

JRPP-16-03343

Property: Lot 1 DP 771771, 1 Huntingwood Drive, Huntingwood

Proposal: Integrated Development Application for the staged construction of a new warehouse and distribution facility, modification of the existing warehouse and distribution facility, internal fit out, car parking spaces, signage and associated stormwater works and landscaping.

## 1 ADVISORY NOTES

### 1.1 Terminology

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

1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 109C of the Environmental Planning and Assessment Act 1979.

### 1.2 Scope of Consent

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

### 1.3 Other Approvals

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

1.3.2 The applicant's attention is drawn to the need to obtain separate appropriate approval for any ancillary development not approved by this consent, including:

- (a) the removal of any tree(s) not indicated on the approved plans and any tree(s) located greater than 3 metres from the building perimeter, and
- (b) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development, and
- (c) demolition of any existing buildings and associated structures in accordance with the requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

1.3.3 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.

1.3.4 No approval is given for any hazardous or offensive goods/substances to be stored/managed on site with respect to State Environmental Planning Policy No. 33 – Hazardous and Offensive Development.

### 1.4 Services

1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) An energy provider
- (c) Natural Gas Company
- (d) The relevant local telecommunications carrier

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

All approved building construction plans attached to the Construction Certificate should be approved through the 'Sydney Water Tap In' service to determine whether the development will affect the Sydney Water wastewater and water mains, stormwater drains and/or easement, and if any requirements need to be met. A receipt must be provided to the PCA. Please refer to the website [www.sydneywater.com.au](http://www.sydneywater.com.au) for more information. Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use. Should the site require the construction of a Septic Tank or Sewage Management System in accordance with section 68 of the Local Government Act 1993, advice is to be provided from Sydney Water that any necessary requirements are met.

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

## 1.5 Identification Survey

- 1.5.1 The applicant is advised to obtain an identification survey from a registered surveyor to ascertain the correct location of the property boundaries, and to ensure

the development does not encroach upon adjoining properties.

## **1.6 Engineering Notes**

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

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

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

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

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

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

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

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

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

## **1.7 Payment of Engineering Fees**

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

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

A quote will be provided verbally generally within 2 weeks followed by confirmation in writing.

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

- Complete application form
- Submit all relevant plans produced by a suitably qualified person

- If plans are privately certified, applicant must supply Construction Certificate covering the required works.

A quote will be provided verbally generally within 2 weeks, followed by confirmation in writing.

## 2 GENERAL

### 2.1 Scope of Consent

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

Drawing No.	Dated	Council's File Enclosure
<b>Architectural Plans prepared by SBA Architects:</b>		
Cover Sheet & Location Plan DA000, Issue A	30.09.2016	<b>1B</b>
Site & Site Analysis Plan DA100, Issue F	03.03.2017	<b>22D</b>
Staging Plan DA101, Issue B	14.10.2016	<b>1D</b>
Site Demolition plan DA102, Issue B	14.10.2016	<b>1E</b>
Building 1 – Ground Floor Plan DA200, Issue B	14.10.2016	<b>1F</b>
Building 1 – Roof Plan DA201, Issue B	14.10.2016	<b>1G</b>
Building 1 – Office Basement Plan DA202, Issue A	30.09.2016	<b>1H</b>
Building 1 – Office Ground Floor Plan DA203, Issue A	30.09.2016	<b>1I</b>
Building 1 – Office Level 1 Floor Plan DA204, Issue B	14.10.2016	<b>1J</b>
Building 2 – Ground Floor Plan DA205, Issue C	02.03.2017	<b>22F</b>
Building 2 – Roof Plan DA206, Issue B	14.10.2016	<b>1L</b>
Building 2 – Office Plans DA207, Issue A	30.09.2016	<b>1M</b>
Building 1 - Elevations & Sections DA300, Issue B	20.03.2017	<b>24B</b>
Building 2 - Elevations & Sections DA301, Issue B	20.03.2017	<b>24C</b>
<b>Landscape Plans prepared by Site Image:</b>		
Cover Sheet, 000, Issue A	11.10.2016	<b>100</b>

Landscape Masterplan, 001, Issue A	11.10.2016	<b>1PP</b>
Landscape Plan, Southern Carpark 101, Issue A	11.10.2016	<b>1QQ</b>
Landscape Plan, North-Western Carpark 102, Issue A	11.10.2016	<b>1RR</b>
Landscape Plan, Bioretention Basin & Perimeter 103, Issue A	11.10.2016	<b>1SS</b>
Details & Landscape Details 501, Issue A	11.10.2016	<b>1TT</b>

\* Unless modified by any condition of this consent

## 2.2 **Services**

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

## 2.3 **Suburb Name**

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

Suburb: Huntingwood

- 2.3.2 Any advertising of land sales in association with the approved development shall clearly indicate that the development is located in the following suburb. No other estate names shall be used in any advertisements or other promotional information:

Suburb: Huntingwood

## 2.4 **Approved Signage**

- 2.4.1 The signage approved with this application relates to the signage detailed on the approved plans (Plan references Elevations and Sections Building 1, DA 300, Issue A, 30.09.2016, and Elevations and Sections Building 2, DA 301, Issue A, 30.09.2016,). Discreet directional signage which provides clear way finding directions for pedestrians and vehicles are also permitted to be erected.

No illuminated, LED or moving signs are permitted.

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

## 2.5 **Engineering Matters**

### 2.5.1 **Design and Works Specification**

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

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

- (b) Blacktown City Council's Engineering Guide for Development (Current Version)
- (c) Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management
- (d) Blacktown City Council Growth Centre Precincts Development Control Plan
- (e) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version)
- (f) Blacktown City Council On Site Detention General Guidelines and Checklist
- (g) Upper Parramatta River Catchment Trust On Site Stormwater Detention Handbook THIRD Edition December 1999.

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

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

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

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

- Path Paving construction

These matters will be individually addressed within the consent

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

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

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

## 2.5.2 **Other Necessary Approvals**

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

- Vehicular Crossing
- Works on or occupation of existing public roads (Not including works covered by a Roads Act Approval)

## **2.6 Other Matters**

- 2.6.1 No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works.
- 2.6.2 Any future substation, temporary drainage works or other utility installation required to service the approved subdivision/development shall not be sited on future or existing Council land, including road reservations and/or public reserves.

## **2.7 Roads & Maritime Services Matters**

- 2.7.1 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 Great Western Highway boundary.
- 2.7.2 Council should ensure that post development storm water discharge from the subject site into the Roads and Maritime drainage system does not exceed the pre development discharge.

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

Details should be forwarded to:  
The Sydney Asset Management  
PO Box 973  
Parramatta CBD NSW 2124

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

## **2.8 Endeavour Energy Matters**

- 2.8.1 Network Capacity / Connection: Although there are existing customer connections to the site, the applicant for the future proposed development of the site may need to submit an application for connection of additional load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Depending on the outcome of the assessment, any required padmount substations will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please find attached a copy of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. Further details are available by contacting Endeavour Energy's Network Connections Branch via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm or on Endeavour Energy's website under 'Home > Residential and business > Connecting to our network' via the following link:  
<http://www.endeavourenergy.com.au> .
- 2.8.2 Easement Management / Network Access: The following is a summary of the usual / main terms of Endeavour Energy's electrical easements / protected electrical works requiring that the land owner:

- Not install or permit to be installed any services or structures within the

easement site.

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

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

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

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

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

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

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

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

- 2.8.4 Vegetation Management: The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure. Only low growing shrubs not exceeding 3.0 metres in height, ground covers and smaller shrubs, with non-invasive root systems are the best plants to use. Larger trees should be planted well away from electricity infrastructure and even with underground cables, be installed with a root barrier around the root ball of the plant. Landscaping that interferes with electricity infrastructure may become subject to Endeavour Energy's Vegetation Management program and/or the provisions of the *Electricity Supply Act 1995* (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.
- 2.8.5 Dial before You Dig: Before commencing any underground activity the applicant is required to obtain advice from the Dial before You Dig 1100 service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical or other utility services infrastructure across



the site, and to identify them as a hazard and to properly assess the risk.

- 2.8.6 Public Safety: Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. I have attached Endeavour Energy's public safety training resources, which were developed to help general public / workers to understand why you may be at risk and what you can do to work safely. The public safety training resources are also available via Endeavour Energy's website via the following link:  
<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures>
- 2.8.7 Emergency Contact: In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note Emergencies Telephone is 131 003 which can be contact 24 hours/7 days.

### **3 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)**

#### **3.1 DA Plan Consistency**

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

#### **3.2 Section 94 Contributions**

- 3.2.1 The following monetary contributions pursuant to Section 94 of the Environmental Planning & Assessment Act 1979 must be paid. The amounts below are as at the date of this consent. They WILL BE INDEXED from the date of this consent to the date of payment. Payment of the indexed amounts must be made prior to the issue of a Construction Certificate (for building works) either by Council or any accredited certifier, whichever occurs first.

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

<b>Contribution Item</b>	<b>Base Amount</b>	<b>Relevant C.P.</b>
Trunk Drainage Bungarribee Creek	\$ 155,378.00	1
Major Roads Huntingwood	\$ 166,963.00	1

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

Copies of the following relevant Contributions Plan(s) may be inspected/purchased from Council's Information Centre, or viewed / downloaded at [www.blacktown.nsw.gov.au](http://www.blacktown.nsw.gov.au) :

S.94 Contributions Plan No. 01 – 1980s Release Areas, South Blacktown.

The Section 94 contribution(s) have been based on the total developable area

nominated below. Should the final plan of survey indicate any change in the total developable area or should amendments change the potential additional population, the Section 94 contribution(s) will be adjusted accordingly.

Developable Area: 1.1822 hectares

### **3.3 Aesthetics / Landscaping**

3.3.1 Amended plans are required to be prepared and submitted to Council for formal written approval from Council's Recreation Planning and Design section as follows:

- i. Amended Landscape Plans which specify the species, height, and number of trees within the eastern boundary (along the Great Western Highway). These trees are to be capable of providing a visual screen along this boundary and provide sun shading to any adjoining car park areas.

3.3.2 The reflectivity index of glass used in the external facade of Building 2 is not to exceed 20 percent.

3.3.3 All proposed new retaining walls shall be made of masonry material. The maximum permitted height of any new retaining wall is 3 m per tier. Should the development require retaining structures greater than 3 m in height, these retaining walls are required to be stepped with a distance of 1.5 m between each tier and complemented by cascade planting and/or different banding of the retaining wall materials and details need to be submitted to Council for approval prior to the issue of any Construction Certificate.

3.3.4 Service conduits which are located on the external facade of the buildings, and which are visible from the public domain, are not permitted to be exposed, and are to be appropriately screened from view so as to blend in and integrate with the overall presentation of the buildings.

### **3.4 Access / Parking**

3.4.1 The design of the car parking areas, aisle widths, driveway widths, manoeuvring areas, sight distances, ramp grades, headroom, loading areas, etc. are to conform AS 2890.1-2004 and AS 2890.2-2002 for commercial vehicles.

3.4.2 302 on-site car parking spaces are to be available to staff and visitors at all times, including a total of four (4) car parking spaces for persons with disabilities (being 2 disabled car parking spaces allocated to each warehouse).

All required car parking spaces are to be designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1 as follows:

Commercial Car Space: 2.6m x 5.4m

Disabled Car Space: 2.4m x 5.4m with a shared area of 2.4m x 5.4m

3.4.3 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6.

3.4.4 All internal roads and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.

### **3.5 Staging**

- 3.5.1 The development is permitted to be constructed and occupied in a staged manner, in accordance with the Staging Plan, DA101, Issue B, dated 14.10.2016.

### **3.6 Street Tree Planting**

- 3.6.1 Prior to the issue of any Construction Certificate, the person having the benefit of the development consent is to enter into an arrangement satisfactory to the Council for the planting and maintenance of trees along the Woods Close and Huntingwood Drive frontages of the development site for the purposes of improving the amenity of the streetscape.

The street tree spacing's are to be 8 to 10 metres.

The species for Woods Close is to be *Waterhousia Floribunda*.

The species for Huntingwood Drive is to be *Melaleuca linariifolia*.

The Applicant is to undertake the planting and maintenance of street tree/s at no cost to Council and obtain any necessary clearances from relevant Service Authorities. Street tree planting must not interfere with the street light spill.

The Applicant is to lodge a tree bond of \$320 per tree with Council to ensure the health and vigour of the tree/s. This bond shall be returned 12 months after the completion of the development (i.e. issue of the final Occupation Certificate) if the trees are in a state of good health and vigour to Council's satisfaction.

### **3.7 Services/Utilities**

- 3.7.1 The following documentary evidence shall accompany any Construction Certificate:

- (a) The approved development must be approved through the 'Sydney Water Tap In' service to determine whether the development will affect the Sydney Water wastewater and water mains, stormwater drains and/or easement, and if any requirements need to be met. A receipt must be provided to the PCA. Please refer to the website [www.sydneywater.com.au](http://www.sydneywater.com.au) for more information.
- (b) A "Notification of Arrangement" Certificate from a recognised energy provider, stating that arrangements have been made with the service authority for electrical services, including the removal of any power poles and any provision of street lighting, to the development.
- (c) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

- 3.7.2 The location of sprinkler tanks are to be nominated on the Construction Certificate documentation. Where sprinkler tanks are visible from the public domain, they are to be appropriately screened from view by physical screening and landscaping.

## **4 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)**

### **4.1 Building Code of Australia Compliance**

- 4.1.1 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the

performance requirements can only be achieved by:

- (a) Complying with the deemed to satisfy provisions, or
- (b) Formulating an alternative solution which:
  - (i) complies with the performance requirements, or
  - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
  - (iii) A combination of (a) and (b).

## **4.2 Site Works and Drainage**

4.2.1 Any required retaining wall(s) and/or other effective method to retain excavated or filled ground (not being Exempt Development under the Blacktown Local Environmental Plan), together with any associated groundwater drainage system, shall be designed by an appropriately qualified person. Details of such site works shall accompany the Construction Certificate.

4.2.2 Stormwater drainage from the site shall be designed to satisfactorily drain rainfall intensities of 159mm per hour over an average recurrence interval of 20 years. The design shall:

- (a) be in accordance with Australian Standard 3500.3, and
- (b) provide for drainage discharge to an existing Council drainage system, and
- (c) ensure that the development, either during construction or upon completion, does not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties.

4.2.3 Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy. Details shall accompany any Construction Certificate.

4.2.4 Should any proposed excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), separate details prepared by a suitably qualified person shall be prepared indicating how that building or structure is to be:

- (a) Preserved and protected from damage, and
- (b) Underpinned and supported.

Such details shall accompany the Construction Certificate.

4.2.5 Where any external on-site fire hydrant or hydrant booster assembly is to be located within any building setback from a boundary, the hydrant or booster assembly shall be located or protected in accordance with the requirements of AS 2419.1.

4.2.6 Where any external on-site water storage tank is required by AS 2118.1 or AS 2419.1, details of the location and type of any proposed tank are to be submitted to and approved by Council prior to the issue of the relevant Construction Certificate.

## **5 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)**

### **5.1 General**

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

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

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

Prepared By Costin Roe Consulting:			
Project No.	Drawing No.	Revision	Dated
C08732.01-DA10	C08732.01-DA10	B	13.10.2016
	C08732.01-DA20	C	
	C08732.01-DA25	B	
	C08732.01-DA30	A	
	C08732.01-DA40	C	
	C08732.01-DA41	A	
	C08732.01-DA42	A	
	C08732.01-DA43	A	
	C08732.01-DA44	A	
	C08732.01-DA45	B	
	C08732.01-DA46	A	
	C08732.01-DA51	B	
	C08732.01-DA52	B	
	C08732.01-DA53	B	
	C08732.01-DA55	A	

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

- a) Drawing No.s C08732.01-DA41 (A), C08732.01-DA42 (A), C08732.01-DA43 (A)
  - i. Indicate which pits are fitted with Enviropods and pits containing Enviropods are to be clearly detailed on the drainage plans particularly in car park areas A1, A2 and A3 to match the MUSIC model.
  - ii. Enviropods treating only surface flows require a minimum clear depth of 500 mm below the grate to any inlet or outlet pipe obvert. Show on drawing DA46 (A). Adjust invert levels and pipes as required.
  - iii. Indicate the size and location of the rainwater tank on the plan. Show the rainwater tank size as 20% greater than the volumes assumed in MUSIC to allow for anaerobic zones, mains water top up levels and overflow levels
  - iv. Provide plans and sections through each bioretention basin. Provide sufficient dimensions to show that the bio-retention systems have been installed with a minimum filter area of 400 m<sup>2</sup> for Bio-Retention Basin 1, 25 m<sup>2</sup> for Bio-Retention Basin 2 and 65 m<sup>2</sup> for Bio-Retention Basin 3, clear of pits, batters, flow spreaders and scour protection.
  - v. Provide Floodway Warning Signs for the bio retention systems in accordance with Plan A(BS)114S from Council's Engineering Guide for Development 2005.

- vi. For the large bio retention basin on drawing DA42 (A) provide a flow spreader along the reinforced earth wall. Provide detail.
  - vii. On drawing DA42 (A) provide a minimum 3m wide all weather vehicular track down to the 400m<sup>2</sup> bio retention basin to allow for future maintenance including replacement. This will require the bio retention filter level to be raised which will assist in providing a free discharge adjacent to the flood areas.
  - viii. On drawing DA46 (A) for the Typical Bio –Retention Basin Details replace “PERFORATED PIPES, 25 MIN. COVER FALL 1:100” with “UNSOCKETED SLOTTED PVC PIPES, 50 MIN. COVER FALL 1:200”. Replace “COURSE” with “COARSE”.
  - ix. On drawing DA46 (A) at the second last paragraph of the Bio-Retention Notes add at end “ALTERNATIVELY WHERE ALL THE UPSTREAM WORKS ARE ALL COMPLETE THE FINAL BIO-RETENTION LAYOUT CAN BE INSTALLED”. Delete the last paragraph on amelioration as this does not apply to Blacktown Council.
  - x. On drawing DA55 (A) show the flow spreader on Section 4.
- b) In the Civil Engineering Report Section 5.4 – Stream Erosion Index, include the 2year flow as 0.3236m<sup>3</sup>/s. Amend the critical flow for 2 year flow to 0.0809m<sup>3</sup>/s as 25% of the 2year flow.
  - c) An experienced hydraulic engineer and experienced irrigation specialist is to prepare and certify a detailed Non-Potable Water Reuse Plan for non-potable water uses (including all toilet flushing and landscape watering) on the site. The plan is to show the rainwater pipe arrangement including first flush or pre-treatment system, pump, mains water direct tank top up, isolation valves, flow meters for all mains water inflows or solenoid controlled mains water bypass (if applicable) and non-potable usage outflows, a timer for landscape watering, an inline automatic backwash filter and certify that all Sydney Water requirements have been satisfied. A solenoid controlled mains water bypass is only permitted for toilet flushing and where fitted, landscape watering or other reuse must only use pump water and be on a separate reuse line, independent to the toilets. Where a solenoid controlled mains water bypass is not fitted, a manually operated bypass is to be provided for the toilets independent of landscape watering or other reuse. Provide a warning light to indicate pump failure. The Landscape Watering system is to be designed to automatically achieve a minimum usage rate of 1385 kL/year for the 180 kL tank as per the Stormwater Management Plan. This is the average usage throughout the year and the system needs to be adjusted to allow for monthly seasonal variations e.g the flow rate in December/ February is to be designed to allow for a 50% increase above the average yearly flow. All rainwater re-use pipes are to be coloured purple. Rainwater warning signs are to be fitted to all external taps where rainwater is used as a source.
  - d) Details are to be provided for permanent interpretive signage minimum A1 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the major water quality device. The wording and detail is to be approved by Council.

- e) Maintenance schedule requirements are to be provided for each of the Stormwater Quality Improvement Devices including the bio-retention basins, Enviropods, and rainwater tank. For bio-retention systems these are to include the temporary bio-retention system and ultimate bio-retention system replacement. Where these devices are located in roadway/parking areas these are to include traffic management requirements. The designer of the stormwater treatment system must prepare the Maintenance schedule and this schedule must show the designer's name, signature and date on it.
- f) Amended architectural plans are required for buildings, or parts of buildings, that are not affected by BASIX, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
  - i. 4 star dual-flush toilets;
  - ii. 3 star showerheads;
  - iii. 4 star taps (for all taps other than bath outlets and garden taps);
  - iv. 3 star urinals; and
  - v. Water efficient washing machines and dishwashers are to be specified.
- g) The retaining walls adjacent to the bio-retention basins are to be designed and certified by a Structural Engineer registered with NER to extend below the zone of influence allowing for future excavation of the bio-retention basin below the base of the gravel layer and be self-supporting (allowing for overturning and sliding), where the basin media including the gravel is removed and replaced for maintenance.
- h) Revised Landscape plans are required that include appropriate species for the bio-retention system in accordance with the BCC Handbook Part 5 – Vegetation Selection Guide for the 800mm deep filter media. Planting within the filter area should incorporate several growth forms, including shrubs and tufted plants and be densely planted (tufted plants at a minimum of 10 plants per m<sup>2</sup>) to ensure plant roots occupy all parts of the media. Groundcover species must not be used. To ensure diversity and disease resistance a minimum of 6 different species is required planted as a matrix. All plants within the filter area are to be planted from tubestock or virotube and not pots.

## 5.2 Construction Certificate Requirements

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

- Road and drainage construction
- Water quality treatment
- Earthworks

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

## 5.3 Local Government Act Requirements

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

- Any works within a Council Reserve
- Any works on adjoining land (outside the subject site boundaries)

- Inter-allotment drainage on adjoining land

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

#### 5.4 **Roads Act Requirements**

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

- Any works within Council's road reserve
- Vehicular crossings
- Path Paving

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

#### 5.5 **Other Engineering Requirements**

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

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

#### 5.6 **Roads**

5.6.1 Submit a pavement report prepared and designed by a professional civil engineer with soil tests carried out by a registered NATA soils laboratory. The pavement design shall withstand the traffic loadings listed in this consent.

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

5.6.3 The redundant layback and footway crossing located at the eastern end of Woods Close is to be replaced with Council's standard kerb and gutter. The footway area shall be restored with turf in accordance with Council's specifications.

#### 5.7 **Drainage**

5.7.1 Drainage from the site must be connected into Bungaribee Creek.

#### 5.8 **Erosion and Sediment Control**

5.8.1 Provide a sediment and erosion control plan in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development.

#### 5.9 **Earthworks**

5.9.1 Batters which are adjacent to road reserves are not to exceed a grade of 1V:5H and are to be stabilised with topsoil, turf and vegetation.

5.9.2 All proposed new retaining walls shall be made of masonry material.

#### 5.10 **Stormwater Quality Control**



- 5.10.1 Provide a stormwater quality treatment system in accordance with Council's Engineering Guide for Development and Development Control Plan Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.
- 5.10.2 The engineering drawings approved under this consent are not to be used for construction. The Construction Certificate shall be generally in accordance with the approved DA plans however any significant variation to the water quality treatment design shall require a section 96 application.
- 5.10.3 Provide a maintenance schedule for the stormwater quality device that is signed and dated by the designer.
- 5.10.4 Bio-retention basins to be designed in accordance with "Stormwater Biofiltration Systems. Adoption Guidelines. Planning, design and implementation. Version 1 June 2009. Facility for Advancing Water Bio-filtration", as a lined, standard biofiltration system.
- 5.11 **Vehicular Crossings**
- 5.11.1 Construct a commercial and industrial vehicular crossing to Council's standard A(BS)103S.
- 5.12 **Footpaths**
- 5.12.1 Construct path paving as follows:

Street Name	Side	Paving Width	Length
Huntingwood Drive, Huntingwood	Fronting proposed development	1200mm	Linking to existing
Great Western Highway, Huntingwood	Fronting proposed development	1200mm	Fronting proposed development

This path paving is to be in accordance with the Blacktown City Council Engineering Guide for Development 2005, including Appendices C - Path Paving Policy, Section 2.2.1 Developer Construction. The fulfilment of the responsibility of the path paving is required to be by:

- (i) Construction by developer at the time of the development; or
- (ii) Monetary Payment as set out in Section 2.1.2 Option 2 Monetary Payment of the Path Paving Policy.

## **6 PRIOR TO DEVELOPMENT WORKS**

### **6.1 Safety/Health/Amenity**

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

Each toilet provided shall be:

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

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

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

This condition does not apply to:

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

6.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involve the enclosure of a public place,

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

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

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

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

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

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

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

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

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

## **6.2 Notification to Council**

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

## **6.3 Sydney Water Authorisation**

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

## **6.4 Construction Details**

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

### **Nominated Component**

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

# **7 DURING CONSTRUCTION (BUILDING)**

## **7.1 Safety/Health/Amenity**

- 7.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.
- 7.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:
  - (a) the name, address and telephone number of the principal certifying authority for the work, and
  - (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working

- hours, and  
(c) stating that unauthorised entry to the work site is prohibited.

7.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involves the enclosure of a public place,

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

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

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

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

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

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

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

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

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

**7.2 Building Code of Australia Compliance**

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

**7.3 Surveys**

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

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

#### **7.4 Nuisance Control**

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

#### **7.5 Waste Control**

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

#### **7.6 Construction Inspections**

- 7.6.1 The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):

(a) After excavation for, and prior to placement of, any footings; and

(b) Prior to pouring any in-situ reinforced concrete building element; and

(c) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and

(d) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2,3 or 4 building); and

(e) Prior to covering any stormwater drainage connections; and

(f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

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

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

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

## **8 DURING CONSTRUCTION (ENGINEERING)**

### **8.1 Notification of Works**

- 8.1.1 A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works required by this consent. This must be submitted a minimum five (5) business days prior to commencement of engineering works.

### **8.2 Insurances**

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

### **8.3 Service Authority Approvals**

- 8.3.1 Prior to the commencement for construction of footway crossings and driveways a clearance shall be obtained from the relevant telecommunications carriers and Endeavour Energy. The clearance shall notify that all necessary ducts have been provided under the proposed crossing.

### **8.4 Boundary Levels**

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

### **8.5 Tree Protection and Preservation**

- 8.5.1 Existing vegetation and trees shall be left undisturbed except where roads, stormwater drainage infrastructure, site filling and/or building works are proposed.
- 8.5.2 Prior to commencement of engineering works that may disturb existing vegetation/trees, the site shall be inspected to identify and appropriately mark out any trees to be retained as well as determine areas that are to be left undisturbed. Proposed roads must be set-out onsite prior to this inspection. Note: Inspection must be carried out by Council's representative or an appropriately accredited private certifier. The applicant's representative must be present during this inspection.
- 8.5.3 There is to be no storage of materials, stockpiling of excavated material or parking of plant/machinery within the drip line of the crown of any retained trees.
- 8.5.4 Council must be notified a minimum of 24 hours prior to the removal of any branches from existing trees which are to be retained. Subject to Council's direction, this work must be generally undertaken by a qualified Arborist.

### **8.6 Soil Erosion and Sediment Control Measures**

- 8.6.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.

8.6.2 Re-vegetation and restoration of all disturbed areas as a result of the development works shall be completed as soon as practicable after the completion of earthworks and before the commencement of any other works on-site. The revegetated/restored areas must be established prior to the release of maintenance security/bonds. Note: All open drains must be turfed.

8.6.3 All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period and until all disturbed areas are restored to the satisfaction of Council in accordance with the design and construction specification. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.

## 8.7 **Filling of Land and Compaction Requirements**

8.7.1 Suitable land fill replacement is required when unsuitable soils are removed. All fill including existing fill shall be compacted in accordance with Council's Works Specification - Civil (current version). A compaction certificate shall be obtained from an appropriately qualified practising registered engineer (NER) verifying that the correct compaction requirements have been met. This compaction certificate is to be submitted to Council.

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

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

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

The above documentation shall be submitted at the prior to Subdivision and/or Occupation certificate stage as required by this consent.

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

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

8.7.5 Appropriate dust control measures are to be implemented during construction to reduce any impact on local air quality and reduce dust emissions. This will include

but not be limited to regularly wetting down of the site during the course of works being carried out in order to control wind blown dust.

- 8.7.6 All roads adjoining the site must be kept clean and free of all materials. Infringement Notices incurring a monetary penalty may be issued by Council where this measure is not being complied with.
- 8.7.7 Trucks transporting cut and fill must have their loads covered and provisions of “shaker pads” and wash-down areas for trucks leaving the site are to be made available. All details are to be shown on soil erosion and sediment control plans.
- 8.7.8 Prior to the placement of any fill on the site all topsoil and vegetation must be removed down to a suitable sub-grade material. The topsoil is to be stockpiled for use in revegetation of the site.

#### **8.8 Inspection of Engineering Works - Environmental Planning and Assessment Act 1979.**

- 8.8.1 Comprehensive inspection compliance certificate(s) to be issued for all engineering works required by this consent and the approved construction certificate. The inspection compliance certificate(s) can only be issued by Council or an accredited certifier, under *Part 4A of the Environmental Planning and Assessment Act 1979* as amended. A schedule of mandatory inspections is listed in Council’s Works Specification – Civil (current version).

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

#### **8.9 Inspection of Engineering Works - Roads Act 1993**

- 8.9.1 All inspection(s) required by this consent for any engineering works that are approved under the *Roads Act 1993* must be made by Council’s Development Overseers.

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

#### **8.10 Public Safety**

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

#### **8.11 Site Security**

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

#### **8.12 Traffic Control**



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

### **8.13 Additional Drainage Sections Matters**

- 8.13.1 Prior to placement of the filter media layer, certification for the following is to be provided:
  - i. A minimum hydraulic conductivity as defined by ASTM F1815-06 of 200 mm/hr (actual, not predicted).
  - ii. A maximum hydraulic conductivity as defined by ASTM F1815-06 of 700 mm/hr (actual, not predicted).
  - iii. An Orthophosphate content < 40 mg/kg.
  - iv. A Total Nitrogen content < 1000 mg/kg.
  - v. Is not hydrophobic.
- 8.13.2 The coarse sand transition layer and 5-7mm gravel drainage layer are all to be provided as washed prior to placement.
- 8.13.3 No fertiliser or additional nutrient material is to be provided to the bio-retention basin filter area during planting of the tube stock, or at any time.
- 8.13.4 The final filter media in the bio-retention area is not to be installed or bio-retention plants installed until all the building works, retaining walls, driveways and other landscaping have been completed.
- 8.13.5 The thirty 200 micron Enviropods supplied by Stormwater 360 as detailed on the approved drainage plan are not to be reduced in size or quantity, nor replaced with an alternate manufacturer's product.

## **9 DURING CONSTRUCTION (GENERAL)**

### **9.1 Premises Construction**

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

## 9.2 Site Contamination

- 9.2.1 Should any contaminated material be unearthed or fly-tipped rubbish be encountered during construction, all works are to cease immediately. In this situation, a Remediation Action Plan (RAP) is to be submitted to Council's Manager, Development Services for further consideration and all potentially contaminated material is to be tested, removed or undergo remediation. In this regard, the environmental consultant engaged for this project is to be on site for regular monitoring of the approved site works.

- 9.2.2 Throughout the duration of the works, the applicant is to demonstrate compliance with the following approval parameters:

- a) The applicant is to ensure that validation for the entire subject site can be prepared by a suitably qualified environmental consultant in accordance with Council's Contamination Land Policy.
- b) The applicant is to ensure that the site has been satisfactorily secured so as to prevent any unauthorised dumping of illegal fill/waste building materials (i.e. non-V.E.N.M soils) from entering onto the development site.
- c) Appropriate dust suppression measures are to be incorporated into the site works process, so as to ensure that adjoining properties in the local vicinity are not negatively impacted upon by dust generated from the development site.
- d) Any filling shall be undertaken in accordance with the fill protocol approved by Council's Manager, Development Assessment.

Should Council receive any complaints regarding non-compliance with any of the above matters or other such operational type matters, then Council will have no alternative but to fully investigate the complaint and pursue an appropriate course of action.

## 9.3 Geotechnical Recommendations

- 9.3.1 The works are to be consistent with the recommendations of the Geotechnical Investigation prepared by JK Geotechnics, dated October 2016.

## 9.4 Aboriginal Archaeology

- 9.4.1 In relation to matters concerning Aboriginal archaeology, should any archaeological material be uncovered during construction activities on any location within the proposed development, then all works are to cease immediately and representatives of the Department of Environment and Climate Change (National Parks and Wildlife Service) and a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

# 10 PRIOR TO OCCUPATION CERTIFICATE

## 10.1 Road Damage

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

applicant/developer.

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

## **10.2 Compliance with Conditions**

10.2.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.

10.2.2 Prior to occupation/use of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of Section 109H of the Environmental Planning & Assessment Act 1979.

## **10.3 Service Authorities**

10.3.1 The following documentary evidence shall accompany any Occupation Certificate:

(a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Applications must be made through an authorised Water Servicing Coordinator. Please refer to the "Building Plumbing and Developing" Section of the website [www.sydneywater.com.au](http://www.sydneywater.com.au), then follow the "Developing Your Land" link or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation of the development.

10.3.2 The applicant shall obtain a Trade Waste Approval from the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.

10.3.3 A final written clearance shall be obtained from Sydney Water Corporation, Endeavour Energy and Telstra (or any other recognised communication carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc) has not previously been issued.

## **10.4 Temporary Facilities Removal**

10.4.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.

10.4.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.

10.4.3 Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.

10.4.4 Any temporary builder's sign or other site information sign shall be removed from the land.

- 10.4.5 Any temporary site access provided for the purpose of development works shall be removed and the kerb and gutter and/or previous roadworks reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.

**10.5 Fire Safety Certificate**

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

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

**10.6 Fee Payment**

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

**10.7 Engineering Matters**

**10.7.1 Surveys/Certificates/Works As Executed plans**

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

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

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

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

**10.7.2 Easements/Restrictions/Positive Covenants**

- 10.7.2.1 Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the

easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:

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

(b) The standard format for easements and restrictions as accepted by the Lands Title Office.

10.7.2.2 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Government - Land and Property Information over the Stormwater Quality Control devices/system and outlet works.

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

#### 10.7.3 **Bonds/Securities/Payments in Lieu of Works**

10.7.3.1 The payment to Blacktown City Council of a monetary contribution in lieu of works for the placement of the final layer of asphaltic concrete (a.c.) on the new road works. The amount will be calculated at Council's approved rate upon request and following issue of a Construction Certificate for the work.

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

a) In the case of subdivision - This period commences at the release of the final plan of subdivision. (Issue of Subdivision Certificate)

b) In the case where no subdivision occurs - This period commences at the date of practical completion of the development.

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

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

#### 10.7.4 **Inspections**

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

#### 10.8 **Additional Drainage Section Requirements**

10.8.1 A Geotechnical Engineer is to undertake in-situ Saturated Hydraulic Conductivity Testing of each of the bio-retention systems in accordance with Practice Note 1 of the FAWB guidelines. For bio-retention systems with a filter area less than 50 m<sup>2</sup>, *in situ* hydraulic conductivity testing should be conducted at three points. For systems with a filter area greater than 50 m<sup>2</sup>, an extra test point should be added for every additional 100 m<sup>2</sup> or part thereof. Points are to be spatially distributed.

Where the hydraulic conductivity of the soil differs from the rate specified in MUSIC of by 100 mm/hr (tolerance -0% to +400%), remediation works will be required over the filter area to restore the conductivity and the test repeated until the hydraulic conductivity is achieved. A Geotechnical Engineer is to then certify that in accordance with Practice Note 1 of the FAWB guidelines, the Saturated Hydraulic Conductivity is within tolerance to the rate specified in MUSIC for each of the bio-retention systems.

- 10.8.2 After the hydraulic conductivity has been certified by the Geotechnical Engineer, a horticulturalist that has relevant tertiary qualifications and technical knowledge with a minimum of five (5) years demonstrated experience is to certify that the planting within the bio-retention area including bank areas, is of the same quality in type and quantity as per the construction certificate approved landscape plans, that any plants lost have been replaced and that any areas of scour or disrepair have been restored.
- 10.8.3 Written evidence is to be provided that the registered owner/lessee has entered into a minimum five (5) year signed and endorsed maintenance contract with a reputable and experienced cleaning contractor(s) for the maintenance of Enviropods, rainwater tank and bio-retention basins. A copy of the signed and endorsed contract(s) and maintenance contractor(s) details are to be forwarded to Council's WSUD Compliance Officer.
- 10.8.4 A plumber licensed with NSW Fair Trading, or experienced hydraulic engineer, is to certify that all the non-potable water uses are being supplied by rainwater and that all the requirements of the detailed Non-Potable Water Re-use Plan have been installed and are working correctly. A signed, works-as-executed Non-Potable Water Re-use Plan is to be provided to Council.
- 10.8.5 A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
- i. 4 star dual-flush toilets;
  - ii. 3 star showerheads;
  - iii. 4 star taps (for all taps other than bath outlets and garden taps);
  - iv. 3 star urinals; and
  - v. Water efficient washing machines and dishwashers have been used.

## 10.9 Other Matters

- 10.9.1 The landscaped areas for each stage are to be provided in accordance with the approved landscaping design plan prior to the issue of the Occupation Certificate for the relevant stage.
- 10.9.2 The replacement tree planting along the eastern boundary is to be completed in accordance with the plans approved as a result of **Condition 3.3.1**.
- 10.9.3 Where sprinkler tanks are visible from the public domain, they are to be appropriately screened from view by physical screening and landscaping.
- 10.9.4 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 10.9.5 All required internal roads and car parking spaces for the use of staff and visitors shall be line-marked, sealed with a hard standing, all-weather material to a standard

suitable for the intended purpose.

- 10.9.6 Appropriate way finding signage is to be erected which directs staff, visitors and delivery vehicles to the appropriate locations.

**10.10 Acoustic and Vibration Impacts**

- 10.10.1 Prior to the occupation / operation of each of the approved stages of this development, verification is required from an appropriately qualified acoustic consultant confirming that the operation of the premises and all associated plant and equipment satisfies the relevant policies during the day and night periods with regard to noise and vibration impacts. Should any neighbouring properties or residential receivers be adversely impacted with regard to noise and vibration impacts, improved acoustic mitigation measures are required to be introduced to satisfy the relevant noise criteria.

**10.11 Street Tree Planting**

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

**11 OPERATIONAL (PLANNING)**

**11.1 Access/Parking**

- 11.1.1 All required off-street car parking spaces (302 spaces) and internal roads shall be maintained to a standard suitable for the intended purpose.
- 11.1.2 Staff are required to park on site at all times.
- 11.1.3 All loading, unloading operations and parking shall take place at all times wholly within the confines of the land.
- 11.1.4 All vehicles must enter and exit the site in a forward direction.
- 11.1.5 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

**11.2 Specific Uses**

- 11.2.1 The approved "warehouse or distribution centre" shall comply with the requirements of the following definition contained within Blacktown Local Environmental Plan 2015:

*"warehouse or distribution centre" means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made."*

- 11.2.2 The approved office spaces shall be used solely in conjunction with the use of the building to which it is attached. The separate use or occupation of the approved office space(s) is not permitted by this consent.
- 11.2.3 The development shall not be used or converted for use for any purpose other than that:

(a) Granted consent by Council's Notice of Determination, or

(b) Which is "Exempt Development" under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other NSW or Council planning instrument.

11.2.4 Any change of use of the development, other than a '*warehouse or distribution centre*', will require separate development consent to be obtained from Council and will be required to provide the minimum number of car parking spaces as required by the Blacktown Development Control Plan 2015 for that new land use.

11.2.5 Potentially hazardous, hazardous, offensive and/or dangerous goods are not permitted to be stored on site with respect to State Environmental Planning Policy No. 33 – Hazardous and Offensive Development. Should the proposal entail the need to store any goods in a dangerous goods store, the formal separate development consent of Council is required to be obtained in a separate development application.

### 11.3 **Retailing Restrictions**

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

### 11.4 **General**

11.4.1 The '*warehouse or distribution centres*' are permitted to operate 24 hours a day, 7 days a week.

11.4.2 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.

11.4.3 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.

11.4.4 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.

11.4.5 No goods, materials or trade wastes are to be stored at any time outside of the building on either the internal vehicular driveway, car parking area, landscaping or footpath, other than in approved garbage receptacles.

11.4.6 No open storage of any pallets or containers, or the like, is permitted within the car parking or landscaped areas at any time.

11.4.7 Arrangements shall be made for an effective commercial refuse removal service.

11.4.8 All loading and unloading operations shall take place at all times wholly within the confines of the land. All unloading activities are to be conducted in a manner that does not impact on the amenity of adjoining owners.

11.4.9 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.

11.4.10 Removal of any graffiti visible from any public road or place is the responsibility of the property owner/s. Once identified, all graffiti must be removed within 48 hours.



11.4.11 Approval has been granted for “business identification signage” only. At no time is the signage to be used for general advertising purposes.

**11.5 Environmental Management**

11.5.1 Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the NSW EPA's - NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants and shall be submitted to Council for consideration.

11.5.2 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.