

**BD.2017.027 – 17 Deane St Burwood
2017SCL021**

Conditions of Approval

1. The development being carried out in accordance with the plans referenced below except where amended by the conditions of consent.

- Basement 03_Mechanical Parking DA 11- Rev A – 16.10.17
- Basement 02_Mechanical Parking DA 12 – Rev A - 16.10.17
- Basement 01_Child Care Parking DA 13B – Rev B - 16.10.17
- Basement 01 Half_Back of House DA 14 – Rev C - 16.10.17
- Ground Floor Plan_Shared Youth Lane DA 15B – Rev E – 14.3.18
- Level 1 Floor Plan_Hotel Rooms DA 16 – Rev A – 27.2.17
- Level 2 Floor Plan_Child Care Facility DA 17 – Rev A – 27.2.17
- Level 3 Floor Plan_Hotel Amenities DA 18 – Rev A – 27.2.17
- Level 4 Floor Plan_Podium Hotel Amenities DA 19 – Rev A – 27.2.17
- Level 5 -12 Floor Plan_Hotel Rooms DA 20A – rev D – 14.03.18
- Level 13 Floor Plan_Podium Residential Amenities DA 21 – Rev B – 14.3.18
- Level 14 Floor Plan_Residential Apartments DA 22 – Rev D – 14.3.18
- Level 15-20 Floor Plan_Residential Apartments DA 23 – Rev D – 14.3.18
- Level 21-23 Floor Plan_Residential Apartments DA 24 – Rev D – 14.3.18
- Level 24 Floor Plan_Roof Plan DA 25 - Rev C 14.3.18
- ELEVATIONS North Elevation DA 31 – Rev B – 16.10.17
- South Elevation DA 32 – Rev B – 16.10.17
- West Elevation DA 33 – Rev D – 14.3.18
- East Elevation DA 34 – Rev D – 14.3.18
- SECTIONS Section AA DA 41 – Rev B – 16.10.17
- Section BB DA 42 - - Rev B – 16.10.17
- ANALYSIS DIAGRAMS Shadow Diagrams 01_Plan DA 51 – Rev A – 27.2.17
- Shadow Diagrams 02_Facade DA 52 – Rev A – 27.2.17
- Apartment Amenity and Solar Access Diagrams DA 53 – Rev A – 27.2.17
- GFA Plan Diagrams DA 54b – Rev A – 27.2.17
- Privacy Sightline Diagram DA 55 – Rev A – 27.2.17
- Storage Area Diagrams for Residential Apartments DA 56 – Rev A – 7.6.17
- Adaptable Apartments and Hotel Rooms DA 61 – Rev A – 27.2.17
- PERSPECTIVES Photomontage 00_CGI DA 70 – Rev B – 14.3.18
- Perspectives 01 DA 73 – Rev D – 14.3.18
- Perspectives 02 DA 74 - Rev D – 14.3.18
- Perspectives 03 DA 75 – Rev B – 9.2.18
- Perspectives 04 DA 76 – Rev B – 9.2.18
- MATERIALS & FINISHES External Finishes DA 81 – Rev A – 27.2.17
- External Lighting DA 82 – Rev A – 27.2.17
- Drainage Concept Plan, SK01-10004542 – P1

FEES

2. Damage Deposit - security deposit against damage occurring to Council's assets (footpath, road, stormwater drainage system, kerb and gutter, etc) during building work **\$63,000.00 (Payment to be made to Council as a bond prior to issue of a Construction Certificate and/or commencement of demolition/bulk excavation)**

NOTE: This deposit is refundable if no damage occurs.

3. Construction by the Applicant/Council the stormwater drainage works **\$59,500.00**
(Payment to be made to Council as a bond)
4. Where Ground Anchors are to be used, a bond/bank guarantee, costs, and fees will apply under Council's "Application for Works on Council's Property".
5. The fees and/or bonds shown in the Table of Fees, are to be paid to Council or another approved collection agency (the Long Service Levy Corporation and its agents and an approved insurer under the *Home Building Act 1989*) and suitable evidence of payment is to be provided to the Principal Certifier **prior to the issuing of a Construction Certificate.**

TABLE OF FEES

FEES/BONDS TO BE PAID TO COUNCIL OR TO THE NOMINATED BODY PRIOR TO ISSUING A CONSTRUCTION CERTIFICATE

6. Building and Construction Industry Long Service Corporation levy **\$110,010.00**
(Payment to be made to Council, the Corporation or its Agent)
7. Pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979* and the Section 7.12 Contributions Plan for Burwood Town Centre, the following monetary contribution towards public services and amenities is required:

Contribution Element	Contribution
A levy of 4% of the cost of carrying out the development, where the cost calculated and agreed by Council is \$31,431,597.00	\$ 1,257,263.00

Index Period	Sept. Qtr 2018	CPI ₁	114
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Office Use: T49

The above contribution will be adjusted at the time of payment. Applicants are advised to contact Council for the adjusted amount immediately prior to arranging payment.

The contribution will be adjusted in accordance with the following formula:

$$\text{Contribution (at time of payment)} = \frac{C \times \text{CPI}_2}{\text{CPI}_1}$$

Where:

C: the original contributions amount as shown in the development consent;

CPI₂ the Consumer Price Index: All Groups Index for Sydney, for the immediate past quarter (available from the Australian Bureau of Statistics at the time of payment)

CPI₁ the Consumer Price Index: All Groups Index for Sydney, applied at the time of granting the development consent as shown on the development consent.

Note: The minimum payment will not be less than the contribution amount stated on the consent.

The contribution is to be paid to Council, or evidence that payment has been made is to be submitted to the Principal Certifier, **prior to the issuing of a Construction Certificate**.

Council may accept works in kind or other material public benefits in lieu of the contribution required by this condition subject to and in accordance with the requirements specified in the Section 7.12 Contributions Plan for Burwood Town Centre.

Note: The payment of a Section 7.12 contribution over an amount of \$5,000.00 may only be paid by Bank Cheque (i.e. personal or company cheques will not be accepted). Contributions of \$5,000.00 or less may be paid by cash, EFTPOS, cheque or credit card. Payments by credit card may be subject to a surcharge.

PLANNING

8. **Prior to the issue of any Construction Certificate** the plans shall be amended to provide an additional basement car parking level numbered "B4" for additional parking for the development.
9. **Prior to the issue of any Construction Certificate** the applicant must submit a revised basement car park plan that resolves the conflict between the five child care centre parent drop off spaces and two way traffic and endeavours to locate any retail car spaces on the same level.
10. The development shall provide a minimum of 95 car parking spaces.
11. Basement Level 1 must provide the car parking spaces required for the child care centre, and retail space(s), with a suitable access ramp system accessed from ground level.
12. The fit out of the child care centre shall be subject to a separate development application to Council for consideration.
13. The maximum number of children in the child care centre of the premises being limited to 50, without further approval of Council, with the age groups in compliance with Part 5.3 of Burwood Development Control Plan 2013.
14. The maximum number of persons working within the Child Care Centre being limited to the permitted staff to child ratio as outlined within Part 5.3 of Burwood Development Control Plan 2013.
15. Parking spaces used for drop off/pick up of children should be designed for User Class 3A which requires 2.6 metre wide spaces and an aisle width of 6.6 metres or alternatively a 2.7 metre wide space and a 6.2 metre wide aisle.

16. A person may not operate an education and care service, as defined by the National Law or the *Children (Education and Care Services) Supplementary provisions Act 2011*, unless they hold a service approval.
17. The use of the Child Care Centre shall be carried out in accordance with the National Quality Framework and relevant service requirements. Details of relevant approvals shall be submitted to the Principal Certifying Authority **prior to issue of the Occupation Certificate**.
18. A Plan of Management, with details including operating hours, numbers of staff and children, operating procedures for pick up drop off etc, emergency management procedures and all day to day operational procedures for the use of the child care centre shall be provided and shall be available to the public on request. Details shall be provided **prior to issue of the Occupation Certificate**.
19. The operating hours for the child care centre shall be Monday to Sunday 7am till 7pm.
20. This consent is subject to a Voluntary Planning Agreement (VPA) with Council for bonus floor space as offered in a letter dated 27 February 2018 and as subsequently agreed to by Council at its meeting 30 October 2018. The VPA shall be executed, and the monetary contribution paid to Council on or before the date of execution, **prior to the commencement of any work on site including demolition, excavation or site works and prior to the issue of any Construction Certificate for the development**.
21. A revised BASIX Certificate shall be submitted to the Principal Certifying Authority **prior to issue of the Construction Certificate**.
22. All external lighting is to be designed and installed in a manner which prevents glare and/or spillage having an adverse impact on occupants of adjacent properties.
23. The Landscape plan shall be amended to include:
 - a. dual purpose bollards providing for lighting and impact protection to pedestrians on segments of the lane way where access is provided into the hotel and ground level shops.
 - b. embedded ground level lighting along pathways and service areas to enhance pedestrian safety and illuminate service areas.

Details shall be provided to the Principal Certifying Authority for approval **prior to issue of the Construction Certificate**.

24. Architectural plans shall be amended such that the treatment of street frontages shall be consistent with the adjoining public domain, and a right of pedestrian way and vehicle movement created by way of an easement in accordance with Section 88B to the Conveyancing Act 1919 placed on the title of the land.

Details shall be submitted to and approved by Council **prior to issue of the Construction Certificate**.

25. Publicly accessible areas shall be provided with paving, street furniture, planting, fences, kerbs and drainage to a standard not less than Council's "Public Works Elements Manual" (June 2016).

Details shall be shown on the Landscape Plan and submitted to the Principal Certifying Authority for approval **prior to issue of the Construction Certificate**.

26. All services including electricity mains, telephone, water and sewerage are to be installed underground.
27. Site testing being undertaken by an Accredited Certifier or other suitably qualified person to determine the impact (if any) of the development on television and/or radio reception to adjoining properties and the installation of any single booster/amplifier equipment deemed necessary to mitigate any such impact. Such work being carried out and the results submitted to the Principal Certifying Authority, **prior to the issuing of a Construction Certificate.**
28. Demolition or construction work including deliveries of materials, etc, which would result in footpaths and/or roads being blocked shall not be carried out on Saturdays.
29. Should any portion of the proposed development, including awnings, signs, etc, encroach onto a public roadway or footpath at any height above that roadway or footpath, prior approval must be obtained from Energy Australia for such encroachment.

The Engineer Mains Construction should be consulted on 02.9713-3244 to ascertain what action, if any, is necessary in this regard.

30. Dilapidation surveys are to be carried out by a Practising Structural Engineer, which is to include a full photographic record of the exterior and interior of the buildings at the applicants/owners expense on all premises adjoining the site and the survey is to be submitted to Council and the adjoining land owners **prior to the commencement of any works.** A further dilapidation survey is also to be carried out and submitted to Council and the adjoining owners **prior to the issuing of an Occupation Certificate.** The dilapidation surveys shall be dated accordingly.
31. The applicant shall take all necessary precautions to adequately protect adjoining properties during demolition. This shall include the submission to Council of specific details of the protection to be employed prior to demolition commencing.
32. **Prior to the issue of the Occupation Certificate,** the applicant is to arrange with Council's Environment and Health Section for the issue of the appropriate number of garbage and recycling bins and payment of the necessary fees to enable commencement of the waste and recycling service.
33. Samples and details of all external surface materials being submitted for Council's approval, **prior to the issuing of a Construction Certificate.**
34. Glazed balcony balustrades shall be constructed of opaque materials in lieu of clear glazing.
35. External gas water heaters are to be located in recessed enclosures within external walls and are to be located so as to be not visible from a public road or place or adjoining property. Similarly, air conditioning units and plant are to be located so as not to be visible from a public road or place or adjoining property.
36. A separate application shall be lodged for any proposed subdivision of the site. Such subdivision shall designate all car parking spaces attached to a lot with the exception of visitor parking which shall be designated as common property. No car parking spaces shall be created as a separate lot. The drainage system for the site including

basement pit and pumps and on site detention shall be designated as common property.

37. Lockable mail boxes shall be provided at the secure access doorways to the residential lobby, such that mail can be delivered by Australia Post from outside the security door, and accessed by residents inside the secure area. The mail boxes are to comply with the requirements of Australia Post. Details to be submitted and approved **prior to the issue of a Construction Certificate.**
38. The doors of the residential entry foyer to the building are to be security grade features and are to be appropriately security keyed to ensure the personal safety and security of residents of the development. An intercom system linked to each apartment is to be included in these security arrangements. Details on these matters are to be submitted and approved **prior to the issue of a Construction Certificate.**
39. The entrance driveway for access to the basement parking levels is to be provided with a security door that ensures the personal safety and security of the residents of the building. The driveway security door is to be linked to the intercom system for each apartment. Details on these matters are to be submitted and approved **prior to the issue of a Construction Certificate.**
40. Adequate lighting is required to be provided for the length of the building for all common areas to ensure the safety and security of residents. Details are to be submitted and approved **prior to the issue of a Construction Certificate.**
41. CCTV cameras shall be installed at the building so that they can survey the pedestrian entrance walkway from George Street, and the entrance at to the driveway to the parking levels, waste rooms, Shared Atrium, Stairwell to and within the Commercial Foyer and open corridors within Level 2. The CCTV system shall provide a quality image that can assist with the detection of crime and be used by the NSW Police in any investigation (preferably a quality digital system). CCTV system footage shall be retained for a period of no less than fourteen days and be available upon request by the NSW Police when required. Details are to be submitted and approved **prior to the issue of a Construction Certificate.**
42. All hydrant booster pump and fire service equipment shall to be provided in accordance with the Building Code of Australia and housed within an enclosed cupboard of a design and finish that enhances the streetscape. Details of these areas and the enclosures are to be assessed by an Accredited Fire Safety Engineer and shall comply with the performance requirements of the Building Code of Australia; shown on plans and submitted to the Principal Certifying Authority for approval **prior to release of a Construction Certificate for the development.**
43. The Building name and street number (at least 150mm in height) of the development shall be clearly displayed at the entry outside the development, with suitable illumination for after-hours recognition, **prior to issue of the Occupation Certificate.**
44. Apartment numbers shall be clearly identified within the development **prior to issue of the Occupation Certificate.**
45. A separate Development Application being submitted for the display and/or erection of any advertising signs or for the replacement of an existing advertising panel. Such application is to include full details of the dimensions, mode of attachment and means of illumination (if any).

46. The footpaths being kept clear of signs, fixtures and goods at all times.
47. No part of the subject premises or the adjoining street and footpath is to be used by spruikers or public address systems.

HERITAGE

48. The lettering upon the western façade of the existing building which reads 'Police-Citizens Boys Club' shall be carefully removed **prior to demolition**, held in safe-keeping during the construction phase, and up until the point of being professionally installed within the lobby of the new building. If the lettering is damaged or misplaced, it shall be the responsibility of both the applicant and property owner to restore, repair or reproduce (as relevant) the original lettering **prior to the issue of a Construction Certificate**.
49. Heritage interpretation of the existing building and its historic use shall be incorporated within the new building. The heritage interpretation shall be provided within the Ground Floor residential lobby and/or hotel lobby of the development. The 'Police-Citizens Boys Club' lettering shall form part of the heritage interpretation. Interpretive panels with a combined area of at least 10m² shall explain the history of the site and display historical images/plans of the site.
50. A Heritage Interpretation Strategy shall be submitted to Council for approval **prior to the issue of a Construction Certificate**. The Heritage Interpretation Strategy shall demonstrate how Heritage Condition Nos. 1 and 2 will be satisfied. The Strategy shall include the content of the interpretation panels (including written text, historic images and graphic design), dimensions of the interpretation panels, and their location within the lobby. The Strategy shall also detail the method for removal of the lettering, and provide a plan for its safekeeping. Satisfaction of this condition shall be confirmed upon written advice by Council.
51. The installation and completion of the heritage interpretation in accordance with the approved Heritage Interpretation Strategy shall be **verified by an inspection by the Principal Certifying Authority (PCA) prior to the issue of any Occupation Certificate or Interim Occupation Certificate**.

BUILDING

52. Where residential building work (within the meaning of the *Home Building Act 1989*) is proposed to be carried out, either of the following is to be provided to the Principal Certifier **prior to the issuing of a Construction Certificate**:-
 - a. Where work is carried out by a Principal Contractor:
 - (i) written advice of the Principal Contractor's name and licence number, and
 - (ii) a certificate purporting to be issued by an approved insurer under Part 6 of the *Home Building Act 1989* to the effect that a person is the holder of an insurance contract issued for the purposes of that Part.

OR

- b. Where work is carried out by an owner-builder:-
 - (i) written advice of the person's name and Owner-Builder Permit number, or
 - (ii) a signed declaration from the owner of the land that states the reasonable market cost of the labour and materials involved in the work is not high enough for the owner to need an Owner-Builder's Permit to do the work.
53. Toilet facilities are to be provided, at or in the vicinity of the work site 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, or
 - (ii) to an approved chemical closet facility.
- The toilet facilities are to be completed before any other work is commenced.
54. All excavations and backfilling associated with the erection or demolition of a building shall be carried out in a safe and careful manner and in accordance with appropriate professional standards. All necessary planking and strutting shall be of sufficient strength to retain the sides of excavations. A Certificate verifying the suitability of structural details for any proposed shoring is to be submitted to the Principal Certifier before excavating.
55. All excavations associated with the erection or demolition of the building are to be properly guarded and protected to prevent them from being dangerous to life or property.
56. Where soil conditions require it:
- a. retaining walls must be provided so as to prevent soil movement; and
 - b. adequate provision must be made for drainage.
57. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
- a. must preserve and protect the building from damage, and
 - b. if necessary, must underpin and support the building in an approved manner, and
 - c. must, at least 7 days before excavation below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

Allotment of land includes a public road and any other public place.

58. If the work involved in the erection or demolition of a building:

a. is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or

b. building involves the enclosure of a public place.

A hoarding or fence must be erected between the work site and the 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.

Any such hoarding, fence or awning is to be removed when the work has been completed.

59. Your attention is directed to the following:

WARNING

Utility Services

Before Construction – apply early as building of water and sewer services can be time consuming or may impact on other parts of your development.

Building Plan Approval

The plans approved by Council or the Principal Certifier as part of the Construction Certificate for the development must also be approved by Sydney Water **prior to excavation or construction works commencing**. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to <http://www.sydneywater.com.au/tapin> to apply.

60. The builder is to take all precautions to ensure footpaths and roads are kept in a safe condition and to prevent damage to Council's property. Pedestrian access across the footpath must be maintained at all times. Any damage caused will be made good by Council at Council's restoration rates, at the builder's expense.

61. No materials are to be stored on Council's roads, footpaths, nature strips or parks.

62. No opening is to be made in any road or footpath, nor is any hoarding to be erected without the prior consent of Council. The builder is to obtain the relevant permit for which fees will be charged in accordance with Council's current Schedule of Fees and Charges.

63. The builder shall erect and maintain in good order all necessary hoardings, barricades and warning signs required to provide adequate public safety. An application for a hoarding on Council's property shall be lodged, all fees paid and approval given before the erection of any such hoarding on Council property. Night warning lamps are to be provided where necessary. A Principal Certifier sign should also be displayed in a prominent position at the front of the development site.
64. Hours of work shall be from 7:00am to 7:00pm Mondays to Fridays inclusive (**during daylight savings period**), 7:00am to 6:00pm Mondays to Fridays inclusive (**outside daylight savings period**) and from 7:00am to 4:00pm on Saturdays. No work shall be carried out on Sundays or Public Holidays. The owner/builder shall be responsible for the compliance of this condition by all sub-contractors, including demolishers.
65. The approved structure shall not be used or occupied unless an Occupation Certificate as referred to in Section 6.4 (c) of the *Environmental Planning & Assessment Act 1979* has been issued.

(Vide Section 6.9 *Environmental Planning & Assessment Act 1979*)

66. An application for a Construction Certificate is to be made to Council or an Accredited Certifier. Council's "Construction Certificate Application" form is to be used where application is made to Council. Copies are available upon request. A Construction Certificate must be obtained **prior to the commencement of any building work**.
67. Dial Before You Dig is a free national community service designed to prevent damage and disruption to the vast pipe and cable networks which provides Australia with the essential services we use everyday – electricity, gas, communications and water.

Before you dig call "Dial Before You Dig" on 1100 (listen to the prompts) or register on line at www.1100.com.au for underground utility services information for any excavation areas.

The Dial Before You Dig service is also designed to protect Australia's excavators. Whether you are a backyard renovator, an individual tradesman or a professional excavator, the potential for injury, personal liability and even death exists everyday. Obtaining accurate information about your work site significantly minimises these risks.

Reason: To ensure that essential services such as electricity, gas, communications and water are not affected by excavation or construction works.

68. All building works being erected wholly within the boundaries of the property.
69. All sanitary plumbing being concealed in suitably enclosed ducts. Such ducts are to be constructed internally (i.e. not on the outside face of an external wall) and are to be adequately sound-proofed.
70. All plumbing and drainage work being carried out by licensed tradesmen and in accordance with the requirements of the Plumbing Code of Australia.
71. The floor of the wet areas being of a material impervious to moisture and graded and drained to the sewers of Sydney Water.
72. The noise emitted by any air-conditioning equipment being inaudible in your neighbours' homes between 10:00pm and 7:00am weekdays and 10:00pm and

8:00am on weekends and public holidays. Council is to be consulted prior to the installation of any air-conditioning equipment.

73. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
74. Safety glazing complying with B1.4 of the Building Code of Australia used in every glazed door or panel that is capable of being mistaken for a doorway or unimpeded path of travel. The glazing must comply with Australian Standard AS 1288–2006: Glass in Buildings - Selection and Installation. Details of the method of complying with this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
75. Framed panels or doors enclosing or partially enclosing a shower or bath shall be glazed with "A" or "B" grade safety glazing material in accordance with Australian Standard AS 1288-2006, Table 4.5 SAA Glass Installation Code (Human Impact Considerations) and B1.4 of the Building Code of Australia. Details of the method of complying with this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
76. Treatment for the protection of the building from subterranean termites must be carried out in accordance with Australian Standard AS 3660.1-2014 "Termite management - New building Work."

If the method of protection is to be by way of a chemical barrier, it becomes the responsibility of the owner to maintain a suitable maintenance procedure in accordance with the manufacturer's requirements. Such responsibility is placed solely upon the owner.

Details showing compliance with this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**

After treatment the following is to be carried out:-

- a. A durable notice must be permanently fixed to the building in a prominent location, such as the meter box, indicating:-
 - (i) The method of protection.
 - (ii) The date of installation of the system.
 - (iii) Where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label.
 - (iv) The installer's or manufacturer's recommendation for the scope and frequency of future inspection for termite activity.
 - b. Provide the Principal Certifier with a Certificate which verifies that termite protection has been provided in accordance with Australian Standard AS 3660.1-2014. In the case of Reinforced Concrete Slab construction the Certificate is to verify that the protection incorporates both beneath slab (Part A) and slab penetrations (Part B) treatment.
77. A Registered Surveyor's certificate being submitted to the Principal Certifier, **prior to the issue of an Occupation Certificate**, as follows:-
- a. Before pouring of concrete slab on every level to indicate the height of the finished floor level and to show boundary clearances; and

- b. On completion of the building to indicate the height of the finished floor levels, the height of the roof ridge/parapet and to show boundary clearances and areas of the site occupied by the building.

78. Prior to the commencement of building work, the following is to be carried out:-

- a. Submit to Council a "Notice of Intention to Commence Building Work and Appointment of a Principal Certifier" form. Council's "Notice of Intention to Commence Building Work and Appointment of a Principal Certifier" form is to be used where application is made to Council.
- b. Ensure detailed plans and specifications of the building are endorsed with a Construction Certificate by Council or an Accredited Certifier. Council's "Construction Certificate Application" form is to be used where application is made to Council. Copies are available on request.

(Vide Section 6.6 *Environmental Planning & Assessment Act 1979*)

79. The building being known as No. 17 Deane Street, Burwood and this number (at least 150mm in height) being clearly displayed on the site prior to the issuing of an Occupation Certificate.

80. **Utility Services**

Before Construction – apply early as building of water and sewer services can be time consuming or may impact on other parts of your development.

Section 73 Compliance Certificate

A compliance certificate must be obtained from Sydney Water, under Section 73 of the *Sydney Water Act 1994*. Our assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to our mains. A Section 73 Compliance Certificate must be completed **before an occupation certificate will be issued**. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC).

Go to <http://www.sydneywater.com.au/section73> or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

- 81. Structural engineer's details prepared and certified by a practicing Structural Engineer for all reinforced concrete and structural members being submitted to the Principal Certifier for approval **prior to the issuing of a Construction Certificate**.
- 82. The Principal Certifier **or** Structural Engineer is to also supervise the construction. All Certificates from the supervising Structural Engineer are to be submitted to the Principal Certifier before an Occupation Certificate is issued stating that all reinforced concrete and/or structural members have been erected in accordance with his/her requirements and the relevant SAA Codes.
- 83. Timber sizes and the framework in general are to conform with the requirements of Australian Standard AS 1684 "Residential timber-framed construction."

84. Mechanical ventilation/air conditioning details are to be submitted to the Principal Certifier for approval **prior to the issuing of a Construction Certificate** and must include the following:-

- a. The location and size of proposed ductwork.
- b. The location of equipment.
- c. The performance characteristics of the proposed motor/s and fan/s.
- d. The air flow characteristics of the system.

At the completion of work a Certificate from an Accredited Certifier, Mechanical Engineer or other suitably qualified person, to the effect that the ventilation system has been installed and performs in accordance with the provisions of Part F4 of the Building Code of Australia, Australian Standard AS 1668 "SAA Mechanical Ventilation and Air Conditioning Code", Part 1 and Part 2, Australian Standard AS 3666-1989 and the *Noise Control Act 1975*, must be submitted to the Principal Certifier **prior to the issue of an Occupation Certificate**.

85. Fire Resistance Levels of all structural members, including external and internal walls, spandrels, external and internal columns, lift shafts and stair shafts, ventilation, pipe and like shafts, floors and roofs shall comply with the requirements of Specification C1.1 of the Building Code of Australia. Details of the method of achieving this must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate**.
86. All materials used in the building must comply with early fire hazard criteria of Specification C1.10 of the Building Code of Australia.
87. Means of access and egress complying with Section D of the Building Code of Australia. Details of the method of achieving this must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate**.
88. The building being provided with both access and sanitary facilities (where required) for people with disabilities. The sanitary facilities are to be provided in accordance with F2.4 of the Building Code of Australia and are to comply with the requirements of Clause 10 of AS 1428.1-2009. Access is to be provided to and within the building so as to comply with all the requirements of Part D3 of the BCA and the relevant provisions of AS 1428.1-2009. Details of the method of achieving this must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate**.
89. The *Commonwealth Disability Discrimination Act 1992* may apply to this particular proposal. Submissions and/or approval of the application does not imply or confer compliance with this Act. Applicants should satisfy themselves and make their inquiries to the Human Rights and Equal Opportunity Commission.
90. Continuous balustrades shall be provided along the side/s of any stairway or ramp, any corridor, hallway, balcony, access bridge or the like, any path of access to a building if:-
- a. It is not bounded by a wall; and

- b. The change in level is more than one (1) metre, or five (5) risers in the case of a stairway, from the floor or ground surface beneath;

except where specific exemptions are provided in the Building Code of Australia.

Balustrades shall prevent as far as practicable:

- a. Children climbing over or through it; and
- b. Persons accidentally falling from the floor; and
- c. Objects which might strike a person at a lower level falling from the floor surface.

Balustrade heights and designs shall comply with Part D2.16 of the Building Code of Australia and Australian Standard AS/NZS 1170 Part 1 – Structural design actions. Height above nosings of stair treads, landing, corridors and the like shall generally be not less than 865mm.

Details of the method of satisfying these requirements must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**

- 91. The building being equipped with a smoke alarm system as required by Table E2.2a of the Building Code of Australia. The system is to satisfy the requirements of Specification E2.2a of the Building Code of Australia and in particular is to comply with the relevant parts of AS 3786-2014 and AS 1670.1-2004. Details of the method of complying with this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
- 92. Protection of openings (where required) is to be in accordance with Part C3.2 and C3.4 of the Building Code of Australia. Details of the method of satisfying this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
- 93. Protection of openable windows (where required) is to be in accordance with Part D2.24 of the Building Code of Australia. Details of the method of satisfying this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate.**
- 94. A Fire Safety Certificate (copies available from Council) is to be given to the Principal Certifier prior to applying for an Occupation Certificate and thereafter once in every 12 month period an Annual Fire Safety Statement is to be given to Council. The certificate and statement attest to both the inspection of all essential fire safety measures by a suitably qualified person and to the regular maintenance of the fire safety measures. A copy of the Fire Safety Certificate and the Fire Safety Schedule are to be given to the Commissioner of Fire and Rescue NSW **by the building owner** and copies of these documents are to be prominently displayed in the building. Similarly copies of Annual Fire Safety Statements are also to be given to the Commissioner and displayed in the building.

(Vide clause 153 & Division 3 of the *Environmental Planning & Assessment Regulation 2000*)

- 95. Noise transmission and insulation ratings for building elements being in accordance with Specification Part F5 of the Building Code of Australia.

Details of the method of satisfying this requirement must be noted on the plans or in the specifications **prior to the issuing of a Construction Certificate**.

96. Engineering Design – Basement Excavation

The following engineering details or design documentation shall be submitted to the Principal Certifier (Council or Accredited Certifier) **prior to the issuing of a Construction Certificate**:

- a. Documentary evidence prepared by a suitably qualified professional Geotechnical Engineer that confirms the suitability of the site for the proposed excavation and building, as well as certifying the suitability and adequacy of the proposed design and construction of the building for the site.
- b. A report shall be prepared by a professional engineer **prior to the issuing of a Construction Certificate**, detailing the proposed methods of excavation, shoring or pile construction including details of vibration emissions and detailing any possible damage which may occur to adjoining or nearby premises due to building and excavation works. Any practices or procedures specified in the Engineer's Report in relation to the avoidance or minimisation of structural damage to nearby premises, are to be fully complied with and incorporated into the plans and specifications for the Construction Certificate.

A copy of the Engineer's Report is to be submitted to Council, even if the Council is not the Principal Certifier.

97. **ADVISORY NOTE:**

Telecommunications infrastructure in new developments

Developers, home, property and business owners are responsible for providing telecommunications infrastructure in their developments. To provide this infrastructure, developers, home, property and business owners need to contract a carrier to install telecommunications infrastructure in their new development. Individuals are free to choose which carrier they want to service their development.

For larger developments (100 lots or more) nbn is the infrastructure provider of last resort. This means nbn is obliged to service the development on commercially agreed terms if you apply to nbn.

Telstra is the infrastructure provider of last resort in smaller developments (less than 100 lots) until nbn publicly identifies an area as "ready for service" in its fixed line rollout region.

Developers, home, property and business owners are requested to apply at least six (6) months before the required date of service to ensure a connection is ready when residents move in.

DEMOLITION

98. Removal of any asbestos must be undertaken in compliance with the requirements of SafeWork NSW. Refer to their Code of Practice "How to Safely Remove Asbestos" dated September 2016.

99. Demolition of the building is to be carried out in accordance with the requirements of Australian Standard AS 2601 – 2001, where applicable.
100. Hours of demolition work shall be from 7:00am to 7:00pm Mondays to Fridays inclusive (**during daylight savings period**), 7:00am to 6:00pm Mondays to Fridays inclusive (**outside daylight savings period**) and from 7:00am to 4:00pm on Saturdays. No demolition work shall be carried out on Sundays or Public Holidays. The owner/builder shall be responsible for the compliance of this condition by all sub-contractors, including demolishers.
101. Access to the site is to be restricted and the site is to be secured when demolition work is not in progress or the site is otherwise occupied.
102. The demolition site is to be provided with measures to mitigate against dust nuisances arising on adjoining sites and roadways. To achieve this, a fence or barrier is to be erected around the site. The construction may be steel mesh which is covered with a suitable filtering medium or such other construction acceptable to Council. An effective program of watering the site is also required to be maintained.
103. All demolition, excavation and construction materials are to be removed from the site or disposed of on-site using methods that comply with relevant environmental protection legislation. When demolition of any existing building is involved, burning of any demolition materials on the site is prohibited.
104. Dilapidation surveys are to be carried out by a Practicing Structural Engineer, which is to include a full photographic record of the exterior and interior of the buildings at the applicants/owners expense on all premises adjoining the site and the survey is to be submitted to Council and the adjoining land owners **prior to the commencement of any works**. A further dilapidation survey is also to be carried out and submitted to Council and the adjoining owners **prior to the issuing of an Occupation Certificate**. The dilapidation surveys shall be dated accordingly.
105. The applicant shall take all necessary precautions to adequately protect adjoining properties during demolition. This shall include the submission to the Principal Certifier of specific details of the protection to be employed **prior to demolition commencing**.

HEALTH

Site Contamination

106. Following the demolition of the existing buildings and prior to the issue of a Construction Certificate, the applicant is to engage an EPA accredited site auditor to conduct a *Preliminary Site Assessment* (PSA) to determine the extent of any contamination on the site and the suitability of the site for the proposed development. The report from the accredited auditor is to be submitted to Council for approval prior to the issue of the construction Certificate.
107. If the PSA report finds that there is reportable contamination, then a *Detailed Environmental Site Assessment* (DESA) together with *Remediation Action Plan* (RAP) is to be developed and implemented and following completion of the works, a Site

Validation Report confirming the satisfactory remediation of the site is to be submitted to Council for approval prior to the issuing of an occupation certificate

108. A *Site Validation Report* confirming that no further contamination was detected during excavation and construction works and that the site is suitable for the proposed use is to be submitted to Council for approval prior to the issuing of an occupation certificate.
109. Any soils requiring removal from the site as part of the site excavation are to be classified in accordance with the '*Waste Classification Guidelines, Part 1: Classifying Waste*' NSW EPA (2014).

Environmental Management:

110. An Environmental Management Plan is to be submitted to Council for approval, prior to the commencement of any works, detailing the control and management methods to be implemented in addressing the following issues during the demolition, excavation and construction phases of the project:
 - Noise and vibration control
 - Dust and odour suppression and control
 - Storm water control and discharge
 - Erosion control
 - Waste storage and recycling control
 - Litter control
 - Construction material storage
 - Truck cleaning methods on site so as to prevent spread of soil and like materials onto Council's roadways
111. The use of the premises, building services, equipment, machinery and ancillary fittings shall not give rise to "offensive noise" as defined under the provision of the Protection of the Environment Operation Act 1997. The sound level output shall not exceed 5 dB(A) above the ambient background level at the received boundary.
112. The construction of windows / sliders, doors, external walls and roofs are to be comply with the recommendations listed in Part 5 of the Acoustic Assessment prepared by Renzo Tonin and Associates (ref: TJ489-01F02) dated 31/7/17 in order to achieve the required noise reduction targets and levels as required by Clause 102 of the State Environmental Planning Policy–(Infrastructure) 2008 and NSW Department of Planning's 'Development near Rail Corridors and Busy Roads – Interim Guideline'
113. Mechanical ventilation and or air conditioning systems and equipment are to be designed and installed in locations that do not cause any noise nuisance or disturbance to near-by residential or commercial premises. Details of the type of equipment locations and any noise attenuation treatment are to be submitted to Council for approval **prior to the issue of the Construction Certificate**.
114. A car wash area / bay is to be provided and be graded and drained to a waste water disposal system in accordance with the requirements of Sydney Water.

Health

115. All food preparation, handling and storage are to be carried out in accordance with provisions of the Food Act 2003, the Food Regulation 2010 and the Food Safety Standards.

Copies of the Food Safety Standards Code (Australia) may be obtained by contacting the Food Standards Australia New Zealand Authority on Telephone: (02) 6271-2222, e-mail: info@foodstandards.gov.au or by visiting the website: www.foodstandards.gov.au

116. The **fit out** of the kitchen and food preparation areas is to be in accordance with Australian Standard A.S. 4674-2004 for the Design, construction and fit-out of food premises, Food Act, 2003 and Food Regulation 2004. Plans and specifications of the proposed kitchen and food areas are to be submitted to Council for approval **prior to the issue of a Construction Certificate**

Note: Copies of AS 4674-2004 may be obtained from Standards Australia Customer Service on telephone 1300 65 46 46 or by visiting the website: www.standards.com.au

117. The applicant is to complete and submit, together with the relevant fee, Council's 'Application Form for Registration of Food Premises' **prior to the issue of an Occupation Certificate**
118. A Food Safety Supervisor (FSS) is to be appointed for the business. Details of the name and current Certificate number of the FSS are to be submitted to Council prior to the issue of an Occupation Certificate.

Shared (Hotel) Accommodation

119. The hotel accommodation portion of the premises are to be operated and maintained in accordance with the Local Government (General) Regulation 2005, Schedule 2, Part 1 Standards for places of shared accommodation.

120. The maximum number of rooms / occupants approved at the hotel is as follows;

Level 1 - 21 Rooms - 42 occupants
Level 5 - 10 Rooms – 20 occupants
Level 6 - 10 Rooms – 20 occupants
Level 7 - 10 Rooms – 20 occupants
Level 8 - 10 Rooms – 20 Occupants
Level 9 - 10 Rooms – 20 Occupants
Level 10 – 10 Rooms – 20 Occupants
Level 11 – 10 Rooms – 20 Occupants
Level 12 – 10 Rooms – 20 Occupants

Total - 101 Rooms - 202 Occupants

121. Display in a conspicuous location, near the entrance of the hotel a schedule and floor plans, indicating the exit locations, fire services and numeral designating each room and the location throughout the hotel and the number of persons to be accommodated in each hotel room.
122. Each hotel room must be clearly numbered in proper sequential order.

123. Display on the door in each of the hotel rooms a schedule and floor plans, indicating the exit locations, fire services and numeral designating each bedroom throughout the boarding house and the number of persons permitted to be accommodated in each room.
124. All parts of the premises and all appurtenances (including furniture, fittings, bedsteads, beds and bed linen) must be kept in a clean and healthy condition and free vermin.

Waste Management:

125. The waste management for the development shall be carried out as specified in the Waste Management Plan prepared by WSP (project 2305010U dated October 2017)
126. A waste cupboard or other storage area is to be provided within each dwelling which is of sufficient size to hold a single day's waste and to enable source separation of general waste, recyclables and compostable materials.
127. A separate area is to be provided within the development (minimum 15 square metres) for the temporary storage of unwanted large bulky house hold items (clean up material) awaiting disposal either privately or through Councils clean up service.
128. Both residential and commercial garbage and recycling storage areas are to be:
 - a. Supplied with both **hot and cold** water;
 - b. Paved with impervious floor materials;
 - c. Coved at the intersection of the floor and the walls;
 - d. Graded and drained to a floor waste which is connected to the sewer in accordance with the requirements of Sydney Water;
 - e. Adequately ventilated (mechanically or naturally) so that odour emissions do not cause offensive odour as defined by the Protection of the Environment Operations Act 1997;
 - f. Fitted with appropriate interventions to meet fire safety standards in accordance with the Building Code of Australia.
 - g. Suitable signage is to be installed in each waste service room encouraging the separation of recyclables from the general waste stream.
129. Manufactures details and specifications for the installation, fire suppression and health and odour control measures for the garbage chute are to be submitted to Council for approval **prior to the issue of the Construction Certificate**.
130. Certification is to be provided by the installer of the chute system **prior to the issue of an occupation certificate** certifying that the Chute has been installed in accordance with the manufacturer's specification.
131. Suitable signage is to be installed in each level of the chute waste service rooms encouraging the separation of recyclables from the general waste stream.
132. A Caretaker is to be appointed for the development who will have ongoing responsibility for the proper management of the waste and recycling services

133. All waste collections are to be carried out from within the building (not from the kerb side). The caretaker is to wheel the waste and recycling bins to the nominated bin holding area facing Youth Lane for collection.
134. The applicant shall provide to Council a legally drafted agreement at their own expense in the form approved by Council which gives right of access and absolves Council and / or any of its waste collection contractors from any damage or injury that may arise from the onsite collection of waste and recyclables.
135. Residential and commercial waste and recycling collections are to be carried out in a manner and at times which do not cause a noise nuisance to the immediate or nearby residents.

Note; Council reserves the right to issue a direction under the Protection of the Environment Operations Act to address any noise or other nuisance complaints.
136. Waste and recycling bins shall be kept clean and hygienic condition. Bins are to be washed regularly within the garbage storage room with any waste water being discharged to the sewer by way of a grated drain.
137. **Prior to the issue of an Occupation Certificate**, the applicant is to arrange with Council's Environment and Health Section the issue of the appropriate number of garbage and recycling bins for the residential portion of the development and payment of the necessary fees to enable commencement of the waste and recycling services.
138. The owner/occupier of the premises is to enter an agreement with registered waste company or provider for the regular collection of all commercial waste and recyclable material generated from the premises. A copy of the agreement is to be retained on site and produced to an authorized Council officer upon request.

ENGINEERING

General Engineering

139. All activities and works external to the site, or that affect public roads, are to be carried out in accordance with Council's Code for Activities Affecting Roads.
140. A road-opening permit shall be obtained for all works carried out in public or Council controlled lands. Restoration of landscaping, roads and paths shall be carried out by Council at the applicant's expense in accordance with Council's restoration rates. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$10 million, and shall provide proof of such cover to the Principal Certifying Authority prior to carrying out the works.
141. Spoil and building materials shall not be placed, stored or caused to fall within any public roadway or footpath. Waste containers shall be placed in accordance with Council's Code for Activities Affecting Roads. Council's fee shall be paid prior to the placement of the waste containers.
142. The builder is to ensure footpaths and roads affected by construction works are kept safe and prevent any damage to Council property. The builder shall erect and maintain where necessary approved hoardings, barricades, warning signs and night

warning lamps to ensure public safety. Pedestrian access across the footpath must be maintained at all times.

143. The following matters shall apply to the damage deposit listed in the **Table of Fees, Damage Deposit \$63,000**
- a. This deposit is refundable if no damage occurs. Any damage caused will be repaired at Council's restoration rates, at the applicant's expense. All or part of the deposit will be forfeited to cover damage to Council's property during the course of demolition and/or construction.
 - b. Council will only carry out two inspections of the Council's footpath, kerb and gutter, drainage system and roadway, prior to works commencing and at the completion of all work covered by this consent. Council is aware that damage may be caused by individual contractors that culminate in the damage inspected at Council's final inspection. The applicant is responsible for attributing any part of the damage to their individual contractors. Council will not refund any part of a damage deposit until the completion of the work covered by this consent.
144. Internal driveway levels shall be designed and constructed to conform with existing footpath and road profiles such that vehicles are not damaged while accessing the property. Council footpath and road profiles will not be altered for this purpose.
145. Stormwater from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe to Council's street drainage system.
146. The applicant is to have prepared a longitudinal section of the proposed vehicular ramp access, drawn at 1:25 natural scale.
- a. The longitudinal section shall be prepared by a competent practicing civil engineer in accordance with AS 2890.1.
 - b. The design is to be reviewed by Council or an Accredited Certifier - Civil Engineering. The Principal Certifying Authority is to be provided with a Compliance Certificate verifying that this condition has been complied with, **prior to the issuing of a Construction Certificate.**
147. Temporary measures shall be provided during demolition, excavation and/or construction to prevent sediment and polluted waters discharging from the site.
- a. An erosion and sediment control plan showing such measures shall be prepared by a competent practicing hydraulic/civil engineer in accordance with Supplement 10 of Council's Stormwater Management Code.
 - b. The erosion and sediment control plan is to be reviewed by Council or an Accredited Certifier - Civil Engineering. The Principal Certifying Authority is to be provided with a Compliance Certificate verifying that this condition has been complied with, **prior to the issuing of a Construction Certificate or commencement of demolition.**
148. All demolition and excavation materials are to be removed from the site or disposed of on-site using methods that comply with relevant environmental protection legislation.
149. Vehicles removing demolished materials from the site shall access and depart from the site through George Street, Shaftesbury Road and Parramatta Road. Vehicles

involved in removing materials from the site shall be limited to an 8 tonne gross weight per axle.

Stormwater Engineering: (Ref. Drainage Concept Plan, SK01-10004542 – P1)

150. Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe system to:-

- a. The nearest appropriate Council drainage line

151. A detailed drainage design shall be submitted to the Principal Certifying Authority.

- a. The design and calculations shall indicate the details of the proposed method of stormwater disposal and shall be prepared by a competent practicing hydraulic/civil engineer in accordance with Council's Stormwater Management Code.
- b. Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other property.
- c. Overflow paths shall be provided to allow for flows in excess of the capacity of the pipe/drainage system draining the site, as well as from any on-site stormwater detention storage.
- d. The design is to be reviewed by Council or an Accredited Certifier - Civil Engineering. The Principal Certifying Authority is to be provided with a Compliance Certificate verifying that this condition has been complied with, **prior to the issuing of a Construction Certificate.**

152. Details and calculations shall be prepared by a competent practicing hydraulic/civil engineer. They shall include:

- a. a catchment plan,
- b. plans showing proposed and existing floor, ground and pavement levels to AHD,
- c. details of pipelines/channels showing calculated flows, velocity, size, materials, grade, invert and surface levels,
- d. details and dimensions of pits and drainage structures,
- e. hydrologic and hydraulic calculations,
- f. details of any services near to or affected by any proposed drainage line,
- g. any calculations necessary to demonstrate the functioning of any proposed drainage facility is in accordance with Council's requirements.
- h. The depth and location of any existing stormwater pipeline and/or channel being connected to shall be confirmed by the applicant on site. Certification of such is to be provided to Council prior to the release of the construction certificate.

The details and calculations are to be reviewed by Council or an Accredited Certifier - Civil Engineering. The Principal Certifying Authority is to be provided with a Compliance Certificate verifying that this condition has been complied with, **prior to the issuing of a Construction Certificate.**

153. On-site stormwater detention storage shall be provided in conjunction with the stormwater disposal system.
- a. This storage shall be designed by a competent practicing hydraulic/civil engineer in accordance with Council's Stormwater Management Code and submitted to the Principal Certifying Authority.
 - b. The storage volume shall be calculated considering 65% pre development impervious condition where the actual impervious condition is > 65% in its predevelopment stage.
 - c. The design is to be reviewed by Council or an Accredited Certifier - Civil Engineering. The Principal Certifying Authority is to be provided with a Compliance Certificate verifying that this condition has been complied with, **prior to the issuing of a Construction Certificate.**
154. The stormwater works on the development property and connection to Council's stormwater system are to be inspected during construction by a competent practicing hydraulic/civil engineer. The inspections are to be carried out at the stages of construction listed in the following schedule. A compliance Certificate verifying that the construction is in accordance with the approved design, this development consent and satisfies the relevant Australian Standard is to be submitted to the Principal Certifying Authority before proceeding beyond the relevant stage of construction.

SCHEDULE OF CONSTRUCTION STAGES REQUIRING INSPECTION

- a. Following placement of pipe bedding material. Confirm trench/pipe location, adequacy of depth of cover, bedding material and depth.
 - b. Following joining of pipes and connection to Council's stormwater system.
 - c. For On-Site-Detention systems:-
 - (i) Following set out of detention tank/area to confirm area and volume of storage.
 - (ii) Following placement of weep-holes, orifice and/or weir flow control, outlet screen and overflow provision.
 - d. Following backfilling. Confirm adequacy of backfilling material and compaction.
155. Following completion of all drainage works:-
- a. Works-as-executed plans, prepared and signed by a registered surveyor, shall be prepared. These plans shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels. These plans are to be reviewed by the competent practicing hydraulic/civil engineer that inspected the works during construction.

- b. The Principal Certifying Authority is to be provided with a Compliance Certificate from a competent practicing hydraulic/civil engineer. The Compliance Certificate shall state that all stormwater drainage and related work has been constructed in accordance with the approved plans and consent conditions as shown on the work-as-executed plans, prior to the issuing of an Occupation Certificate.
156. Habitable floor levels shall be a minimum of 150mm above the surrounding finished ground levels. Garage floor levels shall be a minimum of 100mm above the surrounding finished ground levels.
157. A Positive Covenant under section 88E of the Conveyancing Act shall be created on the title of the property(s) detailing the
- i) *Finished pavement and ground levels*
 - ii) *On-site Stormwater Detention system*
 - iii) *Pump and rising main system*

incorporated in the development. The wording of the Instrument shall include but not be limited to the following:-

- a. The proprietor of the property agrees to be responsible for keeping clear and the maintenance of the facilities consisting of:-
 - i) *Finished pavement and ground levels*
 - ii) *On-site Stormwater Detention system*
 - iii) *Pump and rising main system*
- b. The proprietor agrees to have the facilities inspected annually by a competent practicing hydraulic/civil engineer.
- c. The Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean repair and maintain in good working order the facilities in or upon the said land; and recover the costs of any such works from the proprietor.
- d. The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from failure of any component of the facilities.

The applicant shall bear all costs associated with the preparation of the 88E Instrument. The wording of the Instrument shall be submitted to, and approved by Council prior to lodgement at the Land Titles Office. Evidence that the Instrument has been registered at the Land Titles Office shall be submitted to Council, prior to issuing of an Occupational Certificate.

158. The pump system is only permitted for the drainage of the basement areas where the finished slab is below the ground level. The following conditions are to be satisfied:-
- a. A pump and rising main design shall be submitted to the Principal Certifying Authority and shall satisfy the following conditions:-
 - (i) The holding tank for the pump shall be capable of storing runoff from a one hour, 1 in 100 year ARI storm event.

- (ii) The pump system shall consist of two (2) pumps, connected in parallel, with each pump being capable of emptying the holding tank at a rate equal to the lower of the allowable on site detention discharge rate, or the rate of inflow for the one hour duration storm.
 - (iii) An overflow, flashing light and audible alarm are to be provided, to warn of pump failure.
 - (iv) Full details of the holding tank, pump type, discharge rate and the delivery line size are to be documented.
 - (v) Any drainage disposal to the street gutter, from a pump system must have a stilling sump provided at the property line, and connected to the street gutter by a suitable gravity line.
 - (vi) The capacity of the stilling sump and outlet pump shall be determined and verified by calculations which are to be documented.
- b. Pumping system details shall be submitted to Council or an Accredited Certifier - Civil Engineering. The Principal Certifying Authority is to be provided with a Compliance Certificate verifying that this condition has been complied with, **prior to the issuing of a Construction Certificate.**
 - c. The applicant shall submit written evidence to the Principal Certifying Authority that a contract has been let for the regular maintenance of the pump system for a minimum period of 12 months. Information to be submitted to the Principal Certifying Authority prior to issuing of an Occupation Certificate.
159. The stormwater plan shall include basement stormwater drainage that comprises a stormwater pit and two pumps in alternate operation to cater for seepage around basement walls and stormwater runoff from the open ramp access to the basement.
160. The plan shall include a Council standard kerb inlet pit and 1.8m lintel on Marry Street to connect property stormwater drainage into it and a Ø375mm class 4 reinforced concrete pipe line under the street gutter to the existing pit at the corner of Marry Street and George Street.
161. Long section of the pipeline, cross section of pipe trench, details of the new pit and lintel and the connecting pit together with their invert levels, surface levels etc. shall be provided. Where the top cover of the pipe < 500mm under road surface it shall be encased in mass concrete. Cross section of concrete encasement of pipe shall be provided.
162. The depth and location of all services within the area that would be affected by the construction of the stormwater pipe (i.e. gas, water, sewer, electricity, telephone, traffic lights etc.) shall be confirmed by the applicant on site and are to be included on the design drawings with their chainages and elevations.
163. Any adjustment required will be at the applicant's expense. The relevant authority's written consent for any adjustments or works affecting their services shall be obtained and submitted to the principal Certifying Authority, prior to construction commencing.

164. The stormwater works described above shall be constructed at applicant's expense. The applicant shall pay Council a stormwater works bond as listed in the Table of Fees, (Stormwater Fee \$59,500.) The bond shall be refunded after completion of the stormwater works described above as per Council's satisfaction.
165. A sediment and erosion control plan shall be prepared in accordance with Supplement 10 of Council's Stormwater Management Code following guidelines from "Urban Erosion and Sediment Control Handbook.

Bulk Excavation, Shoring & Rock Anchors

166. No opening is to be made in any road or footpath, nor is any hoarding to be erected without the prior consent of Council. The builder is to obtain the relevant permit for which fees will be charged in accordance with Council's Schedule of Fees and Charges.
167. The builder shall erect and maintain in good order all necessary hoardings, barricades and warning signs required to provide adequate public safety. Night warning lamps are to be provided where necessary.
168. Public roads to be kept clean and free of any material which may fall from vehicles or plant. Waste containers shall be placed in accordance with Council's Code for Activities Affecting Roads and are subject to the payment of appropriate fees.
169. Heavy vehicles entering and leaving the site must only cross the footpath where it is adequately timbered and strapped. Pedestrian access across this footpath must be maintained in good order at all times during the excavation work.
170. The contractor shall strictly implement all erosion and sediment control measures prior to the commencement of excavation. Such measures shall be inspected at site by a competent practicing hydraulic/civil engineer and the PCA shall be provided with a compliance certificate in regards to that.
171. The Applicant shall prepare detailed survey reports of all existing service authority assets in and around the site of the proposed development that may be affected in any way by the proposed excavation. Surveys should include, but not be limited to, high and low voltage electricity, water, stormwater, sewer, gas, telecommunications, street lighting and drainage assets, etc.
172. The Applicant shall liaise with all relevant service authorities (including, but not limited to electricity, water, stormwater, sewer, gas, telecommunications, street lighting and drainage) to develop final designs that satisfy all requirements of the service authority providers in respect of protection, termination or relocation of existing assets, temporary access and future permanent access for maintenance of assets.
173. The Applicant shall prepare detailed method statements to demonstrate how the proposed excavation is to be conducted such that all relevant utility authority assets are protected and maintained throughout the construction stage of the development, or are relocated. Method statements are to be submitted to the relevant utility authorities for their written approval.

Should the applicant requires the use of temporary ground anchors to shore the bulk excavation within public roads an NPER Registered Structural Engineer's certificate along with certified plans showing the details and extent of work shall be submitted to Council for its record. The following conditions shall be addressed with by the Applicant.

174. The Applicant is required to obtain a 'Temporary Ground Anchor Permit' from Council for which an 'Application for Works on Council's Property' shall be lodged with Council. Subject to the application being approved by Council, the applicant shall pay Council calculated Anchor Fees and the 'Refundable Deposit' as required under Council's Statement of Revenue Policy 2018/19. Payment of the 'Refundable Deposit' shall be made in the form of a Bank Guarantee.

Note: This deposit is refundable if no damage occurs.

175. The contractor shall be responsible to obtain and submit to Council a written authority from all public utility authorities that they have no objection in regards to the installation of temporary ground anchors, prior to works commencing.
176. The contractor shall be responsible to obtain permission from the neighbours of the adjoining properties prior to installation of anchors.
177. The contractor shall be responsible for any injury or damage either to persons or property due to the presence or failure of the supporting structure on the public way and the contractor shall indemnify the Council against all claims that may arise from the installation of the supporting structure. In this regard the contractor shall provide written evidence of public liability insurance cover to the minimum value of \$20 million, with Council named in the insurance policy, prior to work commencing.
178. The anchors shall be installed in accordance with the manufacturer's instructions.
179. The construction of ground anchors shall be of a temporary nature only and a written undertaking shall be given that the ground anchors are temporary only and shall be de-stressed after final lateral supports are in place. The written undertaking is to be provided to Council, prior to work commencing.
180. Council may unilaterally use the damage deposit for the demolition and removal of the shoring elements constructed within the public road including the repair/reconstruction of any other associated damage to Councils infrastructure, if it be necessary due to non-compliance with these conditions.
 - a. All shoring with the exception of the released temporary ground anchors shall be completely removed from the public road to a depth of 2.5m on completion. The void shall be backfilled by suitable materials and compacted.
 - b. All shoring including ground anchors are to be certified by a practicing professional structural engineer. Certification is required as follows:
 - i. That the proposed shoring and anchor scheme is capable of supporting the public road, to be submitted prior to work commencing.
 - ii. Certification that the shoring and anchor scheme has been adequately constructed, following installation.
 - iii. Final certification that the anchors have been de-stressed and all shoring with the exception of the anchors have been removed to a depth of 2.5m, on completion following de-stressing of the anchors.

- c. Council's footpath and roadway are to be kept safe for the passage of motorists and pedestrians at all times. Closure of any part of the public thoroughfare shall only be carried out with the approval of Council's Traffic Engineer.
- d. All stockpiled shoring materials and equipment shall be kept solely within the private property and not obstruct the footpath or roadway at any time.
- e. All earth and rock anchors shall be released before the completion of building work.

Public Domain:

- 181. A detailed Public Domain Plan comprising four street frontages inclusive of Youth Lane development, fulfilling all related traffic conditions shall be prepared in accordance with Public Works Element Manual and Council's standard drawings and specifications.
- 182. The plan must include detailed survey reports of all existing service authority assets in public domain areas of the proposed development. Surveys should include, but not be limited to, high and low voltage electricity, water, stormwater, sewer, gas, telecommunications, street lighting and drainage assets, etc.
- 183. The Applicant shall liaise with all relevant service authorities to satisfy all requirements of the service authority providers in respect of protection, termination or relocation of existing assets. A written consent shall be required where a service authority asset will be affected.
- 184. Three copies of the Public Domain Plan drawn at 1:100 scales shall be prepared and certified by a qualified architect or landscape architect or urban designer and shall be submitted for Council's review.
- 185. The plan shall show the entire layout and the location, the existing and proposed construction levels, long sections and cross sections of footpath paving, kerb & gutter, pram ramps, bollards, service pits, stormwater pit & lintel. Long sections and cross sections shall be provided adequately in appropriate scales.
- 186. The plan shall incorporate standard specifications of materials and technical specifications of the proposed works.

TRAFFIC

- 187. All owners, tenants and occupiers of this building are not eligible to participate in any existing or proposed Council on-street resident parking schemes.
- 188. Signs reading 'all owners, tenants and occupiers of this building are advised that they are not eligible to obtain an on-street resident parking permit from Council' must **be permanently displayed and located** in prominent places such as at display apartments and on all directory boards or notice boards, where they can easily be observed and read by people entering the building. The signs must be erected prior to an Occupation Certificate being issued and must be maintained in good order at all times **by the Owners Corporation**.

189. A minimum of 95 off-street car parking spaces and 32 bicycle parking spaces must be provided on-site. The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking and Council's Development Control Plan. The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities.
190. The approved parking spaces must be allocated as detailed below. All spaces must be appropriately line-marked and labelled according to this requirement prior to the issue of an Occupation Certificate. If the development is to be strata subdivided, the car park layout must respect the required allocation:
- a. 36 residential parking spaces.
 - b. 8 visitor parking spaces.
 - c. 35 hotel parking spaces.
 - d. 12 childcare parking spaces.
 - e. 1 retail parking spaces.
 - f. 2 waiting bay parking spaces adjacent car lifts.
 - g. 1 hotel drop-off bay on ground floor level.
191. Loading areas must be located on street level close to the garbage holding room and bulky waste room as detailed below:
- a. A minimum of 1 Medium Rigid Vehicle loading area.
 - b. A minimum of 1 Heavy Rigid Vehicle loading area.
192. Adequate space must be provided to allow manoeuvring and turning of the different sized vehicles. The design, layout, signage, line marking, lighting and physical controls for all service vehicles must comply with the minimum requirements of '*Australian Standard AS 2890.2 – 2002 Off-Street Parking Part 2: Commercial vehicle facilities*'.
193. No part of the common property, apart from the visitor vehicle spaces which are to be used only by visitors to the building, and service vehicle spaces which are to be used only by service vehicles, is to be used for the parking or storage of vehicles or trailers.
194. Visitor parking spaces must not at any time be allocated, sold or leased to an individual owner/occupier and must be strictly retained as common property by the Owners Corporation for use by building visitors.
195. Where a boomgate or barrier control is in place, the visitor and childcare spaces must be accessible to visitors by the location of an intercom (or card controller system) at the car park entry and at least 6m clear of the property boundary, wired to all units and child care centre. The intercom must comply with '*Australian Standard AS 1428.2-1992: Design for access and mobility - Enhance and additional requirements - Building and facilities Sections 22 and 23*'.
196. The site must be configured to allow a vehicle to be driven onto and off the site in a forward direction.
197. The following signs must be provided and maintained within the site at the point(s) of vehicle egress:
- a. Compelling drivers to stop before proceeding onto the public way

- b. Compelling drivers to "Give Way to Pedestrians" before crossing the footway.
- 198. All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.
- 199. At all times the car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage.
- 200. Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RMS Technical Directives and must be referred to and agreed to by the Traffic Committee prior to any work commencing on site.
- 201. All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with any relevant Australian Standards, Austroads Guides and RMS Technical Directions.
- 202. All costs associated with signposting for any kerbside parking restrictions and traffic management measures, including any relocation of parking meters, associated with the development shall be borne by the developer.
- 203. A Construction Traffic Management Plan must be submitted and approved by Council **prior to the commencement of demolition and excavation or issuing of the Construction Certificate (whichever occurs first)**. The Construction Traffic Management Plan must be complied with at all times. The following matters should be addressed in the plan (where applicable):
 - a. A plan view of the entire site and frontage roadways indicating:
 - i. Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways.
 - ii. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.
 - iii. The proposed locations of work zones where it is not possible for loading/unloading to occur on the site in the frontage roadways (which will require separate approval by Council).
 - iv. Location of any proposed crane and concrete pump and truck standing areas on and off the site (which will require separate approval by Council).
 - v. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
 - vi. Details of vertical and horizontal material handling and deliveries.
 - vii. Any on-site parking area for employees, tradespersons and construction vehicles where possible.
 - viii. Traffic routes to and from the site from the closest arterial road in all directions.
 - b. Traffic control plan(s) for the site must be in accordance with the Roads and Maritime Services publication "Traffic Control Worksite Manual" and prepared by a suitably qualified person. The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each stage.

204. Should works require any of the following on public property (footpaths, roads, reserves), an application shall be submitted and approved by Council prior to the commencement of the works associated with such activity
- i. Work zone.
 - ii. Temporary closure of roadway/footpath.
 - iii. Mobile crane or any standing plant
 - iv. Scaffolding/Hoardings (fencing on public land)
 - v. Road works including vehicle crossing/kerb & guttering, footpath, stormwater provisions etc.
 - vi. Installation or replacement of private stormwater drain, utility service or water supply

LANDSCAPE

205. Landscaping shall be carried out in accordance with the landscape plans prepared by LSA Design referenced Dwg. Nos. LA 0.0.01-05, Revision C), received by Council on 3 March 2017 and where amended by conditions of this approval.

SPECIAL CONDITIONS

Sydney Trains

206. All excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings and recommendations detailed in the following documents:
- a. Foundation Plan – S0100 Rev 01 dated 29 May 2017 prepared by Arcadis
 - b. Retention Wall Details – S0400 dated 29 May 2017 prepared by Arcadis
 - c. Site Context Plan – 1607 DA 01 Rev A dated 27 February 2017 prepared by MGA
 - d. Ground Floor Plan – 1607 DA15 Rev A dated 27 February 2017 prepared by MGA
 - e. Section AA – 1607 DA41 Rev A dated 27 February 2017 prepared by MGA
 - f. South Elevation – 1607 DA32 Rev A prepared by MGA
 - g. External Finishes – 1607 DA81 Rev A prepared by MGA
 - h. External Lighting – 1607 DA82 prepared by MGA
 - i. Geotechnical Assessment Report, Ref: 2987ZHRpt dated 27 October 2016 prepared by JK Geotechnics
 - j. Prediction of Ground Movements Under Rail Corridor – dated 27 June 2017 Ref: 29874ZHRptFEA prepared by JK Geotechnics
 - k. Monitoring Plan for Sydney Trains Assets – dated 26 May 2017 Ref: 29874ZHRptMP prepared by JK Geotechnics
 - l. Report titled “17 Deane Street, Burwood NSW- Mixed Use Development – Structural Design Brief” issued 30th June 2017 prepared by Arcadis
 - m. Letter prepared by Arcadis dated 29 June 2017 including basement shoring wall excavation procedure.

The Principal Certifying Authority **is not to issue the Construction Certificate** until the measures detailed in the documents approved/certified by Sydney Trains under this Condition are incorporated into the construction drawings and specifications prior to the issuing of the Construction Certificate. Prior to the commencement of works the Principal Certifying Authority is to provide verification to Sydney Trains that this condition has been complied with.

207. If required by Sydney Trains, prior to the commencement of works, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.
208. The following items are to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate:
- Machinery to be used during excavation/construction.
 - Plans indicating that the rock anchors do not encroach into RailCorp's land or easement, or impact on RailCorp's underground feeder line within Dean Street roadway.
 - Final cross sectional drawings showing ground surface, rail tracks, sub soil profile, services, proposed basement excavation and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
 - Detailed Survey Plan showing the relationship of the proposed development with respect to the Rail Corridor and infrastructure.

The Principal Certifying Authority is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.

209. No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.
210. **Prior to the issue of a Construction Certificate** the applicant shall undertake a services search to establish the existence and location of any rail services, including RailCorp's power supply within Deane Street.. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified the Applicant must obtain RailCorp written approval as to how they will be protected, or if required, relocated.
211. No boring shall be carried out in close proximity to the buried 33 kV cables power supply within Deane Street. Final boring details are to be provided to RailCorp for endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority **shall not issue the Construction Certificate** until written confirmation has been received from the RailCorp confirming that this condition has been satisfied
212. An acoustic assessment is to be submitted to Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".
213. **Prior to the issue of a Construction Certificate** the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development

from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

214. If required by Sydney Trains, **prior to the issue of a Construction Certificate** a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
215. If required by Sydney Trains, a track monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority **is not to issue a Construction Certificate** until written confirmation has been received from Sydney Trains advising of the need to undertake the track monitoring plan, and if required, that it has been endorsed.
216. Vibration monitoring shall be carried out on the brick retaining wall along Deane Street, Burwood. A monitoring plan including vibration monitoring details is to be submitted to Sydney Trains for review and endorsement **prior to the issuing of a Construction Certificate**. The Principal Certifying Authority is not to issue a Construction Certificate until written confirmation has been received from Sydney Trains that this condition has been satisfied.
217. Unless advised by Sydney Trains in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.
218. No rock anchors/bolts are to be installed into Sydney Trains property or easements.
219. **Prior to the issuing of an Occupation Certificate** the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property or easements, unless agreed to be these authorities. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied
220. If required, **prior to the issue of a Construction Certificate** the Applicant is to contact Sydney Trains Engineering Management Interfaces to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Engineering Management Interfaces to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.

221. If required, **prior to the issue of a Construction Certificate** the Applicant is to contact Sydney Trains Engineering Management Interfaces to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.
222. Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.
223. **Prior to the issuing of a Construction Certificate** the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
224. Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains must be submitted to Council for its records **prior to the issuing of a Construction Certificate**.
225. Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.
226. Given the possible likelihood of objects being dropped, thrown or blown onto the rail corridor from balconies, windows and other external features (e.g. roof terraces and external fire escapes) that face the rail corridor, the Applicant is required to install measures as following:
- Level 2 and Level 3 Outdoor areas - Extend the balustrades from 1200mm to 1800mm high facing Deane Street
 - Level 4 and Level 13 Podium areas - Screen the perimeter of the balconies edge facing Deane Street with horizontal timber louvres at 1800mm in height and not accessible to public. This area shall be screened with planting.
 - Level 13 to Level 23 balconies - Extend the balustrades from 1200mm to 1800mm high facing Deane Street.

The Certifying Authority shall not issue the Construction Certificate until it has confirmed that these measures are to be installed and have been indicated on the Construction Drawings.

Special Condition - Road Widening

227. The area shown on the plans submitted to Council as road widening to the George St frontage of the site shall be dedicated as public road to Council. Proof of registration of the plan of subdivision to the Land & Property Information Service shall be submitted to Council prior to the release of any Occupation Certificate for the development.