

CONDITIONS OF CONSENT

- 1) The proposal shall comply with the conditions of Development Consent. A Construction Certificate shall not be issued until the plans and specifications meet the required technical standards and the conditions of this Development Consent are satisfied.
- 2) Development shall take place in accordance with Development Application No. DA-957/2017 submitted by Kitchener 048 Service Pty Ltd accompanied by the following plans, all affixed with Council's approval stamp, except where otherwise altered by the specific amendments listed hereunder and/or except where amended by the conditions contained in this approval:

Architectural plans prepared by Scott Carver

- DA1003 Revision 4 dated 18 March 2019
- DA1021 Revision 3 dated 15 March 2019
- DA1101 Revision 1 dated 20 March 2019
- DA1102 Revision 6 dated 20 March 2019
- DA1103 Revision 6 dated 18 March 2019
- DA1104 Revision 4 dated 18 March 2019
- DA1105 Revision 4 dated 18 March 2019
- DA1106 Revision 4 dated 18 March 2019
- DA1107 Revision 3 dated 15 March 2019
- DA1108 Revision 3 dated 15 March 2019
- DA1109 Revision 3 dated 15 March 2019
- DA1110 Revision 3 dated 15 March 2019
- DA1111 Revision 3 dated 15 March 2019
- DA1112 Revision 3 dated 15 March 2019
- DA1113 Revision 3 dated 15 March 2019
- DA1114 Revision 3 dated 15 March 2019
- DA1115 Revision 3 dated 15 March 2019
- DA1116 Revision 3 dated 15 March 2019
- DA1117 Revision 4 dated 18 March 2019
- DA1201 Revision 4 dated 18 March 2019
- DA1202 Revision 5 dated 20 March 2019
- DA1203 Revision 5 dated 20 March 2019
- DA1204 Revision 3 dated 15 March 2019
- DA1205 Revision 5 dated 20 March 2019
- DA1206 Revision 3 dated 15 March 2019
- DA1207 Revision 3 dated 15 March 2019
- DA1208 Revision 5 dated 20 March 2019
- DA1209 Revision 4 dated 20 March 2019
- DA1211 Revision 4 dated 18 March 2019
- DA1212 Revision 4 dated 18 March 2019
- DA1213 Revision 4 dated 18 March 2019
- DA1214 Revision 3 dated 15 March 2019
- DA1950 Revision 3 dated 15 March 2019
- DA1951 Revision 3 dated 15 March 2019

Landscape plans prepared by Turf Design Studio

- L-DA-8 Issue B dated 18 March 2019
- L-DA-9 Issue B dated 18 March 2019
- L-DA-10 Issue B dated 18 March 2019
- L-DA-12 Issue B dated 18 March 2019
- L-DA-13 Issue B dated 18 March 2019

The development plans shall be amended as follows:

- a) The twelve (12) car parking spaces located along the southern edge of the eastern deep soil zone (adjacent Kitchener Parade) are to be relocated to Basement Level 2 and replaced with additional deep soil zone, as indicated in red on the approved plans.
 - b) The front entry door to all 1-bedroom apartments shall be offset from the hallway, as per the layout for Units 02 and 04 on Level 6 to Level 13 in Building 4.
 - c) The fire doors adjacent to the 'VOID OVER RETAIL' that discharge to the main stairs that connect the through-site-link to the communal open space podium are to be relocated to ensure they are not visible from the public domain.
 - d) The five (5) western-most 5 planters along southern edge of the through-site link shall be consolidated into 3 planters, each with a minimum 35m² footprint and 1m depth.
 - e) The three (3) western-most planters on the northern edge of the through-site link shall be consolidated into 2 planters, each with 35sq.m footprint and 1m depth.
 - f) The balcony balustrades at the north-western corner of apartments 4.1109, 4.1209 and 4.1309 are to be amended to sit entirely within the maximum 47m building height plane prescribed by the BLEP.
- 3) The external materials and finishes of the development shall be strictly in accordance with the Materials Board prepared by Scott Carver dated 18 March 2019 and the 'Materiality' schedule at Page 35 of the Design Report by Scott Carver dated December 2018. Any proposed changes to the approved external materials and finishes must be submitted to Council for assessment. Changes to the approved materials and finishes cannot be approved by the Principal Certifying Authority.
 - 4) A construction management plan is to be prepared and submitted to Council for approval. The plan is to outline the sequencing of the development, and is to address matters including, but not limited to, pedestrian safety, vehicular access, management of car parking, dust suppression, and mitigation of noise impacts during excavation and construction.

- 5) No approval is granted or implied for the use of the retail and commercial tenancies, or the child care centre. Separate development consent is to be obtained for the use of these premises, unless the use qualifies as 'exempt development'.
- 6) A minimum 3.3m clear floor-to-ceiling height is to be provided for all retail/commercial tenancies and above-ground parking areas, except for that part of the Level 1 commercial parking west of the alignment of the main stairs that connect the through-site link to the communal open space podium.
- 7) Any exhaust vents or the like located on the communal open space podium are to be fully integrated into the design and treatment of the approved hard landscape elements. There shall be no exhaust vents or the like located at any part of the through-site link.
- 8) An 'in principle agreement' shall be sought from RMS for the installation of traffic control signals at the intersection of Meredith Street and Gordon Street to provide for the safe passage of pedestrians.

Should an 'in principle agreement' from RMS be provided, the signals shall be designed and installed to the satisfaction of RMS and Council, and shall be fully operational prior to the issue of an Occupation Certificate.

All costs associated with the approval, design and installation of the signals, and any required road reconstruction / carriageway widening works including public utility adjustments, shall be fully borne by the applicant.

- 9) The approved deep soil zones must be retained as deep soil and landscaping for the life of the development. No encroachments for services or any structures is permitted.
- 10) No strata subdivision of the above-ground car parking areas is permitted. These spaces are to be held in single ownership at all times.
- 11) The use of shopping trolleys in association with any retail tenancies is not permitted. Shopping trolleys brought to the site are to be removed daily.
- 12) The applicant shall fund the design and installation of underground wires and street lights along the Meredith Street and Kitchener Parade frontages. The applicant must liaise with Council's Traffic Department to concur on the level of lighting required for any public roadway and/or space.
- 13) The use of loose glass-tops and light-weight sheets or covers (including loose BBQ lids) is not appropriate on high-rise outdoor terraces and balconies. Lightweight furniture must not be used unless it is securely attached to the balcony or terrace floor slab.

- 14) The recommendations and mitigation measures contained in Section 7.2 of the *Statement of Heritage Impact*, dated October 2017 prepared by Artefact, shall be fully implemented.
- 15) The recommendations contained in Sections 6.1.1 (Car Parking and Loading Dock) and 6.4 (Mechanical Plant Noise) of the *Development Application Acoustic Report*, Revision 2 dated 9 October 2017 by Acoustic Logic, shall be fully implanted.
- 16) The recommendations of the *DA Access Review*, dated 5 October 2017 by Morris Goding, shall be fully implemented.
- 17) The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage to other premises as defined in the '*Assessing Vibration: A Technical Guideline*' (NSW Department of Environment and Conservation, 2006).
- 18) The implementation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, ash, dust, waste water, waste products, grit, oil or other harmful products.
- 19) To minimise the noise impact on the surrounding environment, the use of the premises, building services, equipment, machinery and ancillary fittings shall not give rise to "offensive noise" as defined under the provisions of the *Protection of the Environment Operations Act 1997*.
- 20) The building must not exceed a maximum height of 74.3 metres AHD, inclusive of all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, any roof top garden plantings, exhaust flues, etc.
- 21) The operator shall be responsible for ongoing maintenance, cleaning, and replacement of waste and recycling bins. Commercial waste is to be collected by private contractor engaged by the operator. Provision of bins for commercial waste purposes is the responsibility of the Building Manager and private contractor. Bin storage at the child care centre is to be secure and screened from public view.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

Prior to the release of a Construction Certificate the following conditions MUST be satisfied and nominated fees/contributions/bonds paid:

- 22) The Principal Certifying Authority must ensure that any certified plans forming part of the Construction Certificate are not inconsistent with this Development Consent and accompanying plans.

- 23) Approval in accordance with Council's Tree Preservation Order (TPO) is granted to lop or remove only the trees identified to be lopped or removed on the approved plans. Separate approval shall be obtained to prune or remove trees on adjoining properties or other trees located on the site. Failure to comply with Council's TPO may result in a fine of up to \$100,000.
- 24) The development is to be carried out in accordance with the commitments shown on the BASIX Certificate. The BASIX commitments approved with this Development Application are to be reflected in the Construction Certificate plans and specifications. Any proposed changes to the BASIX commitments after the Construction Certificate has been issued will require an updated BASIX Certificate and a new Construction Certificate.
- 25) The Council Approved building plans, including demolition plans, must be submitted to Sydney Water for assessment. This will determine if the proposed structure(s) would affect any Sydney Water infrastructure or if there are additional requirements. Building plan approvals can be submitted online via Sydney Water Tap in™.

Please refer to www.sydneywater.com.au/tapin. For Sydney Water's Guidelines for building over or next to assets, visit www.sydneywater.com.au 'Plumbing, building & developing' then 'Building Plan Approvals' or call 13000 TAPIN.

Prior to release of a construction certificate Sydney Water must issue either a Building Plan Assessment letter which states that your application is approved, or the appropriate plans must be stamped by a Water Servicing Coordinator.

- 26) A Construction Certificate shall not be issued until written proof that all bonds, fees and/or contributions as required by this consent have been paid to the applicable authority.
- 27) A long service levy payment which is 0.35% of the total cost of the work is to be paid to the Building and Construction Industry Long Service Payments Corporation.
- 28) Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979 and the Bankstown City Council Section 94A Development Contributions Plan 2009 (Section 94A Plan) a contribution of **\$2,154,330.33** shall be paid to Council.

The amount to be paid is to be adjusted at the time of actual payment, in accordance with the provisions of the Section 94A plan. The contribution is to be paid before the issue of the construction certificate.

Note: The Section 94A Contributions Plans may be inspected at Council's Customer Service Centre, located at Upper Ground Floor, Civic Tower, 66-72 Rickard Road, Bankstown, between the hours of 8.30am-5.00pm Monday to Friday.

- 29) Finished surface levels of all internal works and at the street boundary, including driveways, landscaping and drainage structures, must be as shown on the approved plans. The levels at the street boundary must be consistent with the Street Boundary Alignment Levels issued by Council. The applicant must ensure that the ground floor access to the Council footway is at or above the footway level. The applicant must construct any transition into the building within the site of the building. No transition ramps will be permitted to be constructed within the footway.
- 30) A soil erosion and sediment control plan must be prepared by a suitably qualified professional, in accordance with the Bankstown Demolition and Construction Guidelines and Council's Development Engineering Standards, and submitted to the certifying authority for approval prior to the issue of a construction certificate.
- 31) Stormwater drainage from the development shall be designed so as to comply with Council's Development Engineering Standards and the requirements of the BASIX Certificate. A final detailed stormwater drainage design shall be prepared by a qualified Professional Civil Engineer in accordance with the above requirements and shall generally be in accordance with the concept stormwater plan prepared by WSP Issue P2 dated 19 October 2018. The final plan shall be certified by the design engineer that it complies with Council's Development Engineering Standards, the BASIX Certificate and the relevant Australian Standards.
- 32) The pump out drainage system shall be provided in accordance with Council's Development Engineering Standards. The Engineer must design the Pump out drainage system to be in accordance with the Australian Standards AS 3500. Engineering details and manufacturers specifications for the pumps, switching system and sump pit shall be submitted to the Principal Certifying Authority (PCA) for approval prior to issue of any Construction Certificate. The Engineer must certify that the Hydraulic design complies with the above relevant standards.
- 33) An all-weather pavement shall be designed to withstand the anticipated wheel loads for all areas subjected to vehicular movements. Internal pavements specification prepared and certified by all qualified professional Civil Engineer to comply with the relevant Australian Standards, shall be submitted to the Principal Certifying Authority (PCA) for approval prior to the issue of a construction certificate.
- 34) A Work Permit shall be applied for and obtained from Council for the following engineering works in front of the site, at the applicant's expense:
 - a) Any awning which encroaches within or over the Council Roadway.
 - b) Three Extra Heavy Duty VFC of maximum width of 8.0 metres at the property boundary.
 - c) Drainage connection to Council's system.

- d) Construction of the extension of the Council Street Drainage system with a new kerb inlet pit.
- e) Full width Type 1 City Centre type footway paving or to the satisfaction of the Council's City Design Unit, along the sites entire frontage to Kitchener Parade and Meredith Street.
- f) Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs.
- g) Repair of any damage to the public road including the footway occurring during development works.
- h) Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority.

Note: As a site survey and design is required to be prepared by Council in order to determine the necessary information, payment for the Work Permit should be made at least twenty one (21) days prior to the information being required and must be approved prior to the issue of the Construction Certificate.

- 35) Where Council approved cut or fill exceeds 200mm and stable batter of 1 vertical to 3 horizontal maximum grade cannot be achieved, then a masonry or other proprietary material retaining wall, intended and suitable for that purpose, shall be constructed within the development site. Note, filling of the site needs specific approval from Council.

The retaining wall shall be located so that it will not impede or obstruct the natural flow of stormwater. Retaining walls exceeding 600mm in height shall be designed by a qualified professional Civil/Structural Engineer. Plans and details prepared and signed by the Engineer are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

All works associated with the construction of the wall, including backfilling and drainage, is to be located wholly within the allotment boundaries.

- 36) Prior to the issue of any Construction Certificate for this development, the applicant must obtain approval from Council's Traffic Section for a Site, Pedestrian and Traffic Management Plan (SPTMP). This Plan must address the measures that will be implemented for pedestrian safety and traffic management as specified below.

A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN

This plan shall include details of the following:

- a) Proposed ingress and egress points for vehicles to and from the construction site;
- b) Proposed protection of pedestrians, adjacent to the construction site;
- c) Proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- d) Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;
- e) Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc. are required to be displayed and shall be in accordance with Council's and the NSW Roads and Maritime Services requirements and AS1742.3.
- f) Proposed route for transportation of bulk and excavation materials to and from the development site.

The route for transportation to and from the development site of bulk and excavation materials shall generally be by the shortest possible route to the nearest "State Road" via "Regional Roads", with every effort to avoid school zones on public roads.

Alternate longer routes will only be considered in order to bypass school zones during school zone hours. If school zones cannot be avoided **no heavy construction vehicle movements are to arrive or depart the site during signposted school zone periods 8:00am - 9:30am and 2:30pm - 4:00pm on school days.**

An Agreement to Council's satisfaction, signed by the applicant/owner specifying the approved route and acknowledging responsibility to pay Council to rectify damages to public property adjacent to the site as a consequence of building works shall be lodged with Council prior to release of any Construction Certificate. Damage will be rectified as required by Council to remove unsafe conditions. All damage must be rectified upon completion of work to the satisfaction of Council.

The approved Site, Pedestrian and Traffic Management Plan is to be implemented prior to the commencement of any works on the construction site.

In addition a RMS Approval / Road Occupancy Licence will be required for works on Regional or State Roads or within 100m of a traffic facility including roundabouts and traffic signals. Refer to Council's Development Engineering Standards for a list of Regional and State Roads.

- 37) Prior to the issue of any Construction Certificate for this development, the Principal Certifying Authority must approve a Site Operations Management Plan (SOMP). This Plan must address the measures that will be implemented for the ongoing management of operations on and around the construction site, the protection of adjoining properties, and other requirements as specified below.

This plan shall include details of the following:

- a) Proposed hoardings, scaffolding and/or fencing to secure the construction site;
- b) Proposed measures to be implemented, under the separately approved Works Permit issued by Council, for the protection of all public roads and footway areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
- c) Proposed method of support of any excavation, adjacent to adjoining buildings or the public road. The proposed method of support is to be certified by a Civil Engineer with National Professional Engineering Registration (NPER) in the construction of civil works.
- d) Proposed measures to be implemented in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the public road.
- e) Proposed measures for protection of the environment, according to the relevant provisions of the Protection of Environment Operations (POEO) Act, 1997 including procedures to control environmental impacts of work e.g. sediment control, proper removal, disposal or recycling of waste materials, protection of vegetation and control/prevention of pollution i.e. water, air noise, land pollution.

A number of the above matters may require separate approval from Council, particularly those relating to works on or adjacent to Council property. These may be covered by separate conditions of consent contained in this Determination Notice. Appropriate approvals will need to be obtained prior to the approval of this plan.

The approved Site Operations Management Plan is to be implemented prior to the commencement of any works on the site, and an approved copy provided to Council for information. Ongoing compliance with the matters detailed in the SOMP shall be monitored by the appointed Principal Certifying Authority.

- 38) As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the Roads Act 1993 and/or Section 68 of the Local Government Act 1993, Council requires that prior to any Construction Certificate for this development being issued, a Works Permit and or a Roadway/Footpath Building Occupation Permit shall be obtained where one or more of the following will occur, within, on or over the public footway or public road:

A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS

WORKS REQUIRING A 'WORKS PERMIT'

- a) Dig up, disturb, or clear the surface of a public footway or public road,
- b) Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road,
- c) Connect a road (whether public or private) to a classified road,
- d) Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road,
- e) Install utilities in, under or over a public road,
- f) Pump water into a public footway or public road from any land adjoining the public road,
- g) Erect a structure or carry out a work in, on or over a public road
- h) Require a work zone on the public road for the unloading and or loading of vehicles
- i) Pump concrete from within a public road,
- j) Stand a mobile crane within a public road
- k) Store waste and recycling containers, skips, bins and/or building materials on any part of the public road.
- l) The work is greater than \$25,000.
- m) Demolition is proposed.
- n) Subdivision is proposed.
- o) A Swimming pool is proposed.

Assessment of Works Permits (a to e) includes the preparation of footway design levels, vehicular crossing plans, dilapidation reports and issue of a Road Opening Permit.

All proposed works within the public road and footway shall be constructed under the supervision and to the satisfaction of Council. The applicant/developer shall arrange for necessary inspections by Council whilst the work is in progress.

For commercial or multi-unit residential developments within the designated CBD or an urban village area, footway design and construction and street tree supply, installation and tree hole detailing shall be as per the Council master plan for that area. Full width footways are to be supplied and installed at full cost to the developer to specification as supplied by Council. Layout plan of pavement to be submitted to Council for approval prior to the issue of the Works Permit.

All Council fees applicable, minimum restoration charges and inspection fees shall be paid prior to the assessment of the Work Permit in accordance with Council's adopted fees and charges. Note: Additional fees after approval will be charged where the Work Permit requires occupation of the Road or Footpath ie Hoardings, Work Zones etc.

In determining a Works Permit, Council can impose conditions and require inspections by Council Officers.

Forms can be obtained from Council's Customer Service counter located on the ground floor of Council's administration building at 66 - 72 Rickard Road, Bankstown or Council's website www.cbcity.nsw.gov.au

Part of any approval will require the person or company carrying out the work to carry public liability insurance to a minimum value of ten million dollars. Proof of the policy is to be provided to Council prior to commencing any work approved by the Work Permit including the Road Opening Permit and must remain valid for the duration of the works.

The commencement of any works on public land, including the footway or public road, may incur an on the spot fine of not less than \$1100 per day that work continues without a Works Permit and/or a Roadway/Footpath Building Occupation Permit.

All conditions attached to the permit shall be strictly complied with prior to occupation of the development. Works non-conforming to Council's specification (includes quality of workmanship to Council's satisfaction) shall be rectified by the Council at the applicant's expense.

- 39) The Preliminary Site Investigation prepared by Environmental Investigation Services titled, *'Report to Poly (Australia) Real Estate Development Pty Ltd on Stage 1 Environmental Site Assessment for Proposed Mixed Use Development at 32 Kitchener Parade, Bankstown NSW'*, dated 12 October 2017 and the recommendations stated in section twelve (12) of the report form part of the development consent.

Prior to the issue of a Construction Certificate, a Detailed Site Investigation is to be carried out by a suitably qualified environmental consultant in accordance with the NSW Government Office of Environment and Heritage, *'Guidelines for Consultants Reporting on Contaminated Sites'*, 2011, Department of Urban Affairs and Planning and NSW EPA, *'Managing Land Contamination Planning Guidelines, SEPP 55 Remediation of Land'*, 1998 and the *National Environmental Protection (Assessment of Site Contamination) Measure 1999* (as amended 2013).

Should the Detailed Site Investigation recommend that a Remedial Action Plan is to be undertaken, a Remedial Action Plan is to be prepared by a suitably qualified environmental consultant in accordance with the NSW Government Office of Environment and Heritage, *'Guidelines for Consultants Reporting on Contaminated Sites'*, 2011, Department of Urban Affairs and Planning and NSW Environment Protection Authority *'Managing Land Contamination Planning Guidelines, SEPP 55 Remediation of Land'*, 1998 and the *National Environmental Protection (Assessment of Site Contamination) Measure 1999* (as amended 2013). The Remedial Action Plan must be submitted to the satisfaction of Council prior to the issue of a Construction Certificate.

A Validation Report must be prepared by a suitably qualified environmental consultant and be submitted to Council upon completion of remediation works and prior to the execution of works associated with the built form of the development (excluding building work directly related to remediation). The validation report must be prepared in accordance with relevant NSW EPA guidelines, including NSW Government Office of Environment and Heritage, *'Guidelines for Consultants Reporting on Contaminated Sites'*, 2011.

- 40) Wind tunnel testing is to be undertaken, to ascertain whether the through-site link, public footpaths and communal open space areas will have acceptable wind speeds for lingering and outdoor dining, and to confirm the findings of the Wind Environment Desktop Assessment by RWDI dated 14 March 2019. The Construction Certificate plans shall incorporate all recommendations of the testing, however there shall be no screens, barriers, dense landscaping or the like provided at either end of the through-site link.
- 41) The location of roller shutters at the ingress driveways at Meredith Street shall allow the largest vehicle using the driveway to stand wholly within the site without overhanging the footpath area, and shall comply with Section 3.4 in AS 2890.1:2004.
- 42) Continuous 3m wide awnings are to be provided along all street frontages (except in front of the deep soil zone with existing trees north of the through-site link on Meredith Street) and along each side of the through-site link for continuous pedestrian weather protection. Awnings should link to awnings on adjacent properties and continue to property boundaries.

Awnings must be located maximum 3.6m above the finished footpath level (except at the southern edge of the through-site link at the corners to Meredith Street and Kitchener Parade where higher awnings are shown on the approved plans), be 3 metres wide and must step to reflect topography with a maximum 500mm step. The placement of awnings in relation to existing trees should be further investigated and discussed with Council's Roads and Infrastructure Unit.

- 43) The barrier shown on Drawing No. AD-DA1105 Revision 2 in the form of a gate located out of the main view corridor must be designed so that it does not appear as a crowd control measure, but rather a deliberate and fitting part of the mediation between the two spaces. The public space to the west of the gate must be designed so that people cannot easily hide from view. The planting and planter boxes where the stair turns toward the gate must be low enough to allow people to see their path ahead.
- 44) Sight distance triangles that comply with Figure 3.4 in AS2890.2:2004 for pedestrian safety shall be provided within the site boundary.

- 45) Sight distance at access driveways shall be provided as shown in Figure 3.3 in AS 2890.2:2004. These areas shall be kept clear of obstructions. If 'No Stopping' signage is required, these restrictive signs are to be at full cost to the applicant.
- 46) The layout of the car parking areas (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) shall be in accordance with AS 2890.1-2004, AS 2890.6-2009 and AS 2890.2-2002 for heavy vehicle usage.
- 47) The location of the access control mechanisms for the residential and loading dock access along Meredith Street shall be such that vehicle queues do not impact on traffic flows.
- 48) The nominated electrical consultant/contractor shall provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the enquiry which may include whether or not:
- The existing network can support the expected electrical load of the development;
 - A substation may be required on-site, either a pad mount kiosk or chamber style and;
 - Site conditions or other issues that may impact on the method of supply.

Please refer to Ausgrid's website www.ausgrid.com.au about how to connect to Ausgrid's network.

- 49) The need for additional electricity conduits in the footway adjacent to the development will be assessed and documented in Ausgrid's Design Information, used to prepare the connection project design.
- 50) Design of the bin storage areas and collection storage area at the loading dock are comply with provisions set out in Part B13 of the Bankstown DCP 2015:
- Ventilation in accordance with Australian Standard AS1668. For chute ventilation, a fan with riser to a rooftop exhaust shall be utilised.
 - Tight-fitting doors (all other openings shall have vermin-proof mesh or similar).
 - Impervious flooring (also, smooth, slip-resistant, and appropriately drained).
 - A graded bin wash area, hot and cold mixing hosecocks, hose, and a suitable floor-waste connected in accordance with the relevant authority requirements.
 - The bin and wash areas may overlap, as stored bins can be moved-out so that a bin can be washed.

- A water-flushing nozzle with accessible water cock shall be provided at the head of each chute. Include a floor waste and hosecock near each chute outlet.

The operator shall regularly clean waste areas/equipment. Also, access doors and bin-lids shall be kept closed.

- 51) Appropriate space and access for ducting and cabling is to be provided within the plant area and to each apartment for a minimum three telecommunication carriers or other providers of broad-band access by ground or satellite delivery. The details must be submitted for the approval of the Principal Certifying Authority prior to a Construction Certificate being issued. A separate development application must be submitted prior to the installation of any external telecommunication apparatus, or the like.
- 52) All shop front glazing must be clear and untinted and must not be obscured by blinds, curtains, signage or the like. Any shop front glazing must be designed to be installed above the existing and/or proposed footway design levels. Security roller shutters must not be installed on the outside of the shop front. Any security grill is to be a dark recessive colour, located on the inside of the shop front, must be an open grille / see through and not a solid metal type. Details are to be submitted to and approved by the Certifying Authority prior to a Construction Certificate being issued.

CONDITIONS TO BE SATISFIED PRIOR TO CONSTRUCTION

- 53) The building / subdivision work in accordance with the development consent must not be commenced until:
 - a. a construction certificate for the building / subdivision work has been issued by the council or an accredited certifier, and
 - b. the person having benefit of the development consent has:
 - i. appointed a principal certifying authority for the building / subdivision work, and
 - ii. notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
 - c. the person having the benefit of the development consent, if not carrying out the building work as an owner-builder, has:
 - i. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - ii. notified the principal certifying authority of any such appointment, and

- iii. unless the person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - d. the person having the benefit of the development consent has given at least 2 days' notice to the council of the person's intention to commence the building / subdivision work.
- 54) Prior to the commencement of works, a dilapidation report shall be prepared by the developer and a copy provided to the owners of properties directly adjoining the subject site. The report must clearly identify the condition of existing structures on these adjoining properties prior to the commencement of works. All care shall be taken during the construction process to ensure adjoining structures are protected, and should any change in condition occur from that recorded in the dilapidation report, the rectification of such shall be at full cost to the developer.
- 55) Existing trees within the vicinity of the construction works or paths of travel for construction vehicles accessing the development that are to be retained shall be protected with temporary fencing of a style non injurious to tree roots, placed 2m from the trunk base of the existing tree to prevent damage during construction, and retained in accordance with Council's Tree Preservation Order. There is to be no stockpiling of materials within the 2m fenced zone.
- 56) Suitable erosion and sediment control measures shall be erected in accordance with the plans accompanying the Construction Certificate prior to the commencement of construction works and shall be maintained at all times.
- 57) Council warning sign for Soil and Water Management must be displayed on the most prominent point of the site, visible to both the street and site works. The sign must be displayed throughout the construction period.
- 58) Prior to the commencement of work, the applicant must provide a temporary on-site toilet if access to existing toilets on site is not adequate.
- 59) A section 73 compliance certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

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

- 60) Prior to the commencement of work, a fence must be erected around the area of the works, except where an existing 1.8m high boundary fence is in good condition and is capable of securing the area. Any new fencing shall be temporary (such as cyclone wire) and at least 1.8m high. All fencing is to be maintained for the duration of construction to ensure that the work area is secured.

Where the work is located within 3.6m of a public place then a Type A or Type B hoarding must be constructed appropriate to the works proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval prior to the commencement of work.

- 61) A sign shall be displayed on the site indicating the name of the person responsible for the site and a telephone number of which that person can be contacted during and outside normal working hours or when the site is unattended.
- 62) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- a. showing the name, address and telephone number of the principal certifying authority for the work, and
 - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.

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

CONDITIONS TO BE SATISFIED DURING CONSTRUCTION

- 63) The hours of site works shall be limited to between 7.00am and 6.00pm on weekdays and 7.00am and 1.00pm on Saturdays. No work shall be carried out on Sundays and public holidays, and weekends (Saturdays and Sundays) adjacent to public holidays.
- 64) The building work must be carried out in accordance with the requirements of the Building Code of Australia.
- 65) Prior to each floor slab being poured, an identification report by a Registered Surveyor must be submitted to the principal certifying authority verifying that the proposed finished floor level and siting to the property boundaries conforms to the approved plans.

- 66) All Civil and Hydraulic engineering works on site must be carried out in accordance with Council's Development Engineering Standards. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must be carried out in accordance with Council's Work Permit requirements and to Council's satisfaction.
- 67) Paving to the periphery of the site along both Kitchener Parade, Meredith Street, and the through-site link, must be upgraded and constructed in accordance with Council's Roads and Infrastructure and City Design Unit requirements.
- 68) Twenty (20) of the approved bicycle rails are to be provided in the public domain or the through-site link.
- 69) Vertical elements in the through-site link are to be reduced to a minimum to allow for extensive view corridors. The children's play area and shrubs shall not have vertical elements higher than 1.2m and the trees are to have branches no lower than 3m at maturity.
- 70) All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards.
- 71) If soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions must be made for drainage. Separate approval may be required for retaining walls should they be required.
- 72) If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - a. protect and support the adjoining premises from possible damage from the excavation, and
 - b. where necessary, underpin the adjoining premises to prevent any such damage.
- 73) The stormwater drainage system shall be constructed in accordance with Council's Development Engineering Standards and the engineering plans and details approved by the Principal Certifying Authority (PCA). Should the developer encounter any existing, live, underground stormwater drainage pipes, which carry flow from upstream properties, the developer must maintain the stormwater flow and re-route the stormwater pipes around the subject building or structures at the developer's expense.
- 74) The wastewater from car wash bays shall be collected and disposed of in accordance with the requirements contained in Council's Development Engineering Standards and must not be discharged to the stormwater drainage system.

- 75) Prior to the commencement of work, the builder shall prepare a photographic record of the road reserve which clearly shows its condition prior to works occurring on site. For the entirety of demolition, subdivision or construction works, there shall be no stockpiling of building spoil, materials, or storage of equipment on the public road, including the footway and the road reserve shall be maintained in a safe condition at all times. No work shall be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.
- 76) Any new information revealed during development works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the Principal Certifying Authority. Council may request that a NSW EPA Accredited Site Auditor is engaged to assist with the assessment of the contaminated land situation, review any contamination information and prepare a Site Audit Report and Site Audit Statement. The applicant must also adhere to any additional conditions which may be imposed by the NSW EPA Accredited Site Auditor.
- 77) Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be analysed and classified in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the NSW EPA, '*Waste Classification Guidelines, Part 1: Classification of Waste*', November 2014. Testing is required prior to off-site disposal. Waste materials identified for off-site disposal must be removed by a suitably qualified contractor to an appropriately licensed waste facility.
- 78) Any fill imported onto the site must be virgin excavated natural material or excavated natural material, classified as such in accordance the '*Waste Classification Guidelines*' (NSW EPA, 2014) or excavated natural material meeting the requirements of the Excavated Natural Material Exemption (NSW EPA, 2014).

Certificates verifying that imported fill is virgin excavated natural material or excavated natural material must be provided to Council prior to the issue of an Occupation Certificate. All imported fill must be compatible with the existing soil characteristics of the site.

- 79) There are existing overhead electricity network assets in Meredith Street and Kitchener Parade. Safework NSW Document – Work Near Overhead Powerlines: Code of Practice, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction. Special consideration should be given to the positioning and operating of cranes and the location of any scaffolding.

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

The proposed development may encroach the statutory clearances of nearby powerlines as per the requirements set out in AS7000 and Ausgrid Standard NS220. The developer is required to either:

- Engage an Accredited Service Provider Level 3 (ASP3) to confirm that the development does maintain the statutory clearances to the powerlines (this must include wind impacts). If the ASP3 determines that the proposed structure does encroach the statutory clearances, suitable arrangements must be made to ensure that the structure will not encroach the powerline statutory clearance either by redesign of the encroaching structure or relocation of the powerlines away from the proposed structure.
- Make suitable arrangements to have powerlines relocated prior to the commencement of construction so that statutory clearances are not encroached.

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

- 80) All substation, hydrants, boosters and other services must be contained within cabinets in the built form.
- 81) Any fire assemblies/facilities required to be on a frontage of a building must be integrated into the building design and screened from public view within cabinets and integrated into the built form. Fire assemblies/facilities must not be located in the public domain or in landscaped areas. Any heat shield and/or associated fire assembly structures/facilities not shown on the approved plans are not permitted and a modification application is required for any such structures/facilities.
- 82) The substation must be the same size and location as shown in the approved plans. Additional substations or changes in size/location are not permitted. Any changes to the substation size and location, including any potential additional substations, are not permitted and require a modification application for any such structures/facilities.
- 83) All roof-top plant and associated equipment must be located within the approved roof features and must not be visible from the public domain.

- 84) Air-conditioning units must not be visible from the public domain. Equipment and associated wiring must be visually concealed. Air-conditioning units must not be located on an awning, any visible face of the building or on roofs in a way that would be visible from the public domain.
- 85) Any shelving along the glass shopfronts must be of an open-framed, see through construction and the combined height of shelving and any goods displayed must not exceed 1200mm above the finished floor level. All shelving, shop fittings, refrigeration equipment and the like which are placed in front of windows, must be kept a minimum of 1 metres from the inside face of the window.
- 86) The existing “KEEP CLEAR” line-marking (northern set) along Meredith Street shall be removed, at full cost to the applicant, in consultation with RMS.
- 87) The existing bus zone at the northern end of the Meredith Street frontage is to be relocated in consultation with Council and the local bus service operator.
- 88) All construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.
- 89) There are existing electricity substation assets within the site. The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings.
- In addition to the above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres. Any portion of a building other than a BCA class 10a structure constructed from non-combustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120. Openable or fixed windows or glass block work or similar, irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a non-ignitable blast resisting barrier.

The development must comply with both the Reference Levels and the precautionary requirements of the Draft Radiation Protection Standard for Exposure Limits to Electric and Magnetic Fields 0Hz–3kHz (ARPANSA, 2006). For further details on fire segregation requirements refer to Ausgrid's Network Standard 141.

Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24 hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid. For further details refer to Ausgrid's Network Standard 143.

- 90) The existing electricity easement at the site was acquired for the 11,000 volt distribution assets currently owned and operated by Ausgrid. The purpose of the easement is to protect the distribution assets and to provide adequate working space along the route of the cables for construction and maintenance work. The easement also assists Ausgrid in controlling works or other activities under or near the distribution cables which could either by accident or otherwise create an unsafe situation for workers or the public, or reduce the security and reliability of Ausgrid's network.

The following conditions apply for any activities within the electricity easement:

- Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.
- Ausgrid is not responsible for the reinstatement of any finished surface within the easement site.
- Ausgrid requires 24 hour access along the easement for plant and personnel. For the purpose of exercising its rights under the easement, Ausgrid may cut fences and/or walls and install gates in them. Where the easements on a site do not provide practical access to all of Ausgrid's infrastructure, a suitable right of access at least 5m wide must be provided to each asset.
- Driveways and other vehicle access must be capable of supporting the heaviest vehicle likely to traverse the driveway without damaging Ausgrid's assets.
- No machine excavation is permitted within the easement without Ausgrid's express permission.
- During building construction, adequate controls must be put in place to prevent vehicles and machinery from damaging the Ausgrid assets.
- Any change to ground levels must be submitted to Ausgrid for approval.
- The proposed finished ground levels within the easement must provide a minimum of 600mm cover to the 11kV Distribution Cables.
- The proposed finished ground levels within the easement must provide a minimum of 500mm cover to the Low Voltage Cables.
- Any excavation adjacent to the easement must utilise adequate shoring to prevent destabilisation or subsidence of the ground around the LV cable.
- Ausgrid is to be indemnified from all actions, suits, claims and demands of whatsoever nature, which Ausgrid may incur as a result of the encroachment/s.

- Ausgrid reserves the right, by written notice, to require the owner of the property, at the owner's expense, to implement further safety measures, removal or modification of any encroachments not specifically approved by Ausgrid should this be necessary in the future for the safe and continued operation or upgrade of the network asset.
- 91) The developer is to consider the impact that existing street lighting and any future replacement street lighting and maintenance may have on the development. Should the developer determine that any existing street lighting may impact the development, the developer should either review the development design, particular the placement of windows, or discuss with Ausgrid the options for relocating the street lighting. The relocating of any street lighting will generally be at the developers cost. In many cases it is not possible to relocate street lighting due to its strategic positioning.
 - 92) There are existing underground electricity network assets in Meredith Street and Kitchener Parade. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable. Safework Australia Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.
 - 93) The building must be obstacle lit by low intensity steady red lighting during the hours of darkness at the highest point of the building. Obstacle lights are to be arranged to ensure the building can be observed in a 360 degree radius as per subsection 9.4.3 of the Manual of Standards Part 139 – Aerodromes (MOS). Characteristics for low intensity lights are stated in subsection 9.4.6 of the MOS.
 - 94) The applicant must ensure obstacle lighting arrangements have a remote monitoring capability, in lieu of observation every 24 hours, to alert BAL reporting staff of any outage. For detailed requirements for obstacle lighting monitoring within the OLS of an aerodrome, refer to subsection 9.4.10 of the MOS.
 - 95) The applicant must ensure obstacle lighting is maintained in serviceable condition and any outage immediately reported to BAL.

- 96) Separate approval must be sought under the Regulations for any construction equipment (i.e. cranes) required to construct the building. Construction cranes may be required to operate at a height significantly higher than that of the controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate construction equipment (i.e. cranes) be obtained prior to any commitment to construct.
- 97) The internal access roadway for waste collection is to be of sufficient dimension and paving strength to accommodate a Heavy Rigid Vehicle rear-load garbage collection vehicle up to 23 tonnes loaded weight.

Height clearance throughout the access to and from the loading dock and including the loading dock area is to be a minimum 4.5m exclusive of any pipes, ducting or other intrusions into the space. Clearances at the Meredith Street entrance is to be 3.9m with no intrusions, and at the Kitchener Parade exit 4.3m with no intrusions. Wall to wall clearance of 5m free of obstructions or intrusions is required into the space.

An indemnity for entry to collect from within the building must be provided to Council's satisfaction.

- 98) The bin hoist indicated for elevating the 1100L bins to the Loading Dock is to be of sufficient dimension to suit Council's standard 1100L waste bins (H1470mm x W1370mm x D1245mm).
- 99) The waste chute system is to be designed and constructed in accordance with Council's Waste Management Guide for New Developments (Section 3.66) and be used for the transfer of garbage only. The waste chutes to each bin storage area are to terminate with sufficient height clearance to permit unobstructed manoeuvring of 1100L bins beneath the chute outlet. No compaction equipment is to be used on the bins.
- 100) Storage areas of 4m² shall be provided at each tower bin storage area for placement of residential bulky waste. This material is to be booked prior to collection using Council system and is to be presented at the nearest kerbside unless provisions are agreed with Council to collect from the Loading Dock area.
- 101) Access to the residential bin storage and bulky waste areas is to be restricted to residential tenants only. Access to the commercial bin storage area(s) are to be restricted to commercial tenants only. If commercial waste is to be stored within the individual commercial premises then access to the loading dock where residential waste is to be aggregated for collection is to be restricted to prevent use of residential bins for disposal of commercial waste.

CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION

- 102) The occupation or use of the building must not be commenced unless an occupation certificate has been issued for the building.
- 103) A final Occupation Certificate shall not be issued until all conditions relating to demolition, construction and site works of this development consent are satisfied and Council has issued a Work Permit Compliance Certificate.
- 104) Prior to the issue of any Occupation Certificate a design verification from a qualified designer shall be submitted to the Principal Certifying Authority. The design verification is a statement in which the qualified designer verifies that the development has been constructed as shown in the plans and specifications in respect of which the Construction Certificate was issued, having regard to the design quality principles set out in Schedule 1 of SEPP No. 65.
- 105) A total of 537 off street car spaces are to be provided in accordance with the approved plans. These shall comprise:
- 300 residential spaces
 - 74 residential visitor spaces
 - 144 business / commercial spaces
 - 19 child care spaces

Car parking spaces for people with mobility impairment are to be provided in accordance with AS 2890.1. All car parking spaces shall be allocated and marked according to these requirements.

- 106) Landscaping is to be installed in accordance with the approved landscape plan. All works and methods nominated and materials and plants specified on the approved landscape plan are to be completed prior to the issue of an occupation certificate. The landscaping shall be maintained for the life of the development.
- 107) A suitably qualified Professional Civil Engineer shall certify that the driveways, parking bays, and service areas have been constructed in accordance with the approved plans and specifications. Such Certification shall be submitted prior to the issue of the Occupation Certificate or occupation of the site.
- 108) A registered surveyor shall prepare a Work As Executed Plan, and a suitably qualified Hydraulic Engineer shall provide certification of the constructed on-site stormwater detention and drainage system.

The Work As Executed information shall be shown in red on a copy of the approved stormwater plan and shall include all information specified in Council's Development Engineering Standards. The Work As Executed plan shall be submitted to the Hydraulic Engineer prior to certification of the on-site stormwater detention system.

A copy of the Work As Executed Plan and Hydraulic Engineer's Certification shall be submitted to Council for information prior to issue of the final occupation certificate.

- 109) The developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of OSD on title", as outlined in Council's Development Engineering Standards and in accordance with the appropriate provisions of the Conveyancing Act.

Note: The location of the "On-Site Stormwater Detention System" shall be included on an A4 size site plan attached to the Section 88E Instrument and registered on the title prior to the issue of the final occupation certificate.

The developer shall submit to Council evidence of the final registration of the Restriction and Positive Covenant on the title of the property.

- 110) Lighting must be provided to the entries of the dwellings, common areas, and driveways and parking areas to promote a high level of safety and security at night and during periods of low light. Lighting provided should be hooded, shielded or directed away from neighbouring dwellings to minimise glare and associated nuisances to residents.
- 111) Any lighting on the premises shall be installed in accordance with Australian Standard AS 4282-1997 The Control of the Obtrusive Effects of Outdoor Lighting so as to avoid annoyance to the occupants of adjoining premises and residences or glare to motorists on nearby roads. Flashing, moving or intermittent lights or signs are prohibited. The location, intensity, colour or hours of illumination of the lights shall be varied at Council's discretion if Council considers there to be adverse effects on the amenity of the area.
- 112) The Section 73 compliance certificate under the Sydney Water Act 1994 must be submitted to the principal certifying authority before occupation of the development / release of the plan of subdivision.
- 113) Prior to the issue of an Occupation Certificate or any Subdivision Certificate, a Restriction on the Use of the Land and Positive Covenant shall be registered on the title of the subject property, in accordance with the provisions of the Conveyancing Act 1919, for unrestricted public pedestrian access over the full extent of the approved through-site link.
- 114) The applicant shall fund the installation of all parking signs and road markings on the public roads along the site frontages which are made necessary or are required to be relocated and/or adjusted due to the construction of the development.

- 115) A post validation report prepared by an suitably qualified and experienced acoustic consultant shall be submitted to Council, certifying that the development complies with the requirements of the NSW EPA, *'Noise Policy for Industry'*, 2017, *Protection of the Environment Operations Act 1997* and Regulations, conditions of development consent and recommendations of the report titled *'Bankstown RSL - Revised Development Application Acoustic Report – December 2018'*, dated 19 December 2018. The post validation report is required to be submitted to Council within two (2) months after the issue of an Occupation Certificate.
- 116) On completion of construction of the building, the applicant must provide BAL with a written report from a certified surveyor on the finished height of the building.
- 117) The applicant must advise Airservices Australia at least three business days prior to the controlled activity commencing by emailing ifp@airservicesaustralia.com and quoting BK-CA-067.
- 118) Residential garbage and recycling bins allocated by Council are to be placed in the approved 'recycling alcoves' adjacent to the garbage chute outlet on each floor and transported for recycling collection by caretaker.
- 119) A building manager/caretaker is to be nominated/provided and will be responsible for:
- Monitoring and replacing bins at the waste carousel as required to prevent spillage and overloading.
 - Aggregating floor recycling into the bulk bins.
 - Transferring bins from each bin storage area to a temporary holding area for collection.

A bin lifter suitable for emptying a 240L bin into an 1100L bin is to be provided by the operator. Bin tug(s) are to be provided by the operator for manoeuvring of 1100L bins for transport to the Loading Dock collection storage area. These tugs are to be suitable for the standard Council 1100L waste bins provided.

END