

1 **ADVISORY NOTES**

1.1 **Terminology**

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

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

1.2 **Scope of Consent**

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

1.3 **Other Approvals**

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

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

- (a) the removal of any tree(s) not indicated on the approved plans and any tree(s) located greater than 3 metres from the building perimeter, and
- (b) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development, and
- (c) the installation of vehicular footway crossings servicing the development, and
- (d) the use of any cranes that swing over public air space. If a crane is used to construct this development that swings over public air space, separate Council approval under the Roads Act 1993 and Local Government Act 1993 is required.

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

1.4 **Services**

1.4.1 The applicant is advised to consult with:

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

regarding any requirements for the provision of services to the development and

the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

All approved building construction plans attached to the Construction Certificate should be submitted to Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans are to be appropriately stamped and all amended plans will require re-stamping. For further information go to: www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 1300 082 746 for assistance.

Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

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

1.5 **Tree Planting and Service Locations (After all other services)**

- 1.5.1 Street tree planting must not impact on public utilities. The applicant should liaise with the relevant service authorities on the location and use of services within the public road reserve. These authorities may be able to lay their services on the opposite side of the road, thereby providing larger areas for tree planting.

Street tree planting must not interfere with street light spill. The applicant is to provide documentation to confirm there is no conflict between proposed

vegetation at maturity and street lighting. This confirmation must be received before a Construction Certificate can be issued.

1.6 Demolition

- 1.6.1 Where any work on an older building is proposed, the applicant should ascertain whether the building contains any contaminants that may present a potential health risk to humans (including asbestos, lead-based paint and the like) and apply appropriate precautions during the work. Further information regarding safe working methods may be obtained from the following organisations and publications (including those which may supersede such publications):
- a. NSW WorkCover Authority (Ph: 13 10 50) – “Short Guide to Working with Asbestos”,
 - b. NSW Department of Environment and Conservation (Ph: 9995-5000) – “A Guide to Keep Your Family Safe from Lead”, “A Renovators Guide to the Dangers of Lead”,
 - c. “Code of Practice for the Safe Removal of Asbestos” – National Occupational Health and Safety Commission:2002 (1988),
 - d. Australian Standard 4361.1-1995 – Guide to Lead Paint Management (Industrial Applications),
 - e. Australian Standard 4361.2-1998 – Guide to Lead Paint Management (Residential and Commercial Applications), and
 - f. Australian Standard 2601-2001 – The Demolition of Structures.

1.7 Identification Survey

- 1.7.1 The applicant is advised to obtain an identification survey from a registered surveyor to ascertain the correct location of the property boundaries, and to ensure the development does not encroach upon adjoining properties.

1.8 Engineering Notes

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

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

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

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

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

- Works in public areas (i.e. Road Reserve, Public Reserves)

- Inter-allotment drainage (i.e. drainage outside the boundary of the land being developed)

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

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

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

1.9 Payment of Engineering Fees

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

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

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

- Complete application form
- Submit all relevant plans produced by a suitably qualified person
- If plans are privately certified, applicant must supply Construction Certificate covering the required works.

2 GENERAL

2.1 Scope of Consent

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

Title	Drawing No.	Prepared by	Date
Cover Sheet	A000 Issue 1	Bureau Of Urban Architecture	26/07/17
Survey Detail NSW	A001 Issue 1	Bureau Of Urban Architecture	26/07/17
Site Location	A002 Issue 1	Bureau Of Urban Architecture	26/07/17
Site Plan	A003 Issue 1	Bureau Of Urban Architecture	26/07/17
Site Analysis	A004 Issue 1	Bureau Of Urban Architecture	26/07/17
Setback Diagram	A005 Issue 1	Bureau Of Urban	26/07/17

		Architecture	
Demolition Plan	A006 Issue 1	Bureau Of Urban Architecture	26/07/17
Site Photos	A007 Issue 1	Bureau Of Urban Architecture	26/07/17
Studio Type A	A400 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 1A	A401 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 1B	A402 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 1C	A403 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 1D	A404 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 1E	A405 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 1F	A406 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 1G	A407 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 1H	A408 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 1J	A409 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 1K	A411 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 2A	A420 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 2B	A421 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 2C	A422 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 2D	A423 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 2E	A424 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 2F	A425 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 2G	A426 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 2H	A427 Issue 1	Bureau Of Urban Architecture	26/07/17
Unit Type 2J	A429 Issue 1	Bureau Of Urban Architecture	26/07/17
Adaptable Units	A450 Issue 1	Bureau Of Urban Architecture	26/07/17
Adaptable Units 2	A451 Issue 1	Bureau Of Urban Architecture	26/07/17
Silver Units	A460 Issue 1	Bureau Of Urban Architecture	26/07/17
Silver Units 2	A461 Issue 1	Bureau Of Urban Architecture	26/07/17
FSR Ground Floor	A500 Issue 1	Bureau Of Urban	26/07/17

		Architecture	
FSR 1-3 Floor Plan	A501 Issue 1	Bureau Of Urban Architecture	26/07/17
FSR 4 + 5 Floor Plan	A502 Issue 1	Bureau Of Urban Architecture	26/07/17
RFS Roof Terrace	A503 Issue 1	Bureau Of Urban Architecture	26/07/17
Cross Ventilation	A600 Issue 1	Bureau Of Urban Architecture	26/07/17
Site Coverage	A601 Issue 1	Bureau Of Urban Architecture	26/07/17
Deep Soil Calculation	A602 Issue 1	Bureau Of Urban Architecture	26/07/17
Soft Landscape Calculation	A603 Issue 1	Bureau Of Urban Architecture	26/07/17
Communal Open Space	A604 Issue 1	Bureau Of Urban Architecture	26/07/17
Solar Study 1	A615 Issue 1	Bureau Of Urban Architecture	26/07/17
Solar Study 2	A616 Issue 1	Bureau Of Urban Architecture	26/07/17
Solar Diagram Compliance Ground Floor	A617 Issue 1	Bureau Of Urban Architecture	26/07/17
Solar Diagram Compliance Levels 1-3 Typical	A618 Issue 1	Bureau Of Urban Architecture	26/07/17
Solar Diagram Compliance Typical Level 4 + 5	A619 Issue 1	Bureau Of Urban Architecture	26/07/17
Shadow Diagrams June 9am to 12 noon	A620 Issue 1	Bureau Of Urban Architecture	26/07/17
Shadow Diagrams June 1pm to 3pm	A621 Issue 1	Bureau Of Urban Architecture	26/07/17
Shadow Diagrams Sep 9am to 12 noon	A623 Issue 1	Bureau Of Urban Architecture	26/07/17
Shadow Diagrams Sep 1pm to 3pm	A623 Issue 1	Bureau Of Urban Architecture	26/07/17
Shadow Diagrams Jan 9am to 12 noon	A624 Issue 1	Bureau Of Urban Architecture	26/07/17
Shadow Diagrams Jan 1pm to 3pm	A625 Issue 1	Bureau Of Urban Architecture	26/07/17
Shadow Diagrams Mar 9am to 12 noon	A626 Issue 1	Bureau Of Urban Architecture	26/07/17
Shadow Diagrams Mar 1pm to 3pm	A627 Issue 1	Bureau Of Urban Architecture	26/07/17
On-going Waste Management Plan	A640 Issue 1	Bureau Of Urban Architecture	26/07/17
Construction Waste Management Plan	A645 Issue 1	Bureau Of Urban Architecture	26/07/17
Building Outline Comparison	A651 Issue 1	Bureau Of Urban Architecture	26/07/17
External Finishes	A800 Issue 1	Bureau Of Urban	26/07/17

		Architecture	
SEPP 65 Compliance Schedule L0- 2	A900 Issue 1	Bureau Of Urban Architecture	26/07/17
SEPP 65 Compliance Schedule L3-5	A901 Issue 1	Bureau Of Urban Architecture	26/07/17
Landscape Plan Cover Sheet & Site Plan	SS17-3561 000 Issue C	Site Image	29.06.2017
Colour Landscape Masterplan	SS17-3561 C100 Issue B	Site Image	29.06.2017
Landscape Plan Ground Floor	SS17-3561 101 Issue C	Site Image	29.06.2017
Landscape Plan Rooftop	SS17-3561 102 Issue B	Site Image	29.06.2017
Landscape Specifications & Indicative Plan Schedule	SS17-3561 501 Issue C	Site Image	29.06.2017
Landscape Details and Plant Schedule	SS17-3561 502 Issue C	Site Image	29.06.2017

2.1.2 This consent grants approval for the following, subject to full compliance with all other conditions of this consent:

- (a) 39 x 1 bedroom units/studios
- (b) 46 x 2 bedroom units

2.2 Requirement of NSW Roads and Maritime Services (RMS)

2.2.1 The development must comply with the following RMS conditions at all times:

- (a) Car Parking - Australian Standards
The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004, AS2890.6-2009 and AS 2890.2 – 2002 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.
- (b) Manoeuvring on Site - Large Vehicles
The swept path of the longest vehicle (including garbage trucks, building maintenance vehicles and removalists) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.

2.3 Services

2.3.1 Low voltage electricity and telecommunications services for the approved

development shall be reticulated underground.

2.4 Suburb Name

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

Suburb: Blacktown

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

Suburb: Blacktown

2.5 Compliance with BASIX Certificate

2.5.1 All commitments listed in BASIX Certificate 841034M dated 28 July 2017 shall be complied with.

2.6 Engineering Matters

2.6.1 Design and Works Specification

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

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

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

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

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

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

- Path Paving construction

These matters will be individually addressed within the consent

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

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

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

2.6.2 **Other Necessary Approvals**

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

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

2.7 **Other Matters**

- 2.7.1 No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works.

- 2.7.2 Any future substation, temporary drainage works or other utility installation required to service the approved subdivision/development shall not be sited on future or existing Council land, including road reservations and/or public reserves.

2.8 **Waste**

- 2.8.1 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.

- 2.8.2 The Owners Corporation will be responsible for ensuring that clear access is provided to Council collection trucks entering the property.

2.9 Imported Waste

2.9.1 Imported “Waste Derived” Fill Material

2.9.2 The only waste derived fill material that may be received at the development site is:

- (a) virgin excavated natural material (within the meaning of the *Protection of the Environment Operations Act 1997*),
- (b) any other waste-derived material the subject of a resource recovery exception under cl.51A of the *Protection of the Environment Operations (Waste) Regulation 2005* that is permitted to be used as fill material.

3 PRIOR TO DEMOLITION WORKS

3.1 Site Contamination

3.1.1 The following recommendations of the Preliminary Site Investigation Report Proposed Residential Development 55-61 Newton Road, Blacktown (Ref Report E23072 AA_Rev 0) prepared EI Australia dated 19 August 2016 are to be implemented:

- (a) Prior to site demolition, a Hazardous Materials Survey should be conducted on the existing on-site structures to identify potentially hazardous building products that may potentially be released to the environment during demolition. The survey will protect the site personnel from potential exposure risks and management requirements for implementation as part of site demolition.
- (b) Following demolition of site structures, a site inspection is to be carried out to confirm the removal of all residual asbestos-containing materials following demolition, with an asbestos clearance certificate issued prior to site excavation.

3.2 Safety/Health/Amenity

3.2.1 Security fencing shall be provided around the perimeter of the demolition site to prevent unauthorised entry to the site. Notices complying with AS 1319-1994 and displaying the words "DANGER - DEMOLITION IN PROGRESS", or similar message shall be fixed to the fencing at appropriate places to warn the public.

3.2.2 A sign shall be erected in a prominent position on the land indicating the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

3.2.3 Should the demolition work:

- (a) be likely to be a danger to pedestrians in a public place or occupants of any adjoining land or place,
- (b) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (c) involve the enclosure of a public place,

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

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

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

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

Each toilet provided shall be:

- (a) a standard flushing toilet, and
- (b) connected:
 - (i) to a public sewer, or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility provided by the Council, or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable to some other sewage management facility approved by Council.

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

3.3 **Tree Protection**

- 3.3.1 Any tree not indicated on the approved Development Application plans as being removed shall be effectively protected against damage.

3.4 **Site Investigation**

- 3.4.1 A qualified Site Auditor accredited by NSW Department of Environment and Conservation (under the provisions of the Contaminated Land Management Act 1997) shall be engaged to undertake an investigation of the land to ascertain if the site has been affected by any contaminants (including, but not limited to, asbestos, organochlorins, arsenic, lead, petroleum residues and the like) that may be detrimental to the health of any future occupants and/or workers. The report shall identify the contaminants (if applicable) and shall make recommendations on the method of remediation of the land.

3.5 **Other Matters**

- 3.5.1 The Applicant is to advise all adjoining neighbours, and those located opposite the subject development site, by letter, of their intention to commence demolition work. The letter shall be distributed at least 2 days prior to the intended work and include the following information:

- date/s, hours and duration of the works.
- contact name and phone number of the applicant
- contact name and phone number of the licensed demolisher
- WorkCover NSW contact number 131050, and email address contact@workcover.nsw.gov.au

4 DURING DEMOLITION WORKS

4.1 Public Liability

- 4.1.1 A valid public liability insurance policy of at least \$10,000,000 shall be maintained throughout the demolition works.

4.2 Storage of Demolished Materials Plant and Equipment

- 4.2.1 Demolished materials, plant, equipment and the like shall not be stored or placed at any time on Council's footpath, roadway or any public place.

4.3 Excavation

- 4.3.1 Should any excavation associated with the demolition works extend below the level of the base of the footings of a building on an adjoining allotment of land, including a public road or place, the person causing the excavation to be made:

- (a) must preserve and protect the building from damage, and
- (b) if necessary, must underpin and support the building in an approved manner, and
- (c) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars 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.

4.4 Protection of Neighbouring Buildings

- 4.4.1 The demolisher has an obligation to ensure that the adjoining buildings and properties are not damaged.

4.5 Work Method

- 4.5.1 All demolition work and handling of materials shall be in accordance with Australian Standard 2601-2001 (Demolition of Structures) and all applicable SafeWork NSW Authority requirements including the Code of Practice for the Safe Removal of Asbestos – National Occupational Health and Safety Commission:2002 (if applicable).
- 4.5.2 Demolition work must be carried out by a contractor with an appropriate and current demolition license issued by SafeWork NSW. A license for asbestos removal is required if asbestos is being removed.

- 4.5.3 Any asbestos materials are to be removed with the approval of WorkCover and in accordance with Environment Protection Authority (EPA) and Occupational Health and Safety Standards.

Note: If any asbestos material is found on site, asbestos disposal dockets shall be lodged with Council at the completion of the demolition and prior to commencement of the construction of the development to verify that all asbestos materials have been disposed of in accordance with EPA and WorkCover requirements.

- 4.5.4 All persons responsible for the demolition works shall be accredited by SafeWork and disposal dockets shall submitted to Council.

- 4.5.5 All demolition works are to comply with safety requirements of Australian Standard 2601.

4.6 **Nuisance Control**

- 4.6.1 Any objectionable noise, dust, concussion, vibration or other emission from the demolition works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.

- 4.6.2 Any noise generated during demolition shall not exceed those limits specified in the Protection of the Environment Operations Act 1997 and shall be limited to between 7.00am and 6.00pm, Monday to Friday, and 8.00am to 1.00pm, Saturday, with no demolition work being undertaken on Sundays or public holidays.

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

4.7 **Signs on Demolition Sites**

- 4.7.1 A sign must be erected in a prominent position on any work site on which the demolition of a building is being carried out:

- (a) stating that unauthorised entry to the work site is prohibited, and
- (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

4.8 **Site Safety**

- 4.8.1 The demolition site shall at all times be secured against public access.

4.9 **Protection of Public Places**

- 4.9.1 If the work involved in the 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) involves the enclosure of a public place,

a hoarding or protective barrier must be erected between the work site and the public place. Such hoarding or barrier must be designed and erected in accordance with Council's Local Approvals Policy.

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.

4.10 Building Materials and Waste

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

4.10.2 Suitable and effective builder's refuse and waste storage facilities are to be provided on the development site for the duration of demolition works.

4.10.3 No material is to be stockpiled within public view.

4.11 Disconnection of Services

4.11.1 All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.

4.12 Soil Erosion and Sedimentation Control

4.12.1 Soil erosion and sediment control measure shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy and be installed prior to the commencement of any demolition works. Infringement Notices, incurring a monetary penalty, may be issued by Council where measures are not provided or maintained.

4.12.2 All required soil erosion and sediment control measures are to be maintained during the entire demolition period until disturbed areas are restored by turfing, paving or revegetation.

4.12.3 To minimise any dust nuisance, all haulage roads, demolition areas and stockpiles are to be regularly watered.

4.13 Traffic Management Plan during demolition/excavation

4.13.1 During the course of demolition (including excavation of the basement) on the site, the following conditions shall be complied with at all times:-

- (a) All truck movements should be by truck or by "truck and dog trailer" not exceeding a length of 19m. No B-Doubles will be permitted to transport fill material on Blacktown City Council roads.
- (b) All truck movements in the Blacktown LGA must be on designated heavy vehicle roads, as listed in the RMS's road register (see the RMS's website for regular updates) and as agreed to by Council.
- (c) All entry and egress to the site shall be made via the site off Peter Street and all truck operators are to minimise noise levels when driving through residential areas/school zones to minimise the impact on the amenity of the area.

4.14 Safety/Health/Amenity

- 4.14.1 Security fencing shall be maintained around the perimeter of the demolition site to prevent unauthorised entry to the site at all times during the demolition works. Notices lettered in accordance with AS 1319-1994 and displaying the words "DANGER - DEMOLITION IN PROGRESS", or similar message shall be maintained on the fencing at appropriate places to warn the public.
- 4.14.2 A sign shall be maintained in a prominent position on the land indicating the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- 4.14.3 Any hoarding or protective barrier required to be erected between the work site and the public place on adjoining land or place shall be maintained in an effective condition.
- 4.14.4 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.
- 4.14.5 Soil erosion and sediment control measures shall be maintained in accordance with Council's Soil Erosion and Sediment Control Policy.
- 4.14.6 Any excavation and/or backfilling associated with the demolition works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.
- 4.14.7 All demolition work and handling of materials shall be in accordance with Australian Standard 2601-2001 (Demolition of Structures) and all applicable NSW WorkCover Authority requirements including the Code of Practice for the Safe Removal of Asbestos" – National Occupational Health and Safety Commission:2002 (if applicable)
- 4.14.8 All plant and equipment used on the land shall be operated by a competent person. Cranes used for hoisting and lowering of materials shall comply with AS 1418.1 and AS 1418.5 and be fitted with a load indicator and hoist limited device.

4.15 Tree Protection

- 4.15.1 The measures required to effectively protect trees that are not approved for removal as part of the development, shall be maintained throughout the demolition works.

5 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

5.1 DA Plan Consistency

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

5.2 Blacktown Development Control Plan 2015

- 5.2.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in Blacktown Development Control Plan 2015.

5.3 Street Tree Planting Plan

- 5.3.1 Submit a revised street tree planting plan. The revised plan shall incorporate the following details and submit with the application for a Construction Certificate:

- (a) *Lophostemon confertus* is planted on Carinya Street.
- (b) *Waterhousia floribunda* is planted in Newton Road
- (c) Planting of street trees at spacing's of approximately 8 metres using the species
- (d) Street tree planting details and specifications as follows:
To aid in the successful delivery of street trees, provide safe public spaces, protect against assets from damage and provide a healthy environment for the tree, the following design measures and specifications are required to be met:
 - No timber or steel edging is permissible
 - Install root barriers to manufacturer's specifications to protect assets, structures and/or underground services
 - Tree trunk to be a minimum 700mm from street kerb and guttering
 - All imported soil to achieve the requirements of AS4419 – Soils for landscaping All tree planting holes are a minimum 1.5 times diameter and twice the depth of the root ball All mulch is to be free of deleterious material such as rock, soil, weeds and sticks. Acceptable mulch – Forest litter or pine bark mulch
 - All soft edges (mulch, turf, grassed) to be finished to appropriate falls and flush with adjacent surface treatment
 - Kikuyu is not accepted. Identify the use of Buffalo as preferred turf
 - Turf to consist of 25mm depth of dense , well rooted, vigorous grass growth with minimum 15mm on an average 100mm depth of top soil
 - Staking is required specified as- drive 2x38x38x1800 mm hardwood stake 600mm into the ground. Secure the stem of the tree firmly with 2 x hessian ties fitted to the stem separately in opposite directions

5.4 Road Deposit/Bond

- 5.4.1 The following current fee (which is subject to periodic review and may vary at time of payment) shall be lodged with Council:

- a) Road inspection fee of \$180.00

Council will undertake initial and final inspection of civil assets outside the development site. The applicant will held liable for any damage arising from construction activities. Council will undertake reinstatement works and recover the costs from the applicant in accordance with Council's current Goods & Services Pricing Schedule.

- 5.4.2 The payment of the following fee to Council's Maintenance Section under Sections 608 and 609 of the Local Government Act 1993. The fee is subject to periodic review and may vary at actual time of payment.

- (a) Vehicular Crossing Application and Inspection Fee: \$145.00

NOTE: This amount is valid until 30th June 2018 after which time it will be reviewed in accordance with Council's Goods and Services Pricing Schedule.

NOTE: Council may grant a reduction in the above fee dependent upon the timing of the placement of the footpath crossings.

5.5 State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

- 5.5.1 A construction certificate must not be issued unless all design verifications have been provided in accordance with Clause 143A of the Environmental Planning and Assessment Regulation 2000. A certifying authority must not issue a construction certificate for residential flat development unless the certifying authority has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of [State Environmental Planning Policy No 65—Design Quality of Residential Flat Development](#).

5.6 Hazardous Materials and Waste

- 5.6.1 A clearance certificate/statement prepared in accordance with the National Code of Practice for the Safe Removal of Asbestos shall be issued by the competent demolition contractor who holds an appropriate Demolition Licence issued by the NSW WorkCover Authority under the provisions of the Work Health and Safety Act 2011 (and any relevant Regulation there under). The certificate/statement must state that the pre-existing building/s was/were demolished in accordance with the conditions and terms of that licence, Australian Standard 2601-2001 – The Demolition of Structures and that any asbestos removal has been carried out in accordance with NOHSC-2002 – Code of Practice for Safe Removal of Asbestos. A copy of the clearance certificate/statement shall be lodged with Council.
- 5.6.2 Submit the receipt from the trade waste depot for disposal of the asbestos from the removal/demolition of the existing dwelling.

5.7 Acoustic Privacy

- 5.7.1 The recommended treatments for glazing, external doors, roof/ceiling construction and mechanical ventilation as set out in Section 5 of the Acoustic Assessment Report prepared by Acoustic Logic (Document Reference 20161155.1/2510A/R1/MF) dated 25/10/2016 are to be implemented. This is to be verified on the Construction Certificate Plans.
- 5.7.2 Noise associated with mechanical plant is to be assessed as part of the detailed design and construction phases of the development to ensure compliance with the noise emission requirements as identified in Section 6 of the Acoustic Assessment Report prepared by Acoustic Logic (Document Reference 20161155.1/2510A/R1/MF) dated 25/10/2016.

5.8 Traffic, Parking and Circulation

- 5.8.1 Access driveway, ramps, circulation aisles and parking arrangements are to be designed in accordance with AS 2890.1, AS 2890.2 & AS 2890.6.

Access driveways, ramps, circulation aisles are to be designed and constructed to accommodate the entry and turning requirement of a waste collecting truck in accordance with AS 2890.2.

Sight distance for both pedestrian and vehicular movement at the proposed driveway is to be designed in accordance with Section 3.2.4 AS 2890.1 and Figure 3.2 of AS 2890.1 to ensure safety of pedestrians on the footpath system and motor vehicles along the new driveway.

5.9 Waste

- 5.9.1 Delete reference to kerbside bin collections annotated on Drawing A640 to be consistent with Council's policy that kerbside collection of bins are no longer permitted. The amendments are to be incorporated in the Construction Certificate plans.

- 5.9.2 Roads and driveways are designed and constructed to cater for at least 24 tonne trucks.

- 5.9.3 Access for collection vehicles must be designed in accordance with approved architectural plans, CAD files and vertical clearances as per Australian Standards. All details shall accompany any Construction Certificates.

6 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)

6.1 Section 94 Contributions under Section 94E Directions

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

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

Contribution Item	Indexed amount	Relevant C.P
i. Flood Mitigation	\$6,231.00	CP19
ii. Stormwater Quality	\$24,618.00	CP19
iii. Traffic Management – Medium to High Density Developments	\$131,845.00	CP19
iv. Traffic Management – All Residential Developments	\$184,466.00	CP19
v. Open Space – Medium to High Density Developments	\$637,866.00	CP19
vi. Open Space – All Residential Developments	\$176,699.00	CP19

vii.	Community Facilities	\$46,214.00	CP19
	Total Contribution	\$1,207,939.00	

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

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

S.94 CP No. 19

The Section 94 contribution(s) have been based on the total developable area, the site's road frontage and the potential additional population nominated below. Should the final plan of survey indicate any change in the total developable area or should amendments change the potential additional population, the Section 94 contribution(s) will be adjusted accordingly.

Developable area: 0.2807
Additional Population: 185.2

- 6.1.2 Any Compliance Certificate issued for the payment of Section 94 Contributions shall be accompanied by a letter from Council acknowledging that the correct Section 94 Contributions have been paid for that particular development or stage of development.

6.2 Barrier Fencing

- 6.2.1 To prevent accidental falls, death or injury, barrier fencing is to be installed on the rooftop area. Details of the barrier fencing are to be submitted as part of the Construction Certificate. The barrier fencing is to be constructed in a way to prevent it from being used as a natural ladder, and is to be provided in clear glass, so that it does not add to the overall bulk and scale of the buildings.

6.3 Aesthetics/Landscaping

- 6.3.1 Any bathroom, w.c. or laundry window in the external wall of the building shall be fitted with translucent glazing.

- 6.3.2 The approved development is to be constructed as follows:

- In accordance with Drawing No. A800 Issue 1 prepared by Bureau of Urban Architecture dated 26/07/17. The finishes must also be durable, graffiti resistant, easily cleanable and fire resistant to National Construction Code standards.
- The external walls of the building are to be free of plumbing and fixtures, service conduits/wiring and other building services.
- The reflectivity index of glass used in the external facades of the building is not to exceed 20 percents, must not affect road traffic and must not cause discomfort through glare or intense heat to surrounding areas. "Anti-glare" glazing is to be used to minimise any glare affect.

All details are to be provided as part of the Construction Certificate.

6.4 **Access/Parking**

6.4.1 The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1.

6.4.2 A minimum of 112 car parking spaces are required to be provided on site, being 95 residential spaces and 17 visitor car parking spaces (including 9 accessible parking spaces). All car parking spaces are to be designed to provide minimum internal clear dimensions in accordance with Australian Standard 2890.1 as follows:

Residential Flat Building (excluding width of pillar): 2.5m x 5.4m

Residential Flat Building (adjacent to solid wall): 2.7m x 5.4m

Accessible Car Space: 3.2m x 5.4m

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

6.4.4 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 and AS1428.1 - 2009.

6.4.5 The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) are to be designed in accordance with Australian Standard 2890.1 – 2004 and AS 2890.2 – 2002 for heavy vehicles.

6.4.6 A roller shutter and card-key system should be installed segregating the visitor spaces and residential parking spaces. An additional roller door is to be installed at the entry/exit point of the basement car park. All details are to be shown on the Construction Certificate plans.

6.5 **Livable Units**

6.5.1 A minimum of 20% of the total apartments shall incorporate the Livable Housing Guideline's silver level universal design features in accordance with the requirements of the Apartment Design Guide.

6.6 **Adaptable Units**

6.6.1 A minimum of 10% of the units are to be designed as Adaptable units in accordance with the Australian Adaptable Housing Code (AS4299-1995) which includes "pre-adaptation" design details to ensure visitability is achieved.

6.7 **Construction Environmental Management Plan**

6.7.1 Prior to the release of a Construction Certificate, an appropriately qualified person is to prepare a comprehensive Environmental Management Plan (EMP). The final, approved EMP shall be submitted to Council for its records.

The operational measures at a minimum should include the following:

- (a) Proposed schedule of works

- (b) Proposed hours of work
- (c) Noise and vibration controls
 - location of noise sensitive receivers nearest to the site
 - the predicted level of noise likely to affect the nearest noise sensitive receivers
 - list plant and equipment to be used on site including the level of sound mitigation to be undertaken in each case
 - traffic noise associated with the bulk earthworks
 - statement outlining whether or not predicted noise levels will comply with the noise criteria outlined in the NSW Industrial Noise Policy
 - where resultant site noise levels are likely to exceed the noise criteria, a proposal is to be submitted outlining the duration and frequency of respite periods afforded to the occupiers of neighbouring property
 - community complaints response and management procedure outlining the course of action to be undertaken following receipt of a complaint concerning offensive noise
- (d) Erosion and Sedimentation Control Strategy
- (e) Dust control strategy noting that any stockpiled soil is to be stored on plastic sheeting in an area that is securely bunded with a silt fence and hay bales to prevent surface-water run-off. Plastic sheeting must be placed over the stockpile to minimise wind-blown dust.
- (f) Truck route for the delivery of plant and equipment.
- (g) Truck and staff parking area, site office and amenity facilities.

6.8 NSW Police Requirements.

6.8.1 The construction certificate plans are to demonstrate compliance with the principles of Crime Prevention through Environmental Design with regard to the following:-

- (a) Surveillance
 - (i) Installation of CCTV surveillance cameras for the development with particular attention to areas that are susceptible to anti-social behaviour and criminal activity. This includes the proposed communal open space area, any common areas, driveway, car park and rooftop areas. CCTV coverage should capture all areas of the proposed development. The exterior coverage should capture all entrances and exits and the immediate vicinity of the building.
 - (ii) Closed circuit television systems (CCTV), management and operations, should be installed in accordance with AS:48006.1 and Applications Guidelines – AS 4806.2.
 - (iii) Maintain clear sightlines to minimise crime.
- (b) Lighting
 - (i) Prior to the issue of an Occupation Certificate, a lighting maintenance policy is to be established for the development.

- (ii) Lighting should be vandal resistant and placed around the perimeter of the property, at all entry/exit points, on footpaths leading to the unit block and also throughout the proposed common areas, particularly the communal open space and driveway. Possible entrapment spots such as the storage units, waste/rubbish bin areas should be lit with vandal-resistant and energy saving lighting.
 - (iii) The ceiling of the car park should be painted white to enhance the lighting operating in this space.
 - (iv) Pink/blue lighting along the driveway and pink lights installed at the building frontage to deter person(s)/youth loitering around area and reduce congregation.
- (d) Barriers
 - (i) Provide security/entry control systems to all main entry doors to minimise break and enter offences and unauthorised access to residential units/car park and other locations.
 - (ii) Provide barrier fencing on the rooftop area to prevent accidental falls, suicide attempts and death or injuries. The fence shall be designed to prevent it being used as a natural ladder when installed in conjunction to the roof top planter boxes.
 - (iii) Design the driveway to prevent unauthorised access to the building. Walls adjacent to driveways shall be designed to prevent them from being used as natural ladders to access upper residential units.
 - (iv) Design the car park to maximum natural surveillance, access control and illumination e.g. using cable railings in place of concrete retaining walls.
- (e) Space Activity Management
 - (i) The exterior coverage should capture all entrances and exits and the immediate vicinity of the building.
- (f) Access Control
 - (i) Plant low-lying shrubs and or grass-like plants that are free from stones and or rocks at the soil base (eliminating stones used for projectiles). Low-lying shrubs and or grass-like plants should be planted to avoid clumping and to retain sightlines and opportunities for surveillance around the communal areas. Plants should have an appearance of impenetrability and qualities that minimises concealment opportunities. Avoid dense foliage and inappropriate planting which could lead to opportunities for concealment. The plants
- (g) Territorial Re-enforcement
 - (i) Install signage e.g. trespassers will be prosecuted, surveillance systems operating and security personnel on duty.
 - (ii) Install clear and concise signage in car park displaying the area where cars should be parked.
 - (iii) Install clear and prominent signage in car park warning people not to leave valuables in their cars e.g. 'lock it or lose it' or 'don't leave valuables in your vehicle'
- (h) Letterboxes
 - (i) Provide a segregated mailbox room/foyer area for residents' access via a swipe card or pin code entry system. Residents can utilise a key system to access personal mailbox.

6.8.2 Graffiti resistant materials/paint is to be utilised in the design of the masonry fence line.

7 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

7.1 General

- 7.1.1 All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate can be issued.
- 7.1.2 All fees for Construction, *Roads Act 1993* and *Local Government Act 1993* approvals must be paid to Council prior to the issue of any of the above certificates or approvals. All fees for Compliance Certificates must be paid to Council prior to any construction certificate works commencing.
- 7.1.3 Construction certificate plans shall be generally in accordance with the following drawings:

Prepared By	Project No.	Drawing No.	Sheet No.	Revision	Dated
SGC	20160226	SW01	-	A	14.10.2017
		SW02			
		SW03			
		SW04			
		SW05			
		SW06			
		SW07			

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

- (i) DWG No. SW03
 1. Provide a 150mm kerb along the northern boundary to direct surface flows to the inlet pits.
 2. The underground OSD should be adjusted per the following:
 - a. Provide a minimum 2% slope in the underground OSD storage. Ensure a minimum clear depth of 0.7m at the shallow end.
 - b. There are insufficient access grates for the below ground detention tank. Access grates to the below ground detention tank must be a minimum 900 mm by 900 mm and are positioned such that the maximum distance from any point in the tank to the nearest grate is not greater than 1.5 m for clear heights less than 0.7 m, 2 m for clear heights less than 1.0 m, 3 m for clear heights less than 1.5 m, 4 m for clear heights less than 2.0 m, 5 m for clear heights less than 2.5 m and 6 m for clear heights greater than 2.5 m.
- (ii) DWG No. SW06
 - a. On the DCP/HED detail (Section A), there is currently insufficient height between the base of the Discharge Control Pit and the flap valve. The bottom of flap is to be at least 100mm above the floor of the Discharge Control Pit. The layout of the detention Discharge Control Pit is to be modified in accordance with the requirements of plan A(BS) 136S of the Council's Engineering Guide for Development 2005.
 - b. Show the fall in the base of the underground OSD to be 2%.

- (iii) Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the underground detention tank in accordance with Council's Engineering Guide for Development 2005.
- (iv) Provide Floodway Warning Signs for the aboveground detention areas in accordance with Plan A(BS)114S from Council's Engineering Guide for Development 2005.
- (v) The minimum storage and dual alternating pump requirements for the basement garage is to satisfy AS/NZS 3500.3:2015 – Plumbing and Drainage Part 3: Stormwater Drainage.
- (vi) Provide a basement design that ensures a minimum 0.5% slope to all surface inlet pits.
- (vii) Due to the cut and/or fill exceeding 1.5 m, a desktop Groundwater Assessment Report is required for the site in accordance with section 4.6 of DCP 2015 Part J. Where there is the potential for interaction with groundwater, a Groundwater Management Plan must be prepared by a Geotechnical Engineer registered with NER.

7.2 Construction Certificate Requirements

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

- On-site stormwater detention
- Inter-allotment drainage (created within the subject lot)

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

7.3 Roads Act Requirements

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

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

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

7.4 Other Engineering Requirements

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

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

7.5 Roads

7.5.1 Any approved design drawings must show a 5m x 5m splay for residential allotments at each street intersection.

In particular, this splay shall be dedicated to Council and must not contain within the dedication area any existing or proposed service, utility or other possible footway obstruction servicing the proposed development.

- 7.5.2 Replace the redundant layback and footway crossing with Council's standard kerb and gutter. The footway area shall be restored with turf in accordance with Council's specifications.

7.6 Drainage

- 7.6.1 Drainage from the site must be connected into Council's existing drainage system.

In this regard, a galvanised Rectangular Hollow Section (RHS) shall be provided in Carinya Street free from obstruction and constructed in a workman like manner – structurally sound and aesthetically eye pleasing.

- 7.6.2 An experienced Drainage Engineer registered with NER and supported by a DRAINS or similar electronic hydraulic drainage model is to certify that the internal drainage system is capable of carrying the 20 year ARI flows without surcharge at any pits.

7.7 Erosion and Sediment Control

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

7.8 Earthworks

- 7.8.1 Finished levels of all internal works at the road boundary of the property must be 4% above the top of kerb.

7.9 On-Site Detention

- 7.9.1 Provide an on-site detention system in accordance with Council's Engineering Guide for Development.

- 7.9.2 The development site is within the following catchment and on-site detention system shall be designed to achieve the following:

Catchment	Site Storage Requirement (100%)	Permissible Discharge 9100%) Site
Breakfast Creek – Area #2	343	95

- 7.9.3 The engineering drawings approved under this consent are not to be used for construction. The Construction Certificate drawings shall be generally in accordance with the approved drawings however any significant variation to the on-site detention design shall require a section 96 application.

- 7.9.4 Submit the following certificates which are to be prepared by a registered engineer (NER):

- Certification that the structures associated with the on-site stormwater detention system have been designed to withstand all loads likely to be imposed on them during their lifetime.
- Certification that the on-site stormwater detention system will perform to meet the on-site stormwater detention requirements.

7.9.5 The following documents shall be submitted to accompany the on-site detention design in accordance with the design and construction specification:

- Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
- OSD detailed design submission and calculation summary sheet
- A maintenance schedule that is signed and dated by the designer

7.10 Vehicular Crossings

7.10.1 Construct a commercial and industrial vehicular crossing to Council's standard A(BS)103S.

In particular, the vehicle crossing must:

- Be located no closer than 6 metres from the tangent point
- Be located no closer than 1 metre from any service, utility, street tree or other possible footway obstruction.

Where it is unavoidable and a vehicle crossing cannot satisfy the points above, a letter from the relevant service provider is required specifically stating that they approve of the proposed crossing and that the service or utility is fit for purpose within the vehicle crossing.

7.11 Footpaths

7.11.1 Construct path paving as follows:

Street Name	Side	Paving Width	Length
Newton Road	Fronting the proposed development	Reconstruction of 1.2 metres (or to match existing)	Fronting the proposed development
Carinya Street	Fronting the proposed development	Reconstruction of 1.2 metres (or to match existing)	Fronting the proposed development

8 Prior to Construction Certificate (Building)

8.1 Building Code of Australia Compliance

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

- (a) Complying with the deemed to satisfy provisions, or

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

8.2 Site Works and Drainage

- 8.2.1 Any required retaining wall(s) and/or other effective method to retain excavated or filled ground (not being Exempt Development under the Blacktown Local Environmental Plan), together with any associated groundwater drainage system, shall be designed by an appropriately qualified person. Details of such site works shall accompany the Construction Certificate.
- 8.2.2 Stormwater drainage from the site shall be designed to satisfactorily drain rainfall intensities of 159mm per hour over an average recurrence interval of 20 years. The design shall:
 - (a) be in accordance with Australian Standard 3500.3, and
 - (b) provide for drainage discharge to an existing Council drainage system, and
 - (c) ensure that the development, either during construction or upon completion, does not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties.
- 8.2.3 Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy. Details shall accompany any Construction Certificate.
- 8.2.4 Should any proposed excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), separate details prepared by a suitably qualified person shall be prepared indicating how that building or structure is to be:
 - (a) Preserved and protected from damage, and
 - (b) Underpinned and supported.

Such details shall accompany the Construction Certificate.

8.3 Demolition

- 8.3.1 A clearance certificate/statement prepared in accordance with the National Code of Practice for the Safe Removal of Asbestos shall be issued by the competent demolition contractor who holds an appropriate Demolition Licence issued by the NSW WorkCover Authority under the provisions of the Work Health and Safety Act 2011 (and any relevant Regulation there under). The certificate/statement must state that the pre-existing building/s was/were demolished in accordance with the conditions and terms of that licence, Australian Standard 2601-2001 – The Demolition of Structures and that any asbestos removal has been carried out in accordance with NOHSC-2002 – Code of Practice for Safe Removal of Asbestos. A copy of the clearance certificate/statement shall be attached to the Construction Certificate.

8.4 Fire Services

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

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

8.5 BASIX Certificate Compliance

8.5.1 The plans and specifications must indicate compliance with the commitments listed in BASIX Certificate 841034M dated 28 July 2017.

9 Prior to Construction Certificate (Environmental Health)

9.1 Acoustic Certification

9.1.1 A qualified acoustic engineer must certify that the buildings have been designed to minimise the noise intrusion from any external noise source and when constructed the building shall satisfy the following criteria with windows and doors closed:

Internal Space	Time Period	Criteria L_{Aeq} (period)
Living Areas	Any time	40 dB(A)
Sleeping Areas	Day (7am – 10pm)	40 dB(A)
	Night (10pm – 7am)	35 dB(A)

9.1.2 A certificate must be provided by a qualified acoustic engineer stating that provision has been made in the design of all sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems to ensure that it is acoustically attenuated so that the noise emitted:

- a) does not exceed an L_{Aeq} sound pressure level of 5dB (A) above the ambient background noise level when measured
 - at the most effected point on or within any residential property boundary or
 - at the external edge of any sole occupancy unit balcony within the premises itself at any time the plant or equipment operates.
- b) cannot be heard within a habitable room in any sole occupancy unit or other residential premises (regardless of whether any door or window to that room is open) between the hours of 10:00pm and 7:00am.

The method of measurement of sound must be carried out in accordance with Australian Standard 1055.1.

9.1.3 All areas potentially/contaminated shall be remediated. Upon completion of remediation an appropriately qualified environmental consultant shall prepare a validation report. The validation report shall be carried out in accordance with:

- NSW Environment Protection Authority's *Guidelines for Consultants Reporting on Contaminated Sites* (1997)
- NSW Environment Protection Authority's *Contaminated Sites Sampling Design Guidelines* (1995).
- Australian and New Zealand Environment and Conservation Council and National Health and Medical Research Council's *Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites* (1992).

A NSW Environment Protection Authority accredited Site Auditor shall review the validation report and submit to Council a Site Audit Statement. The Site Audit Statement shall verify that the investigation, remediation and validation were carried out in accordance with the aforementioned guidelines and that the site is suitable for the proposed use.

10 PRIOR TO DEVELOPMENT WORKS

10.1 Use of Crane

- 10.1.1 Any crane used in the construction of this development must have approval under the Roads Act 1993 from Council to swing over public air spaces.
- 10.1.2 The crane used must be provided with a light in accordance with the requirements of the Civil Aviation Authority (CASA) requirement. This may require a separate approval from CASA.

10.2 Safety/Health/Amenity

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

Each toilet provided shall be:

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

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

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

This condition does not apply to:

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

10.2.3 Should the development work:

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

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

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

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

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

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

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

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

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

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

10.3 **Notification to Council**

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

10.4 **Sydney Water Authorisation**

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

10.5 **Construction Details**

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

Nominated Component

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

11 **DURING CONSTRUCTION (ENGINEERING)**

11.1 **Notification of Works**

- 11.1.1 A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works required by this consent. This must be submitted a minimum five (5) business days prior to commencement of engineering works.
- 11.1.2 A notification of works flyer (letter drop) is to be provided to all residential housing, businesses and organisations adjacent to any engineering works approved by this consent. This is for works undertaken on Council controlled lands such as roads, drainage reserves and parks. The notification of works flyer must contain details of the proposed works, locality map of works, contact details and the anticipated time period. A signed copy of the notice is to be provided to Council's Engineering Approvals Team and is to show the date of the letter drop as well as highlight the area that received the notification.

11.2 **Insurances**

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

11.3 **Boundary Levels**

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

11.4 Tree Protection and Preservation

- 11.4.1 Existing vegetation and trees shall be left undisturbed except where roads, stormwater drainage infrastructure, site filling and/or building works are proposed.

11.5 Soil Erosion and Sediment Control Measures

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

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

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

11.6 Filling of Land and Compaction Requirements

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

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

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

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

- 11.6.3 Site filling within lot boundaries (not in road reserves) and compaction is to be carried out under the supervision of a Chartered Geotechnical Engineer and shall be in accordance with Blacktown City Council's "Works Specification - Civil (Current Version)". Minimum standard compaction of 95% must be achieved and certified by a NATA registered soils lab and details submitted to Council.
- 11.6.4 Only clean fill shall be deposited/imported on site in accordance with Council's Works Specification - Civil (Current Version). Note: dry builder's waste i.e. bricks plaster and timber industrial waste or putrescible materials are not to be deposited on site. Validation of the imported fill material will be required by a suitably qualified registered engineer.
- 11.6.5 Appropriate dust control measures are to be implemented during construction to reduce any impact on local air quality and reduce dust emissions. This will include but not be limited to regularly wetting down of the site during the course of works being carried out in order to control windblown dust.
- 11.6.6 All roads adjoining the site must be kept clean and free of all materials. Infringement Notices incurring a monetary penalty may be issued by Council where this measure is not being complied with.
- 11.6.7 Trucks transporting cut and fill must have their loads covered and provisions of "shaker pads" and wash-down areas for trucks leaving the site are to be made available. All details are to be shown on soil erosion and sediment control plans.
- 11.6.8 Prior to the placement of any fill on the site all topsoil and vegetation must be removed down to a suitable sub-grade material. The topsoil is to be stockpiled for use in revegetation of the site.
- 11.7 **Inspection of Engineering Works - Environmental Planning and Assessment Act 1979.**

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

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

11.8 **Inspection of Engineering Works - Roads Act 1993**

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

Inspections must be pre-booked with a minimum twenty-four (24) hours' notice. Council's Development Overseers may be contacted on 02 9839 6586 between 7am - 8am and 12.30pm - 1.30pm, Monday to Friday. Note: A site inspection is

required prior to commencement of work. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

11.9 **Public Safety**

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

11.10 **Site Security**

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

11.11 **Traffic Control**

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

12 **During Construction (Building)**

12.1 **Safety/Health/Amenity**

- 12.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

- 12.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:
- (a) the name, address and telephone number of the principal certifying authority for the work, and
 - (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited
- 12.1.3 Should the development work:
- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (b) involves the enclosure of a public place,
- the required hoarding, awning or protective barrier shall be maintained between the land and the public place.
- The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.
- 12.1.4 Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.
- 12.1.5 All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.
- 12.1.6 A single vehicle/plant access to the land shall be maintained to minimise ground disturbance and transport of soil onto any public place. Such access shall be maintained in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. As a minimum, single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided
- 12.1.7 Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.
- 12.1.8 Should any excavation associated with the ongoing development works extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:
- (a) shall be preserved and protected from damage, and
 - (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
 - (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting works be given notice of such intention and particulars of the excavation or supporting works

- 12.1.9 Building and construction materials, plant, equipment and the like shall not be placed or stored at any time on Council's footpath, roadway or any public place
- 12.2 **Building Code of Australia Compliance**
- 12.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.
- 12.3 **Surveys**
- 12.3.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifying Authority to verify the approved position of each structure in relation to the property boundaries.
- 12.4 **Nuisance Control**
- 12.4.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 12.4.2 The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays: 8.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.
- 12.4.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.
- 12.5 **Stormwater Drainage**
- 12.5.1 Stormwater, surface water and sub-surface seepage (other than natural flows) shall be prevented from entering the building or being diverted onto any adjoining land (as applicable) by:
- (a) the floor level being a minimum 225mm above the adjoining finished ground level, and/or
 - (b) being drained to an effective drainage system.
- 12.6 **Waste Control**
- 12.6.1 The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works.
- 12.7 **Construction Inspections**
- 12.7.1 The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):
- (a) After excavation for, and prior to placement of, any footings; and
 - (b) Prior to pouring any in-situ reinforced concrete building element; and

- (c) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and
- (d) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2,3 or 4 building); and
- (e) Prior to covering any stormwater drainage connections; and
- (f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

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

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

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

12.8 **Tree Protection**

- 12.8.1 The measures required to effectively protect trees on the land not approved for removal, shall be maintained throughout the development works.

12.9 **Aboriginal Archaeology**

- 12.9.1 Should any archaeological material be uncovered during construction activities on any location within the approved development, then all works are to cease immediately and representatives of the Office of Environment & Heritage (OEH) and a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

12.10 **Waste Management**

- 12.10.1 The measures outlined in the submitted Waste Management Plan, must be implemented during the demolition and construction phases of the development. This includes the sorting and storage of waste and recyclable building materials on site for collection and disposal by the nominated waste/recycling contractor to the nominated disposal site.

Note: The developer is to retain receipts from the waste/recycling disposal contractor or some form of evidence of compliance with the Waste Management Plan. This information is to be submitted to Council prior to issue of any Occupation Certificate.

12.11 **Fire resistance of external wall materials**

- 12.11.1 The materials for use on the external walls of this development shall achieve compliance with the relevant fire resistance levels that are applicable to the development. This includes compliance with the National Construction Code.

12.12 **Site Contamination**

12.12.1 The following recommendations of the Preliminary Site Investigation Report Proposed Residential Development 55-61 Newton Road, Blacktown (Ref Report E23072 AA_Rev 0) prepared EI Australia dated 19 August 2016 are to be implemented:

- (a) Preparation and implementation of an unexpected finds protocol following site demolition and during site excavation to ensure any potential contamination sources (e.g. underground tanks, pipes or pits, soil staining, or buried asbestos) are identified and managed in accordance with the NSW Environment Protection Authority legislation and guidelines.
- (b) Waste classification of site soils for off-site disposal in accordance with NSW Environment Protection Authority (2014) Waste Classification Guidelines.

12.12.2 Should any contaminated materials be unearthed or fly-tipped rubbish be encountered during construction, all works are to cease immediately. In this situation, a Remedial Action Plan (RAP) is to be submitted to Council's Manager Development Services for consideration and all potentially contaminated materials is to be tested, removed or undergo remediation.

A suitably qualified environmental consultant is to be on site for regular monitoring of the approved site works. In the event remediation works are required to be undertaken, it must be done in accordance with the National Environment Protection (Assessment of Site Contamination) Measure 1999 as amended (2013(NEPM)).

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

- (a) The applicant is to ensure that the site has been satisfactorily secured to prevent any unauthorised dumping of illegal fill/waste or building materials (i.e. non-VENM soils) from entering the development site.
- (b) Appropriate dust suppression measures are to be incorporated into the site works process, to ensure that adjoining properties in the local vicinity are not negatively impacted upon by dust generated from the development site.
- (c) Any filling shall be undertaken in accordance with the fill protocol approved by Council's Manager Development Assessment.

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

12.13 **Geotechnical Assessment**

12.13.1 The recommendations as set out in Section 4 and Section 5 of the Geotechnical Assessment Report 55-61 Newtown Road, Blacktown NSW (Ref Report E23072 GA0 prepared by EI Australia dated 19 October 2016 are to be implemented.

13 During Construction (Environmental Health)

13.1 Asbestos

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

14 PRIOR TO OCCUPATION CERTIFICATE

14.1 Compliance with Conditions

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

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

14.2 Consolidation of Lots

- 14.2.1 The lots shall be consolidated into one title which shall be registered with NSW Land and Property Information.

14.3 General

- 14.3.1 A report from a geotechnical engineer is to be submitted to Council certifying the site classification for the reactivity of residential flat buildings after identification of the soil characteristics in accordance with the provisions of AS 2870, “Residential Slabs and Footings”.

14.4 Child safety mechanism

- 14.4.1 All windows from Level 1 and above in the building are to be fitted with a child safety mechanism to prevent accidental falls out of windows by persons such as children. Details of such safety mechanisms shall be shown on the plans and provided to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

14.5 Street Tree Bonds and Services and Charges

If the Applicant wishes to undertake the planting and maintenance of street tree/s to Council's satisfaction at no cost to Council (making any necessary Applications with Council or obtaining any necessary clearances from relevant Service Authorities), the Applicant is, subject to any alternative arrangements satisfactory to the Council, to lodge a tree bond of \$330.00 per tree and \$136.00 Inspection fee with Council to ensure the health and vigour of the tree/s. The bond shall be returned 12 months after the completion of the development (i.e. issue of final Occupation/Subdivision Certificate) if the trees are in a state of good health and vigour to Council's satisfaction.

Investigation of submitted plans

Parks and Tree Maintenance Assessment = 2 hours @ \$195/hr = \$390.00

14.6 Acoustic Certification

- 14.6.1 Certification must be provided by a qualified acoustic engineer that all work associated with the installation of the acoustic measures and noise attenuation has been completed in accordance with the certified design and to the standard required by this consent.

14.7 Waste

- 14.7.1 The Strata Management Agreement should:

- (a) indicate the requirement for the appointment of a building manager/caretaker to manage bins and bulky waste onsite in accordance with the approved waste management plan.
- (b) indicate the responsibility for maintenance of the waste system (including any bin movement aides) and bin cleaning, and ensure waste collection points are clear and unobstructed prior to collection times.
- (c) indicate the method of communication to new tenants and residents regarding the waste management services and collection system for the complex.
- (d) include a copy of the amended and approved waste management plan as submitted with this development application.

- 14.7.2 The strata manager is to sign the 'Agreement for Onsite Waste Collection' form and return to Council's Sustainable Resources Project Officer.

14.8 Service Authorities

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

- (a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Applications must be made through an authorised Water Servicing Coordinator. Please refer to the "Building Plumbing and Developing" Section of the website www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation of the development/release of the plan of subdivision, whichever occurs first.
- (b) A "Notification of Arrangement" Certificate from a recognised energy

provider, stating that arrangements have been made with the service authority for electrical services, including the provision of street lighting, to the development.

- (c) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

14.9 Temporary Facilities Removal

- 14.9.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
- 14.9.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.
- 14.9.3 Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.
- 14.9.4 Any temporary builder's sign or other site information sign shall be removed from the land.
- 14.9.5 Any temporary site access provided for the purposes of development works shall be removed and the kerb and gutter and/or previous roadworks reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.

14.10 Fire Safety Certificate

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

14.11 Fire Safety

- 14.11.1 Smoke alarm/s complying with the provisions of the Environmental Planning and Assessment Amendment (smoke alarms) Regulation 2006.

14.12 External finishes

- 14.12.1 The approved development is to be constructed in accordance with the schedule of materials, finishes and colours as identified in Drawing No. A800 Issue 1 prepared by Bureau of Urban Architecture dated 26/07/17 (Council's Reference D17/234827, D17/234839 and D17/234841) on Council's electronic file No. JRPP-16-04457. The finishes must also be durable, graffiti and fire resistant and easily cleanable.
- 14.12.2 All windows at Level 1 and above, are to be fitted with a child safety mechanism to prevent accidental falls out of the windows. The mechanisms are to be in accordance with the details submitted as part of the Construction Certificate.

14.13 **Adaptable Housing Units**

- 14.13.1 Certification from a qualified Access Consultant confirming that the Adaptable Housing Units are capable of being modified when required by the occupants in accordance with the Australian Adaptable Housing Standard (AS 4299-1995) is to be submitted to Council.

14.14 **Total Maintenance Plan**

- 14.14.1 A “total” maintenance plan is to be prepared for the site. The plan is to ensure the following:

- (a) The long term up-keep and cleanliness of the development, to ensure all buildings, public areas, landscaping, the communal open space areas, gymnasium, security systems, mail boxes, lighting, loading areas and services are regularly inspected and maintained at optimum levels at all times.
- (b) That security, cleanliness and general repairs are managed appropriately, and that areas are not left unattended for long periods thereby substantially increasing the opportunity for graffiti or anti-social behaviour. Any unwanted “junk mail” is to be collected on a regular basis and disposed of as necessary.
- (c) The proposed development is always under the control of a fulltime Building Manager.

A copy of the Plan is to be submitted to Council for separate approval prior to the release of any Occupation Certificate.

14.15 **Graffiti Management Plan**

- 14.15.1 A “Graffiti Management Plan” is to be submitted for the separate approval of Council. The Plan is to address the following issues:

- (a) Methods to minimise the potential for graffiti;
- (b) Management/notification procedures for the “early” removal of graffiti;
- (c) Annual review of any “management agreement” for the removal of graffiti to ensure the property is maintained at its optimum level; and
- (d) Maintenance of suitable landscaping to minimise the potential for graffiti attacks.

14.16 **Letterboxes**

- 14.16.1 The letterboxes are to comply with the details submitted as part of the Construction Certificate and must comply with Australia Posts requirements for size. The letterbox system should be vandal resistant and secure.

- 14.16.2 The street number must be displayed prominently at the front of the building to comply with Local Government Act, 1973 Section 124, Order 8. The street number is to be visible at night.

14.17 Fencing

- 14.17.1 Details of decorative courtyard fencing shall be provided delineating ground floor private open space from the common open space. The courtyard fencing shall not exceed 1.5m in height and is to be constructed of masonry up to 1m with 500mm of horizontal powder coated infill slats to enclose the ground floor private open space. There is to be no colorbond fencing directly adjoining a public road.

14.18 Power Boards

- 14.18.1 All power boards must be housed within a cabinet to restrict tampering with the power supply. The lock set must be approved by the electricity authority.

14.19 Security/Surveillance

- 14.19.1 The development is to comply with the submitted 'Crime Prevention through Environmental Design' checklist saved with Council's reference D16/119369 on Council's electronic file No. DA-16-03716 and the details submitted as part of the Construction Certificate. The development is to provide CCTV, appropriate street numbering, signage, key locked letterboxes, secure residential parking and security doors.
- 14.19.2 Use of the rooftop common open space is limited to 7.00 am to 8.00 pm, 7 days a week. The playing of amplified music within the rooftop space is also prohibited. Appropriate signage is to be displayed around the rooftop area advising of these restrictions. Appropriate signage is also required to advise that CCTV is operational in the area.

14.20 Lighting

- 14.20.1 Vandal proof and security lighting is to be provided in accordance with the approved Construction Certificate plans to provide for the safety and convenience of occupants and visitors at night. The car parking areas must also be provided with sufficient lighting to enhance the safety of users.
- 14.20.2 All common open space areas and internal driveways shall be appropriately illuminated by the use of bollard lighting or the like to provide for the safety and convenience of occupants and visitors at night.

14.21 Landscaping/Car Parking

- 14.21.1 All landscaping shall be completed in accordance with approved landscaping design plan. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.
- 14.21.2 All common open space areas and internal driveways shall be appropriately illuminated by the use of bollard lighting or the like to provide for the safety and convenience of occupants and other people resorting to the land at night.
- 14.21.3 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability for residents and their visitors.

- 14.21.4 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 14.21.5 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 and AS1428.1 - 2009.
- 14.21.6 All required internal driveways and car parking spaces shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose. In this regard, the following car parking provision is to be provided on site:

Resident car parking spaces	95
Visitor car parking spaces	17
Total	112 (including 9 accessible parking spaces)

- 14.21.7 A roller shutter and card-key system is to be installed at the segregation points between the visitor and residential parking areas, and at the entry/exit points of the basement car parks.
- 14.21.8 Bicycle racks are to be provided on site in accordance with the Apartment Design Guide (ADG).
- 14.21.9 The ceiling of each basement car park level is to be painted white to enhance lighting illumination.
- 14.21.10 Prior to the issue of an Occupation Certificate, documentation shall be submitted to Council certifying that the basement ventilation system has been installed and is operating in accordance with Australian Standard 1668.2:2002 *The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control*. Any associated car park vents should be minimised and located at a low level where possible.

14.22 Clothes Drying

- 14.22.1 Clothes drying is to be conducted in the mechanical dryers. The drying of clothes on balconies (where visible from a public place) is prohibited. If the development is to be strata subdivided, a clause is to be included in the Plan of Strata Management prohibiting the drying of clothes on balconies (where visible from a public place).

14.23 Road Damage

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

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

14.24 Fee Payment

- 14.24.1 Any fee payable to Council as part of a Construction, Compliance or Occupation Certificate or inspection associated with the development (including the

registration of privately issued certificates) shall be paid in full.

14.25 **Engineering Matters**

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

- 14.25.1.1 A Work-as-Executed (WAE) plan signed by a Registered Engineer (NER) or a Registered Surveyor must be submitted to Council when the engineering works are completed. A hardcopy (A1 size) and softcopy (on a CD/USB with file format .PDF) of the WAE plans are to be submitted to Council. All engineering Work-as-Executed plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works.
- 14.25.1.2 The Work-as-Executed (WAE) plan must confirm that the On Site Detention system identification plate has been installed in accordance with the Upper Parramatta River Catchment Trust Guidelines. The On Site Detention system identification plate can be purchased from Council.
- 14.25.1.3 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the On-Site Detention System as constructed will perform to meet the on-site stormwater detention requirements in accordance with the approved design plans.
- 14.25.1.4 A certificate from a Registered Engineer (NER) must be lodged with Council verifying that the structures associated with the On-Site Detention System(s) have been constructed to withstand all loads likely to be imposed on them during their lifetime.
- 14.25.1.5 The submission to Council of Compliance Certificate(s) and construction inspection reports required by this consent for engineering works. A final inspection report is to be included noting that all works are complete.

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

14.25.2 **Easements/Restrictions/Positive Covenants**

- 14.25.2.1 Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:
 - i. Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).
 - ii. The standard format for easements and restrictions as accepted by NSW Land and Property Information.
- 14.25.2.2 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Government - Land and Property Information over the on-site detention storage areas and outlet works.

14.25.2.3 Each of the proposed lots serviced by the existing inter-allotment drainage easements shall have this burden and benefit created pursuant to Section 88B of the Conveyancing Act 1919.

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

14.25.3 **Dedications**

14.25.3.1 Dedication at no cost to Council of 5m x 5m splay corners on allotments at each street intersection.

14.25.4 **Bonds/Securities/Payments in Lieu of Works**

14.25.4.1 Concrete path paving must not be placed until about 75% of the proposal has been constructed or until approved in writing by Council. The applicant has the option of lodging a security deposit for the works, or paying a monetary payment in lieu of works based upon Council's Goods and Pricing Schedule. The security will be released upon satisfactory completion of the works.

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

14.25.5 **Inspections**

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

14.25.6 **Other Drainage Section Requirements**

14.25.6.1 Written evidence is to be provided that the registered owner/lessee has entered into a minimum five (5) year signed and endorsed maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the On-site Detention Tank. A copy of the signed and endorsed contract(s) and maintenance contractor(s) details are to be forwarded to Council's WSUD Compliance Officer.

14.25.6.2 Where the Groundwater Assessment Report indicated the requirement for a Groundwater Management Plan, then a Geotechnical Engineer registered with NER, is to certify that all the requirements of the Groundwater Management Plan have been undertaken and that there is no adverse impact due to groundwater

15 **OPERATIONAL (PLANNING)**

15.1 **Crime Prevention Through Environmental Design**

15.1.1 The development shall comply with the principles of Crime Prevention through Environmental Design with regard to the following:-

- (i) Lighting used in the car park areas should illuminate continuously in hours of darkness.
- (ii) Eliminate structures on the rooftop that maybe used as natural ladders.
- (iii) Access to rooftop shall be restricted to residential/visitors. The proposed communal and rooftop area is opened to residents from 8:00am to 8:00pm ONLY to reduce noise related issues and to assist in the prevention of incidents of anti-social behaviour that may occur.
- (iv) Car park and communal areas (play area) is to be accessed by unit owners/residents ONLY.
- (v) Access to the car park and units should be via a swipe/car/key system.
- (vi) Identify a key holder is identified with relevant contact details provided to aid emergency services to gain entry if there are any related issues preventing immediate access.

15.2 **Fire Resistance of external wall materials**

- 15.2.1 Prior to the issue of any Occupation Certificates, the principal certifying authority is to be satisfied that the materials for the external walls achieve compliance with the relevant fire resistance levels that are applicable to the development. This includes compliance with the National Construction Code.

15.3 **Graffiti Removal**

- 15.3.1 Removal of any graffiti, visible from any public road or space, is the responsibility of the property owner(s). All graffiti must be removed within 48 hours of detection.

15.4 **Access/Parking**

- 15.4.1 All required off-street car parking spaces and internal driveways shall be maintained to a standard suitable for the intended purpose.
- 15.4.2 All loading and unloading operations shall take place at all times wholly within the confines of the land.
- 15.4.3 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.
- 15.4.4 All vehicles, including waste and recycling collection vehicles, must, at all times, enter or exit the site in a forward direction.

15.5 **General**

- 15.5.1 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 15.5.2 Intruder alarm installed on the development site shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.

15.6 **Waste**

- 15.6.1 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.

- 15.6.2 Access for collection vehicles is to be built in accordance with the dimensions indicated on the approved architectural plans, CAD files and vertical cross-section plans (demonstrating compliance with Australian Standards for headroom allowances) showing adequate truck entry and exit and in all manoeuvring areas.
- 15.6.3 Applicant is to ensure roads and driveways etc. are rated for the proposed 6.4m long small rigid vehicle.
- 15.7 **Noise & Nuisance**
- 15.7.1 Emission of sound from the development site shall be controlled at all times so as not to unreasonably impact upon nearby owners/occupants.
- 15.7.2 The use of the land is not to interfere with the amenity of the surrounding residential areas.
- 15.7.3 Any nuisance associated with the use of any aerial or transmitting or receiving equipment associated with the development shall be addressed to the Spectrum Management Agency.
- 15.8 **Landscaping**
- 15.8.1 All landscaped areas provided in accordance with the approved landscaping design plan shall, at all times, be maintained in a suitable manner.
- 15.8.2 To minimise anti-social behaviour and criminal offences and sense of crime, sightlines must be kept free from obstruction and the site is to be regularly maintained and clear of malicious damage, rubbish, broken bottles.
- 15.8.3 Management of vegetation, gardens, planter boxes, communal areas, including rooftop communal open space, BBQ facilities, children's play equipment etc. is to be incorporated within the future strata management plan.
- 15.9 **Final Inspection**
- 15.9.1 A final inspection is required to ascertain compliance with the condition of approval prior to the release of the road damage deposit.
- 16 **Operational (Environmental Health)**
- 16.1 **Acoustic Validation**
- 16.1.1 A post commissioning report produced by an independent organisation that is eligible for membership with the *Association of Australian Acoustic Consultants* within 3 – 6 months of the multi storey development operating to validate the findings of Acoustic Report 51-61 Newton Road, Blacktown, prepared by Acoustic Logic dated 25 October 2016.
- 16.2 **Air Pollution**
- 16.2.1 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.

- 16.2.2 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 16.3 **General**
- 16.3.1 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incidents that occur in the course of carrying out the approved activity where material harm to the environment is caused or threatened.
- 16.3.2 To minimise the noise impact of the development on the surrounding environment, the collection and delivery of goods and materials (including garbage and recycling waste) from and to the premises shall not take place between the hours of 10pm and 7am.
- 16.3.3 All waste and recycling bins must be stored wholly within the approved waste storage area. The bins must only be put out for collection in the evening prior to pick-up and returned to the storage area as soon as possible after pick-up.