ltd dated 21 July 2017 and detailed Landscape Plan required by **Condition 8** of this consent, including the engagement of a suitably qualified landscape consultant/contractor for landscaping works.

74. Carparking - General

The provision and maintenance of the following number of car parking spaces in accordance with Fairfield City Wide Development Control Plan, 2013 – Car Parking, Vehicle and Access Management - Chapter 12:

- a. Eighty-nine (89) commercial/retail spaces (including 8 accessible car spaces)
- b. Sixty-nine (69) residential visitor car spaces (including 1 accessible car space)
- c. Three hundred and fifteen (315) residential car spaces (including fourteen (14) accessible car spaces)
- d. Nineteen (19) motorcycle car spaces
- e. Fourteen (14) commercial bicycle spaces
- f. One hundred and seven (107) residential bicycle spaces
- g. One (1) car wash bay for residents.

N.B. Accordingly, a total of four hundred and seventy six (476) carparking spaces shall be provided on site (this also includes the washbay and 2 loading bays in basement 1).

Each space shall be permanently line marked and maintained free from obstruction at all times. Staff, company and visitors vehicles shall be parked in the spaces provided on the subject premises and not on adjacent footway or landscaping areas.

75. Schedule of Finishes

The development is to be constructed and finished in the materials and colours as shown on the Architectural Plans and identified on Drawing No. DA 300J, Revision J, dated 7 June 2017 and Drawing No. DA 301J, revision J dated 7 June 2017, prepared by Nordon Jago Architects.

All other building materials shall be compatible in type, colour and texture throughout the whole project.

76. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.
- b. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads, including the right of carriageway.
- c. No articulated vehicles shall be used for the servicing or operations of this development.
- d. All deliveries to the premises shall be made to the designated loading bays provided within the subject site.
- e. All deliveries and servicing on the site shall only occur between the hours of 7:00am to 7:00pm Monday to Friday and 8:00am to 6:00pm on Saturdays and Sundays.

77. Hours of Operation

The approved hours of operation for the commercial/retail uses on site at the premises are:

Monday to Friday: 7:00am to 10:00pm

Saturday and Sunday: 8:00am to 10:00pm

Note: The approved hours of operation shall be subject to review by Council in the event of any objections regarding noise nuisance, etc.

78. Use of Commercial/Retail Tenancies Not Approved

Separate development consent is required for the use of the commercial/retail tenancies prior to the occupation of the development.

79. Advertising Signs

No advertising signs or structures associated with the use of the premises are to be erected or displayed without prior approval being obtained from Council.

This requirement relates to all advertising matter, including any promotional material, displayed on the premises or in any public place.

80. Existing Street Trees

Should the developer wish to remove a street tree, Council shall be compensated for the loss of any tree. A mature tree may have a value in excess of **\$2,000**. Prior to issue of the Construction Certificate, the applicant is to contact Council to organise a valuation and payment of the compensation. This money will be used for further street planting in the area.

81. Flood Affected Development

The development the subject of this consent is affected by overland and mainstream flooding as described in the flood information sheet issued by Council dated 23 September 2016, the Flood Impact Report prepared by Advisian Consulting dated 16 September 2016. The following shall be complied with during and after construction;

- a. Only flood resistant materials shall be used below the designated floor level.
- b. All services and utilities connected to the property are required to be flood proofed.
- c. A flood evacuation plan prepared by a suitably qualified consultant in accordance with Chapter 11 Flood Risk Management of Council's DCP shall be kept and implemented at all times.

82. Lighting

Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282_1997 *Control of the obtrusive effects of outdoor lighting* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.

83. Adaptable Apartments

Fourteen (14) adaptable apartments shall be provided for the development and shall be designed in accordance with AS 1428 parts 1, 2 and 4, and AS 4299 Adaptable Housing.

84. Skylights

Skylights as shown on the Architectural Plans shall be operable and capable of ventilation. The skylights shall also have sun protection provided to them in the form of attached blinds.

85. Windows along the South-Western Elevation of Building B

- a. The walk-in wardrobe windows located within the south-western elevation to Building B and identified as Units B1.09, B2.09, B3.09, B4.09, B5.09, B6.09 and B7.09 shall be frosted awning windows.
- b. The bedroom windows located within the south-western elevation of Building B and identified as B1.10, B2.10, B3.10, B4.10, B5.10, B6.10 and B7.10 shall be high level windows with a sill height of 1700mm measured from floor level.

86. Acoustic Treatment Requirements

- a. All recommendations outlined within the Traffic Noise Assessment Report prepared by Rodney Stevens Acoustics, dated 31 August 2016, shall be implemented.
- b. All windows located on the southern elevation of building A and windows identified in **Condition 85** of this consent shall have a glazed treatment rating of RW34.

87. Plumbing

All plumbing and drainage, including sewerage drainage stacks, ventilation stacks and water service pipes shall be concealed by chasing or by ducts within the building. Plumbing other than stormwater downpipes shall not be attached to the external surfaces of the building.

88. Single Master TV Antenna for each Building

A single master TV antenna is to be installed to service the development and provision made for connection to each dwelling unit within the development. The antenna is not to project above the roof of the building. This requirement shall be reflected on the Construction Certificate plans.

89. Garbage Rooms

- a. The garbage storage rooms identified on the approved plans shall be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor.
- b. The garbage storage rooms shall provide for space for the storage of all residual waste and recycling bins.
- c. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- d. A hose cock shall be provided within the room.
- e. Garbage rooms shall be vented to the external air by natural or artificial means.
- f. The garbage rooms are to be maintained to an acceptable standard and are to be fully cleaned at least once per week by the Building Manager.

90. Garbage / Recycling Compartments

- a. Garbage / recycling compartments are to be provided within each core of each floor, as shown on the approved plans.
- b. The garbage / recycling compartments shall be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor.
- c. Recycling bins are to be provided within each garbage / recycling compartment, to provide for recyclable receptacles to be disposed of by residents prior to transfer by the Building Manager.
- d. The garbage / recycling compartments are to be maintained to an acceptable standard and are to be fully cleaned at least once per week by the Building Manager.

91. Garbage Chutes

- a. The garbage bins placed within the garbage storage rooms underneath the garbage chute, are to be checked at least twice each day (once each morning and once each evening) by the Building Manager and rotated as necessary.
- b. The garbage chutes are to be maintained to a full working standard at all times.

92. Rubbish Collection

Rubbish collection is to occur in accordance with the details provided in the Demolition, Construction and Operational Waste Management Plan prepared by Creative Planning Solutions, dated 2 September 2016. In this regard, no bins shall be left out within the publicly accessible plaza or the adjoining right of carriageway at any time.

93. Clothes Drying Facilities

- a. Individual clothes drying facilities shall be provided to each apartment (as indicated on the approved plans) within the balcony (i.e. within a drying cupboard) and shall be fully screened from public view. Under no circumstances are any clothing, curtains, rugs, mops or the like, are to be placed to be visible from any public place (i.e. from any window, railing or higher than the balcony balustrade).
- b. Clothes dryers are to be provided within the laundry of each apartment.

94. Storage Spaces

The basement storage spaces are to be allocated to the respective units as indicated upon the accompanying calculation table. Accordingly, at least 50% of the required storage space per residential unit shall be provided within the basement storage areas.

95. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention through Environmental Design', the owner / lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

96. Car Wash Bay for Residents

The car wash bay shown on the plans shall be bunded and drained to an oil/water separator in accordance with a trade Waste Agreement with Sydney Water Corporation.

97. Operation of the Premises

The use of the premises shall comply with the following requirements:

- a. The windows of the commercial/residential tenancies with dual shop frontages shall be kept transparent at all times so that the operation is clearly visible from the street.
- b. All storage and/or back of house elements with respect to the retail/commercial tenancies with dual frontages shall be provided along the side walls and concealed from public view.
- c. The premises shall be maintained in a clean and tidy state at all times. In this regard, regular cleaning and general maintenance of the common open spaces, landscaped areas and publicly accessible plaza shall be carried out as required to ensure that the premises is maintained in an environmentally satisfactory manner.
- d. The use of the premises shall not give rise to "offensive noise" as defined under the Protection of the Environment Operations Act, 1997.

- e. Emission of sound from the premises shall be controlled at all times so as not to unreasonably impact upon nearby owners/occupants.
- f. If an intruder alarm is installed on the premises it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act, 1997.

98. Storage of Goods

All works, storage and display of goods shall be contained wholly within the building.

99. Waste Management Plan

The domestic and commercial waste management system for the development shall be implemented in accordance with the Demolition, Construction and Operational Waste Management Plan dated 2 September 2016, prepared by Creative Planning Solutions, and shall be fully operational prior to occupation of the building. The waste management issues in the proposed mixed-use development building require on-going management, and in this regard a Building Manager is to be employed and is to be responsible for maintaining the waste management system.

The Building Manager is required to maintain the garbage system (including garbage chutes), remove recyclables to the ground level, present garbage and recyclable materials for collection on scheduled collection days, to keep clean the garbage room, liaise with the waste collector and ensure new residents are aware of the waste management arrangements.

The management of the building waste system including moving of waste receptacles, cleaning of the waste receptacles and garbage rooms must be included in the Building Manager's statement of duties.

100. Balcony Balustrades

All balconies where glass balustrades are proposed shall be opaque/obscure glass to ensure suitable amenity is provided.

101. Access to Podium Level Common Space

All residents of Building A shall be provided with access to the 1st floor podium common open space. This shall be provided via a swipe access card issued by property management or other similar method.

102. Compliance with Documentation

The premises shall comply with the following documentation at all times:

- Statement of Environmental Effects prepared by Jenson Bowers dated 12 October 2016;
- Traffic and Parking Assessment Report prepared by Varga Traffic Planning Pty Ltd, dated 12 April 2017;

- Crime Prevention Through Environmental Design (CPTED) report prepared by Harris Crime Prevention Services dated March 2017;
- Demolition, Construction and Operational Waste Management Plan prepared by Creative Planning Solutions dated 2 September 2016;
- Stage 2 – Flood Impact Assessment Report prepared by Advisian dated 16 September 2016;
- Preliminary Site Investigation Report prepared by KPMG dated 21 July 2016;
- Traffic Noise Assessment Report prepared by Rodney Stevens Acoustics dated 31 August 2016; and
- Geotechnical Assessment Report prepared by JK Geotechnics dated 29 July 2016.