

Our Reference:

2016/381

Contact:

Miss D Hang

Phone:

02 8757 9493

**ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
NOTICE OF DETERMINATION OF APPLICATION**

DEFERRED COMMENCEMENT

TO BE ADVISED

Mintus Holdings Pty Ltd
PO Box 313
BAULKHAM HILLS NSW 1755

Dear Sir/Madam,

Pursuant to Section 4.16(3) of the Act, Council has granted “deferred commencement” consent to your development application described as follows:

PROPERTY: Lots 12 & 13, DP 1162280

STREET ADDRESS: Butu Wargun Drive, Pemulwuy

DEVELOPMENT CONSENT NO: 2016/381/1 (SWCPP No. 2016SYW249)

DECISION: Sydney West Central Planning Panel

DATE FROM WHICH CONSENT OPERATES: TO BE ADVISED UPON SATISFACTORY COMPLETION OF SCHEDULE ‘A’

DATE OF EXPIRY OF CONSENT: TO BE ADVISED

PROPOSED DEVELOPMENT: CONSTRUCTION OF 7 x PART 3, 4 & 5 STOREY RESIDENTIAL FLAT BUILDINGS COMPRISING A TOTAL OF 300 UNITS ABOVE 3 BASEMENT LEVELS AND AT- GRADE PARKING ACCOMMODATING A TOTAL OF 379 CARPARKING SPACES AND INTERNAL ROADWAYS IN 2 STAGES WITH STAGE A ACCOMMODATING BLOCKS A, B, C AND D AND STAGE B ACCOMMODATING BLOCKS E, F AND G.

This Development Application is APPROVED in accordance with the Environmental Planning & Assessment Act 1979 and is subject to compliance with the requirements of Cumberland Council, the Building Code of Australia, the Local Government Act 1993, and the following conditions as set out hereunder and/or endorsed upon the attached plans.

THIS CONSENT DOES NOT OPERATE UNTIL COUNCIL IS SATISFIED THAT ALL SCHEDULE ‘A’ CONDITIONS HAVE BEEN SATISFIED.

SCHEDULE “A”

Consent to construction of 7 part 3, 4 & 5 storey residential flat buildings comprising a total of 300 units above 3 basement levels and at-grade parking accommodating a total of 379 car parking spaces and internal roadways in 2 stages, with Stage A accommodating Blocks A, B, C and D and Stage B accommodating Blocks E, F and G, shall not operate until all of the following Schedule “A” conditions have been complied with to Council’s satisfaction.

Please note that this consent shall lapse if the approved development is not physically commenced by the “date of expiry of consent” shown on the front page of this document. It is therefore in your interest to attend to the following matters as soon as possible. When Council is satisfied that Schedule “A” has been complied with, a letter will be issued advising of the “date from which Consent operates”.

Road Widening

1. A Subdivision Certificate requiring the boundary adjustment of Lot 123 in DP 1223098 (north-west boundary of lot/intersection of Kuma Place & Winnima Circuit) and Lot 144 in DP1223098 for the purposes of land dedication for public road shall be submitted to Council for approval, and registered with the Land Registry Services NSW. Documentation relative to the registration of the land dedication shall be submitted to Council prior to Schedule “B” conditions becoming operational.

The boundary adjustment of the lots should take in consideration the following:

- The dedication of public road shall be extended up to the boundary line of Lot 12 DP1162280.
- The road widening shall accommodate for two way traffic for a 10.5m waste vehicle and B99 vehicle, in both directions, simultaneously in Kumar Place. The road width shall be consistent up to the boundary line of Lot 12, and smooth transition shall be provided between the public road (Kumar Place) and community road of the development site.
- The boundary adjustment of Lot 123 in DP 1223098 shall also include a splay corner in accordance with Council’s DCP.
- A footpath verge width of 3.5m shall be maintained at both sides of Kumar Place, Pemulwuy.

In accordance with Clause 95(3) of the Environmental Planning and Assessment Regulation 2000, you must produce evidence to the Council within a period of 2 years, sufficient enough for Council to be able to be satisfied of the above matters.

If evidence is produced within the specified period, in accordance with Clause 95(5) of the Regulation, Council will notify you whether or not it is satisfied as to the above matters and whether or not the consent will operate.

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SCHEDULE “B”

This consent cannot operate until such time as Council is satisfied with the evidence produced in response to Schedule “A” and has notified the applicant in writing of the date from which the consent operates.

PRELIMINARY

1. This consent shall lapse if the above development is not physically commenced by the date of expiry shown on the front page of this Consent. Any person entitled to act on the consent may apply to Council at least 30 days before this three year period expires, for an extension of one year (in accordance with Section 95A of the Environmental Planning & Assessment Act 1979), provided that good cause is shown. **Note: Failure to lodge an application for extension of consent will mean the consent lapses and a fresh application will be required that will be assessed in accordance with current controls.**
2. Development shall take place in accordance with the attached endorsed plans:

Architectural Plans – all Job No. 2270				
Doc No.	Issue	Title	Prepared By	Date
-	K	Calculations/BASIX Commitments	Architex	01.02.2018
DA01	E	Site Analysis	Architex	30.08.2016
DA02	K	Site + Staging Plan	Architex	01.02.2018
DA03	H	Basement Level 3	Architex	26.07.2017
DA04	H	Basement Level 2	Architex	26.07.2017
DA05	H	Basement Level 1	Architex	26.07.2017
DA06	H	Level 1	Architex	26.07.2017
DA07	H	Level 2	Architex	26.07.2017
DA08	K	Level 3	Architex	01.02.2018
DA08a	K	Level 4	Architex	01.02.2018
DA09	K	Level 5	Architex	01.02.2018
DA10	K	Roof Plan	Architex	01.02.2018
DA11	K	Site Elevations (East & South)	Architex	01.02.2018
DA12	K	Site Elevations (East, West & North)	Architex	01.02.2018
DA13	K	Site Elevations (West, North & South)	Architex	01.02.2018
DA14	K	Site Elevations (South, North & East)	Architex	01.02.2018
DA15	K	Site Elevations (East & West)	Architex	01.02.2018
DA16	K	Site Sections (A-A, B-B & C-C)	Architex	01.02.2018
DA17	K	Site Section Details	Architex	01.02.2018
DA18	H	Typical Unit Layouts – Block A	Architex	26.07.2017
DA19	H	Typical Unit Layouts – Blocks B + C	Architex	26.07.2017
DA20	H	Typical Unit Layouts – Block D	Architex	26.07.2017
DA21	H	Typical Unit Layouts – Block E	Architex	26.07.2017
DA22	H	Typical Unit Layouts – Block F	Architex	26.07.2017
DA23	H	Typical Unit Layouts – Block G	Architex	26.07.2017
DA24	H	Callout 1 – Basement Level 1 (Stage A)	Architex	26.07.2017
DA25	H	Callout 2 + 3 – Basement Level 2 + Level 1 (Stage A)	Architex	26.07.2017
DA26	H	Callout 4 + 5 – Basement Levels 2 + 3 (Stage B)	Architex	26.07.2017
DA27	H	Callout 6 – Basement Level 1 (Stage B)	Architex	26.07.2017
DA28	H	Site Details	Architex	26.07.2017

DA29	H	Driveway Ramp	Architex	26.07.2017
DA30	G	Waste Management Plan	Architex	27.02.2017
DA41	K	Mass Model Images	Architex	01.02.2018

Hydraulic Plans – all prepared by ING Consulting Engineers Pty Ltd, Project No. 192072016DA,				
Drawing No.	Issue	Title	Date	
19207-01/18	D	Erosion & Sediment Control Plan	24.01.2018	
19207-02/18	D	Basement 3 Plan	24.01.2018	
19207-03/18	D	Basement 2 Plan	24.01.2018	
19207-04/18	D	Basement 2 Plan 2	24.01.2018	
19207-05/18	D	Basement 1 Plan	24.01.2018	
19207-06/18	D	Basement 1 Plan 2	24.01.2018	
19207-07/18	D	Site & Roof Plan	24.01.2018	
19207-08/18	D	Site & Roof Plan 2	24.01.2018	
19207-09/18	D	Level 1 Plan	24.01.2018	
19207-10/18	D	Level 1 Plan 2	24.01.2018	
19207-11/18	D	Level 2 Plan	24.01.2018	
19207-12/18	D	Level 2 Plan 2	24.01.2018	
19207-13/18	D	Levels 3 to 4 Plan	24.01.2018	
19207-14/18	D	Levels 3 to 4 Plan 2	24.01.2018	
19207-15/18	D	Level 5 Plan	24.01.2018	
19207-16/18	D	Level 5 Plan 2	24.01.2018	
19207-17/18	D	Notes & Details	24.01.2018	
19207-18/18	D	Notes & Details 2	24.01.2018	

Landscape Plans – all prepared by Taylor Brammer Landscape Architects Pty Ltd			
Drawing No.	Revision	Title	Date
LA00	D	Cover Sheet & Context Plan	21.02.2018
LA01	E	Site Master Plan	21.02.2018
LA02	C	Key Landscape Character	27.02.2018
LA03	E	Communal Open Space Landscape Plan	21.02.2018
LA04	E	Pocket Park Plan	21.02.2018
LA05	E	Green Roof Master Plan	21.02.2018
LA08	D	Planting Plan 1/4	21.02.2018
LA09	D	Planting Plan 2/4	21.02.2018
LA10	D	Planting Plan 3/4	21.02.2018
LA11	D	Planting Plan 4/4	21.02.2018
LA12	B	Landscape Details	21.02.2018

- Acoustic Report prepared by Acoustic Logic, Project No. 20161220.1, Revision 0, dated 29 August 2016;
- Water Quality Control Report prepared by ING Consulting Engineers Pty Ltd, dated 31 August 2016;
- BASIX Certificate No. 755954M_03, dated 21 February 2018 (Blocks A to D);
- BASIX Certificate No. 755834M_02, dated 27 July 2017 (Blocks E to G);
- Correspondence prepared by the NSW Police – Holroyd Local Area Command, Reference No. D/2016/542126, dated 6 October 2016 (copy attached), and all conditions contained therein;

- Correspondence prepared by Endeavour Energy, dated 14 December 2016 (copy attached), and all conditions contained therein;
 - Correspondence prepared by Sydney Water, Reference No. 159816, dated 20 December 2016 (copy attached), all conditions contained therein.
- a) As amended in red by Council. The above amendments are to be incorporated in the Construction Certificate plans.
3. All building work shall be carried out in accordance with the requirements of the Building Code of Australia. Fully detailed plans including fire safety details shall be submitted with the Construction Certificate application. No work is to commence until such time as a Construction Certificate is obtained for the work/building permitted by this Consent.

Appointment of Council or a Private Certifier as the Principal Certifying Authority (PCA)

4. Either Council or a Private Certifier is to be appointed as the Principal Certifying Authority (PCA) for the development in accordance with Section 109E of the Act.

Accordingly, wherever reference is made to the Principal Certifying Authority in this Consent, it refers to Council or the Private Certifier as chosen by you.

Note: Once you have chosen either Council or a Private Certifier as the PCA, you cannot change from one to the other, or from one Private Certifier or another, without the approval of Department of Planning & Infrastructure.

5. The applicant shall consult with, as required:
- (a) Sydney Water Corporation Limited
 - (b) Integral Energy
 - (c) Natural Gas Company
 - (d) A local telecommunications carrier
- regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).
6. The proposed structure/s are to be located clear of existing Council easements. Special footings will be required where the proposed/existing structures are adjacent to a drainage easement. The footings shall be taken down to the invert level of the existing drainage structure or to solid rock, whichever is the lesser. The footing depth may decrease by 500mm for every 1000mm increment in distance the footing is from the easement boundary.
The footing system is to be designed by a practising professional structural engineer.
7. Building materials, builders sheds, waste bins, site fencing, gates or any material of any description shall not be left or placed on any footway, road or nature strip. Footways and nature strips shall be maintained, including the cutting of vegetation, so as not to become unsightly or a hazard for pedestrians. Offenders will be prosecuted.

BASIX (Building Sustainability Index)

8. Under Clause 136D of the Environmental Planning & Assessment Regulation 2000, it is a condition of this Development Consent that all the commitments listed as per Condition 2 in relation to BASIX are fulfilled.

Substation / fire hydrant boosters

9. No approval is granted or implied for any encasing structures (i.e. blast walls or radiant heat shields) associated with the installation of any substations or fire hydrant booster pumps. Separate Development Consent is required for such structures.

Cranes on Building Sites

10. No approval is granted or implied for the installation of any crane on the premises that has the potential to swing beyond the boundaries of the subject site. Separate necessary approvals, including but not limited to Section 138 of the Roads Act and/or Section 68 of the Local Government Act, must be obtained from Council prior to installation of any crane that swings over Council land.

NOTE: FEES, BONDS & CONTRIBUTIONS INDICATED IN CONDITIONS OF THIS CONSENT MAY VARY IN ACCORDANCE WITH THOSE ADOPTED BY COUNCIL AT SUBSEQUENT ANNUAL REVIEWS OF ITS “FEES AND CHARGES” AND SUBSEQUENT CHANGES TO THE BUILDING PRICE INDEX. FEES CHARGED WILL BE THOSE CURRENT AT THE TIME OF PAYMENT.

PRIOR TO ISSUE/RELEASE OF CONSTRUCTION CERTIFICATE

The following conditions must be complied with prior to the issue of a Construction Certificate. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate:-

Payment of Bonds, Fees and Long Service Levy

11. The Principal Certifying Authority is to ensure and obtain written proof that all bonds, fees and contributions as required by this consent have been paid to the applicable authority. This includes all Long Service Levy payments to be made to the Long Service Payments Corporation.

Section 94 Contribution

12. Prior to the issue of a Construction Certificate, a monetary contribution imposed under section 94 of the *Environmental Planning and Assessment Act 1979* and Holroyd Section 94 Development Contributions Plan 2013, for 300 dwellings is to be paid to Council. At the time of this development consent, the current rate of the contribution is **\$2,937,000.00**. The amount of the contribution will be determined at the time of payment in accordance with the relevant s94 Contributions Plan in force at that time. A copy of the Holroyd Section 94 Development Contributions Plan 2013 can be viewed on Council's website at www.cumberland.nsw.gov.au or inspected at Council's Civic Centre located at 16 Memorial Avenue, Merrylands between the hours of 8am and 4.30pm Monday to Friday.

Consistency with Endorsed Development Consent Plans

13. The Principal Certifying Authority must ensure that any certified plans forming part of the Construction Certificate, are in accordance with the Development Consent plans.

Damage Deposit

14. A cash bond/bank guarantee of **\$6,005.00** must be paid/lodged with Council to cover making good any damage caused to the property of Council, during the course of construction associated with the development. This will be held for 'six (6) months after the completion of works' or six (6) months after the issue of 'Final Occupation Certificate' (whichever occurs last) to remedy any defects that may arise within this time.

Note:- The applicant/owner shall be held responsible for and may be required to pay the full reinstatement costs for damage caused to Council's property (such as road pavement, kerb and guttering, footway, stormwater drainage etc), unless the applicant/owner notifies Council in writing and provides photographic proof of any existing damage to Council's property. Such notification shall occur prior to works/demolition commencing. However, if in the opinion of Council, during the course of construction existing damage has worsened, Council may require full reinstatement. If damage does occur during the course of construction, prior to reinstating any damage to Council's property, the applicant/owner shall obtain design specifications of all proposed restoration works. Restoration/construction works within the road reserve shall be carried out by a licensed construction contractor at the applicant/owners expense and shall be inspected by Council prior to placement of concrete and/or asphalt.

Landscaping

15. If Council is engaged to for the Construction Certificate, a fee of **\$2,539.60** for Stage 1, and **\$1,904.70** for Stage 2 are to be paid for the assessment of the required fully documented landscape plans.
16. Prior to the issue of a Construction Certificate, fully documented landscape plans are to be prepared for each stage by a qualified Landscape Architect/Designer (LA/LD). The plans are to accord with

the approved landscape plans and satisfy any relevant conditions of this consent. Certification from the LA/LD that the plans comply with this Development Consent is to be submitted to the PCA with the plans.

Structures near Easements

17. Special footings will be required where the proposed/existing structure is adjacent to a drainage easement to protect Council's stormwater drainage infrastructure. The footings shall be taken down to the invert level of the existing drainage structure or to solid rock, whichever is the lesser. The footing depth may decrease by 500mm for every 1000mm increment in distance the footing is from the easement boundary. A Structural Engineer's certificate for the special footings referred to above is to be submitted to the Principal Certifying Authority.

Road Works

18. A Traffic Management Plan shall be lodged with Council for any road and drainage works to be carried out within public road reserves, or where construction activity impacts on traffic flow or pedestrian access, in strict compliance with the requirements of Australian Standard 1742.3 (Traffic Control Devices for Works on Roads). In this regard, the applicant shall pay Council a **\$428.00 initial** fee for the assessment of the Traffic Management Plan by Council, prior to commencing works within the road reserves. A copy of the approved Traffic Management Plan shall be kept on site during the course of construction for reference and compliance.

19. A Section 73 Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation and submitted to the PCA.

(Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design).

Submission a copy of Sydney Water's *Notice of requirements* to the Principal Certifying Authority.

20. Retaining walls greater than 1.0m above finished ground level or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated stormwater drainage measures, shall be designed by an appropriately qualified person. Details are to be included with any Construction Certificate application.

Design Verification Statement

21. In accordance with Environmental Planning and Assessment Regulation 2000 and State Environmental Planning Policy (SEPP) 65 "Design Quality of Residential Flat Development", the subject development must be undertaken or directed by a "qualified designer" (i.e., a "registered architect" under the Architects Act). In this regard, a design verification statement shall be submitted to the Principal Certifying Authority (PCA). The PCA shall ensure that the statement prepared by the qualified designer provides the following:-

- (i) A valid and current chartered architect's certificate number (as issued by the Board of Architects of NSW);
- (ii) That the qualified designer has designed or directed the design of the subject development;

- (iii) That the plans and specifications lodged with the Construction Certificate achieve or improve the design quality of the development for which the subject development consent was granted, having regard to the design principles set out in Part 2 SEPP 65.

N.B. The design verification statement must provide an explanation of the design in terms of the design quality principles set out in Part 2 of SEPP 65.

Residential Flat Development Residential Waste Storage Area

22. The waste storage area shall be roofed, screened from public view and provided with:-
- Openings, 5% of the floor area and recessed into the walls, positioned to provide cross floor ventilation OR mechanical ventilation to Council's satisfaction;
 - An adequate water supply provided by a hose cock and hose (hot water for commercial premises)
 - The floor shall be made of an impervious surface, drained to sewer in accordance with Sydney Water requirements and include a dry arrestor pit with a removable basket.

Plans and specifications for the storage room shall be submitted with the application for the Construction Certificate.

Energy Efficiency - Residential

23. A hot water system with a minimum 3.5 star greenhouse rating shall be provided for each new dwelling. This may be achieved by solar-gas boost-storage, gas- instantaneous, gas-storage, electric heat pump-storage and solar-electric boost. Details shall be submitted to Council with the construction certificate.

Water Conservation - Residential

24. AAA rated water conservation devices including showerheads, water tap flow regulators and dual flush toilet & cisterns shall be provided for each new dwelling. Details shall be submitted to Council with the construction certificate.

Salinity - Pemulwuy

25. Pemulwuy has been identified as having a potential salinity hazard. To prevent moisture/salinity from entering the built structure, appropriate construction methods are to be incorporated for all dwellings/buildings in accordance with Clause 6.7 of the "Former CSIRO Site, Pemulwuy Residential Lands Precinct Plan – Eastern Precinct"/Clause 7.8 of the "Greystanes Estate – Residential Lands Precinct Plan".

Details of proposed methods of construction are to be detailed in the engineering plans and submitted to the PCA.

Note: Further information for building in a saline environment is available in the following documents:

"Building in Saline Environment" prepared by DIPNR 2003.

Water Sensitive Urban Design in the Sydney Regions "Practice Note 12: Urban Salinity"

Wagga Wagga City Council's "Urban Salinity Action" October 1999

"Guide to Residential Slabs and Footings in Saline Environments" prepared by Cement Concrete and Aggregates Australia, May 2005

Construction Management Plan

26. A Construction Management Plan (CMP) prepared by a suitably qualified consultant shall be prepared to address issues such as traffic control, noise, dust, etc., during construction. All measures works/methods/procedures/control measures/recommendations made within the Construction Management Plan shall be implemented accordingly.

Fire Safety Upgrading & Essential Services

27. The Construction Certificate is to include a schedule specifying all of the essential fire or other safety measures that are required for the building or premises to ensure the safety of persons in the building in the event of fire.

Accessibility

28. Prior to the issue of a Construction Certificate, plans must be submitted to the Principal Certifying Authority, indicating that the new development has been designed to comply with Adaptable Housing requirements as per AS4299-1995 – Adaptable Housing. In this regard, 20% of the total number of units as identified on endorsed plans, shall be nominated as adaptable units.
29. Prior to the issue of a Construction Certificate, plans must be submitted to the Principal Certifying Authority, indicating that the new development has been designed to comply with the requirements of the Disability (Access to Premises – Building) Standards 2010.
30. At least 20% of apartments shall achieve the Liveable Housing Guideline's Silver level universal design features.

Acoustic Measures

31. Plans and/or specifications indicating how compliance with the recommendations provided within the Acoustic Report prepared by Acoustic Logic, Project No. 20161220.1, Revision 0, dated 29 August 2016, will be achieved are to be submitted to the Principal Certifying Authority.

Site Remediation

32. The remediation works are required to be undertaken in accordance with the Remedial Action Plan (RAP) prepared by JBS&G (ref: 42462-51870 (Rev 0)) dated 17 December 2016.
33. A copy of the Validation report is required to be submitted to Council for assessment and comment.

Parking/Driveways

34. All disabled parking spaces shall be provided with shared area and bollard in accordance with Australian Standard 2890.6-2009.
35. Any required adjustment to utility services, trees, signs and other street furniture requires approval of the appropriate authority shall be undertaken by the applicant. All cost associated with the proposed works shall be borne from the applicant and at no cost to Council.
36. Any works requiring closure of any road or footway closure will require submission of a Council's Temporary Road Closure application form and payment of fees.

37. Signs and line marking plans for the car parking area (e.g. parking spaces, internal arrows, Give-way signs, pedestrian crossing/walkways etc.) shall be prepared prior to the issue of Construction Certificate and to be in accordance with AS 2890.1-2004, AS 2890.6-2009 and the endorsed plans.
38. The location of loading and unloading heavy vehicle shall be shown on the plans.
39. Long-sections of the proposed driveways and ramps shall be provided with gradients and dimensions complying with Councils DCP and Australian Standards. The transitions at the top and bottom of the driveways and ramps should be checked for scraping and bottoming out in accordance with the Australian Standards.
40. Details of control device for the roller gates (if proposed) shall be shown on the plans. The control device shall not reduce the width of the access driveway and shall not impact on the flow of traffic and road safety.

Engineering Fees

41. Payment of a **\$487.50** fee for the inspection by Council of the Pollution Control Device construction at the key stages.

Engineering Bonds

42. The applicant shall lodge with Council a **\$8,000.00** cash bond or bank guarantee to cover the satisfactory construction or reconstruction of the roadworks including footpath, kerb and guttering, removal of existing island and redundant kerbs adjacent to the site. This bond will be held for six (6) months after the completion of works or issue of a final occupation certificate whichever occurs last to remedy any defects that may arise within this time.
43. The applicant shall lodge with Council a **\$6,135.00** cash bond to cover the registration of a Positive Covenant and Restriction as to User over the Gross Pollutant device. This bond is refundable upon the submission of proof of registration of the Restriction on Use and Positive Covenant with the Land Property Information NSW.

Water Sensitive Urban Design (WSUD)

44. The development has been identified as requiring water sensitive urban design (WSUD) which has formed part of the development consent. Therefore, in order to satisfy the drainage requirements for the building, any construction certificate for the building shall include the construction of the WSUD system. In this regard, design and construction details of the WSUD system demonstrating compliance with DCP 2013 Part A section 7.5 shall be submitted to the certifying authority prior to the issue of a construction certificate.

Public Road Works

45. All works to be provided, as listed below, shall be shown on the submitted drawings prior to the issue of a Construction Certificate for the development and works commencing. All engineering works shall be designed and undertaken in accordance with the relevant aspects of the following documents, except as otherwise authorised by this consent:
 - Council's Works Specification for Subdivisions and Developments. (Current Version).
 - Council's Development Control Plan 2013.
 - For any works proposed or required within the existing public road and/or reserve the approval of the designs via the Roads Acts section 138 approval, and the supervision of the construction

shall be the responsibility of Road Authority. Therefore, the design and construction of the works shall be to the total satisfaction of the Council.

46. Engineering plans shall be lodged in quadruplicate for the widening of Kuma Place, Pemulwuy and construction of the public road (Kuma Place, Pemulwuy) extension up to the boundary of Lot 12 DP1162280. The applicant shall submit satisfactory engineering drawings and details for the road and drainage, including section details of the road at maximum 5m intervals, long-sections of the road and drainage, a typical section detail. The following design considerations shall also be addressed -

Road

- Road pavements shall be designed by a Professional Civil Engineer with NPER3 accreditation based upon soil tests performed by a registered N.A.T.A Soils Laboratory. The pavement and designs plus traffic loadings and associated Geotechnical report for the proposed temporary roadway detailing the strength of the existing sub-grade. The temporary access road shall be designed for a minimum traffic loading N (ESAs) of 5x104. A sealing layer consisting of 50mm AC Hotmix (25mm AC10 in two layers) shall be provided.
- The road shall be designed at a minimum grade of 1%.
- All kerb returns shall be shown with 150mm kerb and gutter starting at the tangent point of the road.
- A 1.2 metre wide footpath shall be provided on the eastern side up to the corner of Kuma Place and Winnima Circuit, Pemulwuy and 1.5 metre wide footpath on the western sides of Kuma Place public road extension (to coincide with the existing footpath or Construction Certificate plans of DA 2010/382).
- Any existing services shall be adjusted by the relevant authority to meet their standards and requirements.

Pedestrian paths

47. The surface treatment of the pedestrian thoroughfare through the development shall clearly distinguish the continuous path, incorporate signs identifying shared vehicular and pedestrian zone areas, from entry stairs (marked G on landscape plans) and exits located off to Butu Wargun Drive between building blocks E, F and G.

Note: Pedestrian access through the development to a dedicated public open space area (marked H on landscape plans) is not supported.

Public Open Space

48. A playground and associated passive recreational amenities such as picnic tables, seats drinking fountain etc. is a necessary inclusion for a dedicated public open space area. Water play facilities are not supported due to associated safety and maintenance issues.

All play equipment must be supplied and installed by a reputable play equipment supplier, in accordance with AS 4685:2014 (parts 1-6), AS/NZS 4422 (1996 & Amendment 1, 1999) and AS/NZS 448.1, structural engineers and/or manufacturers recommendation. Supplier plans to be submitted to Council's Parks and Recreation section and approved prior to implementation.

49. The playground must be adequately shaded in accordance with Council's solar protection policy and incorporate a shade sail structure in combination with shade tree planting. Detailed landscape and engineer's plans to be approved by Council's Parks and Recreation section prior to implementation.
50. The public open space area (marked H on landscape plans) must be delineated to prevent unauthorised vehicular access. Post and Rail fencing must be installed to enclose areas of open space where open turf areas interface with road. Bollards will be considered within a pedestrian entry point landing and

a minimum 3.0 metre wide heavy duty vehicular access gate and vehicular crossing must be provided along the frontage of open space along Butu Wargun drive for maintenance access.

The vehicular access gate must match the existing vehicular access gate located on the frontage of Marrong Reserve, off Butu Wargun Drive. A continuous accessible path of travel must be installed between the pedestrian entry point and seating associated with a playground facility. All finishes and furnishing are to match and be consistent with existing methods, proportions and products implemented within the northern developed section of Marrong Reserve. Gradients across areas of open turf to be mown must not be greater than 1 in 6 and planting area's not greater than 1 in 3. Detailed landscape plans to be approved by Council's Parks and Recreation section prior to implementation.

Light Fixtures

51. A plan showing the location of light fixtures throughout the development shall be submitted to the Principal Certifying Authority. Light spillage shall comply with AS 4282-1997.

Residential Flat Development Residential Waste Storage Area

52. The waste storage area shall be roofed, screened from public view and provided with:-
 - Openings, 5% of the floor area and recessed into the walls, positioned to provide cross floor ventilation OR mechanical ventilation to Council's satisfaction;
 - An adequate water supply provided by a hose cock and hose (hot water for commercial premises)
 - The floor shall be made of an impervious surface, drained to sewer in accordance with Sydney Water requirements and include a dry arrestor pit with a removable basket.

Plans and specifications for the storage room shall be submitted with the application for the Construction Certificate.

Car Wash Bay

53. A vehicle wash bay shall be provided for residents of the development. Collection, reuse and ultimate disposal of water used in the vehicle wash bay shall be in accordance with Sydney Water's requirements. The car wash bay shall be designed so that the following requirements are met:-
 - Have an adequate parking and washing floor space.
 - Provide a water supply.
 - Minimise water use with appropriate devices (e.g., such as a gun-type nozzle which closes when released and a timer operative valve, collection and use of rainwater).
 - Have a water supply cut out system/fail-safe mechanisms provided to ensure that mechanical failure; drainage blockage or lack of maintenance cannot result in wastewater surcharge into the stormwater system.
 - Be designed to ensure that over spray, drift of water or detergent does not cause a nuisance to persons, vehicles, residences, other buildings, neighbouring properties or the environment.
 - Be located so that washing can occur with minimal disturbance to other residents,

details to be submitted to the Principal Certifying Authority.

Erosion and sedimentation controls

54. Erosion and sedimentation controls must be provided to ensure:
 - a) Compliance with any approved Soil and Water Management Plan

- b) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval)
- c) All uncontaminated run-off is diverted around cleared or disturbed areas
- d) Silt fences or other devices are installed to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterway
- e) All erosion and sediment controls are fully maintained for the duration of demolition/development works
- f) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadways
- g) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar
- h) All water pumped or otherwise removed from excavations or basement areas is filtered to achieve suspended solids/non filterable residue levels complying with the Australian Water Quality guidelines for Fresh and Marine Waters
- i) Pumped or overland flows of water are discharged so as not to cause, permit or allow erosion before the commencement of work (and until issue of the occupation certificate).

Details of the proposed soil erosion and sedimentation controls to be implemented on site must be submitted with the Construction Certificate Application. Under no circumstances may any works commence prior to these details being approved by the Accredited Certifier and the controls being in place on the site

Residential Storage

55. Storage areas for each unit shall be provided at the following rates:-

- 1 bedroom units - 6m³
- 2 bedroom units - 8m³
- 3 bedroom units - 10m³

A minimum of 50% of the storage area shall be provided within the unit.

Detail is to be submitted to the Principal Certifying Authority, prior to the issue of a Construction Certificate.

External Walls and Cladding Flammability

56. The external walls of the building including attachments must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of an Occupation Certificate, the Certifying Authority and Principal Certifying Authority must:

- (a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and
- (b) Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.

Air Conditioning

57. Details and specifications for the mechanical ventilation system complying with the Australian Standard are to be submitted and approved by Council or the Principal Certifying Authority.

PRIOR TO WORKS COMMENCING

The following conditions are to be complied with prior to any works commencing on the site:

Appointment of Principal Certifying Authority and Notification of Commencement of Work

58. The person having the benefit of the development consent, not the principal contractor (builder), must:
- - a) Appoint a Principal Certifying Authority in accordance with Section 81A(2)(b) of the Act.
 - b) Have the Principal Certifying Authority complete the 'Accredited Certifier Details' on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.
 - c) Notify Council of the appointment of the Principal Certifying Authority and of the intention to commence building work, such notification is to be given to Council at least two (2) working days prior to the proposed commencement date, and be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

If nominated, Council can provide this service for you and act as the Principal Certifying Authority.

N.B. The Principal Certifying Authority must also notify the person having the benefit of the Development Consent of any mandatory critical stage inspections and other inspections that are to be carried out in respect of the building work such notification must comply with Clause 103A of the Regulations.

Notification of Principal Contractor (Builder)/Owner-Builder

59. The person having the benefit of the Development Consent must:-
- (a) Notify the Principal Certifying Authority that the person will carry out the work as an owner-builder, if that is the case;
- OR
- (b) Appoint a Principal Contractor for the building work (who must be the holder of a contractor licence if any residential building work is involved), and notify the Principal Contractor of any mandatory critical stage inspections and other inspections that are to be carried out in respect of the building work.
 - (c) Notify the Principal Certifying Authority of any such appointment.

Where Council is the Principal Certifying Authority, such notification is to be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

Required Submissions to Certifying Authority

60. To facilitate a complete assessment and enable the Certifying Authority to check compliance on site, truss validation and design, details certified by a qualified practising structural engineer shall be submitted to Council or the Principal Certifying Authority for examination and approval. Details shall include:
- a) job address and builder's name
 - b) design wind velocity

- c) terrain category
- d) truss spacing
- e) roof pitch
- f) material of roof
- g) roof batten/purlin spacing
- h) material of ceiling
- i) job number

Fencing of Sites

61. Fencing of sites is required to prevent public access when the site is unoccupied and building works are not in progress. In this regard the MINIMUM acceptable standard of fencing to the site is properly constructed chain wire fencing 1.8m high, clad internally with Hessian or Geotextile fabric. All openings are to be provided with gates, such gates are not at any time to swing out from the site or obstruct the footpath or roadway.

Signs to be Erected on Sites

62. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted **outside working hours and at any time for business purposes**, and
 - (c) stating that unauthorised entry to the work site is prohibited.

The sign must be rigid and durable and be read easily by anyone in any public road or other public place adjacent to the site.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Note: Principal Certifying Authorities and Principal Contractors must also ensure that signs required by this clause are erected and maintained (clause 227A of the Regulations currently imposes a maximum penalty of \$1,100).

Photographic Record of Council Property – Damage Deposit

63. The applicant shall submit to Council, for the purposes of the damage deposit bond lodged to cover making good any damage caused to the property of Council, a full and satisfactory photographic record of the condition of Council's property (i.e., road pavement, kerb and guttering, footway, stormwater drainage, etc.) adjacent to the subject site. The purpose of the photographic record is to establish any pre-existing damage to Council's property to ensure that you are not liable for any re-instatement works associated with that damage. However, if in the opinion of Council, the existing damage has worsened or any new damage is caused during the course of construction, the Council may require either part or full re-instatement.

Note: Failure to provide a full and satisfactory photographic record described above, is likely to render the applicant liable to rectify all damages unless satisfactory proof can be provided that the damage was pre-existing.

Prohibited Signage

64. Advertising, Real Estate Agents, Architects, Designers, site suppliers and any other signage not mentioned in the conditions, is not to be placed or displayed on the site, such that the signage is visible from any public place. Offenders may be prosecuted.

Protection of Public Places

65. A hoarding or fence must be erected between the work site and any public place, if the work involved in the erection or demolition of the building; is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or 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.

Site Control Measures

66. Suitable erosion and sediment control measures shall be provided at all vehicular entry/exit points and all other measures required with and/or shown on plans accompanying the Construction Certificate, to control soil erosion and sedimentation, are to be in place prior to the commencement of construction works. Such controls are to be provided in accordance with Council's "Erosion & Sediment Control Policy."

Note: On-the-spot fines may be issued by council where measures are absent or inadequate.

Footpaving, Kerbing and Guttering

67. Protection must be provided for Council footpaving, kerbing and guttering. Wooden mats must also be provided at all entrances where the site fronts paved footpaths.
68. Finished street levels shall not be assumed. The owner or builder must make application to Council's Engineering Services Department for street levels.

Support for Neighbouring Buildings

69. 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 (including a public road and any other public place), the person causing the excavation to be made:-
 - a) must preserve and protect the building from damage, and
 - b) if necessary, must underpin and support the building in an approved manner, and
 - c) must, at least 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 to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. (In this clause, *allotment of land* includes a public road and any other public place).

70. A dilapidation report of adjoining properties/allotments and details of the proposed excavation works in excess of 2m or within the zone of influence of neighbouring building foundations and required underpinning and supportive measures shall be submitted to the Principal Certifying Authority. Any required underpinning and supportive measures shall be designed by a practising structural engineer and details shall be submitted to the Principal Certifying Authority for approval prior to construction works commencing.

Toilet Facilities

71. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

- a) Must be a standard flushing toilet, and
- b) Must be connected:
 - i) To a public sewer,
 - ii) If connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
 - iii) If connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.
 - iv) The position of the toilet on the site shall be determined by Council's Building Surveyor and/or Sydney Water.

Residential Building Work - Insurance

72. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifying Authority for the development to which the work relates (where not Council) has given Council written notice of the following information:-

- (a) in the case of work for which a Principal Contractor is required to be appointed:
 - (i) the name and licence number of the Principal Contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (where not Council) has given Council written notice of the updated information.

The notification is to be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

Sydney Water

73. The approved plans must be submitted to Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. (For Quick Check agent details please refer to the web site www.sydneywater.com.au, see Your Business then Building & Development then Building & Renovating or telephone 13 2092.)

Road Works

74. A Traffic Management Plan shall be lodged with Council for any road and drainage works to be carried out within public road reserves, or where construction activity impacts on traffic flow or pedestrian access, in strict compliance with the requirements of Australian Standard 1742.3 (Traffic Control Devices for Works on Roads).
75. The applicant to arrange with the relevant public utility authority for the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.
76. The applicant is to submit an application for a road opening permit when the drainage connection into Council's system is within the road reserve. In this regard the applicant shall pay Council the relevant fee prior to the commencement of works. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve.

Works Within Council's Reserve

77. All works within the Council reserve shall be completed within three (3) weeks of the date of commencement. Council's Development Engineer shall be advised prior to the commencement of works.
78. Submission of a Certificate of Currency of the contractor's Worker's compensation Policy prior to the commencement of works.
79. All construction works shall be in accordance with the WorkCover safety requirements. Submission of insurance documentation demonstrating a minimum Public Liability cover of \$20,000,000 is required to be submitted prior to commencement of works. Holroyd City Council shall be named on the certificate of currency as an interested party.

Property/Street Number

80. Council is the authority responsible for the allocation of all official property addresses. For ease of identification of your new development, it is important that the allocated property numbers are used and displayed prominently. It is requested that you contact Council as soon as possible before construction is commenced to discuss proposed addressing for your development.

Please email your site plan to council@cumberland.nsw.gov.au or contact Council's Rates Section by phone on 8757 9000.

Tree Protection

81. The tree/s identified on the endorsed plans as being retained/transplanted shall be protected prior to and throughout the demolition/construction process in accordance with the Arboricultural Impact Assessment report prepared by Redgum Horticultural (Report No. 2568), dated 24 August 2016, the

attached Guidelines for the Protection of Trees On and Adjacent To Demolition/Building sites, and relevant conditions of this Consent. All trees not authorised to be removed by this Consent must be retained. Prior to any work commencing, certification of the installation and inspection of the required tree protection works is to be provided to the Principal Certifying Authority by a suitably qualified person or the Arborist (as appropriate) engaged to ensure the proper protection and management of the tree/s required to be retained/transplanted. A copy of the Certificate is to be issued to Council within seven (7) days of the inspection and prior to any works commencing. Additionally, trees identified for removal are to be retained until immediately prior to works commencing, to assist with soil management and erosion control.

Contaminated Land Unexpected Finds

82. In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental scientist appointed to further assess the site. The exposed material/excavation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by Cumberland Council, Manager Health and Environmental Protection.

Note: Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the contaminated land situation and review any new contamination information. The applicant must also adhere to any additional conditions which may be imposed by the accredited site auditor.

DURING CONSTRUCTION

The following conditions are applicable during construction:-

Endorsed Plans & Specifications

83. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and approved Traffic Management Plan are to be retained on site at all times.

Hours of Work & Display of Council Supplied Sign

84. For the purpose of preserving the amenity of neighbouring occupations building work including the delivery of materials to and from the site is to be restricted to the hours of 7.00am to 6.00pm Mondays to Fridays and 8.00am to 4.00pm Saturdays. Work on the site on Sundays and Public Holidays is prohibited. **Note: Demolition work is not permitted on weekends or Public Holidays - refer to specific demolition condition for approved hours.**

The yellow “Hours of Building Work” sign (supplied by Council with the approval), is to be displayed in a prominent position at the front of the site for the duration of the work.

Site Control

85. All soil erosion measures required in accordance with the approved sediment and erosion control plan and any other relevant conditions of this Consent are to be put in place prior to commencement of construction works are to be maintained during the entire construction period until disturbed areas are restored by turfing, paving or revegetation. This includes the provision of turf laid on the nature strip adjacent to the kerb.
86. Builder’s refuse disposal and storage facilities are to be provided on the development site for the duration of construction works and all rubbish shall be removed from the site upon completion of the project.
87. Stockpiles of sand, soil and other material shall be stored clear of any drainage line or easement, tree protection zone, water bodies, footpath, kerb or road surface and shall have erosion and sediment control measures in place to prevent the movement of such materials onto the aforementioned areas and adjoining land.

Noise & Vibration

88. The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.
89. In the event of a noise or vibration problem arising, the person in charge of the premises must, when instructed by Cumberland Council or the Accredited Certifier, cease work and carry out an acoustical survey and/or investigation by an appropriate acoustical engineer or consultant and submit the results to Council. The person in charge of the site must implement any or all of the recommendations of the consultant and any additional requirements of Council. Any requirements of Council in this regard must be complied with immediately.

Waste Management Plan

90. The approved Waste Management Plan must be implemented and complied with during all stages of works on site.
91. Within seven (7) days of completion of construction/building works, the applicant shall submit a signed statement to Council or the Principal Certifying Authority verifying that demolition work and recycling of materials was undertaken in compliance with the Waste Management Plan. The Principal Certifying Authority shall submit a copy of the statement to Council.
In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.

Compliance with Critical Stage Inspections and other Inspections nominated by the Principal Certifying Authority

92. Section 109E(3)(d) of the Act requires certain specific inspections (prescribed by clause 162A of the Regulations) and known as ‘Critical Stage Inspections’ to be carried out for building work. Prior to permitting commencement of the work your Principal Certifying Authority is required to give notice of these inspections pursuant to clause 103A of the Regulations.

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

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

Construction

93. The building and external walls are not to proceed past ground floor formwork/reinforcing steel level until such time as the Principal Certifying Authority has been supplied with a check survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels (FFL)s and setbacks to boundary/ies. **The slab shall not be poured, nor works continue, until the Principal Certifying Authority has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.**

In the event that Council is not the Principal Certifying Authority, a copy of the survey shall be provided to Council within three (3) working days.

On placement of the concrete, works again shall not continue until the Principal Certifying Authority has issued a Certificate stating that the Condition of approval has been complied with and that the slab has been poured at the approved levels.

Salinity – Pemulwuy

94. The building and external walls are not to proceed past ground floor formwork/reinforcing steel level until such time as the Principal Certifying Authority has confirmed that all required construction measures addressing salinity, as required by this Consent and its accompanying Construction Certificate have been carried out.

Landscaping/Site Works

95. All turfed areas shall be finished level with adjoining surfaces and also fall evenly to approved points of drainage discharge.
96. The tree/s identified on the endorsed plans as being retained/transplanted shall be protected against damage throughout the demolition/construction process in accordance with the Arboricultural Impact Assessment report prepared by Redgum Horticultural (Report No. 2568), dated 24 August 2016, the attached Guidelines for the Protection of Trees On and Adjacent to Demolition/Building Sites and relevant conditions of this Consent.
97. New 1.8m high lapped and capped timber paling or colorbond fences (colour to be sympathetic with the development) determined in consultation with adjoining property owner(s), are to be erected along and within all side and rear boundaries and between courtyards at full cost to the developer, such fencing to be constructed on or within the property boundary. A Statutory Declaration or other documentary evidence of such consultation is to be submitted to the Principal Certifying Authority.
98. Fences are to taper from the front building line to be not more than 900mm high at the front boundary.
99. The boundary interface between the subject property and adjacent dedicated public open space area, Lot 202 in DP 1121844 and Lot 669 in DP 1148337 – Prospect Hill (marked J on landscape plans), shall be delineated by a heavy duty, 2.1metre high, black P/C, rod top and bottom, tubular steel galvanised fence with steel caps. The fence shall have no through access to the adjacent dedicated public open space area (Prospect Hill), incorporate a sub wall and/or concrete edge such that no through access under the fence is possible and be internally screened with suitable native hedge planting. Fencing details to be approved by Council's Parks and Recreation section prior to implementation.
100. Any installation works within the tree protection zone of existing trees along the boundary of Council's reserve, must be supervised and certified by an AQF Level 4 or 5 Consulting Arborist, in accordance with AS 4970-2009.
101. A single master T.V. antenna is to be installed to service each building and provision made for connection to each dwelling within that building.
102. Mailboxes shall not be at 90° to the street and shall be integrated with the overall design.

Underground Cabling

103. All communications cabling shall be installed underground as per relevant authority requirements (including broadband and Category 5).

Underground Power Connection

104. Where electricity reticulation cannot be obtained directly from the street, power connection is to be underground. No intermediate power pole is permitted.

Balconies

105. All balconies that are not provided with masonry balustrading shall be provided with obscure / opaque glazing.

Alarms

106. The developer/builder shall not install any audible intruder alarms within the units. If the building is to be provided with a burglar alarm system, this shall incorporate back to base monitoring such that residents can connect thereto from each individual unit.

Basement Parking

107. A convex mirror is to be provided so that drivers can see up the driveway from within the basement.
108. An intercom device is to be located:
 - i) on the driver's side wall near the security shutter to the basement carpark, so that visitors can access the visitor carparking spaces; and
 - ii) within the basement foyer so that disabled persons can contact any unit if the lift is not working.

Vehicle Cleansing

109. Concrete trucks and trucks used for the transportation of building materials shall not traffic soil, cement or similar materials onto the road. Hosing down of vehicle tyres shall be conducted in a suitable off-street area where wash water is prevented from entering the stormwater system or adjoining property.

Importation of Fill

110. All imported fill shall be validated in accordance with Council's Contaminated Land Policy to ensure that it is suitable for the proposed land use from a contamination perspective.

Additional Information during Remediation/Demolition/Construction

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

Acoustic Management

112. All recommendations provided in the Acoustic Report prepared by Acoustic Logic, Project No. 20161220.1, Revision 0, dated 29 August 2016, shall be implemented in full.

The Principal Certifying Authority (PCA) shall obtain a certificate from an appropriately qualified acoustic consultant, stating that the recommendations outlined in the above stated report have been completed and that relevant noise criteria have been satisfied prior to the issue of any Occupational Certificate.

Any changes made to the proposal that would alter the outcome will require a further assessment and a copy of this further report shall be provided to the PCA for approval and all recommendations of the report shall be adopted, implemented and available upon request of the Council.

Car Park Mechanical Ventilation

113. The car park is to be mechanically ventilated in accordance with the Building Code of Australia, AS1668 and other relevant legislation and standards to adequately remove the Volatile Organic Compounds (VOCs) and other noxious odours.

Inspection of Works

114. The stormwater drainage and/or pollution control devices shall be inspected during construction, by the Council or by a suitably qualified Civil Engineer. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:

- (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of the construction of the pollution control devices.
- (b) After completion of storage but prior to installation of fittings (eg. Screens etc.)
- (c) Final Inspection.

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

Roadworks and Footpaving

115. Pedestrian access, including disabled and pram access, is to be maintained as per Australian Standard AS 1742.3, "Part 3 - Traffic control devices for works on roads.
116. All advisory and regulatory sign posting (for example parking restriction signage, pedestrian crossing signs, warning signs) is to remain in place during construction.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

The following conditions are to be complied with prior to the issue of an occupation certificate:-

Compliance Certificates/Documentary Evidence

- 117. A final clearance is to be obtained from Integral Energy if such clearance has not previously been issued.
- 118. A Section 73 Certificate (Sydney Water) must be submitted to the Principal Certifying Authority prior to occupation of the development.
- 119. A Structural Engineer's certificate from the supervising structural engineer responsible for the design shall be submitted to the Principal Certifying Authority and shall state that all foundation works/reinforced concrete/structural members have been carried out/erected in accordance with the Engineer's requirements and the relevant SAA Codes.

Note: Any such certificate is to set forth the extent to which the engineer has relied on relevant specifications, rules, codes of practice or publications in respect of the construction.

- 120. An Accredited Certifier shall submit to the Principal Certifying Authority a signed checklist as per Appendix A of AS4299-1995 confirming that 62 dwellings have achieved the desired level of adaptability (i.e. "Adaptable House Class A or B").

Public Open Space Dedication

- 121. The proposed public open space (marked H on landscape plans) is to be dedicated to Council as a Public Reserve, to align with the public open space objectives detailed in Council's DCP prior to the issue of an Occupation Certificate.
- 122. Structural Engineers Certification for the shade structures and playground equipment, including critical point footing inspection will be required to be submitted prior to the issue of an Occupation Certificate.

Playground Equipment Certification

- 123. Certification is to be provided to the Principal Certifying Authority (PCA) from the installer of the playground equipment that the equipment has been constructed and installed in accordance with the relevant Australian Standards. If Council is not the PCA, a copy of this certification is to be provided to Council with the Occupation Certificate.

Landscaping/Tree Protection

- 124. Certification is to be provided to the Principal Certifying Authority (PCA), from a suitably qualified person or the designer of the landscape proposal (as appropriate), that all tree planting/landscape works have been carried out in accordance with the endorsed plan. If Council **is** the PCA, the certification is to be submitted to Council prior to or at the final landscape inspection. If Council **is not** the PCA, a copy of the certification is to be provided to Council with the Occupation Certificate.
- 125. Certification is to be provided to the Principal Certifying Authority (PCA) from a suitably qualified and licensed contractor that the specified planter boxes have been waterproofed and drained in accordance with the requirements of the current relevant Australian Standards, any relevant authority regulations and current best work practices. If Council is not the PCA a copy of the certification is to be provided to Council with the Occupation Certificate.

126. Certification is to be provided to the Principal Certifying Authority from a suitably qualified and licensed contractor that the specified fully automated commercial grade irrigation system has been designed and installed to all common planted areas in accordance with the requirements of the current relevant Australian Standards, any relevant authority regulations and current best work practices. If Council is not the PCA, a copy of the certification is to be provided to Council with the Occupation Certificate.
127. Boundary and courtyard fences must be erected and finished in a professional manner.

Parking/Driveway

128. All dwellings/units and associated car parking spaces shall be numbered on site in accordance with numbering on the endorsed plans. These numbers shall also be consistent with any strata plan for the completed development.
129. The driveway shall be signposted indicating availability of visitor off-street parking. Spaces reserved for this purpose shall be marked as such.
130. The vehicle crossing between the street and front boundary shall be constructed of plain concrete with no colour or stencilling.
131. All parking spaces shall be signposted and line marked in accordance with the endorsed signs and line marking plans and Australian Standards (i.e. AS2890.1-2004 and 2890.6-2009).
132. The entry / exit driveway shall be indicated with appropriate signage and line marking to avoid traffic conflict at the driveway.

Lot Consolidation

133. Lots 12 and 13 (DP1162280) to be consolidated into one lot on title and all works shall be completed in accordance with Development Consent 2016/381/1.

House/Street Number

134. A house/street number must be displayed on all newly developed properties in accordance with Council's "Policy on the Display of House Numbers" available from the Customer Services Counter or Council's website, www.cumberland.nsw.gov.au.

Design Verification Statement

135. In accordance with Environmental Planning and Assessment Regulation 2000 and State Environmental Planning Policy (SEPP) 65 "Design Quality of Residential Flat Development", the subject development must be undertaken or directed by a "qualified designer" (i.e., a "registered architect" under the Architects Act). In this regard, a design verification statement shall be submitted to the Principal Certifying Authority (PCA) assessing the development, upon completion of all works subject of this consent and its accompanying construction certificate. The PCA shall ensure that the statement prepared by the qualified designer provides the following:-
 - (i) A valid and current chartered architect's certificate number (as issued by the Board of Architects of NSW);
 - (ii) That the completed development achieves the design quality of the development as shown in the plans and specifications submitted and approved with the Construction Certificate, having regard to the design quality principles set out in Part 2 SEPP 65.

General

136. Documentary evidence and/or certificate of compliance must be submitted to Council to show that all works have been completed in accordance with this Development Consent and its accompanying Construction Certificate.

Noise Compliance Report

137. A noise compliance report shall be submitted to Council prior to the issuing of the Occupation Certificate. The report shall state that the noise reduction measures detailed in the Acoustic Report prepared by Acoustic Logic, Project No. 20161220.1, Revision 0, dated 29 August 2016, have been implemented.

The Principal Certifying Authority (PCA) shall obtain a certificate from an appropriately qualified acoustic consultant, stating that the recommendations outlined in the above stated report have been completed and that relevant noise criteria have been satisfied prior to the issue of any Occupation Certificate.

Certification

138. A copy of the as approved stormwater drainage and Pollution Control Device plan showing work as executed details shall be submitted to Council. The work as executed plan shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention.
139. A certificate of compliance in accordance with Council's standards and specifications for stormwater drainage and Pollution Control Device shall be issued to the Principal Certifying Authority by a suitably qualified Civil Engineer
140. A certificate of compliance for the pump out drainage system of the basement level shall be issued to the Principal Certifying Authority by the pump installers stating that the pump out system has been installed to operate in accordance with the Council requirements and approved drawings.

Covenant and Maintenance Schedule

141. Documents giving effect to the creation of a Positive Covenant and Restriction as to User over the Pollution Control Device and Pumpout system shall be submitted to the authority benefited for approval prior to lodging with the Land and Property Information NSW. The wording of the terms of the Positive Covenant and Restriction on use shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention. The documents shall be approved by the benefiting authority for registration for registration with the Land and Property Information NSW.

NOTE: Prior to release of the documents, the benefiting authority shall be satisfied that the as constructed On-Site Detention system is in accordance with the approved drawings and Council requirements.

The Positive Covenant and Restriction as to User shall be registered with the Land and Property Information NSW within six (6) months from the date of release by the benefiting authority.

142. A maintenance schedule for the stormwater, Pollution Control Device and Pumpout system including a sketch plan of the components forming the sites stormwater drainage and On-Site-Detention system shall be submitted. The maintenance schedule shall be prepared by a qualified hydraulic engineer.

Road Works

143. Four (4) copies of Works as Executed plans together with an electronic copy shall be submitted for the widening of Kuma Place, Pemulwuy and construction of the public road (Kuma Place, Pemulwuy) extension up to the boundary of Lot 12 DP1162280.
144. Any works requiring levels within the road reserve will require the submission of Council's Vehicular Crossing application form.
145. A full width heavy duty vehicular crossing shall be provided opposite the vehicular entrance to the site, with a width of 6.0 metres at the boundary line. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's issued drawings and level sheets.
146. The existing concrete islands, Kerb and Gutter adjacent to the proposed vehicular crossing at the roundabout along Butu Wargun Drive shall be removed and restored (including the construction of footpath) to Councils specifications and satisfaction. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be to Councils satisfaction.
147. The reconstruction of cracked and/or damaged concrete footpath, kerb and gutter, and any associated works along all areas of the site frontage. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing SD 8100 and issued level sheets.
148. A certificate of compliance for the construction of the vehicular crossing/s and roadworks shall be obtained from Council and be submitted to the Principal Certifying Authority.

Clothes drying area

149. Clothes drying area shall be screened from public domain area.

Lighting

150. Adequate lighting shall be provided within the development (i.e. pedestrian access ways, common areas and communal open space, car parking areas and all entries) and shall comply with AS 1680.0:2009.

Air Conditioning

151. At the completion of the installation of the mechanical ventilation system, the Principal Certifying Authority is to be provided with a certificate from the installer that includes:
 - (a) inspection, testing and commissioning details,
 - (b) date of inspection testing and commissioning,
 - (c) the name and address of the individual who carried out the test,
 - (d) statement that the service has been designed, installed and is capable of operating to the above standard.

Fire Safety

152. Submission to Council of a Final Fire Safety Certificate pursuant to Clause 170 of the Environmental Planning and Assessment Regulation 2000 in respect of each essential fire or other safety measure listed on the Fire Safety Schedule attached to the Construction Certificate.

NOTE:

1. Such Certificate shall state, pursuant to Clause 80E in relation to each essential fire safety measure mentioned in the certificate:—
 - that the service has been assessed by a properly qualified person (chosen by the owner of the building); and
 - that the service was found to be, when assessed, capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.
2. The person who carries out the assessment must inspect and verify the performance of each fire safety measure being assessed, and must test the operation of each new item of equipment installed in the building premises that is included in the current fire safety schedules for the building.
3. The assessment must have been carried out within the three (3) months prior to the date on which the final fire safety certificate is issued.

External Walls and Cladding Flammability

153. The external walls of the building including attachments must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of an Occupation Certificate, the Certifying Authority and Principal Certifying Authority must:
- (a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and
 - (b) Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.

Plan of Management

154. The Public open space area (marked H on landscape plans) within the development shall be in accordance with Part P, 2 Public Open Space, of Council's Development Control Plan 2013, and particularly, 2.1 with reference to 2.4 e) Prospect Hill Park, and 8.1 a) C5, Consult the Aboriginal community in naming of these open space areas, and b) C5, Prepare a Plan of Management.

a) C5 Explanatory Note

A sub heading Name of the Public open space area shall be incorporated into a draft Plan of Management for the Public open space area, prepared in accordance with the Local Government Act 1993.

b) C5 Explanatory Note

A sub heading Cultural Heritage shall be incorporated into a draft Plan of Management for the Public open space area which details measures to appropriately manage Aboriginal Cultural issues, prepared in accordance with the Local Government Act 1993.

155. A draft Plan of Management for Public open space areas of community land shall be prepared in accordance with the Local Government Act 1993 and once finalised, be submitted to Council for formal adoption.

CONDITIONS RELATING TO USE

The following conditions are applicable to the use of the development:-

Mechanical Ventilation System – Car Park

156. The car park mechanical ventilation shall be operated and maintained to ensure that it complies with the Building Code of Australia, AS1668 and other relevant legislation and standards to adequately remove the Volatile Organic Compounds (VOCs) and other noxious odours.
157. Noise and vibration from the use of the (mechanical exhaust ventilation) system shall not exceed the background level by more than 5dB(A) and shall not be audible in any premises of a different occupancy between 10.00pm and 7.00am on weekdays and 10.00pm and 8.00am on weekends and public holidays.

Refuse & Trade Waste

158. Waste storage bins must be covered at all times to prevent entry of stormwater or dispersal by wind and must be sealed to prevent leakage.

Maintenance of Waste Storage Area – Residential

159. All waste and recycling containers shall be stored in the designated waste storage area. The body corporate shall be responsible for movement of the waste and recycling containers to the footpath for weekly collections, and the return of waste and recycling containers to the waste storage area. The Body Corporate shall clean the waste storage area, dry arrestor pit and waste collection containers.
160. In the event of Council receiving complaints regarding excessive odour from the garbage bay area, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour emanating from the garbage bay area.

Alarms

161. Where audible intruder alarms are installed in the units by residents, they shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997. (Note: Condition 108 above, prevents the developer/builder from installing audible alarms).
162. Where 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.

Traffic and Parking

163. At least 379 car parking spaces numbered and line marked in accordance with the endorsed plan, are to be made available at all times for residents and visitors' vehicles only in conjunction with the occupation of the building/premises.
164. The entry point shall be provided with a suitable communication system to allow the security gate to be opened remotely by occupants of the building. The width of the access driveway/ramp adjacent to the control devices shall not restrict access for residents / visitors and shall be in accordance with Australian Standards.
165. All vehicles shall enter and leave the site in a forward direction.

166. The size of the largest heavy vehicle that will enter and exit the site shall be restricted to 10.5m vehicle.
167. The operation of the pumps for the basement shall not give rise to an equivalent continuous (LAeq) sound pressure level at any point on any residential property greater than 5dB(A) above the existing background LA90 level (in the absence of the noise under consideration).

Access

168. The use or access through a Council Reserve for adjoining property development purposes is subject to prior approval by Council. Information including guidelines and an application form for park use and access is available on Council's website under:
www.holroyd.nsw.gov.au/your-facilities/park-use-and-access/

Communal Open Space

169. The communal open space including a multipurpose court and community centre (marked A on landscape plans) should not be accessible by the public, including vehicular access (and parking bays).

Air Emissions

170. The use of the premises shall not give rise to air impurities in contravention of the Protection of the Environment Operations Act 1997 and shall be controlled in accordance with the requirements of such Act.
171. In the event of Council receiving complaints regarding air pollution or odour from the premises, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour exiting the premises.

Emergency Procedures

172. The owner of a building to which an essential fire safety measure is applicable must not fail to maintain each essential fire safety measure in the building premises to a standard not less than that specified in the Fire Safety Schedule.

Noise

173. The operation of all plant and equipment shall not give rise to an equivalent continuous (LAeq) sound pressure level at any point on any residential property greater than 5dB(A) above the existing background LA90 level (in the absence of the noise under consideration).
174. In the event of Council receiving complaints regarding excessive noise, the person(s) in control of the premises shall at their own cost arrange for an acoustic investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of noise emanating from the premises.
175. Noise and vibration from the use of the air conditioning system (if any installed) shall not exceed the background level by more than 5dB(A) and shall not be audible in any premises of a different occupancy between 10:00pm and 7:00am on weekdays and 10:00pm and 8:00am on weekends and public holidays.

Mechanical Ventilation

176. Any discharge to the atmosphere from the subject development shall not result in any odour or other air impurity being detected outside the boundaries of the property.

Lighting

177. Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads, and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with AS4282-1997 Control of the obtrusive effects of outdoor lighting.

Clean Water Discharge

178. The operation of the premises shall be conducted in a manner, which does not pollute waters as defined by the Protection of the Environment Operations Act 1997.

Car Wash - Residential

179. Washing of vehicles shall be conducted in a car washbay, which is roofed and bunded to exclude rainwater. The carwash bay shall be regularly cleaned and maintained. Alternative water management and disposal options may be appropriate where water is recycled, minimised or re-used on the site.
180. The car wash bay shall be managed and maintained so that the following requirements are met:
- The Body Corporate or owner should advise all users of the car wash facilities how to operate, maintain and use the equipment so that good housekeeping practices can be adopted at all times.
 - Have clearly visible sign(s) indicating that no degreasing, engine washing or mechanical work is to be undertaken in the car wash bay, informs car wash bay users of how to use and maintain the system, and encourages users to minimise the use of detergents and water.

Landscaping

181. Landscaping adjacent to the driveway shall not restrict pedestrian and vehicular visibility in accordance with Australian Standard 2890.1 – 2004. Regular maintenance shall be undertaken to ensure this requirement is satisfied.

General

182. All privacy measures shall be maintained for the life of the development.

ADVISORY NOTES

Other Necessary Approvals

- A. The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary activity not approved by this consent, including:
- (a) Works, including the pruning or removal of any tree(s) not authorised in the preceding conditions or on the approved plans. Council's Tree Preservation Order protects trees by definition taller than 3.5m or having a trunk circumference exceeding 500mm measured one metre above ground level. If in doubt contact Council's Tree Management Officer.
 - (b) Any fencing located forward of the proposed building and exceeding the limitations specified in Local Environmental Plan 2013, Part 3 *"Exempt and Complying Development"*.
 - (c) The erection of any advertising sign, not being exempt from the need to obtain approval.
 - (d) The installation of any furnace, kilns, steam boiler, chemical plant, sand blast, spray painting booth or the like.

NOTE: * If you carry out building work as an owner builder and sell your home within seven (7) years from the date of completion (date of final occupation certificate), then a Certificate of Insurance must be attached to your Contract of Sale.

- B. Section 97 of the Act provides that an applicant who is dissatisfied with the Council's determination of the Development Application may appeal to the Land and Environment Court within 6 months of the date of determination, or as otherwise prescribed.
- C. Section 82A of the Act provides that an applicant may request, within 6 months of the date of determination of the Development Application, that the Council review its determination (this does not apply to integrated or designated development). A fee is required for this review.

It should also be noted that an application under Section 82A of the Act cannot be reviewed/determined after 6 months of the date of determination. Therefore, the submission of a Section 82A Application must allow sufficient time for Council to complete its review within the prescribed time frame, including the statutory requirement for public notification.

- D. The applicant and Owner are advised that the Commonwealth Disability Discrimination Act 1992 may apply to this particular proposal. Approval of this application does not imply or confer compliance with this Act. Applicants and owners should satisfy themselves as to compliance and make their own enquiries to the Australian Human Rights Commission. Attention is also drawn to the provisions of Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility.
- E. Information regarding the location of underground services may be obtained from Sydney One Call Service (NSW Dial Before You Dig), telephone 1100, Fax 1300 652 077. Inquirers should provide SOCS with the street/road name and number, side of street/road and the nearest cross street/road.
- F. A Construction Certificate shall be obtained in accordance with Section 81A (2)(a) of the Act, prior to the commencement of any work on site. Council can provide this service for you.
- G. An Occupation Certificate is to be issued by the Principal Certifying Authority prior to the occupation of the building.
- H. **BANK GUARANTEES**

Bank guarantees will be accepted from list of banks which have at least an "A" rating from Standard and Poors and at least an "A2" or "Prime-1" standard from Moodys Investor Services.

To enable the bank guarantee to be enforceable during an entire project with consideration for delays, **the guarantee must not contain a facility expiry date.**

To get to Standard and Poors www.standardpoors.com then from Ratings Action choose Ratings Lists. Then click on Financial Institutions followed by clicking on Financial Institutions Counterparty Ratings List. Go to **“Banks”** and download to Australian Banks.

To get to Moodys www.moodys.com then look up Ratings and then Banking and then Bank Ratings list. It will take you to Bank Credit Research page. Look at the table of contents and choose Global Bank Ratings by Country. Look up Australian Banks.

I. SMOKE DETECTORS

A system of self contained smoke alarms complying with the requirements of *AS3786-1993, Smoke Alarms* or listed in the *Scientific Services Laboratory Register of Accredited Products* being installed in the dwelling, connected to the mains power supply and provided with a standby power supply. Alarms are to be positioned on the ceiling and setback a minimum distance of 300mm from any wall. Alarms are to be placed in the vicinity of each area containing bedrooms with a minimum of one (1) alarm required for each storey of the dwelling.

J. TERMITE PROTECTION

Structural members are to be protected from attacked by subterranean termites in accordance with the requirements of *AS3660.1-2000 Protection of building from subterranean termites* and a durable notice must be affixed within the metre box indicating the type of protection, its date of installation, life expectancy of any chemical barrier used, and system maintenance and inspection requirements. A certificate of compliance of the approved system must be submitted to Council or the Principal Certifying Authority on completion of the system installation. With respect to chemical protection, a pipe system shall be installed beneath the slabs plastic membrane to allow re-application of the chemical border.

K. WET AREAS

Wet areas in the dwelling are to be waterproofed in accordance with *AS3740 Waterproofing of wet areas within residential buildings*.

Where Council is the Principal Certifying Authority for the works, the submission of evidence of suitability for the waterproofing product used will be required at the wet area inspection stage. The evidence of suitability is to be in the form of:-

1. A current Certificate of Accreditation for the product.

AND

2. A certificate from the person responsible for the installation of the product advising that the product was applied in accordance with the relevant manufacturers specifications.

Note: Any copy of documentary evidence submitted, must be a complete copy of the original report or document.

L. LANDINGS

A landing having a minimum length of 750mm and a grade no steeper than 1.50, must be provided where the sill of a threshold of a doorway opens onto a stair that provides a change in floor level or

floor to ground level greater than 3 risers or 570mm in accordance with Clause 3.9.1.3 (Stair Construction) of the Building Code of Australia.

M. SARKING

To reduce the risk of injury during works to the roof, sarking with fall arresting ability is to be provided to the underside of the roof. Manufacturers specifications for the sarking is to be submitted to Council prior to its installation.

N. MINIMISING WATER USE

Examples of ways water use can be minimised in the car wash facility are:

- the use of a gun type nozzle on the hose that closes when released and
- filter and recycle wash water where possible.

O. CONSTRUCTION/OCCUPATION CERTIFICATE FEES

An administration fee of \$30.00 per certificate is payable to Council on lodgement of Construction and Occupation Certificates from Principal Certifying Authorities.

P. SOUND TRANSMISSION AND INSULATION

To ensure the amenity of occupants in multi-residential development (Class 2 and 3 buildings and Class 9c Aged Care buildings), separating walls must be constructed in accordance with Part F5 of the Building Code of Australia.

Q. SOUND TRANSMISSION AND INSULATION

To ensure the amenity of occupants in attached residential development (Class 1 buildings), separating walls must be constructed in accordance with Part 3.8.6 of the Building Code of Australia.

R. GLAZING CERTIFICATION

A certificate shall be submitted to the Principal Certifying Authority stating that safety glazing has been used in the building in accordance with AS1288 - "Glass in Buildings - Selection and Installation".

S. FIRE SAFETY

Paths of travel a minimum of 1000mm wide in accordance with D1.6 of the Building Code of Australia are to be clearly defined and line marked on the floor prior to occupation.