

Bayside Council Conditions Summary

General Conditions

The following conditions restrict the work to the detail provided in the Development Application and are to ensure that the development is complete.

1. The term of this consent is limited to a period of five (5) years from the date of the original approval. The consent will lapse if the development does not commence within this time.
2. The development must be implemented substantially in accordance with the plans listed below, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Plan/Dwg No.	Drawn by	Dated	Received by Council
<i>Architectural Plans</i>			
Dwg A050, Rev.A	Architecture & Building Works	14.12.2016	14.12.2016
Dwg A033, Rev. A	Architecture & Building Works	10.08.2018	09.07.2018
Dwg A030, Rev.C	Architecture & Building Works	06.07.2018	09.07.2018
Dwg A001, Rev.D	Architecture & Building Works	06.07.2018	09.07.2018
Dwg A009, Rev.D	Architecture & Building Works	06.07.2018	09.07.2018
Dwg. A010, Rev.D	Architecture & Building Works	06.07.2018	09.07.2018
Dwg. A012, Rev.D	Architecture & Building Works	06.07.2018	09.07.2018
Dwg. A013, Rev.D	Architecture & Building Works	06.07.2018	09.07.2018
Dwg. A014, Rev.D	Architecture & Building Works	06.07.2018	09.07.2018
Dwg. A015, Rev.D	Architecture & Building Works	06.07.2018	09.07.2018
Dwg. A017, Rev.D	Architecture & Building Works	06.07.2018	09.07.2018
Dwg. A018, Rev.D	Architecture & Building Works	06.07.2018	09.07.2018
Dwg. A020, Rev.E	Architecture & Building Works	06.07.2018	09.07.2018
Dwg. A021, Rev.E	Architecture & Building Works	06.07.2018	09.07.2018

Dwg. A022 Rev.E	Architecture & Building Works	06.07.2018	09.07.2018
Dwg. A023, Rev.E	Architecture & Building Works	06.07.2018	09.07.2018
Dwg A011 Rev F	Architecture & Building Works	06.07.2018	09.07.2018
Landscape Plans			
Dwg ISO137DA1, Sheets 1-7 of 7, Issue 'Rev'	Isthmus Pty Ltd	June 2018	09.07.2018
Stormwater Plans			
Dwg 13MB5613/D01 Sheets 1-5 of 5, Issue C	United Consulting Engineers Pty Ltd	11.10.2016	09.07.2018
Documents			
Acoustic Report	Acoustic Noise & Vibration Solutions Pty Ltd	20.07.2017	09.07.2018
Arboricultural Impact Assessment Report	Jacksons Nature Works	12.12.2017	21.12.2017
Geotechnical Investigation Report	EI Australia	15.11.2016	14.12.2016

3. **A Construction Certificate must be obtained from Council or an Accredited Certifier prior to any building work commencing.**
4. The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate Number (501537M_06) other than superseded by any further amended consent and BASIX certificate.
Note: Clause 145(1)(a1) of the Environmental Planning & Assessment Regulation 2000 provides: A certifying authority must not issue a construction certificate for building work unless it is satisfied of the following matters: -
 - (a1) that the plans and specifications for the building include such matters as each relevant BASIX certificate requires.**Note:** Clause 154B(2) of the Environmental Planning & Assessment Regulation 2000 provides: "A certifying authority must not issue a final occupation certificate for a BASIX affected building to which this clause applies unless it is satisfied that each of the commitments whose fulfilment it is required to monitor has been fulfilled."
 Note: For further information please see <http://www.basix.nsw.gov.au>.
5. This approval is not to be construed as permission to erect any structure on or near a boundary contrary to the provisions of the Dividing Fences Act.
6. The materials and façade details approved under condition 2 and any other relevant condition of this consent shall not be altered or amended at the construction certificate stage without a prior S96 application and approval under the EP&A Act.
7. Mail boxes must be installed along the street frontage of the property boundary in accordance with Australia Post Guidelines. Prominent house numbers are to be displayed, with a minimum number size of 150 mm in height for each number and letter in the alphabet.
8. All works are to be carried out in accordance with the integrated development conditions provided by Water NSW and listed at the end of this consent.

9. Affordable Housing

a) That the 23 apartments within the development identified as 'affordable' upon approved plans must be used for the purposes of affordable rental housing for a period of 10 years from the date of the issue of the Occupation Certificate in accordance with clause 17(1)(a) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

(b) The dwellings identified in (a) above shall be managed by a "registered community housing provider".

Note: "Registered Community Housing Provider" has the same meaning as in the Housing Act 2001.

(c) Prior to the issue of the Occupation Certificate, a restriction shall be registered against the title of the property the subject of this application pursuant to the Conveyancing Act 1919 that will ensure that the requirements of (a) and (b) above are met. These provisions may only be varied or extinguished with the written consent of Bayside Council.

10. Amended architectural plans and details shall be provided for approval prior to the issue of the Construction Certificate showing the following changes/additional information:

(a) In addition to the identified affordable rental apartments, Apartment A6.4 shall be an affordable rental apartment.

(b) Provision of a planter box opposite the Lobby A doors to the communal open space and adjacent to the terrace of Apartment BG1 a minimum of 1m wide. The planter box shall be planted with species which will visually soften the outlook from the lobby.

(c) The provision of soft fall material underneath the child play equipment.

(d) An accessible path of travel from the Chandler Street footpath to Lobby B in accordance with AS1428.

(e) The awning to the Chandler Street frontage shall be cut back so that it does not extend any further to the east than the entry ramp to the Commercial Lobby of Building A.

(f) The awning to Ashton Street shall be cut back such that it does not overhang the deep soil landscaping.

(g) A privacy screen to a minimum height of 1.5m shall be provided at the eastern edge of the communal open space (at RL 9). The deep soil planting adjacent to the eastern boundary shall occur at existing ground level.

(h) Provision of storage within each apartment (minimum 50% of the required amount under Part 4G of the Apartment Design Guide). The storage is to be provided in addition to storage in kitchen, bathrooms and bedrooms.

- (i) A privacy screen to a minimum height of 1.5m shall be provided at the eastern edge of the communal open space (at Level 4).
- (j) A privacy screen to a minimum height of 1.5m shall be provided at the southern edge of the southern balconies to Apartments BG1, BG2 and BG3.
- (k) The provision of a screened area to one balcony of each apartment to provide an area where clothes may be dried but not viewed from the public domain or other apartments.
- (l) Details shall be shown on the plans identifying the acoustic mitigation measures contained within the recommendations of the Acoustic Report prepared by Acoustic Noise & Vibration Solutions Pty Ltd, dated 20 July 2017.
- (m) The roller shutter to the garage shall be fitted with noise mitigation measures to ensure it does not bang when it is closed.
- (n) Details of the location of air-conditioners (not to be located on the balconies) and method of noise attenuation.

Development specific conditions

The following conditions are specific to the Development Application proposal.

11. The design and construction of the off-street parking facilities shall Comply with Australian Standards, as follows:
 - (a) Comply with Council's Vehicular Entrance Policy in relation to the design of the access driveways, in particular, the layout of the access driveways shall be provided in the form of a layback in the kerb and gutter.
 - (b) Bicycle parking facilities shall be designed in accordance with AS 2890.3:1993.
 - (c) The off-street parking areas associated with the subject development shall be designed strictly in accordance with AS2890.1 and AS2890.6.
 - (d) Internal height clearance shall be designed throughout the car park and access driveway in accordance with AS2890.1 and AS2890.6.
 - (e) The car parking spaces shall not be enclosed at any time.
 - (f) For parking with people with disabilities, the clearance above the parking bay shall be 2.5 minimum.
 - (g) Allocate all off-street visitor parking, loading bays and car wash bay as 'common property' on any future strata plan of subdivision under the Strata (Freehold) Schemes Act.
 - (h) Sight distances from the proposed vehicular crossings to vehicles on Chandler Street are to be in accordance with the Austroads Guide to Road Design: Part 4A:

Unsignalised and Signalised Intersections (Section 3 – Sight Distance) and AS 2890. Vegetation and proposed landscaping/fencing must not hinder sight lines to and from the vehicular crossings to motorists, pedestrians and cyclists.

(i) The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004, AS2890.6-2009 and AS 2890.2 – 2002 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.

(j) In addition to a Mini SRV loading bay, to make provision for two VAN loading bays having direct access to lift lobbies within the basement.

(k) The VAN loading bays shall be shared with Two (2) visitor parking spaces and be marked for use by a Van for loading and unloading purposes, and be a minimum dimension of 5.4m x 3.0m, with an unrestricted height clearance of 2.3m.

(l) The basement driveway design has to ensure that all traffic give priority to incoming vehicles. Signage and convex mirrors or similar will have to be installed and certified by a professional Traffic Engineer.

(m) The headroom clearance within parking bays below proposed OSD tank areas shall be minimum of 2.2m in height.

(n) Pedestrian zones for Lifts within basement levels shall be provided without having a conflict with vehicular movements.

(o) Swept path diagrams shall also be provided for vehicular movements around basement lift areas.

12. All contractors shall obtain permits for, and comply with permit conditions during all stages of demolition and construction. Refer to Council “Work Activities on Council Sites Application Form” to obtain permits for the following activities listed below. Contractors must have a valid permit prior to undertaking any work or activity within the public domain. Fines apply if an activity commences without a valid permit being issued.

(a) Road, Footpath and Road Related Area Closure (EP05)

This permit will allow the applicant to close a road or part of, footpath or car park to vehicle or pedestrian traffic.

(b) Stand and Operate Registered Vehicle or Plant (EP03)

This permit is used when construction activities involve working from a vehicle parked on the street including mobile crane, concrete truck, concrete pump or other similar vehicles.

(c) Occupy Road with Unregistered Item (EP02)

This permit will allow the applicant to place unregistered items within the roadway including waste containers and skip bins.

(d) Works Zone (EP01)

This permit is used when a statutory work zone is required to conduct construction activities adjacent to the work site. These applications are assessed by Council officers and are referred to the Traffic Committee for approval.

(e) Scaffolding, Hoarding and Fencing (EP04)

This permit applies to all temporary structures to enclose a work area within the public domain. These include site fencing, types A & B hoarding, type A & B hoarding with scaffolding and type B hoarding plus site sheds.

(f) Temporary Shoring/Support (EP09)

This permit will allow the applicant to install temporary support system in or under a public road to support excavation below the existing road surface level. The support systems include ground anchors and shoring.

(g) Tower Crane (EP06)

This permit is used when tower crane(s) are used inside the work site and will swing, slew or hoist over Council property or asset.

(h) Public Land Access (EP08)

This permit is used by applicants to access or occupy Council land including access over plus access over and occupy any part of Council land.

(i) Temporary Dewatering (EP07)

This permit is used when temporary dewatering is required to pump out water from the construction site into Council stormwater drainage system including gutter, pits and pipes. Dewatering management plan and water quality plan are required for this application.

13. All loading, unloading and transfer of goods to and from the loading bay and premises shall take place wholly within the property. Loading areas are to be used only for the loading and unloading of goods, materials etc. not for any other purpose.
14. Loading areas are to be used only for the loading and unloading of goods, materials etc. not for any other purpose.
15. The existing and future owners (Registered Proprietor) of the property will be responsible for the operation and maintenance of the detention and pump system. The registered proprietor will:
 - (i) permit stormwater to be temporarily detained by the system;
 - (ii) keep the system clean and free of silt, rubbish and debris;
 - (iii) maintain, renew and repair the whole or parts of the system so that it functions in a safe and efficient manner, and in doing so complete the same within the time and in the manner specified in written notice issued by the Council;
 - (iv) carry out the matters referred to in paragraphs (ii) and (iii) at the proprietor's expense;
 - (v) not make any alterations to the system or elements thereof without prior consent in writing of the Council;
 - (vi) permit the Council or its authorised agents from time to time upon giving reasonable notice (but at any time and without notice in the case of emergency) to enter and inspect the land for compliance with the requirements of this clause;
 - (vii) comply with the terms of any written notice issued by the Council in respect to the requirements of this clause within the time stated in the notice.
16. All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device shall be disposed of in accordance with

the Protection of the Environment Operations Act, 1997.

17. The rainwater tank shall be routinely de-sludged and all contents from the de-sludging process disposed – solids to the waste disposal and de-sludged liquid to the sewer.
18. The use of the premises, building services, equipment, machinery and, ancillary fittings shall not give rise to an “offensive noise” as defined under the provisions of the Protection of the Environment Operations Act, 1997.
19. The use of mechanical plant including air conditioners, fans, compressors, condensers, freezers, swimming pool or spa pumps (whether commercial or domestic) shall not cause sound pressure levels in excess of the criteria given in the NSW Industrial Noise Policy – 2000.
20. A total of minimum 53 residential, 12 visitors, 7 commercial, a minimum of 4 motorcycle parking spaces, a minimum of 8 bicycle parking spaces and 1 car wash bay shared with visitors for each block, must be provided within the development. The parking must be allocated in accordance with the SEPP (ARH) for residence and Rockdale Development Control Plan (RDCP) 2011 for visitors and car wash bay requirements in accordance with the minimum rates provided in the table below. This parking must be reflected in any subsequent strata subdivision of the development.

Dwelling Size (Proposed No. of units)	Required (minimum)
Residential	53 spaces (including 7 adaptable spaces)
Commercial / Retail	7 car spaces
Visitor	12 spaces (including 1 adaptable space)
Bicycle (Res. + Com.)	8 spaces
Motorcycle (Res + Com.)	4 spaces
Loading Bay	1 mini SRV loading bay and Two (2) visitor parking space shall be marked for use by a Van for loading and unloading purposes, and be a minimum dimension of 5.4m x 3.0m, with an unrestricted height clearance of 2.3m.
Carwash Bay	2 car wash bay (1 each block shared with visitor space-3.5m wide)

Notes:

- 1 All residential visitor spaces, loading bay and car wash bays shall be labelled as common property on the final strata plan for the site.
- 2 The car-wash bays must be connected to the Sydney Water sewer system in accordance with Sydney Water requirements.
- 3 This parking allocation condition applies to any Strata Certificate issued with respect to a Consent issued in accordance with Section 81 (1)(A) of the

Environmental Planning and Assessment Act 1979 or a Complying Development Certificate issued in accordance with Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

21. Bicycle parking facilities shall be designed in accordance with AS2890.3:1993.
22. The off-street parking areas associated with the subject development shall be designed strictly in accordance with AS2890.1 and AS2890.6.
23. Stormwater and drainage systems are not to be located in, or under those areas shown as landscaped beds, or where existing or proposed trees are located.
24. A minimum soil depth of 300mm is required for turfed areas on podiums or roof-tops or any other concrete slab, including the soil above stormwater drainage tanks.
25. A minimum soil depth of 800mm is required for planted areas (other than turf) on podiums or roof-tops or any other concrete slab.
26. Podium landscaping and paved areas shall be drained into the stormwater drainage system. All waterproofing for planters on slab shall be installed and certified by a licensed waterproofing contractor.
27. All playground structures and softfall treatments shall satisfy the relevant AS/NZS standards (AS/NZS 4486.1:1997, AS/NZS 4422:1996).
28. All pavements shall comply with AS/NZ 4586:1999 standards Class W (low) for slip resistance on both private and Council property.
29. The approved completed landscape works shall be maintained for a period not less than 12 months.

On completion of the maintenance period, a Landscape Architect shall provide a report to the certifying authority (with a copy provided to Council if Council is not the principal certifying authority) stating the landscape maintenance has been carried out in accordance with approved landscape plans and designated specifications before release of the nominated landscape bond.

30. A. Prior to the issue of the Construction Certificate the sum of \$1,051.00 is payable to Council for removal of the two Callistemon street trees located adjacent to the site in Chandler Street, however as contractors quotes are usually only valid for periods of up to 30 days, this amount is indicative only and is subject to revision prior to payment. The Applicant is required to contact Council's Customer Service Centre on **1300 581 299** or by email to council@bayside.nsw.gov.au to request the revised quotation.

As street trees are Council assets, removal of the trees must be undertaken by Council or its nominated contractor at the applicant/property owners' cost. Removal or cutting of these trees by anyone other than Council or its nominated contractor will be deemed a breach of Council's Development Consent and may be subject to legal action.

B. The existing street trees located adjacent to the site in Ashton Street shall not be removed or pruned, including root pruning, without the written consent of Council in the form of a Permit issued under Council's Development Control Plan 2011. All other existing trees located within the site may be removed.

C. As recommended in the Arboricultural Impact Assessment Report prepared by

Jacksons Nature Works dated 12 December 2017:

- (i) A Tree Management Plan shall be prepared as part of the Construction Certificate by a Consulting Arborist who holds the Diploma in Horticulture (Arboriculture), Level 5 or above under the Australian Qualification Framework;
- (ii). An AQF Level 5 Project Arborist shall be engaged to supervise the building works and certify compliance with all Tree Protection Measures.

D. Prior to the commencement of demolition and other site works, Tree Protection Zones shall be established in accordance with AS4970-2009 (Protection of trees on Development Sites) with protective fences consisting of chain wire temporary fence panels 1.8 metres in height, braced by steel stakes or concrete blocks as required and fastened together and supported to prevent sideways movement. Existing boundary fences or walls to be retained shall constitute part of the tree protection fence where appropriate. The Tree Protection fences shall remain in place until the completion of all building and hard landscape construction. Excavations for services, waste bins, storage of materials and equipment, site residue, site sheds, vehicle access or cleaning of tools and equipment are not permitted within the Tree Protection Zones at any time. A sign is to be erected on the tree protection fences of the trees to be retained identifying the area as a Tree Protection Zone, advising that "No Access" is permitted.

Additionally trunk protection shall consist of a padding material such as hessian or thick carpet underlay wrapped around the trunk. Hardwood planks (50mm x 100mm or similar) shall be placed over the padding and around the trunk of the tree at 150mm centres. The planks shall be secured with 8-gauge wire or hoop steel at 300mm spacing. Trunk protection shall extend a minimum height of 2 metres or to the maximum possible length permitted by the first branches on tree 1, 2, 3, 4, 5 & 6 as identified in the Arboricultural Impact Assessment Report prepared by Jacksons Nature Works dated 12 December 2017.

E. (i) Where drainage or paving works are proposed to be constructed in the area below the dripline of trees, the proposed works and construction methods must not damage the tree. The works must be approved and supervised by the Project Arborist.

(ii) Underground Services such as pipelines or cables to be located close to trees must be installed by boring or by such other method that will not damage the tree rather than open trench excavation. The works must be approved and supervised by the Project Arborist.

(iii) Existing soil levels within the drip line of trees to be retained shall not be altered without the approval of the Project Arborist.

31. Prior to the issue of the Construction Certificate for the relevant stage of works, the following details shall be submitted to the Principal Certifying Authority in relation to the awning over the Princes Highway and Chandler Street frontages:
- i. Detailed design plans and specifications, including structural details and,
 - ii. Design certificate.

The awning shall be designed by a Chartered Professional Engineer (Structural). Awning design shall comply with following requirement of Rockdale Development

Control Plan section 5.3:

- a) minimum soffit height of 3.3m;
- b) maximum fascia height of 600mm;
- c) minimum setback from edge of kerb of 600 mm;
- d) maximum step of 900mm on sloping sites, which must not compromise environmental protection.

Following completion of the installation of the awning a certificate from a Chartered Professional Engineer (Structural) shall be submitted to Bayside Council stating that the awning has been constructed in accordance with the design plans and specifications.

Subject to compliance with the requirements above, Bayside Council grants approval pursuant to Section 138 of the Roads Act 1993. Council's approval remains whilst the structure is in place and the structural stability of the awning is not compromised. Maintenance of the awning is the responsibility of the owner of the land.

32. Adopt and implement all recommendations contained in the Acoustic Report prepared by Acoustic Noise & Vibration Solutions Pty Ltd, titled 'Acoustic Report – Traffic Noise, Aircraft Noise, Acoustic insulation between floors & walls; star rating; & mechanical ventilation system – for proposed development at 648-652 Princes Highway, 1-3 Ashton Street, Rockdale' dated 20 July 2018 (Ref No. 2013-238 Rev 2).

Prior to issue of the construction certificate

The following conditions must be completed prior to the issue of the Construction Certificate.

33. A Construction Management Plan (CMP) shall be prepared in accordance with the requirements of all relevant regulatory approval bodies. Prior to the commencement of works the Certifying Authority shall be satisfied that the Construction Management Plan has obtained all relevant regulatory approvals. The Construction Management Plan shall be implemented during demolition, excavation and construction.

Prior to the issue of the relevant Construction Certificate, a Construction Traffic Management Plan (TMP) prepared by a suitably qualified person shall be submitted to and approved by the Certifying Authority. The Plan shall address, but not be limited to, the following matters:

- (a) ingress and egress of vehicles to the site;
- (b) loading and unloading, including construction zones;
- (c) predicted traffic volumes, types and routes; and
- (d) pedestrian and traffic management methods.

Note: The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with Austroads. A swept path plan shall be submitted to the Certifying Authority for approval illustrating compliance with this requirement, prior to the release of the Construction Certificate.

Any proposed landscaping, fencing or signage is not to impede the desired sight

lines of all road users including pedestrians and cyclists.

All road works / regulatory signposting associated with the proposed development shall be at no cost to the Council or RMS.

Copies of the CMP and TMP shall be submitted to Council.

34. The following fees shall be paid to Council prior to the issue of a Construction Certificate. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
- i. A Footpath Reserve Restoration Deposit of \$63,310. This is to cover repair of any damages, or other works to be done by Council. This includes construction, removal, or repair as required to: kerb and guttering, existing or new driveways; paved areas and concrete footpaths. The deposit may be lodged with Council in the form of a Bank Guarantee (Any proposed Bank Guarantee must not have an expiry date). The deposit will not be returned by Council until works are completed and all damage is restored and all specified works are completed by Council. *Note: The developer is to contact Telstra (Mark Schneider ph. 8841 5185) prior to the lodgement / payment of the FCD, in relation to ensuring the Telstra network surrounding the site is adequately protected, prior to the commencement of any works.*
 - ii. An environmental enforcement fee of 0.25% of the cost of the works.
 - iii. A Soil and Water Management Sign of \$17.50.
35. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.
36. A Section 94 contribution of **\$367,269.50** shall be paid to Council. Such contributions are only used towards the provision or improvement of the amenities and services identified below. The amount to be paid is adjusted at the time of payment, in accordance with the contribution rates contained in Council's current Adopted Fees and Charges. The contribution is to be paid prior to the issue of **any construction certificate for works above the floor level of the ground floor. (Payment of the contribution is not required prior to any separate construction certificates issued only for demolition, site preparation works and the construction of basement levels)**. The contribution is calculated from Council's adopted Section 94 contributions plan in the following manner:

Open Space Contribution	\$ 281,646.31
Car Parking Contribution	\$ -
Town Centre / Streetscape Contribution	\$ 14,362.89
Pollution Control Contribution	\$ 41,439.51
Administration & Management Contribution	\$ 1,727.81
Community Facilities & Services Contribution	\$ 28,092.98

Total contribution in 2018/19 \$ 367,269.50

Copies of Council's Section 94 Contribution Plans may be inspected at Council's Customer Service Centre, Administration Building, 444-446 Princes Highway,

Rockdale.

37. A noise management plan prepared by an appropriately qualified acoustical consultant eligible for membership of the Association of Australian Acoustic Consultants must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The plan must include, but not be limited to, the following:

- a. identify sensitive locations near the site;
- b. identify potential impacts (ie. exceedence of the goals at the identified locations);
- c. identify mitigation measures to control noise and vibration from the site, the reduction in noise and vibration likely and the feasibility and reasonableness of these measures;
- d. selection criteria for plant and equipment;
- e. community consultation;
- f. details of work schedules for all construction phases;
- g. selection of traffic routes to minimise residential noise intrusion;
- h. schedule of plant and equipment use and maintenance programs;
- i. noise monitoring techniques and method of reporting results;
- j. the methodology to be employed for handling and investigating any complaints should they arise;
- k. site induction details for employees and contractors; and
- l. a declaration of available technologies and the reason for the selection of the preferred technology from a noise generating perspective should be included.

The approved plan must be complied with at all times.

38. Telstra

Telstra network is located adjacent to this development in Ashton St, Princes Hwy and Chandler St. Access to each pit and elevated joint pillar must be maintained at all times. In the event hoarding is placed around the development, consideration needs to be given to enable necessary clearance for Telstra to access its pits around the site and the elevated pillar in Princes Hwy.

Telstra requests that any footpath construction works or work in general observes a duty of care when in close proximity of Telstra network. Telstra requests notification to inspect its network prior to your Council accepting the footpath form the developer.

The developer is requested to contact Telstra on 1800 810 443 for advise for protecting the Telstra network at this location.

39. The applicant shall confer with Energy Australia to determine if an electricity distribution substation is required. Written confirmation of Energy Australia's requirements shall be obtained prior to issue Construction Certificate.
40. (a) The applicant shall confer with Ausgrid to determine if an electricity distribution substation and/or the installation of electricity conduits in the footway is required. The applicant shall confer with Ausgrid to determine if satisfactory clearances to any existing overhead High Voltage mains will be affected.

(b) All low voltage street mains in that section of the street/s adjacent to the development shall be placed underground. This shall include any associated services and the installation of underground supplied street lighting columns where necessary

Written confirmation of Ausgrid's requirements shall be obtained prior to issue Construction Certificate.

41. Any building proposed to be erected over or near the existing Sydney Water pipeline is to be approved by Sydney Water. A copy of Sydney Water's approval and requirements are to be submitted to Council prior to issuing a Construction Certificate.
42. Prior to the issue of the Construction Certificate, the approved plans must be submitted to Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

Sydney Water's Tap in™ online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

43. Details shall be submitted to Council for assessment and approval pursuant to Section 138 of the Roads Act 1993 in relation to the following:
 - (a) Construction of footpath and streetscape works.
 - (b) Public domain and drainage works.
 - (i) Footpath alignment, width and surface finish;
 - (ii) Landscaping and tree planting areas
 - (iii) Street lighting layout and details;
 - (iv) Drainage plus kerb & gutter alignment and details;
 - (v) Relocation of power poles and bus stop signs and furniture.
 - (c) Construction of vehicular entrance.
44. Prior to issue of the Construction Certificate, a longitudinal driveway profile shall be submitted to Principal Certifying Authority for assessment and approval. The profile shall start in the centre of the road and be along the critical edge (worst case) of the driveway. Gradients and transitions shall be in accordance with Council's Code. The profile shall be drawn to a scale of 1 to 25 and shall include all relevant levels, grades (%) and lengths.
45. Prior to the issue of the construction certificate approval from the utility provider is required for the works the existing utility with the road reserve fronting boundary. You are required to consult with your utility providers (i.e. Energy Aust, Telstra etc) in order to fully understand their requirements before commencement of any work.
46. As the basement floor are being proposed closer to existing built structures on neighbouring properties, which may be in the zone of influence of the proposed works and excavations on this site, a qualified practising geotechnical engineer must;
 - (a) All recommendations contained in the report prepared by Environmental Investigations Australia, Report No. E23138 GA, dated 15 November 2016 shall be implemented.

- (b) Provide a certificate that the construction certificate plans are satisfactory from a geotechnical perspective and
- (c) Confirm that the proposed construction methodology
To prepare a Construction Methodology report demonstrating that the proposed construction methods (including any excavation, and the configuration of the built structures) will have no adverse impact on any surrounding property and infrastructure. The report must be submitted with the application for a Construction Certificate for the relevant stage of works.
- (d) Inspect the works as they progress. The Inspections are to occur at frequencies determined by the geotechnical engineer.
- (e) The geotechnical engineer to comment on proposed stormwater drainage design for the basement area, mainly on AGG line connections / permanent dewatering and a tanked basement structure.

NB: (i) If the proposed construction of the basement carpark impedes the water table, thus requiring dewatering of the site, the application is Integrated Development.

(ii) From the proposed basement pumped discharge drainage systems are permitted subject to complying with the design criteria listed in DCP.

(iii) The design of the basement structure will require consideration of the effects of the water table, both during and after construction (Tanking/waterproofing).

(f) Where a Private Certifier issues the Construction Certificate a copy of the above documentation must be provided to Council, once the Construction Certificate is issued for the relevant stage of works.

Note: A failure by contractors to adequately assess and seek professional engineering (geotechnical) advice to ensure that appropriate underpinning and support to adjoining land is maintained prior to commencement may result in damage to adjoining land and buildings. Such contractors are likely to be held responsible for any damages arising from the removal of any support to supported land as defined by section 177 of the Conveyancing Act 1919.

47. Vibration monitoring equipment must be installed and maintained, under the supervision of a professional engineer with expertise and experience in geotechnical engineering, between any potential source of vibration and any building identified by the professional engineer as being potentially at risk of movement or damage from settlement and/or vibration during the excavation and during the removal of any excavated material from the land being developed.

If vibration monitoring equipment detects any vibration at the level of the footings of any adjacent building exceeding the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity an audible alarm must activate such that the principal contractor and any sub-contractor are easily alerted to the event.

Where any such alarm triggers all excavation works must cease immediately.

Prior to the vibration monitoring equipment being reset by the professional engineer and any further work recommencing the event must be recorded and the cause of the event identified and documented by the professional engineer.

Where the event requires, in the opinion of the professional engineer, any change in work practices to ensure that vibration at the level of the footings of any adjacent building does not exceed the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity these changes in work practices must be documented and a written direction given by the professional engineer to the principal contractor and any sub-contractor clearly setting out required work practice.

The principal contractor and any sub-contractor must comply with all work directions, verbal or written, given by the professional engineer.

A copy of any written direction required by this condition must be provided to the Principal Certifying Authority within 24 hours of any event.

Where there is any movement in foundations such that damaged is occasioned to any adjoining building or such that there is any removal of support to supported land the professional engineer, principal contractor and any sub-contractor responsible for such work must immediately cease all work, inform the owner of that supported land and take immediate action under the direction of the professional engineer to prevent any further damage and restore support to the supported land.

Notes:

- 1 Professional engineer has the same mean as in Clause A1.1 of the BCA.
- 2 Building has the same meaning as in section 4 of the Act i.e. "building includes part of a building and any structure or part of a structure".
- 3 Supported land has the same meaning as in section 88K of the Conveyancing Act 1919.

48. Any sub-surface structure within the highest known groundwater table + 0.5m shall be designed with a waterproof retention system with adequate provision for future fluctuation of the water table. The subsurface structure is required to be designed with consideration of uplift due to water pressure and "flotation" (buoyancy) effects. Subsoil drainage around the subsurface structure must allow free movement of groundwater around the structure. The design of the subsurface structure, waterproofing, and subsoil drainage shall be undertaken by a suitably experienced Chartered Professional Engineer(s). Design details and construction specifications shall be included in the documentation accompanying the Construction Certificate for the relevant stage of works.

A design certificate is required to be submitted for the design of the Basement system including shoring wall. The certificate shall be issued by a Chartered Professional Engineer competent in Structural engineering.

The design of the basement and any other underground structure or excavation shall take into consideration geotechnical recommendations.

Notes:

- 1 After construction is completed no seepage water is to discharge to the kerb. Permanent dewatering will not be permitted.
 - 2 Continuous monitoring of groundwater levels may be required.
49. The Low-Level Driveway Prevent Inflow – from road reserve up to 1% AEP flood water must be designed to prevent inflow of water from the road reserve. The

assessment of flows and design of prevention measures shall be in accordance with the requirements of Rockdale Technical Specification Stormwater Management.

Details shall be included in the documentation presented with the Construction Certificate application.

50. A visitor car space shall also operate as a car wash bay in each building. A tap shall be provided. A sign shall be fixed saying 'Car Wash Bay'. The runoff shall be directed and treated as per Rockdale Technical Specification Stormwater Management. Details shall be provided with the plans accompanying the Construction Certificate.
51. Prior to the issue of the Construction Certificate, amended detailed drainage design plans for the management of stormwater are to be submitted to the Principal Certifying Authority for assessment and approval. Design certification, in the form specified in Rockdale Technical Specification Stormwater Management, and drainage design calculations are to be submitted with the plans. Council's Rockdale Technical Specification Stormwater Management sets out the minimum documentation requirements for detailed design plans. Stormwater management requirements for the development site, including the final discharge/end connection point, must comply with Rockdale Technical Specification Stormwater Management.

The drainage plans must show how groundwater is managed within the basement including shoring walls, temporary and permanent.

Subsoil drainage shall be provided and designed to allow the free movement of groundwater around any proposed structure.

The design shall take into consideration geotechnical recommendations.

Notes:

1 The subsoil drainage for groundwater management for the proposed development should be in accordance with the requirements of DCP 4.1.3, 4.1.4 and Rockdale Technical Specification – Stormwater Management.

2 The basement pumpwell size shall be in accordance with Clause 4.2.4 of DCP2011- Technical Specification for Stormwater Management.

3 Implement all recommendations contained in the geotechnical investigation report prepared by Environmental Investigations Australia, Report No. E23138 GA, dated 15 November 2016.

4 The low-level driveway shall be protected from street gutter flows. The design of the basement carpark access ramp crest level is to be 100mm above the 1 in 100 year Gutter flow.

5 To incorporate an oil separator in accordance with Rockdale Technical Specification – Stormwater Management, section 7.5.4.

6 In accordance with the Consultant Arborist report to relocate proposed stormwater kerb outlet to Ashton Street to avoid conflict with a street tree adjacent to the northeastern corner of the above site.

52.
 - The Principal Certifying Authority shall not issue a Construction Certificate until a detailed acoustic assessment /report of all mechanical plants (ventilation systems, exhaust fans, ventilation fans and condenser units) and equipment including air-conditioners which meet the NSW EPA Industrial Noise Policy and Protection of Environment Operations Act 1997 noise emission criteria for residential air –conditioners has been carried out.

The acoustic assessment / report shall include at least the following information:

- the name and qualifications or experience of the person(s) preparing the report
- the project description, including proposed or approved hours of operation
- relevant guideline or policy that has been applied
- results of background and any other noise measurements taken from most noise affected location at the boundary line
- meteorological conditions and other relevant details at the time of the measurements
- details of instruments and methodology used for noise measurements (including reasons for settings and descriptors used, calibration details)
- a site map showing noise sources, measurement locations and potential noise receivers
- noise criteria applied to the project
- noise predictions for the proposed activity
- a comparison of noise predictions against noise criteria
- a discussion of proposed mitigation measures, the noise reduction likely and the feasibility and reasonableness of these measures
- how compliance can be determined practically

The report shall be prepared by a suitably qualified and experienced acoustic engineer (who is a member of either the Australian Acoustical Society or the Association of Australian Acoustical Consultants). It shall be submitted to the Principal Certifying Authority. All recommendations and/or noise mitigation measures (If applicable) shall be complied with.

53. Prior to the issue of the construction certificate approval from the utility provider is required for the works the existing utility with the road reserve fronting boundary. You are required to consult with your utility providers (i.e. Energy Aust, Telstra etc) in order to fully understand their requirements before commencement of any work.
54. Prior to the issue of a Construction Certificate for building works, the Certifying Authority shall ensure that a letter from a qualified practicing Traffic Engineer registered on the National Engineering Register (NER), or a Compliance Certificate (issued in accordance with Section 109C of the Environmental Planning and Assessment Act 1979), has been issued to the Certifying Authority stating that the design of the off-street parking facilities including access comply with the conditions of consent.
55. Prior to the issue of a Construction Certificate for building works, the Certifying Authority shall ensure that a letter from a qualified practicing Traffic Engineer registered on the National Engineering Register (NER), or a Compliance Certificate (issued in accordance with Section 109C of the Environmental Planning and Assessment Act 1979), has been issued to the Certifying Authority stating that the design of the off-street parking facilities including access comply with the conditions of consent.

Prior to commencement of works

The following conditions must be completed prior to the commencement of works.

56. A dilapidation survey shall be undertaken of all properties and/or Council infrastructure, including but not limited to all footpaths, kerb and gutter, stormwater inlet pits, and road carriageway pavements, in the vicinity which could be potentially affected by the construction of this development. Any damage caused to other properties during construction shall be rectified. A copy of the dilapidation survey and

an insurance policy that covers the cost of any rectification works shall be submitted to the Accredited Certifier (AC) or Council prior to Commencement of Works. The insurance cover shall be a minimum of \$10 million.

57. Prior to the commencement of any work on site, a sign shall be placed in a prominent position on each protective fence identifying the area as a Tree Protection Zone and prohibiting vehicle access, waste bins, storage of materials and equipment, site residue and excavations within the fenced off area.
58. Where it is necessary to import landfill material onto the site to fill the land to levels shown on the plans forming part of the consent, a certificate, prepared by a suitably qualified and experienced Contaminated Land Consultant, shall be submitted to Council being the Regulatory Authority prior to the commencement of works, certifying that the imported fill is suitable for the land use.
59. The site shall be secured by a 1800 mm (minimum) high temporary fence for the duration of the work. Gates shall be provided at the opening points.
60. Where construction/building works require the use of a public place including a road or footpath, approval under Section 68 of the Local Government act 1993 for a Barricade Permit is to be obtained from Council prior to commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.
61. (a) A hoarding or fence shall be erected between the work site and the public place when the work involved in the erection or demolition of a building:
 - (i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (ii) building involves the enclosure of a public place,
- (b) Where the development site adjoins a public thoroughfare, the common boundary between them must be fenced for its full length with a hoarding, unless, the least horizontal distance between the common boundary and the nearest part of the structure is greater than twice the height of the structure. The hoarding must be constructed of solid materials (chain wire or the like is not acceptable) to a height of not less than 1.8m adjacent to the thoroughfare.
- (c) Where a development site adjoins a public thoroughfare with a footpath alongside the common boundary then, in addition to the hoarding required above, the footpath must be covered by an overhead protective structure, type B Hoarding, and the facing facade protected by heavy duty scaffolding unless either:
 - (i) the vertical height above footpath level of the structure being demolished is less than 4m; or
 - (ii) the least horizontal distance between footpath and the nearest part of the structure is greater than half the height of the structure.

The overhead structure must consist of a horizontal platform of solid construction and vertical supports, and the platform must -

- (i) extend from the common boundary to 200mm from the edge of the carriageway for the full length of the boundary;
 - (ii) have a clear height above the footpath of not less than 2.1m;
 - (iii) terminate not less than 200mm from the edge of the carriageway (clearance to be left to prevent impact from passing vehicles) with a continuous solid upstand projecting not less than 0.5m above the platform surface; and
 - (iv) together with its supports, be designed for a uniformly distributed live load of not less than 7 kPa
- The 'B' Class hoarding is to be lit by fluorescent lamps with anti-vandalism protection grids. Any such hoarding, fence or awning is to be removed when the work has been completed.

- (d) The principal contractor or owner builder must pay all fees and rent associated with the application and occupation and use of the road (footway) for required hoarding or overhead protection.
62. Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.
63. A system of fire and smoke alarms and/or detection system (as applicable) shall be provided throughout the building. Details shall be submitted for assessment and approval prior to commencement of works.
64. Consultation with EnergyAust, Telstra and Sydney Water is essential prior to commencement of work. Failure to notify EnergyAust, Telstra and Sydney Water may involve unnecessary expense in circumstances such as:
- (a) where the point of connection and the meter board has been located in positions other than those selected by Ausgrid or
 - (b) where the erection of gates or fences has restricted access to metering equipment.
65. Where clearances to any existing overhead High Voltage mains are affected, the builder shall make arrangements with Ausgrid for any necessary modification to the electrical network in question. These works shall be at the applicant's expense. Ausgrid's requirements under Section 49 Part 1 of the Electricity Supply Act 1995 shall be met prior to commencement of works or as agreed with Ausgrid.
66. Prior to the commencement of any works, a report must be prepared by a suitably qualified person in relation to the existing building fabric to be demolished and/or disturbed identifying the presence or otherwise of asbestos contamination and, if asbestos contamination is present, making recommendations as to the work required to safely address the contamination.

Any demolition works or other works identified in the report as having to be carried out must be carried out in accordance with the recommendations of the report and the following:

- i. the removal of asbestos must be undertaken by a WorkCover licensed contractor
- ii. all removal must be in strict accordance with the requirements of the WorkCover Authority in relation to the removal, handling and disposal of material containing asbestos and any Work Safe Australia requirements
- iii. during the removal of any asbestos a sign stating "DANGER ASBESTOS REMOVAL IN PROGRESS" must be erected in a visible position at the boundary of the site; and,
- iv. Waste disposal receipts must be provided to the Certifying Authority as proof of correct disposal of asbestos laden waste.

The report must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the report, and other plans, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

During demolition / excavation / construction

The following conditions must be complied with during demolition, excavation and or construction.

67. A copy of the Construction Certificate and the approved plans and specifications must be kept on the site at all times and be available to Council officers upon request.
68. Hours of construction shall be confined to between 7 am and 6.30 pm Mondays to Fridays, inclusive, and between 8 am and 3.30 pm Saturdays with no work being carried out on Sundays and all public holidays.
69. For Class 2, 3 and 4 structures, the building works are to be inspected during construction, by the principal certifying authority (or other suitably qualified person on behalf of the principal certifying authority) to monitor compliance with Council's approval and the relevant standards of construction encompassing the following stages:
 - i. after excavation for, and before the placement of, any footing, and
 - ii. prior to covering waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within a building, and
 - iii. prior to covering any stormwater drainage connections, and
 - iv. after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Documentary evidence of compliance with Council's approval and relevant standards of construction is to be obtained prior to proceeding to the subsequent stages of construction and copies of the documentary evidence are to be maintained by the principal certifying authority and be made available to Council officers upon request.

70. Ground water shall only be pumped or drained to Council's stormwater system if the water is clean and unpolluted. The standard used to determine the acceptability of the quality of the water is the 'Australian and New Zealand Environment and Conservation Council - Australian Water Quality Guidelines for Fresh and Marine Waters 1992'.

Note: Prior treatment and/or filtration of the water may be necessary to achieve acceptable quality, including a non-filterable residue not exceeding 50 milligrams/litre or small quantities may be removed by the services of a Licenced Liquid Waste Transporter. It is an offence under the provisions of the Protection of the Environment Operations Act 1997 to pollute the stormwater system.

71. Demolition operations shall not be conducted on the roadway or public footway or any other locations, which could lead to the discharge of materials into the stormwater drainage system.
72. A Registered Surveyor's check survey certificate or compliance certificate shall be forwarded to the certifying authority detailing compliance with Council's approval at the following stage/s of construction:
 - (a) After excavation work for the footings, but prior to pouring of concrete, showing the area of the land, building and boundary setbacks.
 - (b) Prior to construction of each floor level showing the area of the land, building and boundary setbacks and verifying that the building is being constructed at the approved level.
 - (c) Prior to fixing of roof cladding verifying the eave, gutter setback is not less than that approved and that the building has been constructed at the approved levels.
 - (d) On completion of the building showing the area of the land, the position of the building and boundary setbacks and verifying that the building has been constructed

at the approved levels.

(e) On completion of the drainage works (comprising the drainage pipeline, pits, overland flow paths, on-site detention or retention system, and other relevant works) verifying that the drainage has been constructed to the approved levels, accompanied by a plan showing sizes and reduced levels of the elements that comprise the works.

73. The following conditions are necessary to ensure minimal impacts during construction:

- i. Building, demolition and construction works not to cause stormwater pollution and being carried out in accordance with Section 2.8 of Council's Stormwater Pollution Control Code 1993. Pollutants such as concrete slurry, clay and soil shall not be washed from vehicles onto roadways, footways or into the stormwater system. Drains, gutters, roadways and access ways shall be maintained free of sediment. Where required, gutters and roadways shall be swept regularly to maintain them free from sediment.
- ii. Stormwater from roof areas shall be linked via a temporary downpipe to an approved stormwater disposal system immediately after completion of the roof area.
- iii. All disturbed areas shall be stabilised against erosion within 14 days of completion, and prior to removal of sediment controls.
- iv. Building and demolition operations such as brickcutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- v. Stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval has been granted. In addition stockpiles of topsoil, sand, aggregate, soil or other material shall be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.
- vi. Wind blown dust from stockpile and construction activities shall be minimised by one or more of the following methods:
 - a) spraying water in dry windy weather
 - b) cover stockpiles
 - c) fabric fences
- vii. Access to the site shall be restricted to no more than two 3m driveways. Council's footpath shall be protected at all times. Within the site, provision of a minimum of 100mm coarse crushed rock is to be provided for a minimum length of 2 metres to remove mud from the tyres of construction vehicles.

An all weather drive system or a vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street. Vehicular access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where any sediment is deposited on roadways it is to be removed by means other than washing and disposed of appropriately.

In addition builders / demolishers are required to erect a 1.5m high fence along the whole of the street alignment other than at the two openings. Such

protection work, including fences, is to be constructed, positioned and maintained in a safe condition to the satisfaction of the Principal Certifying Authority, prior to the demolition of the existing structures and commencement of building operations.

- viii. Any noise generated during construction of the development shall not exceed limits specified in any relevant noise management policy prepared pursuant to the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the site.

- 74. Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction. A copy of the sign is available from Council.

Prior to issue of occupation certificate or commencement of use

The following conditions must be complied with prior to issue of the Occupation Certificate or Commencement of Use.

- 75. An Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of the building.
- 76. Where Council's park/reserve is damaged as a result of building work or vehicular building traffic, this area shall be restored by Council at the applicant's expense. Repairs shall be completed prior to the issue of the Occupation Certificate.
- 77. All excess excavated material, demolition material, vegetative matter and builder's rubbish shall be removed to the Waste Disposal Depot or the Regional Tip prior to final inspection.
Note: Burning on site is prohibited.
- 78. All landscape works are to be carried out in accordance with the approved landscape plans prior to the issue of an Occupation Certificate for the approved development. The landscaping is to be maintained to the approved standard at all times.
- 79. All works within the road reserve, which are subject to approval pursuant to Section 138 of the Roads Act 1993, shall be completed and accepted by council.
- 80. Where an electricity substation is required by EnergyAust, a final film survey plan shall be endorsed with an area having the required dimensions as agreed with EnergyAust over the location of the proposed electricity distribution substation site. The substation must be located within the boundary of the development site, or within the building, subject to compliance with the BCA. The substation site shall be dedicated to Council as public roadway, or as otherwise agreed with EnergyAust. EnergyAust's requirements shall be met prior to release of the issue of the Occupation Certificate.
- 81. Vehicles shall enter and exit the site in a forward direction at all times. A plaque with minimum dimensions 300mm x 200mm shall be permanently fixed to the inside skin of the front fence, or where there is no front fence a prominent place approved by the Principal Certifying Authority, stating the following: "Vehicle shall enter and exit the site in a forward direction at all times".
- 82. Prior to completion of the building works, a full width vehicular entry is to be constructed to service the property. Any obsolete vehicular entries are to be removed and reconstructed with kerb and gutter. This work may be done using either a Council quote or a private contractor. There are specific requirements for approval of private contractors.

83. Convex mirrors shall be installed at blind corners to provide increased sight distance for vehicles.
84. Bollard(s) shall be installed by the Developer on adaptable shared spaces
85. 72 off-street car spaces including 8 adaptable spaces, 1 Mini SRV loading bay and Two (2) VAN spaces (bay width of 3.0m) shared with visitor car spaces bay shall be provided in accordance with the submitted plan and shall be linemarked to Council's satisfaction. The pavement of all car parking spaces, manoeuvring areas and internal driveways shall comply with Australian Standard AS 3727 – Guide to Residential Pavements.
86. Prior to the issue of the Final Occupation Certificate, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

It is recommended that applicants apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

87. Prior to occupation, a registered surveyor shall certify that the driveway(s) over the footpath and within the property have been constructed in accordance with the approved driveway profile(s). The certification shall be based on a survey of the completed works. A copy of the certificate and a works-as-executed driveway profile shall be provided to Council if Council is not the Principal Certifying Authority.
88. Testing and evaluation of the wall insulation system is to be carried out at post construction stage by a suitably qualified acoustical engineer to show an Acoustical Star Rating of 5 has been achieved in accordance with the standards prescribed by the Association of Australian Acoustical Consultants (AAAC) in accordance with the report submitted to Council with the Development Application. A report is to be submitted to the Principal Certifying authority prior to the issue of the Occupation Certificate.
89. The noise reduction measures specified in the noise report prepared by Acoustic Noise & Vibration Solutions Pty Ltd, titled 'Acoustic Report – Traffic Noise, Aircraft Noise, Acoustic insulation between floors & walls; star rating; & mechanical ventilation system – for proposed development at 648-652 Princes Highway, 1-3 Ashton Street, Rockdale' dated 20 July 2018 (Ref No. 2013-238 Rev 2) shall be validated by a Certificate of Compliance prepared by the acoustic consultant and submitted to the Principal Certifying Authority (PCA) prior to the issue of an Occupation Certificate. If Council is not the PCA, a copy shall be submitted to Council concurrently.
90. A Landscape Architect shall provide a report to the certifying authority (with a copy provided to Council, if Council is not the principal certifying authority) stating that the landscape works have been carried out in accordance with the approved plans and documentation.
91. Prior to occupation, a chartered professional engineer shall certify that the Basement structure tanking and waterproofing has been constructed in accordance with the approved design and specification. A copy shall be provided to Council if the Council is not the Principal Certifying Authority.
92. Prior to occupation a Chartered Professional Engineer shall certify that the stormwater system has been constructed in accordance with the approved plans and

as required by Rockdale Technical Specification Stormwater Management. The certificate shall be in the form specified in Rockdale Technical Specification Stormwater Management and include an evaluation of the completed drainage works. A works-as-executed drainage plan shall be prepared by a registered surveyor based on a survey of the completed works. A copy of the certificate and works-as-executed plan(s) shall be supplied to the Principal Certifying Authority. A copy shall be provided to Council if Council is not the Principal Certifying Authority.

93. The underground garage shall be floodproofed to a minimum of 100mm above the 1% Annual Exceedance Probability Gutter flow. The levels shall be certified by a registered surveyor prior to construction of the driveway or other openings.
94. Positive covenants pursuant to the Conveyancing Act 1919 shall be created on the title of the lots that contain the stormwater detention facility to provide for the maintenance of the system.
95. The pump system, including all associated electrical and control systems, shall be tested and inspected by a suitably qualified and experienced person. Records of testing shall be retained and provided to the certifying hydraulic engineer and/or PCA upon request.
96. The drainage system shall be constructed in accordance with the approved drainage plans and any amendments in red. All stormwater drainage plumbing work shall comply with the NSW Code of Practice: Plumbing and Drainage and Australian Standard AS3500.

Drainage grates shall be provided at the boundary. Width of the drainage grates shall be in accordance with Rockdale Technical Specification Stormwater Management.

A silt/litter arrestor pit as detailed in Rockdale Technical Specification Stormwater Management shall be provided prior to discharge of stormwater from the site.

97. Signs shall be displayed adjacent to all stormwater drains on the premises, clearly indicating "Clean water only - No waste".
98. The owner of the premises is required to comply with the following requirements when installing a rainwater tank:
 - Inform Sydney Water that a Rainwater tank has been installed in accordance with applicable requirements of Sydney Water.
 - The overflow from the rainwater tank shall be directed to the storm water system.
 - All plumbing work proposed for the installation and reuse of rainwater shall comply with the NSW Code of Practice: Plumbing and Drainage and be installed in accordance with Sydney Water "Guidelines for rainwater tanks on residential properties.
 - A first flush device shall be installed to reduce the amount of dust, bird faeces, leaves and other matter entering the rainwater tank.
99. Prior to the issue of an Occupation Certificate for occupation or use of residential flat development, a design verification statement shall be submitted to the PCA from a qualified designer certifying that the development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to Schedule 1 of *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*.

100. Prior to the issue of the Occupation Certificate the developer shall enter into a contract for the private collection of garbage removal in accordance with the letter from Waste Wise Environmental, dated 8/11/2017.
101. Prior to the issue of the Occupation Certificate a certificate shall be provided by a suitably qualified and experienced acoustic engineer certifying the mitigation measures contained within the recommendations of the Acoustic Report prepared by Acoustic Noise & Vibration Solutions Pty Ltd, dated 20 July 2017 have been provided within the development.

Integrated development/external authorities

The following conditions have been imposed in accordance with Section 91A of the Environmental Planning and Assessment Act, 1979.

102. **Roads and Maritime Services**

RMS would like to advise that the subject property is within an area currently under investigation in relation to the princes Highway & Rockdale Plaza upgrade.

The current design alignment of this project does not require the subject property. Please note however the detailed design for the project has not been finalised and land requirements may change.

Further, the proposes F6 Project may impact the subject site.

103. **Ausgrid**

Method of Electricity Connection

The method of connection will be in line with Ausgrid's Electrical Standard (ES)1 – 'Premise Connection Requirements.

Supply of Electricity

It is recommended for the nominated electrical consultant/contractor to provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the enquiry which may include whether or not:

- The existing network can support the expected electrical load of the development
- A substation may be required on-site, either a pad mount kiosk or chamber style and;
- Site conditions or other issues may the supply.

More information on how to connect to Ausgrid's network . can be found online at: www.ausgrid.com.au

Conduit Installation

The need for additional electricity conduits in the footway adjacent to the

development will be assessed and documented in Ausgrid's Design Information, used to prepare the connection project design.

Proximity to Existing Network Assets

Overhead Powerlines

There are existing overhead electricity network assets in Princes Hwy adjacent to the proposed development and also in Ashton St and Chandler St.

Safework NSW Document – Work Near Overhead Powerlines: Code of Practice, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction. Special consideration should be given the locating and operations of cranes and the location of any scaffolding.

The “as constructed” minimum clearances to the mains should also be considered. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website, www.ausgrid.com.au

Should the existing overhead mains require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost. It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all types of vehicles that are expected be entering and leaving the site.

Underground Cables

There are existing underground electricity network assets in Princes Hwy adjacent to the proposed development and also in Ashton St. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.

104. **Water NSW**

General

- An authorisation shall be obtained for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified.

- The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation.
- Sufficient permanent drainage shall be provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impeded and: (a) any groundwater mounding at the edge of the structure shall be at a level not greater than 10 % above the level to which the water table might naturally rise in the location immediately prior to the construction of the structure; and (b) any elevated water table is more than 1.0 m below the natural ground surface existent at the location immediately prior to the construction of the structure; and (c) where the habitable part of the structure (not being footings or foundations) is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.
- Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.
- Documentation (referred to as a 'report') comprising measurements, maps, bore logs, calculations, results, discussion and justification for various matters related to the dewatering process must be provided. Information will be required at several stages: prior to construction commencing (initial report - which will accompany the application for the authorisation), at any time when an authorisation renewal is required or a significant change in activities occurs (intermediate report); and at the completion of dewatering and related operations (completion report). Reports need to be submitted in a format consistent with electronic retrieval without editing restrictions; raw data should be presented in Excel spreadsheets without editing restrictions

Prior to excavation

- The following shall be included in the initial report:
 - (a) measurements of groundwater levels beneath the site from a minimum of three relevant monitoring bores, together with details of the bores used in the assessment including bore logs and three-dimensional identification information.
 - (b) a map of the site and its immediate environs depicting the water table (baseline conditions) shown relative to the topography and approved construction footprint from the surface level and below. An assessment of the potential variation in the water table during the life of the proposed building together with a discussion of the methodology and information on which this assessment is based.
 - (c) details of the present and potential groundwater flow paths and hydraulic gradients in and around the site; the latter in response to the final volumetric emplacement of the construction.
 - (d) a schedule for the ongoing water level monitoring and description of the methodology to be used, from the date of consent until at least two months after the cessation of pumping. [Note that groundwater level measurements should be

undertaken on a continuous basis using automatic loggers in monitoring bores.]

- The Applicant shall assess the likely impacts of the dewatering activities on other groundwater users or structures or public infrastructure; this assessment will include an appropriate bore, spring or groundwater seep census and considerations relevant to potential subsidence or excessive settlement induced in nearby buildings and property, and be documented together with all calculations and information to support the basis of these in the initial report.
- Groundwater quality testing of samples taken from outside the footprint of the proposed construction, with the intent of ensuring that as far as possible the natural and contaminant hydrochemistry of the potential dewatered groundwater is understood, shall be conducted on a suitable number of samples and tested by a NATA-certified laboratory. Details of the sampling locations and the protocol used, together with the test results accompanied by laboratory test certificates shall be included in the initial report. An assessment of results must be done by suitably qualified persons with the intent of identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria for the intended dewatering purpose. In the event of adverse quality findings, the Applicant must develop a plan to mitigate the impacts of the hydrochemistry on the dewatered groundwater and present the details of all assessments and plans in the initial report.
- Groundwater quality testing generally in accordance with Clause 8, shall be undertaken on any anniversary or other renewal or alteration of any dewatering authorisation.
- A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and included in the initial report; together with details and calculation methods for the parameters and supporting information to confirm their development or measurement (e.g. permeability determined by slug-testing, pump-testing or other means).
- A copy of a valid consent for the development shall be provided in the initial report.
- The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided in the initial report. The disposal of any contaminated pumped groundwater (sometimes called “tailwater”) must comply with the provisions of the Protection of the Environment Operations Act 1997 and any requirements of the relevant controlling authority.
- Contaminated groundwater (i.e. above appropriate NEPM 2013 thresholds) shall not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants shall be nominated and included in the initial report and any subsequent intermediate report as necessary. The quality of any pumped water that is to be reinjected must be demonstrated to be compatible with, or improve, the intrinsic or ambient groundwater in the vicinity of the reinjection site.

During excavation

- Engineering measures designed to transfer groundwater around and beneath the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.
- Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard or induce mounding of groundwater. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.
- Measurement and monitoring arrangements to the satisfaction of the approval body are to be implemented. Weekly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a completion report provided after dewatering has ceased. Records of groundwater levels are to be kept and a summary showing daily or weekly levels in all monitoring bores provided in the completion report.
- Pumped groundwater shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system, etc.) without the controlling authority's approval and/or owner's consent/s. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.
- Dewatering shall be undertaken in accordance with groundwater-related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.
- The location and construction of groundwater extraction works that are decommissioned are to be recorded in the completion report. The method of decommissioning is to be identified in the documentation.
- Access to groundwater management works used in the activity is to be provided to permit inspection when required by the approval body under appropriate safety procedures.

Following excavation

- Following cessation of the dewatering operations, the applicant shall submit the completion report which shall include:
 - (a) detail of the volume of water taken, the precise periods and location of water taken, the details of water level monitoring in all of the relevant bores; and
 - (b) a water table map depicting the aquifer's settled groundwater condition and a comparison to the baseline conditions; and
 - (c) a detailed interpreted hydrogeological report identifying all actual resource and third party impacts, including an assessment of altered groundwater flows and an assessment of any subsidence or excessive settlement induced in nearby buildings and property and infrastructure.
- The completion report is to be assessed by the approval body prior to any certifying agency's approval for occupation or use of the completed construction.

SACL has approved the maximum height of the proposed building at 33.5metres relative to Australian Height Datum (AHD). This height is inclusive of all vents, chimneys, aerials, TV antennae and construction cranes etc. No permanent or temporary structure is to exceed this height without further approval from Sydney Airport Corporation Limited.

Note: Under Section 186 of the Airports Act 1996, it is an offence not to give information to the Airport Operator that is relevant to a proposed “controlled activity” and is punishable by a fine of up to 50 penalty units.

For further information on Height Restrictions please contact SACL on 9667 9246.

106. Telstra

An existing Telstra network is located adjacent to the development site within Ashton St, Princes Hwy and Chandler St. Access to each pit and elevated joint pillar must be maintained at all times. In the event hoarding is placed around the development, consideration needs to be given to enable necessary clearance for Telstra to access its pits around the site and the elevated pillar in Princes Hwy.

Any work / footpath construction work observes a duty of care when in close proximity of Telstra network. Telstra requests notification to inspect its network prior to your Council accepting the footpath form the developer. The developer is requested to contact Telstra on 1800 810 443 for advise for protecting the Telstra network at this location.

Roads Act

107. Construction related activities must not take place on the roadway without Council approval.

Short-term activities (including operating plant, materials delivery) that reduce parking spaces, affect access to a particular route or prevent or restrict the passage of vehicles along the road must not occur without a valid Temporary Roadside Closure Permit.

Activities involving occupation of the parking lane for durations longer than allowed under a Temporary Roadside Closure Permit require a Construction Zone Permit and must not occur prior to the erection of Works Zone signs by Council's Traffic and Road Safety Section.

Permit application forms should be lodged at Council's Customer Service Centre allowing sufficient time for evaluation. An information package is available on request.

108. Where applicable, the following works will be required to be undertaken in the road reserve at the applicant's expense:

- i) construction of a concrete footpath along the frontage of the development site;
- ii) construction of a new fully constructed concrete vehicular entrance/s;

- iii) removal of the existing concrete vehicular entrance/s, and/or kerb laybacks which will no longer be required;
- iv) reconstruction of selected areas of the existing concrete Footpath/vehicular entrances and/or kerb and gutter;
- v) construction of paving between the boundary and the kerb;
- vi) removal of redundant paving;
- vii) construction of kerb and gutter.

109. All footpath, or road and drainage modification and/or improvement works to be undertaken in the road reserve shall be undertaken by Council, or by a Private Licensed Contractor subject to the submission and approval of a Private Contractor Permit, together with payment of all inspection fees. An estimate of the cost to have these works constructed by Council may be obtained by contacting Council. The cost of conducting these works will be deducted from the Footpath Reserve Restoration Deposit, or if this is insufficient the balance of the cost will be due for payment to Council upon completion of the work.
110. All driveway, footpath, or road and drainage modification and/or improvement works to be undertaken in the road reserve shall be undertaken in accordance with Council's Subdivision and Civil Works Construction Specification (AUS-SPEC 1). Amendment to the works specification shall only apply where approved by Council. Where a conflict exists between design documentation or design notes and AUS-SPEC 1, the provisions of AUS-SPEC 1 shall apply unless otherwise approved by Council.
111. This Roads Act approval does not eradicate the need for the Contractor to obtain a Road Opening Permit prior to undertaking excavation in the road or footpath.
112. The following details shall be submitted to PCA for assessment and approval pursuant to *Section 138 of the Roads Act 1993*, in relation to the awning over Council's footpath.

- (a) Detailed design plans and specifications, including structural details; and
- (b) Design certificate.

The awning shall be designed by a Chartered Professional Engineer (Structural).

Prior to the issuing of the Occupation Certificate, the applicant must enter into a written agreement with Bayside Council for the occupation of the airspace by the awning. The written agreement is to be a legal instrument registered by the applicant against the 648 - 652 Princes Highway & 1-3 Ashton Street, Rockdale in favour of Bayside Council (as roads authority). The applicant is to reimburse all costs incurred by the Council associated with the completion of this requirement.

Note: Awnings are required to comply with the requirements under Rockdale Development Control Plan 2011. Awnings are required to be set back a minimum of 600 mm from the kerb face and be a minimum height of 3.3 metres above the footpath level. Drainage from the awning shall be connected to the stormwater system for the development.

Following completion of the installation of the awning a certificate from a Chartered Professional Engineer (Structural) shall be submitted to PCA stating that the awning has been constructed in accordance with the design plans and specifications.

Copies of the APPROVED DOCUMENTS AND CERTIFICATES Shall be

submitted to Council.

113. Any driveway works to be undertaken in the footpath reserve by a private contractor requires an "Application for Consideration by a Private Contractor" to be submitted to Council together with payment of the application fee. Works within the footpath reserve must not start until the application has been approved by Council.
114. Following completion of concrete works in the footpath reserve area, the balance of the area between the fence and the kerb over the full frontage of the proposed development shall be turfed with either buffalo or couch (not kikuyu).

Development consent advice

- a. You are advised to consult with your utility providers (i.e. Energy Aust, Telstra etc) in order to fully understand their requirements before commencement of any work.
- b. Section 88E Instrument contains easements and/or covenants to which Council is a Prescribed Authority, the Council must be provided with all relevant supporting information (such as works-as-executed drainage plans and certification) prior to Council endorsing the Instrument.
- c. The water from the rainwater tank should not be used for drinking, Sydney Water shall be advised of the installation of the rainwater tank.
- d. If the development is not subject to BASIX, a mandatory rainwater tank may be required. Rainwater tank requirements for development not subject to BASIX are specified in Council's DCP 78.

Note: Responsible planner to note concurrence/recommendations from RMS, WaterNSW, Sydney Water & EnergyAust.