

Draft Conditions of Consent

Development Description: Construction of 2 residential flat buildings comprising 215 apartments, 299 car parking spaces within 3 basement parking levels and associated civil works and landscaping in 2 stages.

Property: 60 Cudgegong Road and 99 - 107 Rouse Road, Rouse Hill.

1 ADVISORY NOTES

1.1 Terminology

- 1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.
- 1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 6.4 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 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.
- 1.3.3 Separate Council approval under the *Roads Act 1993* is required for any crane used to construct this development that swings over public air space.
- 1.3.4 The applicant's attention is drawn to the need to obtain separate appropriate approval for any ancillary activity / development not approved by this consent, including:
 - (a) Any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development.
 - (b) The installation of a vehicular footway crossing servicing the development.

1.4 Services

- 1.4.1 The applicant is advised to consult with:
 - (a) Sydney Water Corporation Limited
 - (b) A 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 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**

- 1.5.1 Street tree and 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.

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 Identification Survey

- 1.6.1 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.

1.7 Engineering Notes

- 1.7.1 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.

- 1.7.2 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.

1.8 Payment of Engineering Fees

- 1.8.1 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.

A quote will be provided verbally generally within 14 days followed by confirmation in writing.

- 1.8.2 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.

1.9 Plan of Subdivision

- 1.9.1 This plan of subdivision is not to be released until Public Road access is provided. This may require the registration of the adjoining subdivision.

2 GENERAL

2.1 Scope of Consent

- 2.1.1 The development shall be in accordance with the following drawings/details submitted to Council with the Development Application except where amended by other conditions of this consent:

Drawing Reference:	Dated:
Plans prepared by Turner Architects:	
DA-001-002 Rev 01 DA Package	24.03.17
100 Site Plans	
DA-100-001 Site Analysis	24.03.17
DA-100-002 Overall site plan	24.03.17
110 GA Plans	
DA-110-000 Rev B Basement 1	24.06.17
DA-110-001 Rev B Lower Ground Level	24.06.17
DA-110-002 Rev B Upper Ground	24.06.17
DA-110-003 Rev B Level 01	24.06.17
DA-110-004 Rev B Level 02	24.06.17
DA-110-005 Rev B Level 03	24.06.17
DA-110-006 Rev B Level 04	24.06.17
DA-110-007 Rev B Level 05	24.06.17
DA-110-008 Rev B Level 06	24.06.17
DA-110-009 Rev B Level 07	24.06.17
DA-110-010 Rev B Roof Level	24.06.17
210 GA Elevation	
DA-210-001 Rev B Roland Street Elevation	24.06.17
DA-210-002 Rev B New Council Road Elevation	24.06.17
DA-210-003 Rev B Torrelli Street Elevation	24.06.17
DA-210-004 Rev B Pedestrian Link Elevation	24.06.17
DA-210-005 Rev B Courtyard Elevation West	24.06.17
DA-210-006 Rev B Courtyard Elevation North	24.06.17
DA-210-007 Rev B Courtyard Elevation East	24.06.17
310 GA Sections	
DA-310-001 Rev B Section 1	24.06.17
DA-310-002 Rev B Section 2	24.06.17
DA-310-003 Rev B Section 3	24.06.17
DA-310-004 Rev B Section 4	24.06.17
710 GFA Diagrams	
DA-710-001 Rev A GFA Diagrams Sheet 1	24.03.17
DA-710-002 Rev A GFA Diagrams Sheet 2	24.03.17
720 SEPP65 Diagrams	
DA-720-001 Rev B Amenity Diagrams Sheet 1	24.06.17
DA-720-002 Rev B Amenity Diagrams Sheet 2	24.06.17

Drawing Reference:	Dated:
721 Solar	
DA-721-001 Rev A Solar Access 3D Sun views Sheet 1	24.06.17
DA-721-002 Rev A Solar Access 3D Sun views Sheet 2	24.06.17
730 Shadow Diagrams	
DA-730-001 Shadow Diagrams and Solar Access	24.03.17
DA-730-010 Rev 2 Shadow Diagrams	26.06.17
DA-730-011 Rev 2 Shadow Diagrams	26.06.17
740 Open Space Amenities	
DA-740-001 Deep Soil Area	24.03.17
DA-740-002 Communal Space	24.03.17
DA-740-003 Landscaped Area	24.03.17
DA-740-004 Site Coverage	24.03.17
810 Supplementary Drawings	
DA-810-001 Adaptable Apartments Sheet 1	24.03.17
DA-810-002 Adaptable Apartments Sheet 2	24.03.17
DA-810-003 Adaptable Apartments Sheet 3	24.03.17
DA-810-004 Adaptable Apartments Sheet 4	24.03.17
DA-810—010 Liveable Apartments Sheet 1	24.03.17
DA-810-020 Rev B External Materials and Finishes Board	24.06.17
DA-850-001 Rev B Building Envelope Diagram	24.06.17
860 Cross Ventilation	
DA-860—001 Rev A Supplementary Drawing Cross Ventilation Sheet 1	24.06.17
DA-860—002 Rev A Supplementary Drawing Cross Ventilation Sheet 2	24.06.17
DA-860—003 Rev A Supplementary Drawing Cross Ventilation Sheet 3	24.06.17
DA-860—004 Rev A Supplementary Drawing Cross Ventilation Sheet 4	24.06.17
880 Staging	
DA-880-110 Rev A Staging Plan - Basement 1	18.10.17
DA-880-111 Rev A Staging Plan - Lower Ground Level	18.10.17
DA-880-112 Rev A Staging Plan - Upper Ground	18.10.17
DA-880-113 Rev A Staging Plan - Level 1	18.10.17
DA-880-251 Rev A Staging Plan - Roland Street Elevation	18.10.17
DA-880-252 Rev A Staging Plan - New Council Road Elevation	18.10.17
DA-880-253 Rev A Staging Plan - Torrelli Street Elevation	18.10.17
DA-880-254 Rev A Staging Plan - Pedestrian Link Elevation	18.10.17
DA-880-255 Rev A Staging Plan - Courtyard Elevation West	18.10.17
DA-880-256 Rev A Staging Plan - Courtyard Elevation North	18.10.17
DA-880-257 Rev A Staging Plan - Courtyard Elevation East	18.10.17
DA-880-311 Rev A Staging Plan – Section 1	18.10.17
DA-880-312 Rev A Staging Plan – Section 2	18.10.17
900 Perspectives	
DA-900-001 Roland Street	24.03.17
DA-900-002 Torrelli Street	24.03.17
DA-900-003 Courtyard view	24.03.17
DA-900-004 Park view	24.03.17
DA-900-005 Rev A Perspectives - Landscape along Council Road	24.06.17
Landscape Plans prepared by Oculus:	
Landscape Design Report Rev A (Stage 3 Parkland Estate)	Feb 2017

* Unless modified by any condition(s) of this consent.

2.3 Services

2.3.1 The development is permitted to be constructed and occupied in 2 stages as follows:

Stage 1: Construction of basement 1, lower ground, upper ground (including cold shell for two apartments in the western linear building), and all of the eastern building for the levels above including podium landscaping as illustrated in the staging plan and Stage.

Stage 2: Construction of the western building.

2.3 Services

2.3.1 Low voltage electricity and telecommunications services for the approved development shall be as per the requirements of the service provider, and 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: Rouse Hill

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: Rouse Hill

2.5 Compliance with BASIX Certificate

2.5.1 All commitments listed in the BASIX Certificate number: 799893M shall be complied with.

2.6 Sydney Water – Requirements

2.6.1 **Water and Wastewater** – A critical asset for this subdivision is the 200mm recycle water lead-in being delivered along Rouse Road and Cudgegong Road.

For water and recycled water purposes, this development will require a connection for each proposed building. The development will be dependent on reticulation lead-ins being constructed by neighbouring subdivisions. These lead-ins may not have been sized for this scale of development and may require augmentation/amplification at the time of construction.

A reticulation sewer will be required to service the development site, this will need to be addressed as part of the Section 73 application.

Sydney Water advises that extensions/adjustments of our assets may be required to allow the proposed development to proceed.

2.7 NSW Rural Fire Service – Requirements

2.7.1 The deemed bush fire safety authority as required under Section 100B of the *Rural Fires Act 1997* provided by NSW Rural Fire Service in their letter dated 12 May 2017 is to be adhered to as follows:

1. Design and Construction - The southern elevations of the proposed new buildings shall comply with Sections 3 and 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

The northern, eastern and western elevations shall comply with Sections 3 and 6 (BAL 19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

2. Design and Construction - A minimum 2.4 metres high radiant heat shield made of non-combustible materials shall be constructed along the southern boundary of the Stage 3. The bottom of the fence is to be in direct contact with the finished ground level or plinth.

2.7 Engineering Matters

2.7.1 Design and Works Specification

2.7.1.1 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.

2.7.1.2 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
- Final Layer Asphaltic Concrete (AC) construction
- Maintenance of the construction works

These matters will be individually addressed within the consent

2.8 Other Necessary Approvals

2.8.1 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)

2.9 Subdivision

2.9.1 Principal Certifying Authority - Blacktown City Council shall be the Principal Certifying Authority for the proposed subdivision and shall issue the Subdivision Certificate upon compliance with all conditions of this consent.

2.10 Other Matters

2.10.1 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.

2.10.2 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.

2.11 General Engineering Matters

2.10.1 Each year by the first business day on or after 1 September the registered proprietor/owners corporation is to provide to Council's Asset Design Services Section a report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices and rainwater tank in accordance with the approved maintenance schedule and details of all non-potable water used. All material removed are to be disposed of in an approved manner. Copies are to be provided of all contractor's cleaning reports or certificates to Council's WSUD Compliance Officer.

2.10.1 The development must at all times maintain the water quality system to achieve the following pollutant removal targets of Part J of DCP 2015 for the entire site in perpetuity.

Required percentage reductions in post development average annual load of pollutants:

Pollutant	% post development pollutant reduction targets
Gross Pollutants	90
Total Suspended Solids	85
Total Phosphorous	65
Total Nitrogen	45
Total Hydrocarbons	90

2.10.1 The developer/owners corporation is to maintain the temporary water quality treatment measures for the external roads and these measures are not to be removed, nor the positive covenants lifted, until the downstream regional Council detention basin including water quality measures are fully completed.

2.10.1 The Temporary Enviropod Maintenance Bond can be refunded once the Temporary Enviropods are cleaned with cleaning dockets provided and the Owners Corporation for Stages 1 and 2 takes over maintenance of the Temporary Enviropods.

2.10.1 The Temporary Enviropod Removal Bond can only be refunded for the street pits when the downstream regional basin is fully developed as agreed with Council.

2.12 Other Necessary Approvals

2.12.1 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)

2.13 Other Matters

2.13.1 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.

2.13.2 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.

2.14 Temporary Stormwater Treatment – Roads

2.14.1 The Temporary Enviropod Maintenance Bond can only be refunded once the Temporary Enviropods are cleaned, with cleaning dockets provided, and the Owners Corporation takes over maintenance of the Temporary Enviropods.

2.14.2 The Temporary Enviropod Removal Bond can only be refunded and the positive covenant for the maintenance of the Enviropods in the street pits can only be removed when the downstream regional basin is developed as agreed with Council.

3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

3.1 DA Plan Consistency

3.1.1 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.

3.1.2 No construction certificate for building works is to be released until all civil works related to roads and drainage within the road reserve have been completed and sign-off received from the PCA.

3.2 Road Fee

3.2.1 The current road inspection fee of \$180.00 (which is subject to periodic review and may vary at time of payment) shall be lodged with Council.

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.

3.2.2 The payment of the following fee to Council's Maintenance Section pursuant to

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.

Vehicular Crossing Application and Inspection Fee: \$145.00

3.3 **Blacktown Growth Centres Development Control Plan 2018**

- 3.3.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in Council's Growth Centres Development Control Plan 2018.

3.4 **Roads and Maritime Services Requirements**

- 3.4.1 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.
- 3.4.2 A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of access, access arrangements, road safety and traffic control is to be submitted to Council prior to the issue of any Construction Certificate.

3.5 **Construction Environmental Management Plan**

- 3.5.1 A Construction Environmental Management Plan (CEMP) is to be submitted to Council prior to the issue of any Construction Certificate as required by clause 3.3 *Construction Environmental Management* of the Growth Centres Precincts DCP 2018.

The CEMP is to state that all construction activities shall be limited to between 7.00am to 6.00pm, Mondays to Fridays: 7.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

The CEMP is to include measures to ensure minimal disturbance is caused to neighbours, including dust management measures.

3.6 **Drainage matters**

- 3.5.1 Amended drainage plans from Neil Lawry & Associates Pty Ltd are to be provided to meet the requirements under Councils DCP Part J 2015 and Councils Engineering Guide for Development 2005 to the satisfaction of Council's Manager Asset Design. The amended plans must address the following:
- i. Along all street frontages provide a kerb and/or raised planter bed and/or swale to direct surface flows to the inlet pits. Provide additional surface inlet pits and pipes to collect the 20 year flows across the frontages and direct the flows to the internal drainage system and to treatment. Detail on SC03 (B), SC04 (B) and SC05 (B). Either provide Enviropod 200 micron to all inlet pits and/or provide a series of Drop Pipe Enviropods (maximum catchment 1000m² per Drop Pipe Enviropod).
 - ii. Provide a minimum 150mm trench gate at the boundary at all paved surfaces that fall to the boundary.
 - iii. Provide a minimum 150mm kerb along the northern boundary to direct surface flows to the inlet pit with trench grates across the path.
 - iv. On drawing no. SC04 (B) for rainwater tank note, amend rainwater tank size to minimum 23000 L and replace the bottom line "RAINWATER REUSE FOR PODIUM IRRIGATION SYSTEM" with "STORMWATER REUSE FOR ALL LANDSCAPED AREAS IRRIGATION". Amend dimensions.
 - v. On drawing no. SC14 (B), amend rainwater tank detail by replacing "16,000 with

- minimum 23,000” and “RAINWATER” with “STORMWATER”.
- vi. On drawing no. SC03 (B), amend note for Stormfilter chamber to 26 CARTRIDGE FILTER SYSTEM WITH..... Amend the levels to match levels on SC14 (B). Replace “15 CUBIC M with “18.2 M²”.
- vii. Complete the text for the inlet pits at bottom of drawing no. SC05 (B).
- viii. On drawing no. SC03 (B) lift the base of pit SWP-16 by 0.04m and lift the invert of the 450mm inlet pipe to the Dissipation Chamber to 50.46.
- ix. On drawing no. SC14 (B) at Section 1
 - a. Show invert of 450 outlet as 50.25.
 - b. Show false floor level of 50.46
- x. On drawing no. SC14 (B) at Section 2
 - a. Reduce width from “5140” to “3910”.
 - b. Show the scupper drain holes set above the Stormfilter false floor.
 - c. Show a top of the false floor level of 50.46.
 - d. Amend note to say “630 LOW WALL” and dimension from top on false floor to low wall as “630”.
 - e. Lift 375 inlet to the correct level relative to the false floor.
- xi. On drawing no. SC14 (B) at Plan of Stormfilter Chamber
 - a. Set invert level of 450 inlet pipe to 50.46
 - b. Set level of dissipation Chamber to 50.46
 - c. Set invert level of 450 outlet pipe to 50.25 (note incorrectly referred to as “INLET”).
 - d. Grade the overflow chamber from 50.31 at the southern end to 50.25 at the outlet.
 - e. Reduce the width of the Stormfilter Chamber from “3540” to “2310”.
 - f. Provide a level within the Stormfilter Chamber of “50.46 TOP OF FALSE FLOOR”.
 - g. Amend title and replace “15 CUBIC M” with “18.2M²”.
 - h. Amend plan on drawing no. SC14 (B) to show 26 cartridge filters and amend the text accordingly.
- xii. Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the Stormfilter Chamber and Stormwater Tank in accordance with Council’s Engineering Guide for Development 2005.
- xiii. 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.

3.5.1 Provide details for permanent interpretive signage minimum A1 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the major water quality device. The wording and detail is to be approved by Council.

3.5.1 An experienced chartered hydraulic engineer/Irrigation specialist is to prepare and certify a detailed Landscape Watering Plan for landscape watering and that all Sydney Water requirements have been satisfied. The plan is to show the stormwater pipe and tank arrangement including:

- i) a first flush or pre-treatment system (Enviropods are acceptable);
- ii) a pump with isolation valves and a warning light to indicate pump failure;
- iii) a mains water direct tank top up with air gap for landscape watering,
- iv) flow meters on the mains water tank top-up line and the pump outflow line, to determine actual non-potable usage;
- v) a timer and control box for landscape watering. The system is to be designed to automatically achieve an average usage rate of 680 kL/year as nominated in MUSIC allowing for seasonal variations. Seasonal variations include increasing the frequency of watering by 50% above average for the hotter months.

- vi) ensuring all the rainwater reuse pipes are coloured purple;
 - vii) a fine inline filter and preferably an automatic backwash inline filter;
 - viii) as the source water contains both roof and surface inflows the system has to be designed to accept variations in water quality and continue to operate in a safe manner;
 - ix) fitting stormwater warning signs to all external taps using stormwater.
- 3.5.1 A Chartered Professional Structural Engineer, registered with NER, must certify the structural design for pier footings adjacent to the Stormfilter tank to be founded a minimum of 300mm below the underside of the tank. The depth of piers away from the tank will be subject to the zone of influence.
- 3.5.1 Provide a Temporary Enviropod Maintenance Estimate from Stormwater 360 for the maintenance of the temporary Enviropods in the street pits surrounding the development for a minimum of five years with a minimum clean every 4 months.
- 3.5.1 Provide a Temporary Enviropod Removal Estimate from Stormwater 360 for the full removal of the temporary Enviropods and frames from the street pits surrounding the development after five years.
- 3.5.1 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.
- 3.7 Other Matters**
- 3.7.1 The Construction Certificate plans are to show any existing/proposed substations, kiosks, sewer man holes and/or vents affecting any lot / units, including corner lots / units in accordance with the Growth Centres Precincts Plan DCP 2018.
- 3.7.2 The Construction Certificate plans are to show that the construction and layout of the footpath system provides for continuous disabled and pram access movement in terms of crossing points, including to nearby public transport services.
- 3.7.3 All mail boxes are to accord with the requirements of Australia Post with regard to location, access and size. The letterbox system is to be vandal resistant and secure.
- 3.8 Waste Matters**
- 3.8.1 The Strata Manager / Community Management Association (or similar) is to sign and submit to Council the 'Agreement for Onsite Waste Collection' form before collections can occur on site.
- 3.8.1 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.
- 3.8.1 The Owners Corporation/Community Management Association (or similar) is responsible for ensuring that clear access is provided to Council collection trucks entering the property.
- 3.8.1 Access for collection vehicles must be designed in accordance with approved architectural plans, CAD files and vertical clearances as per Australian Standard.
- 3.8.1 The roads and driveways are to be rated for at least 24 tonne trucks.
- 3.8.1 The Strata Management Agreement shall:

- i. 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.
- ii. Indicate 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.
- iii. Indicate the method of communication to new tenants and residents regarding the waste management services and collection system for the complex.
- iv. Include the approved Waste Management Plan submitted with the development application (dated 25 May 2017).

3.9 NSW Local Police – Requirements

- 3.9.1 The recommendations provided in the Crime Prevention Through Environmental Design (CPTED) Assessment compiled by *JBA Urban Planning Consultants Pty Ltd* dated March 2017 are to be included in the Construction Certificate documentation. In addition, details of CCTV shall be provided as part of any construction certificate plans and documentation in accordance with the recommendations of Local Police. Local Police recommend that the CCTV surveillance systems be placed in all car parking facilities, stairways, lifts, foyers, other entry/exit points, alcoves, key pedestrian walkways dock/garbage bays, on fence lines/building perimeters and near to mail box and waste facilities.

3.10 Bushfire Requirements – Design and Construction

- 3.10.1 The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack and the following conditions apply:
 1. The southern elevations of the proposed new buildings shall comply with Sections 3 and 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'. The northern, eastern and western elevations shall comply with Sections 3 and 6 (BAL 19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
 2. A minimum 2.4 metres high radiant heat shield made of non-combustible materials shall be constructed along the southern boundary of Stage 3. The bottom of the fence is to be in direct contact with the finished ground level or plinth.

3.11 DA Plan Consistencies

- 3.11.1 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.
- 3.11.2 A building construction certificate shall not be issued until such time a construction certificate and compliance certificate has been issued for the construction and completion of all works associated with the civil works including but not limited to the road and drainage works as required by this consent.

3.12 Relationship with other Approvals

- 3.12.1 Compliance with the requirements of the following nominated approvals:
 - a. Development Consent No. DA-14-02306 (as modified) issued by Blacktown City Council.

- b. Construction Certificate No. CC-15-01117 issued by Blacktown City Council.
- c. Relevant requirement of any other development consent, Construction Certificate issued under the *Environmental Planning and Assessment Act 1979*, *The Local Government Act, 1993* or *The Roads Act 1993*.

The road construction and public dedication as required by the abovementioned approvals shall be completed prior to any construction certificate being issued.

4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)

4.1 Section 7.11 Contributions

- 4.1.1 The following monetary contributions under Section 7.11 (formerly Section 94) of the *Environmental Planning & Assessment Act 1979* must be paid.

Under the Section 7.17 Direction issued by the Minister for Planning on 17 July 2017, Council must not impose a condition of development consent under Sections 7.11 (1) or 7.11 (3) or the Act requiring the payment of a monetary contribution exceeding \$40,000 for each dwelling authorised by the development consent, or in the case of a development consent that authorises the subdivision of land into residential lots, exceeding \$40,000 for each residential lot authorised to be created by the development consent. The Section 7.11 contributions payable below have been assessed in accordance with this Direction:

No. of intended dwellings: 215

Contribution: \$8,600,000.00

Payment of the Section 7.11 Contribution amounts must be made prior to the issue of any Construction Certificate for building works for each relevant stage, being Stages 1 and 2.

PLEASE NOTE: 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.

Notes: In complying with the Minister's Section 7.17 Direction, the applicant is advised that Council may not be in a position to provide all of the facilities listed in the applicable contributions plan due to the potential shortfall of contributions to be received as a result of the \$40,000 per dwelling/lot limit.

The amounts below are the BASE contributions which, if not for the Ministerial Direction, would have applied to this consent. These amounts have been supplied for your information.

Contribution Item	Base Amount	Relevant C.P.
Stormwater Quantity Second Ponds Creek Land	\$ 340,491.00	22L
Stormwater Quantity Second Ponds Creek Works	\$ 49,898.00	22W
Stormwater Quality Second Ponds Creek	\$ 71,093.00	22W
Traffic Management Rouse Hill Land	\$ 201,398.00	22L

Traffic Management Rouse Hill Works	\$ 1,191,283.00	22W
Open Space Rouse Hill Land	\$ 4,941,648.00	22L
Open Space Rouse Hill Works	\$ 2,512,067.00	22W
Community Facilities Rouse Hill Land	\$ 258,163.00	22L
Combined Precinct Facilities Community Facilities Land	\$ 34,603.00	22L
Combined Precinct Facilities E2 Conservation Zone Land	\$ 87,480.00	22L
Combined Precinct Facilities E2 Conservation Zone Works	\$ 31,104.00	22W

These contributions are based upon the following parameters as specified in the Contributions Plan.

Number of intended dwellings/apartments:	215 apartments
Total Developable Area:	1.046 hectares
Additional Population:	388.8 persons

Copies of the following relevant Contributions Plan(s) may be inspected/purchased from Council's Customer Information Centre, or downloaded from Council's website:

Section 94 Contributions Plan No. 22L Rouse Hill (Land)
Section 94 Contributions Plan No. 22W Rouse Hill (Works)

4.2 Special Infrastructure Contributions

- 4.2.1 The applicant is to make a special infrastructure contribution in accordance with any determination made by the Minister administering the Environmental Planning and Assessment Act 1979 under Section 7.17 or its equivalent of the Act that is in force on the date of the consent, and must obtain a certificate to that effect from the Department of Planning and Environment before a Construction Certificate is issued in relation to any part of the development to which this consent relates.

More information

Information about the special infrastructure contribution can be found on the Department of Planning and Environment's website:

<http://www.planning.nsw.gov.au/PlanningSystem/DevelopmentContributionsSystem/tabid/75/quage/en-US/Default.aspx>

4.4 State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development and the Apartment Design Guide

- 4.4.1 No construction certification must 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](#).

4.5 Aesthetics, Streetscape and External Materials

- 4.5.1 The reflectivity index of glass used in the external facades of the buildings is not to exceed 20 percent and must not affect road traffic and must not cause discomfort through glare or intense heat to surrounding areas.
- 4.5.2 Any bathroom, w.c. or laundry window in the external walls of the buildings fitted with translucent glazing.
- 4.5.3 The development approved by Council is to be constructed in accordance with the external finishes shown on the approved External Material and Finishes board (DA-810-020 Rev B).
- 4.5.4 The certifier is to be satisfied that the materials for use on the external walls of this development achieve compliance with the relevant fire resistance levels that are applicable to the development. This includes compliance with the Building Code of Australia.
- 4.5.5 External service fixtures and conduits are to be designed so that they form part of the overall appearance of the building, or are to be screened from view.
- 4.5.6 Windows in the residential apartments from the first floor level through to the top floor level 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 Construction Certificate plans and provided to the principal certifying authority/principal certifier.

4.6 Fencing

- 4.6.1 All fencing details and materials are to be as per the approved plans. All fencing is to be provided at full cost to the developer and is to be constructed on top of any masonry retaining walls.
- 4.6.2 With regard to the treatment of any front fences or walls at the ground level which is in the vicinity of the public domain / public footway, appropriate measures are to be in place to deter the potential for graffiti on these front fences or walls, such as landscaping which limits access to these front fences or walls, or a varied finish to these front fences / walls and with an anti-graffiti finish. These details are to be shown on the construction certificate plans to the satisfaction of the Certifying Authority.
- 4.6.3 Where possible, foliage should be grown on/over fencing adjacent to public areas to minimise any potential for graffiti. All fencing which is visible from the public domain is not permitted to be continuous, closed board, or the like.

4.7 Common Areas and Landscaping

- 4.7.1 All common areas and landscaping shall be of a high quality and detailed on the landscaping design plans as part of the Construction Certificate. The minimum pot sizes are to be 45L for medium sized plants and 100L for trees. All landscaping is to be afforded suitable spacings and pot sizes to ensure that the range of the mature spread of the trees, shrubs and ground covers provide effective coverage and avoid the appearance of sparse landscaping.
- 4.7.2 All landscaping, lawn areas, recreation features and furniture, bbq facilities, pathways, ramps, rooftop communal open space area and their safety fencing shall be of a high quality and detailed on the landscaping design plans as part of the Construction

Certificate.

The basement deep soil areas which relate to the above tree plantings are to be provided to ensure the viability of these trees.

4.8 Access and Parking

- 4.8.1 299 car parking spaces are required to be provided on site, being 256 resident spaces, 43 visitor car parking spaces. All car parking spaces are to be designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1 as follows:

Residential Flat Building (excluding width of pillar): 2.4m x 5.4m

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

Disabled Car Space: 4.8m x 5.4m (including shared zone)

- 4.8.2 Adequate pedestrian and bicycle access is required to be provided to the adjoining road network.
- 4.8.3 A minimum of 74 bicycle parking spaces and 5 motorbike parking spaces are to be provided within the basement levels.
- 4.8.5 Adequate sight distance is required to be provided for both pedestrian and vehicular movement at the proposed driveway 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.
- 4.8.6 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 – 2009 and AS1428.1 - 2009.
- 4.8.7 All internal roads/driveways and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.

4.9 Adaptable Housing Units

- 4.9.1 A minimum of 10% of the units within each residential flat building are to be designed in accordance with the Australian Adaptable Housing Code (AS 4299-1995) which includes 'pre-adaptation' design details to ensure visitability is achieved.

4.10 Floor to Ceiling Heights

- 4.10.1 All residential habitable rooms are to have a minimum floor to ceiling height of 2.7 m. Service bulkheads are not to intrude into habitable spaces.

4.11 Services, Plant and Equipment

- 4.11.1 The plans are to demonstrate that all building plant, equipment and services including air conditioning systems, basement vents, and substations, etc. are appropriately located and treated so as not to be visually prominent and not to adversely impact on the streetscape presentation, apartments and communal open space areas with regard to visual, acoustic and odour impacts.
- 4.11.2 The garbage and recycling storage area must have a smooth impervious floor that is graded to a floor waste. A tap and hose must be provided to facilitate regular cleaning of the bins and all waste water must be discharged to the sewer in accordance with the requirements of Sydney Water. Garbage bins must be designed to prevent the escape of any liquid leachate and must be fitted with a lid to prevent the entry of vermin.

- 4.11.3 Written evidence is to be provided to Council from an appropriately qualified acoustic consultant stating that all plant and equipment have been selected to meet the project noise criteria.
- 4.11.4 A 'Notification of Arrangement' Certificate is to be obtained from a recognised energy provider, stating that electrical services, including the provision of street lighting, have been made available to the development.

5 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

5.1 Lot Registration

- 5.1.1 The land to which this approval relates is to be identifiable with a Lot and Deposited Plan number and registered with the NSW Land Registry Offices.

5.2 Building Code of Australia Compliance

- 5.2.1 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).

5.3 BASIX Certificate Compliance

- 5.3.1 The plans and specifications must indicate compliance with the commitments listed in the BASIX Certificate Number: 799893M.

6 PRIOR TO CONSTRUCTION CERTIFICATE (ENVIRONMENTAL HEALTH)

6.2 Site Contamination and Validation

- 6.2.1 Prior to the issue of any Construction Certificate for building works a Validation Report, prepared by an environmental consultant, is to be prepared and submitted to Council's Environmental Health Officer. 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, if required, submit to Council a Site Audit Statement. If required the Site Audit Statement shall verify that the investigation, remediation and validation

was carried out in accordance with the aforementioned guidelines and that the site is suitable for the proposed use.

6.3 Geotechnical matters

- 6.3.1 The recommendations provided in the *Preliminary Salinity and Geotechnical Assessment*, Cudgegong Road and Rouse Road, Rouse Hill, prepared by Asset Geotechnical Engineering Pty Ltd 2360-A Rev1 dated 28 January 2015 shall be implemented. Upon completion of inspections/assessments including a salinity assessment to further assess any potential for soil salinity and an appropriately qualified environmental consultant shall prepare a validation report.

6.4 Acoustic matters

- 6.4.1 The recommendations provided in the *Environmental Noise Assessment* for Lotus Apartments, Parkland Estate, Rouse Hill, prepared by Acoustic Logic, Report No. 20150739.1/0302A/R0/BW, dated 3 February 2017 shall be implemented.
- 6.4.2 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 $L_{Aeq} \text{ (period)}$
Living Areas	Any time	40 dB(A)
Sleeping Areas	Day (7am – 10pm)	40 dB(A)
	Night (10pm – 7am)	35 dB(A)

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 10pm and 7am.

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

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.

A Building Construction Certificate shall not be issued until such time a Construction Certificate (Subdivision works) has been issued for the civil works associated with the subdivision. All civil including but not limited to the road and

drainage works as required by this consent shall be completed and all roads dedicated prior to any Building Construction Certificate being 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 and satisfy the following requirements and amendments to the plans:

Prepared By	Project No.	Sheet No.	Revision	Dated
North Western Surveys	15770	19 sheets	01	20/01/2017
Neil Lowry and Associates	0825	SC01 to SC14	A	March 17

1. Roland Street is to be graded to match the previously approved grading of this road under DA-14-2306 and CC-15-1117.
2. A splay will be required at the southern corner of lot 116 DP 206203 and Cudgegong road to facilitate a future roundabout.
3. Internal drainage system is to be designed to safely convey 20 year ARI storm flows
4. 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
5. Along all street frontages provide a kerb and/or raised planter bed and/or swale to direct surface flows to the inlet pits. Provide additional surface inlet pits and pipes to collect the 20 year flows across the frontages and direct the flows to the internal drainage system and to treatment. Detail on SC03 (B), SC04 (B) and SC05 (B). Either provide Enviropod 200 micron to all inlet pits and/or provide a series of Drop Pipe Enviropods (maximum catchment 1000m² per Drop Pipe Enviropod).
6. For the external roads, temporary water quality treatment is required to be provided. To treat the flows, pit inserts 200 micron Enviropods (Stormwater 360) or Stormsack (SPEL) can be used for the road pits.
7. There are insufficient access grates for the below ground Storm filter chamber. Access grates must be a minimum 900mm by 900mm and are positioned such that the maximum distance from any point in the tank to the nearest grate is not greater than 3m in accordance with the requirements of Council's Engineering Guide for Development 2005. Attach metal mosquito screens to the grates
8. On drawing no. SC05 (A), a number of the drop pipe Enviropods has insufficient depth. The minimum depth is 500mm from inlet invert to outlet obvert (not outlet invert). See your detail on drawing no.SC14 (A).
9. On drawing no. SC04 (A) at SWP-05, based on catchment area the pit is to be enlarged to a minimum 2700mm (L) x 900mm (W) size to show a three Enviropod configuration within the pit in order to effectively treat the flow. Provide detail.
10. Review other Drop pipe Enviropod locations and for a combined catchment including surface flows >1000m² provide a multi-Enviropod pit.
11. Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the Stormfilter Chamber and Stormwater Tank in accordance with Council's Engineering Guide for Development 2005.
12. 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.

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:

- Road and drainage construction
- On-site stormwater detention
- Water quality treatment
- Earthworks
- Inter-allotment drainage (created within the subject lot)
- Path Paving (within a subdivision)

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
- Half width road construction
- Kerb inlet pit connections or construction
- 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.

7.4.3 All street name poles, light poles and bus shelters shall be black powder coated in accordance with Blacktown City Council's Engineering Guide for Development. Ensure this is noted on the construction plans.

7.4.4 Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.

7.5 Roads

7.5.1 Submit a pavement report prepared and designed by a professional civil engineer with soil tests carried out by a registered NATA soils laboratory. The pavement design shall withstand the traffic loadings listed in this consent.

7.5.2 Submit a traffic management plan (TMP) including but not limited to a Traffic Control Plan (TCP) and Pedestrian Management Plan, for any works within public road reserves. The TCP shall be approved, signed and dated by a suitably qualified Roads and Maritime Services (RMS) accredited work site traffic designer.

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

7.5.4 Proposed new roads shall be designed and constructed as follows:

Name	Width (m)	Length (m)	Formation (m)	Traffic Loading N(E.S.A)
Torrelli Street	18	Full length	3.5-11-3.5	5X10 ⁵
Roland Road	18	Full length	3.5-11-3.5	5X10 ⁵

Note: Staging of road construction will be permitted where suitable traffic circulation of turning areas is provided.

Note: suitable turning provision for dead end roads shall be provided in accordance with council Engineering Guide for Development.

7.5.5 Proposed existing roads shall be constructed as follows:

Name	Width (m)	Length (m)	Formation (m)	Traffic Loading N(E.S.A)
Cudgegong Road	5.5m	Full property frontage	4.5-5.5	1 X10 ⁶

Construct half width road with minimum 5.5 metres width of pavement for the full road frontage of the development. These construction works include drainage, kerb and gutter, footway turfing, service adjustments and any other ancillary work necessary to make this construction effective.

Note: Upon inspection of the existing pavement Council may reduce the extent of works required to be constructed to satisfy this condition.

7.5.6 Construct the road shoulder for the full road frontage of the development. These construction works include drainage, kerb and gutter, footway turfing, service adjustments and any other ancillary work necessary to make this construction effective.

7.6 **Drainage requirements**

7.6.1 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 minimum 20 year ARI flows with no surcharge at any pits permitted as per the Engineering Guide for Development.

7.6.2 Provide details for permanent interpretive signage minimum A1 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the major water quality device. The wording and detail is to be approved by Council.

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

7.6.4 Provide inter-allotment drainage lines for lots that do not drain directly to a public road. The design shall include pipeline long-sections and identify location and levels of services.

7.6.5 Foundations adjacent to easements shall not place a loading on the pipe within the easement. Foundations shall be located at:

- (a) the depth of the invert of the existing pipeline, and/or

(b) the depth of the invert of the proposed pipeline.

All developments shall be kept clear of drainage easements. The surface levels within the easement are not to be changed.

7.6.6 Any overland or stormwater flows must be intercepted at the property boundary, conveyed through the site in a piped or channelled drainage system and discharged in a satisfactory manner.

7.6.7 Where the internal driveway cannot be drained to an internal pit a grated trench drain shall be provided at the property boundary.

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 Batters are not to exceed a grade of 1V:5H and are to be stabilised with topsoil, turf and vegetation.

7.8.2 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 (subdivision works)

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

7.9.2 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.

7.9.3 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.

7.9.4 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 Stormwater Quality Control (Building Works)

- 7.10.1 Provide permanent stormwater quality treatment system in accordance with Council's Engineering Guide for Development and Development Control Plan Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.
- 7.10.2 The engineering drawings approved under this consent are not to be used for construction. The Construction Certificate shall be generally in accordance with the approved DA plans however any significant variation to the water quality treatment design shall require a section 96 application.
- 7.10.3 Provide a maintenance schedule for the stormwater quality device that is signed and dated by the designer.

7.11 Stormwater Quality Control (Subdivision works)

- 7.11.1 Provide a temporary stormwater quality treatment system in accordance with Council's Engineering Guide for Development and Development Control Plan Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.
- 7.11.2 The engineering drawings approved under this consent are not to be used for construction. The Construction Certificate shall be generally in accordance with the approved DA plans however any significant variation to the water quality treatment design shall require a section 96 application.
- 7.11.3 Provide a maintenance schedule for the stormwater quality device that is signed and dated by the designer.

7.12 Vehicular Crossings

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

7.13 Footpaths

- 7.13.1 The construction of path paving is to be provided generally in accordance with Council's Path Paving Policy, Blacktown City Council Engineering Guide for Development and Blacktown City Council Growth Centre Precincts Development Control Plan 2018.

Cycleways/ shared pathways are to include line marking and signposting in accordance with the requirements of Austroads 'Guide to Road Design' Part 6A and the *Roads and Maritime Services NSW Bicycle Guidelines November 2003*.

8 PRIOR TO DEVELOPMENT WORKS

8.1 Safety/Health/Amenity

- 8.1.1 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.

- 8.1.2 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.
- 8.1.3 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.
- 8.1.4 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.
- 8.1.5 Separate Council approval under the *Roads Act 1993* is required for any crane used to construct this development that swings over public air space.

8.2 Notification to Council

- 8.2.1 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.
- 8.2.2 At least five (5) full working days written notice must be given for the commencement of engineering works. Such notice must be accompanied by evidence of the contractors Public Liability and Workers Compensation Insurances. For Public Liability Insurance this should be a minimum amount of \$10,000,000.

8.3 Adjoining Owners

- 8.3.1 Written permission from the respective owner(s) must be obtained to:
 - (a) discharge stormwater onto adjoining owner's land.
 - (b) carry out works on adjoining land.
 - (c) drain the site across land owned by others.

A copy of such written permission shall be lodged with Council.

8.4 Sydney Water Authorisation

- 8.4.1 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.
OR
The approved plans are to be submitted to a 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 must be appropriately stamped and all amended plans will require restamping. For further information please refer to the "Developing Your Land" section of the website: www.sydneywater.com.au, or telephone 1300 082 746 for assistance.

8.6 NSW Local Police – Requirements

- 8.6.1 The Applicant / person acting on this consent is to conduct a site inspection with the NSW Local Police prior to works commencing.

8.7 Drainage requirements

- 8.7.1 The eighteen '200 micron' Enviropods and twenty-six 90 mm high Stormfilter cartridges supplied by Stormwater 360 are not to be reduced in size or quantity, nor replaced with an alternate manufacturer's product.

9 DURING CONSTRUCTION (BUILDING)

9.1 Safety/Health/Amenity

- 9.1.1 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.

- 9.1.2 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.

- 9.1.3 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.

- 9.1.4 All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.

- 9.1.5 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.

- 9.1.6 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.

- 9.1.7 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.

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

9.2 **Building Code of Australia Compliance**

- 9.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.

9.3 **Surveys**

- 9.3.1 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.
- 9.3.3 A registered surveyor's report confirming the approved design ground and/or floor levels, shall be lodged with the Principal Certifying Authority prior to work proceeding above floor level.

9.4 **Nuisance Control**

- 9.4.1 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.
- 9.4.2 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.
- 9.4.3 Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the Department of Environment and Conservation's Environmental Noise Management - NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants and shall be submitted to Council for consideration.
- 9.4.4 The Construction Environmental Management Plan, as required by **Condition 3.5**, shall be adhered to at all times.

9.5 Stormwater Drainage

9.5.1 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.

9.6 Waste Control

9.6.1 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.

9.7 Construction Inspections

9.7.1 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.

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 **Service Authority Approvals**

11.3.1 Prior to the commencement for construction of footway crossings and driveways a clearance shall be obtained from the relevant telecommunications carriers and Endeavour Energy. The clearance shall notify that all necessary ducts have been provided under the proposed crossing.

11.4 **Boundary Levels**

11.4.1 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.

11.6 **Soil Erosion and Sediment Control Measures**

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

11.6.2 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.

11.6.3 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.

11.7 **Filling of Land and Compaction Requirements**

11.7.2 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 NATA tested stockpiles. The above documentation shall be submitted at the prior to Subdivision and/or Occupation certificate stage as required by this consent.

- 11.7.3 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.

11.8 Inspection of Engineering Works - Environmental Planning & Assessment Act 1979

- 11.8.1 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.

11.9 Inspection of Engineering Works - Roads Act 1993

- 11.9.1 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).

11.10 Public Safety

- 11.10.1 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.

11.11 Site Security

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

11.12 Powder Coated Furniture

- 11.12.1 Where the conditions of this consent permit the installation of powder coated furniture (i.e. street lighting poles, bus shelters, rubbish bins, seats or any other items of street furniture), a certificate from the manufacturers shall be provided to Council confirming that the nominated powder coated items have been prepared and coated in accordance with Australian Standard AS/NZ 4506-2005 (service condition category 3). This certificate must be no more than 3 months old and shall be provided to Council prior to the installation of the relevant items of the street furniture. Any items of street furniture not so certified shall be removed and replaced at no cost to Council with items appropriately certified.

10 DURING CONSTRUCTION (GENERAL)

10.1 Environmental Health Matters

- 10.1.1 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.
- 10.1.2 Should any contaminated material be unearthed or fly-tipped rubbish be encountered during the demolition, excavation and construction works, all works are to cease immediately and a suitably qualified environmental site contamination consultant is to investigate and report on the findings. Any recommended remediation and validation works are to be undertaken pursuant to Council's Contamination Lands Policy. The environmental consultant engaged for this project is to be on site for regular monitoring of the approved site works.
- 10.1.3 The Construction Environment Management Plan must include specific advice on how water treatment and dewatering will be undertaken in accordance with the Blue Book, as well as demonstrating the discharged water complies with ANZECC water quality guidelines.
- 10.1.4 Throughout the duration of the works, the applicant is to demonstrate compliance with the following approval parameters:
- a) The applicant is to ensure that validation for the entire subject site can be prepared by a suitably qualified environmental consultant in accordance with Council's Contamination Land Policy.
 - b) The applicant is to ensure that the site has been satisfactorily secured so as to prevent any unauthorised dumping of illegal fill/waste building materials (i.e. non-V.E.N.M soils) from entering onto the development site.
 - c) Appropriate dust suppression measures are to be incorporated into the site works process, so as to ensure that adjoining properties in the local vicinity are not negatively impacted upon by dust generated from the development site.
 - d) Any fill material imported to the site shall be certified at the source by a suitably qualified consultant as VENM fill material, non-slightly saline and non-aggressive to concrete or steel. If the importation of fill is undertaken under a specific EPA exemption, relevant details of the EPA exemption shall be forwarded to Council

prior to the importation of fill to the site.

Should Council receive any complaints regarding non-compliance with any of the above matters 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.

10.2 European Heritage

- 10.2.1 If, during the course of construction, the applicant or persons acting on this consent become aware of any previously unidentified heritage object(s), all work likely to affect the object(s) shall cease immediately and the Heritage Council of New South Wales shall be notified immediately in accordance with section 146 of the *Heritage Act 1977*. Relevant works shall not recommence until written authorisation from the Heritage Council is issued.

10.3 Aboriginal Heritage

- 10.3.1 If, during the course of construction, the applicant or persons acting on this consent become aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the NSW Office of Environment & Heritage informed in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Relevant works shall not recommence until written authorisation from the NSW Office of Environment & Heritage is received by the Applicant. In addition, a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

10.4 Construction Traffic Management Plan

- 10.4.1 The Construction Traffic Management Plan submitted to Council is to be adhered to at all times.

10.5 Hours of Construction

- 10.5.1 All construction activities shall be limited to between 7.00am to 6.00pm, Mondays to Fridays: 7.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

10.6 Street Trees – Bonds, Services and Charges

- 10.6.1 The Applicant is to undertake the planting and maintenance of street trees 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 \$320.00 per tree and \$132.00 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.

The street tree bond amount will be applied following review and approval of the revised street tree plan. In accordance with Council's Good and Services Pricing Schedule, further assessment of the plans and future site inspection shall be levied by Council's Development Services Unit against the Developer for this purpose at a 2 hour period for a rate of \$188/hr + GST.

14 PRIOR TO SUBDIVISION CERTIFICATE

14.1 Road Damage

- 14.1.1 The cost of repairing any damage caused to Council's assets in the vicinity of the subject site as a result of the development works 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.

14.2 Engineering Matters

14.2.1 Surveys/Certificates/Works As Executed plans

- 14.2.1.1 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.

A splay will be required at the southern corner of lot 116 DP 206203 and Cudgegong road to facilitate a future roundabout.

- 14.2.1.2 A Certificate shall be submitted by a Registered Surveyor indicating that all pipelines and associated structures lie wholly within any easements required by this consent.

- 14.2.1.3 All works associated with the stormwater system relating to the construction of the RFB and as approved under the Construction Certificate shall be completed prior to the issue of the subdivision certificate. A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system and On site detention system will function effectively in accordance with Blacktown Council's DCP Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.

Provide maintenance requirements for each of the proposed Stormwater Quality Improvement Devices. Where these devices are located in roadway/parking areas these are to include traffic management requirements. The maintenance schedule is to contain a requirement that either the filter cartridges are to be replaced no later than two years after the date of installation, or a flow test is to be undertaken on the filter chamber in accordance with Council's MUSIC Modelling and Design Guide, The filters must be replaced after a maximum of 5 years. The designer of the stormwater treatment system must prepare the Maintenance schedule and this schedule must show the designer's name, company, signature and date on it

- 14.2.1.4 Applicant to submit the following in accordance with Council's Works Specification - Civil (Current Version):

- a. Compaction certificates for fill within road reserves.
- b. Compaction certificates for road sub-grade.
- c. Compaction certificates for road pavement materials (sub-base and base courses).

- d. Two (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)

14.2.1.5 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.

14.2.1.6 Easements/Restrictions/Positive Covenants

14.2.1.7 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:

- (a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).
- (b) The standard format for easements and restrictions as accepted by the Lands Title Office.

14.2.1.8 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Government - Land and Property Information (LPI) over the on-site detention storage areas and outlet works. Documentary evidence of this LPI lodgement shall be submitted to Council.

15.2.1.9 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Government - Land and Property Information over the Stormwater Quality Control devices/system and outlet works. Documentary evidence of this LPI lodgement shall be submitted to Council.

14.2.1.10 Restrictions and positive covenant must be endorsed by Council and lodged with NSW Government - Land and Property Information over the overland flow-path. Documentary evidence of this LPI lodgement shall be submitted to Council.

14.3 Bonds/Securities/Payments in Lieu of Works

14.3.1 The payment to Blacktown City Council of a monetary contribution in lieu of works for the placement of the final layer of asphaltic concrete (a.c.) on the new road works. The amount will be calculated at Council's approved rate upon request and following issue of a Construction Certificate for the work.

14.3.2 A maintenance security of 5% of the value of the required engineering works must be lodged with Council prior to the practical completion of the works. Council will hold this security for a period of at least twelve months.

- (a) In the case of subdivision - This period commences at the release of the final plan of subdivision. (Issue of Subdivision Certificate)
- (b) In the case where no subdivision occurs - This period commences at the date of practical completion of the development.

This maintenance period may be extended in the following situations to allow for the completion of i) necessary maintenance and or ii) all outstanding minor works.

- 14.3.3 Concrete path paving must not be placed until about 75% of the lots have been built upon 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 Services Pricing Schedule. The Security will be released upon satisfactory completion of the works.

SPECIAL: Provide a Temporary Enviropod Maintenance Bond to Council for the maintenance of the Temporary Enviropods within the street pits equal to 150% of the cost of works.

SPECIAL: Provide a Temporary Enviropod Removal Bond to Council for the removal of the Temporary Enviropods within the street pits equal to 200% of the cost of works.

- 14.3.4 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

14.4 Inspections

- 14.4.1 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.

14.4.2 Inspection of Work

- 14.4.3 All road stormwater drainage structures (pipelines and pits) must be inspected via CCTV on completion of the provision of all public utility services in accordance with Council's current Works Specification Civil. CCTV reports must be submitted to council in the form of a DVD of the inspection, a hard copy printout of the SEWRAT (or equivalent) report and a certified CCTV statement in accordance with section 6.8 of Council's Works Specification Civil indicating that any defects identified by this inspection have been rectified.

12 PRIOR TO OCCUPATION CERTIFICATE

12.1 Road Damage

- 12.1.1 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.

12.2 Compliance with Conditions

- 12.2.1 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.
- 12.2.2 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 6.8 of the *Environmental Planning & Assessment Act 1979*.

12.2.3 A Subdivision Certificate shall not be issued until all conditions of this consent, other than 'operational' conditions, have been satisfied.

12.2.4 Prior to any Occupation Certificate being issued all roads required to be constructed under this consent must be dedicated to Council.

12.3 Fire Safety Certificate

12.3.1 An interim or 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).

12.3.2 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).

12.4 Temporary Facilities Removal

12.4.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.

12.4.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.

12.4.3 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.

12.4.4 Any temporary builder's sign or other site information sign shall be removed from the land.

12.4.5 Any temporary site access provided for the purpose 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.

12.5 Fee Payment

12.5.1 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.

12.6 Engineering Matters

12.6.1 Surveys/Certificates/Works As Executed plans

12.6.1.1 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.

12.6.1.2 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system will function effectively in accordance with Blacktown Council's DCP Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.

12.6.1.3 Applicant to submit the following in accordance with Council's Works Specification - Civil (Current Version):

- a) Compaction certificates for fill within road reserves.
- b) Compaction certificates for road sub-grade.
- c) Compaction certificates for road pavement materials (sub-base and base courses).
- d) Two (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)

12.6.1.4 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 Council's Coordinator of Engineering Approvals contactable on (02) 9839 6263. A final inspection checklist must be completed by the applicant prior to the final inspection.

12.6.2 Easements/Restrictions/Positive Covenants

12.6.2.1 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:

- (a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).
- (b) The standard format for easements and restrictions as accepted by the Lands Title Office.

12.6.2.2 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Government - Land and Property Information over the Stormwater Quality Control devices/system and outlet works.

12.6.2.3 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.

12.6.3 Bonds/Securities/Payments in Lieu of Works

12.6.3.1 The payment to Blacktown City Council of a monetary contribution in lieu of works for the placement of the final layer of asphaltic concrete (a.c.) on the new road works. The amount will be calculated at Council's approved rate upon request and following issue of a Construction Certificate for the work.

12.6.3.2 A maintenance security of 5% of the value of the required engineering works must be lodged with Council prior to the practical completion of the works. Council will hold this security for a period of at least twelve months.

- a) In the case of subdivision - This period commences at the release of the final plan of subdivision. (Issue of Subdivision Certificate)
- b) In the case where no subdivision occurs - This period commences at the date of practical completion of the development.

This maintenance period may be extended in the following situations to allow for the completion of i) necessary maintenance and or ii) all outstanding minor works.

12.6.3.3 Concrete path paving must not be placed until about 75% of the lots have been built upon 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.

12.6.3.4 Where Council 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.

12.6.4 Inspections

12.6.4.1 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.

12.6.5 CCTV Inspection of Stormwater Drainage Structures

12.6.5.1 All road stormwater drainage structures (pipelines and pits) must be inspected via CCTV on completion of the provision of all public utility services in accordance with Council's current Works Specification Civil. CCTV reports must be submitted to council in the form of a DVD of the inspection, a hard copy printout of the SEWRAT (or equivalent) report and a certified CCTV statement in accordance with section 6.8 of Council's Works Specification Civil indicating that any defects identified by this inspection have been rectified.

12.6.6 Temporary Stormwater Quality Control – Roads

12.6.6.1 Provide a Temporary Enviropod Removal Bond to Council for the removal of the Temporary Enviropods within the street pits equal to 200% of the Temporary Enviropod Removal Estimate.

12.6.6.2 Provide a Temporary Enviropod Maintenance Bond to Council for the maintenance of the Temporary Enviropods within the street pits equal to 150% of the Temporary Enviropod Maintenance Estimate.

12.6.6.3 Provide a Positive Covenant over the Temporary Enviropods in the Street Pits generally in accordance with the requirements of Council's Engineering Guide for Development 2005. The covenant requirements are to include cleaning at maximum 4 monthly intervals and the submission of an annual report on water treatment by the first business day on or after 1 September each year. The Positive Covenant must be registered with Land & Property Information prior to the final occupation certificate.

12.7 Services / Utilities

- 12.7.1 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.
- 12.7.2 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.
- 12.7.3 If required, the applicant shall obtain a Trade Waste Approval from the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.

12.10 Street Tree Planting

- 12.10.1 Prior to the issue of the final Occupation Certificate, all required street tree planting and payments of bonds are to be completed to the satisfaction of Council's Project Officer Civil and Open Space Infrastructure.

12.11 Other Matters

- 12.11.1 All landscaping, recreation features and furniture, bbq facilities and lighting shall be completed in accordance with the approved landscaping design plans submitted as part of the Construction Certificate. All landscaping is to be afforded suitable spacings and pot sizes to ensure that the range of the mature spread of the trees, shrubs and ground covers provide effective coverage and avoid the appearance of sparse landscaping.
- 12.11.2 All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.
- 12.11.3 All fencing and retaining walls shall be completed in accordance with the approved details submitted as part of the Construction Certificate. All fencing/retaining work must be provided at full cost to the developer. The reinstatement of boundary fencing, if required, is to be erected at the full cost to the developer. All fencing is to be constructed on top of any retaining walls. The selected fencing material/design must also minimise/eliminate the potential for graffiti attacks. Where possible, foliage should be grown on/over fencing adjacent to public areas to minimise any potential for graffiti.
- 12.11.4 Vandal proof and security lighting, CCTV and security measures are to be provided in accordance with the approved details submitted as part of the Construction Certificate.
- 12.11.5 The required letterboxes are to comply with the details submitted as part of the Construction Certificate and with Australia Posts requirements for size. The letterbox system should be vandal resistant and secure.

- 12.11.6 All power boards should be housed within a locked cabinet to restrict tampering with the power supply. The lock set must be approved by the electricity authority.
- 12.11.7 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.
- 12.11.8 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 12.11.9 Head room clearance at the basement ramp must comply with requirements of AS2890.1 (Section 5.3) for a Disabled Vehicle, and meet AS2890.1 – Appendix C for the disabled parking space and access to the lift.
- 12.11.10 All required internal roads and car parking spaces shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.
- 12.11.11 The basement ceiling is to be light in colour, and preferably painted white, to enhance lighting illumination.
- 12.11.12 A roller shutter and card-key system, or similar, is to be installed at the entry/exit points of the basement car park.
- 12.11.13 Basement storage areas are to have quality doors/cages and lock sets to restrict unauthorised access. These are recommended to be constructed of an appropriately robust steel welded mesh to be used in lieu of chain link wire.
- 12.11.14 Any future substation or other utility installation required to service the approved development shall not under any circumstances be sited on future or existing Council land, including road reservations and/or public reserves and also not on drainage zoned land.

12.12 **Graffiti Management Plan**

- 12.12.1 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 no later than 48 hours after detection. Removal of any graffiti, visible from any public road or place, is the responsibility of the property owner/s;
 - (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.

12.13 **Total Maintenance Plan**

- 12.13.1 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, pathways, through site links, soft and hard landscaping, safety fencing for rooftop communal and private open space areas, security systems, mail boxes, lighting, bulky waste storage and loading areas, feature entry signage, parking signage 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 development is managed by a Site / Strata / Building Manager.

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

12.14 Acoustic Verification

- 12.14.1 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.

13 OPERATIONAL

13.2 Access / Parking

- 13.2.1 All required off-street car parking spaces and internal roads shall be maintained to a standard suitable for the intended purpose.

13.3 Storage

- 13.3.1 No goods, materials, or trade waste shall be stored, displayed for sale or manufactured at any time outside the building on either the internal roadway, car parking areas, landscaping or footpaths, other than in approved garbage receptacles.

13.4 Landscaping

- 13.4.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.
- 13.4.2 Regular maintenance and up-keep of the site must therefore be undertaken to the site to ensure that sightlines are kept free from obstructions.
- 13.4.3 The management of vegetation, gardens, planter boxes, communal areas including the rooftop areas and common rooms, fences, decking, BBQ area, lighting and other similar areas is to be incorporated within the future strata management plan once the development is occupied.

13.5 Waste Management and Collection

- 13.5.1 All waste and recycling collection areas and activities, including bulk waste storage and collection activities are to be appropriately managed wholly within the development site at all times and are the responsibility of the strata management (or similar) of the site.
- 13.5.2 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.

13.6 Clothes Drying

- 13.6.1 The hanging/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 Strata Management Statement (or similar) prohibiting the drying of clothes on balconies (where visible from a public place).

13.7 Lighting and Security

- 14.7.1 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 13.7.2 All intruder alarms shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 13.7.3 The maintenance of all external lighting is to be managed by way of an annual service agreement to ensure the security of the building and persons within are not compromised from dark or uncontrolled public areas.

13.8 Emergency Procedures

- 13.8.1 Instructions concerning procedures to be adopted in the event of an emergency shall be clearly displayed throughout the development for both public and staff information at all times to the satisfaction of Council.

13.9 Graffiti Removal

- 13.9.1 Removal of any graffiti, visible from any public road or place, is the responsibility of the property owner/s. All graffiti must be removed no later than 48 hours after detection. The approved Graffiti Management Plan is to be adhered to at all times.

13.10 Total Maintenance Plan

- 13.10.1 The approved Total Maintenance Plan must be adhered to at all times.

13.11 Environmental Management

- 13.11.1 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.
- 13.11.2 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.
- 13.11.3 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.
- 13.11.4 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 DA Noise Impact Assessment shall be submitted
- 13.11.5 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.
- 13.11.6 All waste and recycling bins must be stored wholly within the approved waste storage area.