

**Revised Recommended Conditions of Consent**  
**2017SWT002 / DA17/0125 – 46-50 Belmore Street, Penrith**

**Condition 1**

*The development must be implemented substantially in accordance with the following plans, the application form, and any supporting information received with the application, except as may be amended in red on the approved plans and by the following conditions.*

<b>Plan Title</b>	<b>Drawing No.</b>	<b>Drawn by</b>	<b>Dated</b>
Site Plan	DA01.01(D)	Bates Smart	9.6.17
Ground Floor Plan	DA03.00(D)	Bates Smart	9.6.17
Level 1 Plan	DA03.01(D)	Bates Smart	9.6.17
Level 2 Plan	DA03.02(D)	Bates Smart	9.6.17
Level 3-6 Plan	DA03.03(D)	Bates Smart	9.6.17
Level 7	DA03.04(D)	Bates Smart	9.6.17
Level 8	DA03.05(E)	Bates Smart	9.6.17
Roof Plan	DA03.06(D)	Bates Smart	9.6.17
<i>Basement B1</i>	<i>DA03.B1(G)</i>	<i>Bates Smart</i>	<i>29.8.17</i>
<i>Basement B2</i>	<i>DA03.B2(G)</i>	<i>Bates Smart</i>	<i>29.8.17</i>
<i>Basement B3</i>	<i>DA03.B3(F)</i>	<i>Bates Smart</i>	<i>29.8.17</i>
North Elevation	DA07.01(D)	Bates Smart	9.6.17
East Elevation	DA07.02(D)	Bates Smart	9.6.17
South Elevation	DA07.03(D)	Bates Smart	9.6.17
West Elevation	DA07.04(D)	Bates Smart	9.6.17
<i>Section BB</i>	<i>DA08.01(E)</i>	<i>Bates Smart</i>	<i>31.8.17</i>
<i>Section AA</i>	<i>DA08.02(E)</i>	<i>Bates Smart</i>	<i>31.8.17</i>
Section CC Loading Dock Section	DA08.03(A)	Bates Smart	9.6.17
<i>Area Plan</i>	<i>DA50.00(E)</i>	<i>Bates Smart</i>	<i>29.8.17</i>
Building Design detail/specification		Bates Smart	February 2017
Landscape Master Plan level 7	LA-DA-04	360 Degrees	20.2.17
Typical Landscape Section A-A	LA-DA-05	360 Degrees	20.2.17

Typical Landscape Section B-B	LA-DA-06	360 Degrees	20.2.17
Typical Landscape Section C-C	LA-DA-07	360 Degrees	20.2.17
Typical Landscape Section D-D	LA-DA-08	360 Degrees	20.2.17
Typical Landscape Section E-E	LA-DA-09	360 Degrees	20.2.17
Planting Palette	LA-DA-010	360 Degrees	20.2.17
Typical Cross Section	DAC006 Iss. A	AT&L	22.2.17
Site works and Stormwater Plan	DAC020 Iss. A	AT&L	22.2.17
Stormwater Drainage Catchment	DAC025 Iss. A	AT&L	22.2.17
Pavement Plan	DAC030 Iss. A	AT&L	22.2.17
Erosion and Sediment Control Plan	DAC040 Iss. A	AT&L	22.2.17
Stormfilter Detention Tank 5 Cartridge Stormwaterfilter System	5C-DET-TANK-STD-690	Stormwater 360 Australia	3.11.16

#### Condition 20

Only clean and unpolluted water is to be discharged into Penrith City Council's stormwater drainage system. Liquid wastes suitable for discharge to the mains sewer are to be discharged in accordance with Sydney Water requirements.

~~If mains sewer is not available or if Sydney Water will not allow disposal to the sewer then a licensed waste contractor is to remove the liquid waste from the premises to an appropriate waste facility.~~

~~The waste contractor and waste facility are to hold the relevant licenses issued by the NSW Environment Protection Authority.~~

#### Condition 22

**Prior to the issue of the Construction Certificate *for the building***, further details on the type and location of all mechanical plant and equipment associated with the development is to be provided to ~~Council~~ ***the Principal Certifying Authority*** for consideration and approval. Suitable data and information on the noise impacts associated with this plant and equipment is also to be supplied to demonstrate compliance with the established noise criteria.

Any acoustic treatments/measures recommended by the acoustic consultant to meet relevant noise objectives shall be suitably detailed in the report and clearly shown on revised site plans.

#### Condition 33

**Prior to the issue of a Construction Certificate**, a written clearance is to be obtained from Endeavour Energy stating that electrical services have been made available to the

development or that arrangements have been entered into for the provision of services to the development.

~~In the event that a pad mounted substation is necessary to service the development, Penrith City Council shall be consulted over the proposed location of the substation before the Construction Certificate for the development is issued as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council.~~

#### Condition 67

This condition is imposed in accordance with Penrith City Council's Section 94 Contributions Plan for Penrith City Centre Civic Improvements. Based on the current rates detailed in the accompanying schedule attached to this Notice, ~~\$2,068,740.00~~ \$2,054,376.00 is to be paid to Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 94 plan. The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule.

Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The S94 invoice accompanying this consent should accompany the contribution payment. The Section 94 Contributions Plan for Penrith City Centre Civic Improvements may be inspected at Council's Civic Centre, 601 High Street, Penrith.

#### Condition 71 (new condition)

~~The following requirements of the NSW Government Architect's design competition waiver and concurrence to the development shall be satisfied at the following nominated stages of the development:~~

- ~~(a) Prior to the issue of a Construction Certificate for the building, written correspondence from the Design Integrity Panel for the development shall be provided to the Principal Certifying Authority (PCA) verifying that the design excellence exhibited in the approved plans has been maintained in the detailed design plans for the development.~~
- ~~(b) Prior to the issue of an Occupation Certificate for the building, written correspondence from the Design Integrity Panel for the development shall be provided to the PCA verifying that the design excellence exhibited in the approved plans has been maintained in the constructed development.~~
- ~~(c) The design team for the development (Bates Smart) shall maintain an ongoing role throughout the delivery of the development.~~

#### Condition 72 (new condition)

~~Prior to the issue of an Occupation Certificate, works-as-executed drawings, final operation and maintenance management plans and any other compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments.~~

~~An original set of works-as-executed drawings and copies of the final operation and maintenance management plans and compliance documentation shall also be submitted to~~

*Penrith City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.*

Condition 73 (new condition)

*Prior to the issue of an Occupation Certificate the Principal Certifying Authority shall ensure that the:*

- a) Stormwater management systems (including on-site detention and water sensitive urban design)*
- Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.*
  - Have met the design intent with regard to any construction variations to the approved design.*
  - Any remedial works required to been undertaken have been satisfactorily completed.*

*Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.*

Condition 74 (new condition)

*Prior to the issue of an Occupation Certificate a restriction as to user and positive covenant relating to the:*

- a) Stormwater management systems (including on-site detention and water sensitive urban design)*

*Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Stormwater Drainage for Building Development.*

Condition 75 (new condition)

*The stormwater management systems shall continue to be operated and maintained in perpetuity to the satisfaction of Council in accordance with the final operation and maintenance management plan. Regular inspection records are required to be maintained and made available to Council upon request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the treatment measure/s*