ANNEXURE A: CONDITIONS OF CONSENT

Panel Reference	2018SNH048 DA
DA No:	145/2018
Site:	56-60 Burns Bay Road, Lane Cove
Proposal	Demolition of existing structures and construction of a mixed-use development comprised of twenty-nine (29) apartments, retail space, supermarket, community space, and basement car parking.

CONTENTS

A. SPECIAL CONDITIONS

1. (D2) Stormwater Drainage Plan Amendments

The Stormwater Drainage Plan, Drawing No: C13.01 (Project No: SY171024), Issue D prepared by ACCOR Consulting dated 15/05/2019 is to be amended to reflect the following conditions:

a) GPT to be installed upstream of the OSD Tank.
b) Runoff from driveway and other paved area should be connected to the OSD tank.
c) Overflow from the OSD tank shall not re-enter the site via the proposed driveway.

The amended design is to be certified by a suitably qualified engineer that it fully complies with Australian Standard *AS-3500: Plumbing and drainage* and *Part O: Stormwater Management* of Lane Cove DCP 2010. The amended Stormwater Drainage Plan and certification shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: Requirement by Council's Engineer to ensure appropriate provision is made for the disposal and management of stormwater generated by the development in accordance with Council's Policies and relevant standards).

2. Geotechnical Report – Compliance with Recommendations

The recommendations contained in Section 5 of the Geotechnical Report, prepared by JK Geotechnics, dated 12 April 2018 (ref 313554Lrpt) are to be fully complied with, as follows:

General subsurface conditions:

- Site specific geotechnical investigations must be carried out to determine the subsurface conditions within specific areas of the site, prior to any excavation works. Note: It would be prudent to expect groundwater seepage well within the depth of the bulk excavation.

Geotechnical issues:

- Prior to demolition, dilapidation reports shall be completed on the adjoining properties located to the east and west of the site. A copy of these reports shall be provided to the respective property owners, and they should be asked to confirm, in writing, that these repots present a fair record of existing conditions.

Protection of adjoining buildings:

- Details of the footing systems supporting the adjoining buildings shall be sourced from the adjoining property owners. Alternatively, site investigations during the early stages of development (but prior to any shoring works or bulk excavation) are to be carried out to assess adjoining footing systems. During shoring design, an assessment is to be made by the structural engineers on the magnitude of any shoring wall movements (including the potential for any stress relief movements) and whether such movements will likely adversely affect the adjoining structures. Where considered necessary, underpinning of adjoining footings may be required. Note: Underpinning will not reduce the risk of stress relief movements.

- During bulk excavation, shoring walls and adjoining building walls are to be survey monitored to check that movements are within acceptable and predicted limits. A specific site monitoring methodology is to be developed once details of the shoring type and expected movements are determined.

Excavation:

- Further investigation in the form of cored boreholes is to be carried out to confirm the strength and quality of the bedrock, prior to excavation works.
- Excavation of the clays and bedrock of up to very low strength can be undertaken using conventional earthmoving equipment such as medium to large sized excavators (say 20 tonnes) and buckets with “tiger teeth” attached. Shale bedrock of low strength or greater will require the adoption of “hard rock” excavation techniques.
- Hard rock excavation techniques comprise both percussive (i.e. rock hammers) and non-percussive techniques such as rotary grinders, rock saws, ripping tynes etc.
- Where percussive excavation techniques are adopted, caution must be taken to assess the risk of direct transmission of ground vibrations to adjoining movement sensitive buildings and structures.
- The dilapidation reports are to be carefully reviewed by the excavation contractor and an excavation work method procedure developed to suit the sensitivity of the adjoining structures to transmitted vibrations. Where percussive excavation methods (i.e. rock hammers) are proposed, consideration is to be given to the size of the hammer and the risk posed to surrounding structures where present.
- Full-time quantitative vibration monitoring is to be completed during excavation to provide guidance to the excavation contractor on the suitability of the equipment they have chosen to adopt.
- Alternatively, non-percussive excavation methods may be adopted. These methods may consist of the use of rock saws, rotary grinders, rock splitting or ripping tynes.

Groundwater

- Note: Groundwater seepage flows are expected to occur at the soil-rock interface and possibly also higher up within the soil profile. Seepage through the rock materials typically occurs through joints and bedding planes, particularly after periods of heavy rain. Seepage is expected to be satisfactorily controlled by a sump and pump system, however, during rainfall periods, seepage flows could be moderately high as a result of the shallow gully feature. Groundwater is expected to be well above the bulk excavation level.
- During site specific geotechnical subsurface investigations, installation of groundwater piezometers is recommended to assess the groundwater level. Pump out testing may also be necessary to assess in-situ permeability for basement drainage design.

Retention

- As the proposed basement excavation will be up to the boundaries of the site, there is inadequate space for the formation of temporary batters. As such, prior to the commencement of excavation, a permanent retention system is to be installed. It is recommended that allowance be made for shoring to extend to below the proposed bulk excavation level.
- Due to the clayey nature of the soils and proposed depth of excavation, an

anchored soldier pile wall with shotcrete infill panels will be suited for the most part, although anchored contiguous piled walls may be required where adjoining buildings abut or are in close proximity to the subject site boundaries. It is anticipated that bored piers can be adopted on this site although some allowance should be made for localised instability of surficial fill and groundwater seepage.

- Permission from neighbours will be required prior to installing anchors below their property.
- For the design of anchored walls, it is recommended that a rectangular earth pressure distribution is adopted for that part of the excavation that requires support (i.e. the soils and bedrock of up to and including low strength). Allowance in the design must also be made for the possible presence of large continuous defects, and as such shoring wall designs should also be checked for a sliding wedge of soil and rock which extends from bulk excavation level up at 45°. If the shoring wall is not designed for such defects, very detailed staging of the excavation and geotechnical inspections would be required, and there is a risk that substantial stabilisation may be required during the works which may create construction delays.
- With movement sensitive structures being present along the existing boundaries and these structures being located within the zone of influence of the excavation (defined as a distance 2H extending horizontally out from the crest of the excavation where H is the height of retained materials) a pressure of 8H kPa should be adopted to help limit behind-wall deflections.
- Excavations are deep enough that there is the potential for some stress relief movement within the better-quality bedrock. Stress relief movements can be in the order of 1mm/m depth of excavation. These potential movements need to be considered when assessing the potential risk of damage to adjoining structures.
- Excavations are to be inspected by the geotechnical engineers at no greater than 1.5m depth intervals to check that soil and rock conditions are as expected and to nominate any additional support as and when required.
- Where adverse defects are present within any internal cut faces, remedial measures such as rock bolts, shotcrete and mesh will be required to provide support to the excavated bedrock. To this end it is recommended that a geotechnical engineer inspect the cut faces every 1.5m of vertical cut so that any adverse defects present may be identified and remedial measures adopted. Where remedial measures are required and temporary bolts installed, long term support of the identified adverse defects in the cut faces are to be provided by the building.

Basement Slabs

- Where basement floor slabs are poured directly over bedrock no particular subgrade preparation is required although they should be provided with underfloor drainage and a granular sub-base layer of DGB20 type material to act as a separation/debonding layer.
- The underfloor drainage should comprise a strong, durable, single sized washed aggregate, such as ‘blue metal’ gravel. The underfloor drainage should collect groundwater seepage and direct it to the stormwater system.
- During site specific geotechnical investigations, an assessment of the likely seepage volumes into the bulk excavation is to be made. Where seepage volumes are in excess of that allowed by Water NSW, the basement may need to be designed as a tanked structure to resist hydrostatic uplift pressures.

Further Geotechnical Input

The recommendations above shall be reviewed having regard to the amended

approved plans and updated as necessary.

As detailed above, the following further geotechnical work is required after specific details of the proposed development are available:

- Prior to the commencement of excavation, a subsurface investigation of the site is to be undertaken to confirm the anticipated subsurface conditions. This investigation should include deep cored boreholes to confirm rock strengths and excavation conditions, and adjacent footing details by means of test pits.
- Preparation of dilapidation reports on the adjoining buildings prior to the commencement of construction.
- Preparation of an excavation work methodology.
- Completion of continuous vibration monitoring where percussive excavation techniques are adopted.
- Seepage analysis to assess the likely seepage volumes and the suitability of permanent basement drainage or the need for a tanked basement.
- Inspection of all vertical cuts through shale bedrock to allow any adverse defects to be identified and where required remedial measures initiated.
- Inspection of all footing excavations by a geotechnical engineer to confirm that the design bearing pressures have been achieved.
- An accurate survey monitoring program shall be instigated prior to any excavation work to determine whether the adjacent buildings experience potentially damaging deflections.

Evidence of the above, shall be demonstrated to the Principal Certifying Authority, prior to the commencement of any excavation works.

(Reason: To identify subsurface conditions and manage risks associated with excavation works).

3. First Use of the Premises – Retail, Supermarket, and Community Space

A separate development application is to be submitted for any first use of the supermarket, community space, and any retail premises on land to which this development consent relates to determine the hours of operation, noise, car parking, loading, vehicular movement, traffic generation, waste management and landscaping.

Note: Clause 5.6(1)(b) of *State Environmental Planning Policy (Exempt and Complying Development) Code* states that the 'first use of premises' *"must not cause the contravention of an existing condition of the most recent development consent that applies to the premises relating to hours of operation, noise, car parking, loading, vehicular movement, traffic generation, waste management, or landscaping"*.

(Reason: To enable a detailed assessment of each future development application and its impacts.)

4. Canopy Trees to Burns Bay Road Frontage

A minimum of four (4) canopy trees shall be provided within the front setback of the site along the Burns Bay Road frontage. The trees shall be capable of reaching a mature height of at least 4m above the finished soil level, and shall be at least 3m high at the time of planting.

Details are to be included on the landscape plans and submitted to Council's Landscaping Department for approval, prior to the issue of the relevant Construction Certificate.

(Reason: To enhance the landscape amenity of the Burns Bay Road streetscape.)

5. Communal Open Space Areas – Detailed Landscape Plans

Detailed landscape plans in accordance with Council's requirements are to be prepared for all communal open space areas and submitted to Council's Landscaping Department for approval, prior to the issue of the relevant Construction Certificate.

(Reason: To provide amenity for the residents and to encourage a functional and useable communal open space area).

6. Crime Prevention Through Environmental Design (CPTED) Requirements

The following CPTED design measures shall be incorporated into the development:

(i) Strategic placement of CCTV and lighting along the through site link.
(ii) Strategic placement of CCTV and lighting at entrances, basement levels, communal open space areas, and loading bay entry.
(iii) Landscaping to ground floor Sera Street planter box to be kept low and maintained at this level to promote visibility.
(iv) Controlled entry to private spaces.
(v) Clearly defined public spaces through landscaping treatment, and clearly constructed pathways.
(vi) Attractive landscaped front setback to Burns Bay Road to provide outdoor seating and activation of the adjoining public domain.

Details demonstrating compliance with the above requirements, shall be submitted to the Principal Certifying Authority, prior to any occupation of the premises.

(Reason: Recommendations contained within the CPTED Report, prepared by HDC Planning, dated May 2019, to ensure the development provides safety and security to users and the community).

7. Signage – Separate Development Application

All new business identification signage presenting to Burns Bay Road and Sera Street shall be the subject of a separate development application to Council.

(Reason: To ensure an integrated signage approach to the frontages along Burns Bay Road and Sera Street, to ensure a positive contribution to the streetscape character.)

8. Stage 2 Contamination Report

In accordance with the *Stage 1 Environmental Site Assessment*, prepared by EIS dated 24 April 2018, a *Stage 2 Contamination Report* is required.

Upon completion of the demolition of the existing structures, and **prior to any excavation or building works**, a Stage 2 Contamination report is to be undertaken including groundwater and soil sampling, by a suitably qualified person in accordance with the *NSW Office of Environment & Heritage 'Guidelines for Consultants Reporting on Contaminated Sites' (2011)*.

Should the *Stage 2 Detailed Site Investigation* conclude that the site in its current condition is not suitable for the proposed development, and requires a *Stage 3 Site Remedial Action Plan (RAP)*, a RAP is to be prepared in accordance with EPA and SEPP 55 Guidelines. The RAP is to be certified by a NSW EPA Accredited Site Auditor**.** A copy of the EPA Site Auditors Statement is to be submitted to Council and receipt acknowledged by the Manager Development Assessment, prior to the issue of the relevant Construction Certificate. The RAP is to be actioned and certified (by a NSW EPA Accredited Site Auditor) as having been prepared and completed, prior to the commencement of building works (i.e. post-excavation and prior to the pouring of any concrete slab/basement-level).

(Reason: To ensure that the site is suitable for the proposed development.)

9. Environmental Protection Measures for nearby Child Care Centre and Preschool

A detailed Construction Environmental Management Plan shall be prepared by a suitably qualified professional outlining the proposed measures to ensure safety and reasonable amenity to the nearby Child Care Centre (*Goodstart Early Learning - 17 Austin Street, Lane Cove*) and preschool (*Birrahlee – 70 Burns Bay Road, Lane Cove)* during the entirety of the construction period.

The Plan shall address such matters as dust control, debris from construction works, noise mitigation measures, and access during the construction period.

The Plan shall be developed in consultation with the Director(s) of the Child Care Centre and Preschool, prior to the issue of the first Construction Certificate.

(Reason: To protect the safety of children, parents, staff and visitors of the adjoining child care centre).

10. Tree Removal and Protection of Adjoining Trees

No trees are approved for removal as part of this consent.

All trees located on and adjoining the site are to be retained and protected for the life of the development in accordance with Australian Standard *AS 4970-2007 – Protection of Trees on Development Sites*.

(Reason: To ensure the protection of trees on the subject site and adjoining land).

11. BASIX Certificate

A revised BASIX Certificate shall be prepared for the approved plans. A copy of the revised BASIX Certificate shall be submitted to the Principal Certifying Authority.

All BASIX commitments must be shown on the Construction Certificate plans and specifications, prior to the issue of the relevant Construction Certificate.

(*Reason: Statutory compliance.)*

12. Section J Requirements

Details of Section J Deemed-to-Satisfy requirements of the 2016 National Construction Code (NCC) on drawings/specifications accompanying the relevant Construction Certificate application.

(*Reason: To encourage energy efficiency.)*

13. Critical Concrete Pours

The applicant may apply to undertake critical concrete pours outside of normal working hours provided all the following requirements are satisfied:

i) The submission, at least three (3) working days prior to the critical concrete pour, to Council of an application along with the prescribed fee, on the prescribed Council form, that includes a written statement of intention to undertake a critical concrete pour and that also contains details of the critical concrete pour, the number of such pours required, their likely time duration, impact statement and how foreseeable impacts will be addressed (i.e. light spill/ noise/ traffic etc.).
ii) Adjoining and nearby affected residents being notified in writing at least two (2) working days prior to the pour, with a copy of the notice provided to Council for review prior to issue.
iii) No work and deliveries associated with the pour to be carried out before 7.00am and after 10pm.
iv) No work occurring on a Sunday or Public Holiday.

All other relevant requirements relating to critical concrete pours that are the subject of other conditions of this development consent remain relevant at all times.

Following any critical concrete pour, the applicant must advise Council in writing, no later than seven (7) working days after the completion of the pour, what measures were undertaken by the applicant to mitigate potential adverse impacts resulting from the pour including (but not limited to) impacts with respect to noise, light spillage, and the positioning of the required vehicle(s). The purpose of this feedback is so that all related matters can be reviewed by Council and potential adverse events and/or impacts addressed in future critical concrete pours.

NOTE:

- *There is a critical concrete pour application fee*
- *A critical concrete pour application and prior approval is required*
- *No work shall be undertaken outside standard working hours without prior written approval from Council.*
- *Council reserves the right to refuse the application with or without reason.*
- *This condition does not apply on Saturdays.*

(Reason: To enable efficient construction operations).

14. Community Liaison Officer

The applicant shall engage a Community Liaison Officer, to facilitate information flow to the community regarding the development progress, issues and complaints and solutions initiated. Contact details of the Community Liaison Officer(s) are to be provided to Council, prior to the commencement of any works.

A Complaint Management Plan shall be executed and fully complied with throughout the duration of the works. A copy of the Complaint Management Plan shall be provided to Council and the Principal Certifying Authority, prior to the commencement of any works.

(Reason: To manage community expectations).

15. RMS Conditions

1. Roads and Maritime has previously resumed and dedicated a strip of land as road along Burns Bay Road frontage of the subject property, as shown by grey colour on the attached Aerial – "X". Therefore, all buildings and structures together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth) along Burns Bay Road boundary.

2. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate.

Should you have any further inquiries in relation to this matter, please do not hesitate to contact Ahsanul Amin, A/Senior Land Use Planner on 8849 2762 or by email at development.Sydney@rms.nsw.gov.au.

B. GENERAL CONDITIONS

16. (20) Approved Plans and Supplementary Documents

a) Approved Plans

That the development, except as amended by the following conditions, be carried out in accordance with the following drawings:

Architectural Drawings		
All prepared by: A+ Design Group		
Drawing No.	**Title/Description**	**Revision / Date**
A2.03	Site Analysis / Site Plan	3 / 19.07.2019
A2.04	Access and Connection Plan	3 / 19.07.2019
A2.05	Pedestrian Movement	2 / 19.07.2019
A2.06	Demolition Plan	3 / 19.07.2019
A3.01	Basement 3	3 / 19.07.2019
A3.02	Basement 2	3 / 19.07.2019
A3.02	Basement 1	3 / 19.07.2019
A3.04	Ground Level – Sera Street	3 / 19.07.2019
A3.05	Level 1	3 / 19.07.2019
A3.06	Level 2	3 / 19.07.2019
A3.07	Level – Burns Bay Road	3 / 19.07.2019
A3.08	Level 4	3 / 19.07.2019
A3.09	Roof Plan	3 / 19.07.2019
A4.01	North and South Elevation	3 / 19.07.2019
A4.02	East and West Elevation	3 / 19.07.2019
A4.03	Internal Elevations	3 / 19.07.2019
A5.01	Section A-A	4 / 19.07.2019
A5.02	Section B-B	4 / 19.07.2019
A5.01	Section C-C	3 / 19.07.2019
A6.01	Pre-Pose Adaptation Plan – Type 1	3 / 19.07.2019
A6.02	Pre-Pose Adaptation Plan – Type 2	3 / 19.07.2019
A6.03	Pre-Pose Adaptation Plan – Type 3	1 / 19.07.2019
A7.01	Schedule of Materials and Finishes	3 / 19.07.2019
A9.02	Communal Open Space Diagram	3 / 19.07.2019
A12.01	Turning Path – HRV access	5 / 19.07.2019
Civil Services – Stormwater (Project No. SY171024) All prepared by Accor Consultants		
C11.01	Cover Sheet, Notes and Legend	D / 15.05.2019
C11.05	Details – Sheet 1	B / 18.07.2018
C11.06	Details – Sheet 2	C / 09.05.2019
C11.07	Details – Sheet 3	C / 09.05.2019
C13.01	Stormwater Management and Driveway Levels Plan	D / 15.05.2019
Hydraulic Services (Job No. 20170160) All prepared by Insync Services Hydraulic Services		
DA-SW-000	Cover Sheet and Legend	Issue 01 / 10.05.2019
DA-SW-100	Basement 3 Inground Stormwater Services	Issue 01 / 10.05.2019
DA-SW-101	Basement 3 Stormwater Services	Issue 01 / 10.05.2019
DA-SW-102	Basement 2 Stormwater Services	Issue 01 / 10.05.2019
DA-SW-103	Basement 1 Stormwater Services	Issue 01 / 10.05.2019
DA-SW-104	Ground Level Stormwater Services	Issue 01 / 10.05.2019
DA-SW-105	Level 1 Stormwater Services	Issue 01 / 10.05.2019
DA-SW-106	Level 2 Stormwater Services	Issue 01 / 10.05.2019
DA-SW-107	Level 3 Stormwater Services	Issue 01 / 10.05.2019
DA-SW-108	Level 4 Stormwater Services	Issue 01 / 10.05.2019
DA-SW-109	Roof Level Stormwater Services	Issue 01 / 10.05.2019

b) Supplementary documents:

Document	**Prepared by**	**Date / Revision No.**

Statement of Environmental Effects	HDC Planning	May 2019
SEPP 65 Assessment / Design Verification Report (Ref: 31354Lrpt	JK Geotechnics	12.04.2018
CPTED Report	HDC Planning	May 2019
Access and Adaptability Report	Access Mobility Solutions	Issue B / 08.05.2019
Traffic and Parking Assessment Report (Ref 17314)	Varga Traffic Planning Pty Ltd	14.05.2019
Acoustic Report	Acoustic Logic	Rev 4 / 09.05.2019
Geotechnical Assessment (Ref: 31354Lrpt)	JK Geotechnics	12.04.2018
Arboricultural Impact Report	Landscape Matrix	09.05.2019
Stage 1 Environmental Site Assessment (Ref: E31354KGrpt)	Environmental Investigation Services	24.04.2018
BCA Compliance Capability Report (Project J190151)	Vic Lilli & Partners Consulting	16.05.2019
Construction Traffic Management Plan (Ref 17314)	Varga Traffic Planning Pty Ltd	16.05.2019
Environmental Management Plan	Alton Property Group	Rev A / 14.05.2019
Operational Waste Management Plan	Waste Audit and Consulting Services	May 2019
Section J Report (Ref NCC 2016)	Efficient Living	Issue B / 09.05.2019

(Reason: To ensure consistency with the approved development).

17. Compliance with the Building Code of Australia

All architectural drawings, specifications and related documentation shall be carried out in accordance with the requirements of the *Building Code of Australia* (BCA). All work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

(Reason: This is a 'prescribed' condition under clause 98(1)(a) of the Environmental Planning and Assessment Regulation 2000.)

18. Erection of signs – Prescribed Condition of Development Consent

A sign must be erected in a prominent position on the site on which building work, subdivision work or demolition work is being carried, in accordance with the requirements of clause 98A of the *Environmental Planning and Assessment Regulation 2000*.

(Reason: This is a 'prescribed' condition under clause 98A of the EP&A Regulation 2000.)

19. (79) AS - Demolition

Any demolition works shall comply with *Australian Standard 2601 - The Demolition of Structures*.

(Reason: Statutory requirement.)

20. (35) Construction Hours

All demolition, building construction work, including earthworks, deliveries of building materials to and from the site is to be restricted to the following hours:

Days	Construction Hours	Activities
Monday to Friday (inclusive):	7am to 5:30pm	No high noise generating activities, including excavation, haulage truck movement, rock picking, sawing, jack hammering or pile driving are to be carried out prior to 7:30am or after 5pm. No such activities are to be carried out continuously for longer than 3 hours without a one (1) hour break. **No truck movements are permitted on Sera Street on school days between 7.30am - 9.00am and 2.30pm – 4pm.**
Saturday:	7.00am – 4.00pm	No high noise generating activities, including excavation, haulage truck movement, rock picking, sawing, jack hammering or pile driving are to be carried out continuously for longer than 3 hours without a one (1) hour break.
Sunday or public holiday:	No work	No work

A Notice/Sign showing permitted working hours and types of work permitted during those hours, including the applicant's phone number, project manager or site foreman, shall be displayed at the front of the site at all times. Failure to fully comply will result in the issue of a breach of consent PIN.

(Reason: To maintain amenity to adjoining land owners.)

21. (36) Stockpiling

Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by water is to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

(Reason: To avoid pollutants entering waterways or Council's stormwater drainage system.)

22. (48) Storage of Materials

The depositing or storage of builder's materials on the footpath or roadways within the Municipality without first obtaining approval of Council is prohibited.

Separate approval must be obtained from Council's *Works and Urban Services Department*, prior to the placement of any building waste container ("Skip") in a public place.

(Reason: Asset management.)

23. (56) Critical Inspections

Where Lane Cove Council is appointed as the Principal Certifying Authority, an inspection is to be booked for each of the following stages during the construction process. Forty-eight (48) hours' notice must be given prior to the inspection being required:

a) The pier holes/pads before filling with concrete.
b) All reinforcement prior to filling with concrete.
c) Framework including roof and floor members when completed and prior to covering.
d) Installation of steel beams and columns prior to covering.
e) Waterproofing of wet areas
f) Stormwater drainage lines prior to backfilling
g) Completion.

(Requirement under s135A of the EP&A Regulation 2000.)

24. (78) Site Fencing

The site shall be properly fenced to prevent access of unauthorised persons outside of working hours.

(Reason: Statutory requirement and health and safety.)

25. (135) Loading and Unloading

All loading and unloading shall be carried out from within the premises. No loading or unloading of goods, materials, equipment or the like associated with the development is to take place on Council's road or footpaths, without the prior approval of Council.

(Reason: Safety, amenity and protection of public infrastructure and the environment.)

26. (38) Advertising Signs/Structures – Separate Application

All advertising signs/structures shall be the subject of a separate development application.

(Reason: To ensure the streetscape character is preserved).

27. (A2) Materials on Roads and Footpaths

Where the applicant requires the use of Council land for the placement of building waste, skips or storing materials, a "*Building waste containers or materials in a public place*" application form is to be lodged with Council. Council land is not to be occupied or used for storage until such application is approved.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner, which will be non-disruptive to the local area.)

28. (A3) Works on Council Property

A separate application shall be made to Council's *Urban Services Division* for approval to complete any associated works on Council property. This includes the new footpaths, drainage works, kerb and guttering, brick paving, restorations and any

miscellaneous works. Applications shall be submitted, prior to the start of any works on Council property.

(Reason: Asset management.)

29. (A4) Permit to Stand Plant

Where the applicant requires the use of construction plant on the public road reservation, an "A*pplication for Standing Plant Permit"* shall be made to Council. Applications shall be submitted and approved, prior to the start of any related works. Note: Allow two (2) working days for approval.

(Reason: Asset management and to minimise impacts to the local area.)

30. (A5) Restoration of Public Land

Public areas must be maintained in a safe condition at all times. Restoration of disturbed Council land is the responsibility of the applicant. All costs associated with restoration of public land will be borne by the applicant.

(Reason: Asset management and to minimise impacts to the local area.)

31. (A6) Public Utility Relocation

If any public services are to be adjusted, as a result of the development, the applicant is to arrange with the relevant public utility authority the alteration or removal of those affected services. All costs associated with the relocation or removal of services shall be borne by the applicant.

(Reason: Asset management of utility providers.)

32. (A7) Pedestrian Access Maintained

Pedestrian access, including disabled and pram access, is to be maintained throughout the course of the construction as per AS-1742.3, *'Part 3 - Traffic control devices for works on roads'*.

(Reason: To mitigate impacts and maintain safety to pedestrians during construction.)

33. (A8) Council Drainage Infrastructure

The proposed construction shall not encroach onto any existing Council stormwater line or drainage easement. If a Council stormwater line is located on the property during construction, Council is to be immediately notified. Where necessary the stormwater line is to be relocated to be clear of the proposed building works. All costs associated with the relocation of the stormwater line are to be borne by the applicant.

(Reason: Asset management.)

34. (A9) Services

Prior to any excavation works, the location and depth of all services must be ascertained. All costs associated with the adjustment of any public utilities is to be borne by the applicant, and all necessary approvals obtained.

(Reason: To mitigate any adverse impacts to public utility assets.)

35. (A12) Ground Anchors

Should temporary ground anchors be required on or below any road reserve or other Council property, the applicant is required to apply to Council for a Ground Anchor application approval, prior to the commencement of any bulk excavation on the site.

The use of permanent ground anchors under Council land is not permitted.

(Reason: Council requirement.)

36. (H3) Heavy Vehicle Duty Employee and Truck Cleanliness

The applicant shall:

i) Inform in writing all contractors of Council's requirements relating to truck cleanliness leaving the site.
ii) Keep a register of all contactors that have been notified, the register is to be signed by each contractor. The register must be available for access by Council officers at all times.
iii) Place an employee within close proximity of the site exit during site operation hours to ensure that all outgoing heavy vehicles comply with Council's requirements. This employee shall liaise with heavy vehicle drivers and provide regular written updates to drivers on the conditions of entry to the subject site.

Those drivers who have been determined to continually not comply with Council's requirements, either by the developer or authorised Council officers, shall not be permitted re-entry into the site for the duration of the project.

(Reason: To ensure compliance with Council's requirements regarding truck cleanliness.)

37. (H4) Truck Shaker

A truck shaker ramp must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass the truck shaker. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.

(Reason: Council requirement to reduce sediment tracked onto the public roadway by trucks.)

38. (H5) Covering Heavy Vehicle Loads

All vehicles transporting soil material to or from the subject site shall ensure that the entire load is covered by means of a tarpaulin or similar material. The vehicle driver shall be responsible for ensuring that dust or dirt particles are not deposited onto the roadway during transit. It is a requirement under the *Protection of the Environment Operations (Waste) Regulation, 2014* to ensure that all loads are adequately covered, and this shall be strictly enforced by Council's ordinance inspectors. Any breach of this legislation is subject to a *"Penalty Infringement Notice"* being issued to the drivers of those vehicles not in compliance with the regulations.

(Reason: Requirement under the Protection of the Environment Operations [Waste] Regulation, 2014.)

39. (K2) Cast in Situ Drainage Pits

Any drainage pit within a road reserve, a Council easement, or that may be placed under Council's control in the future, shall be constructed of cast in situ concrete and in accordance with *Part O of Council's DCP - Stormwater Management*.

(Reason: Council requirement as per Part O of Council's DCP – Stormwater Management.)

40. (O4) On-Site Stormwater Detention Tank

All access grates to the on-site stormwater detention tank are to be hinged and fitted with a locking bolt. Any tank greater than 1.2 m in depth must be fitted with step irons.

(Reason: Council requirement as per Part O of Council's DCP – Stormwater Management.)

41. Maintenance of Environmental Controls

The *principal contractor* must ensure that the following monitoring, measures and controls are maintained so as to ensure the amenity of the neighbourhood is maintained:

i) erosion and sediment controls,
ii) dust controls,
iii) waste,
iv) dewatering discharges,
v) noise controls;
vi) vibration monitoring and controls; and
vii) ablutions.

(Reason: Environmental protection and neighbourhood amenity.)

42. Site Cranes

Site Crane(s) and hoist(s) may be erected within the boundary of the land being developed subject to compliance with Australian Standards *AS 1418*, *AS 2549,* and *AS 2550,* and all relevant parts to these standards.

Cranes must not swing or hoist over any public place unless the *principal contractor* or *owner builder* have the relevant approval under the *Local Government Act 1993*, *Crown Lands Act 1989,* or *Roads Act 1993*.

The crane must not be illuminated outside approved working hours other than in relation to safety beacons required by the Civil Aviation Safety Authority under the *Civil Aviation Act 1988*.

No illuminated sign(s) must be erected upon or displayed upon any site crane.

(Reason: To ensure public safety.)

43. (300) Preservation and Trees and Vegetation

Lane Cove Council regulates the Preservation of Trees and Vegetation in the Lane Cove Local Government Area. Section 2.2 of Lane Cove Development Control Plan 2010 states that a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by development consent or a permit granted by the Council.

Removal and/or pruning of trees or vegetation protected by the regulation is an offence against the *Environmental Planning and Assessment Act 1979* (NSW). The maximum penalty that may be imposed in respect to any such offence is $1,100,000. The co-operation of all residents is sought in the preservation of trees in the urban environment and protection of the bushland character of the Municipality. All enquiries concerning the Preservation of Trees and Vegetation must be made at the Council Chambers, Lane Cove.

(Reason: To preserve the landscape character of Lane Cove.)

44. (441) Operation of Plant or Equipment

To minimise the impact of noise from the development, all sound producing plant, equipment, machinery, mechanical ventilation systems and or refrigeration systems, shall be designed and or located so that the noise emitted does not exceed 5db(A) above the ambient background level when measured from the boundary of any affected premises between the hours of 8am to 10pm. Between the hours of 10pm and 8am, noise shall not exceed the ambient background level when measured at the boundary of an affected premises.

All sound producing equipment shall comply with the *Protection of the Environmental Operations Act 1997*.

(Reason: To minimise noise impacts from the development.)

45. (443) Noise Control – Residential Air Conditioning Units

To minimise the impact of noise from the air conditioning unit, it shall be located 3 meters from the boundary and/or attenuated so that noise generated does not exceed 5db(A) above the ambient background level between 7am and 10pm on weekdays and 8am and 10pm on Weekends and Public Holidays.

Any noise emitted by the air conditioning unit shall not be audible within a room of any residential dwelling or sole occupancy unit at any time within the hours of 10pm and 7am on weekdays and 10pm and 8am on weekends and public holidays.

(Reason: To minimise noise impacts from the development.)

46. (444) Noise Control – Car Park Security Grills

To minimise the impact on the amenity of surrounding residents, all sound producing plant, equipment, machinery or fittings within or forming part of the proposed security door fitted to the car parking area entrance shall be acoustically attenuated so that the noise emitted does not exceed 5db(A) above background noise levels. Notwithstanding the above, any noise that is emitted shall not be audible within any premises and comply with the *Protection of the Environmental Operations Act 1997*.

(Reason: To ensure noise impacts from car park security grills comply with relevant requirements and standards.)

47. (446) Noise Level Restrictions – Demolition Works

Noise from demolition works must comply with the following criteria:

a) For demolition periods of four (4) weeks or less, the noise from demolition work must not exceed the background noise level by more than 20dB(A) when measured at the boundary of the worst affected premises in the vicinity.
b) For demolition periods greater than 4 weeks the noise level from demolition work must not exceed the background noise level by more than 10dB(A) when measured at the boundary of the worst affected premises in the vicinity.

(Reason: To minimise noise impacts from the development.)

48. (447) Noise Monitoring

Noise monitoring is to be carried out by a qualified acoustical consultant if complaints are received, or if directed by Council, and any control measures recommended by the acoustical consultant or Council must be implemented during works (including demolition).

(Reason: To mitigate noise impacts during construction.)

49. (448) Sounds Levels for Building Interiors

The development shall be designed and constructed in accordance with AS/NZS 2107:2000 – *Recommended design sound levels and reverberation times for building interiors*, such that noise levels (from noise sources including from traffic and mechanical plant) comply with the satisfactory design sound level with windows and doors closed.

In order to prevent structure borne transmission of noise from the basement loading dock to residential apartments above, the following details are to be included in the relevant Construction Certificate drawings, as recommended in the *Acoustic Assessment Report*, prepared by Acoustic Logic, Revision 4, dated 9/05/2019, as follows:

a) Vibration isolation of the loading area slab where loaded pallet jacks will be manoeuvred. Installation of an acoustically isolated topping slab on the loading dock structural slab. The isolated should cover any area where there will be extensive use of pallet jacks.
b) Goods hoist motor, loading dock turntable and any motor associated with the garage entry door is to be isolated from the structure.
c) Tiled floor finish to retail areas where pallet jacks may be used are to be avoided.

(Reason: To ensure adequate acoustic amenity of building interiors.)

50. (144) Excavation in Accordance with Approved Plans

No excavation, other than that indicated in the approved plans, shall be carried out without Council approval.

(Reason: To ensure excavation is carried out in accordance with the approved plans.)

51. Parking and Servicing

a) The proposed Car Park design shall comply with AS 2890.1-2004. This includes all parking spaces, ramps, aisles, disabled parking and loading areas. All other aspects of the Car Parking areas are required to comply with AS 2890.2-2002 for Loading Facilities and Services Vehicles.
b) MRV and HRV access/egress to the site must be from Longueville Road and Austin Street. Access from Tambourine Bay Road to Sera Street via River Road is not permitted.
c) A Loading Management plan is required for the site. This is to ensure that there are no conflicts with oncoming HRV. The Management Plan should include information regarding the number of vehicles accessing the site including scheduled times for deliveries.
d) The access to the public car park shall comply with Australian Standards. AS 2890.1-2004.
e) All accessible car spaces in the public car park are to be adequately signposted and linemarked, and provided in accordance with AS2890.6: 2009 including the adjacent shared space and the height clearance.
f) The garbage collection and holding area is to be clearly signposted and linemarked, and provided in accordance with AS2890.2: 2002. On site garbage collection must be provided for with sufficient headroom and to allow the vehicle to enter and exit in a forward direction.
g) Residential visitor spaces provided must be accessible to both residents and the general public (i.e. on common property within the site boundary and not located behind security doors).
h) The proposed loading bay design is to comply with AS 2890.2-2004 and be designed to accommodate HRV's.
i) All vehicles must front in/ front out to/ from the development.

(Reason: Recommended conditions of consent from Council's Traffic Engineer to ensure parking and servicing complies with relevant standards.)

52. Pedestrians

a) There should be a speed hump installed on the entry and exit of the site before the pedestrian crossing.
b) Pedestrian connectivity plan is to be approved by Council, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure pedestrian safety.)

53. Cycling

a) Bicycle parking rates should be provided in accordance with Part R of Council's DCP.
b) All cycling racks and secure bike parking provided on-site must meet the minimum standards as outlined in Section 4.3 in Part R of the DCP and designed in accordance with AS 2890.3:2015. Alternative designs that exceed the Australian Standards will also be considered appropriate.
c) Resident cycle parking in the basement car park should be as close to the car park entrance as possible so as to be both convenient and safe for cyclists to use. Secure bike lockers or a bike cage should be provided for residents' bikes.
d) The bicycle facilities are to be clearly labelled, and advisory/directional signage is to be provided at appropriate locations.

e) Provide end of trip facilities as part of the development consent.

(Reason: To ensure on-site bicycle storage and facilities in accordance with Council's requirements.)

54. Construction Adjacent to or Parallel to a Drainage Easement / Pipeline

The footings of the proposed structures adjacent to the Council drainage easement shall be taken below the zone of influence of the Council stormwater line. The location and depth of the footings in relation to the stormwater line, along with the design of the footings, are to be detailed on the engineering plans.

The engineering plans are to be prepared and certified for construction by a suitably qualified engineer, and submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

On completion of the works and prior to the issue of any Occupation Certificate, the design engineer shall certify that the proposed structures have been constructed in accordance with the approved plans and is within acceptable construction tolerances. The certification is to include a Work-As-Executed (WAE) Plan showing the location of all structures in the vicinity of the Council drainage easement, indicating that all footings are located below the zone of influence of the Council stormwater line.

(Reason: Asset management.)

55. Security Grilles

No security grilles are permitted to ground floor shops/retail premises at ground floor level. All street frontage windows at ground floor level are to comprise clear glazing.

(Reason: To promote activation of the adjoining public domain and safety).

56. Outdoor lighting

Outdoor lighting shall comply with Australian Standard *AS 4282-1997: Control of the obtrusive effects of outdoor lighting*. Where a variation exists between this condition and AS 4282-19987, the Australian Standard shall prevail.

(Reason: To protect the amenity of neighbouring residences and limit the obtrusive effects of outdoor lighting in public places).

57. Roofing

All roofing shall consist of a mid to dark colour range with anti-glare finish to minimise reflectivity and glare nuisance to surrounding residents.

(Reason: To minimise glare nuisance).

58. (494) Hazardous wastes

Hazardous or intractable wastes arising from the demolition, excavation and remediation process are to be removed and disposed of in accordance with the requirements of WorkCover NSW and the Environment Protection Authority, and with the provisions of:

- *New South Wales Occupational Health and Safety Act, 2000;*
- *The Occupational Health and Safety (Hazardous Substances) Regulation 2001;*
- *The Occupational Health and Safety (Asbestos Removal Work) Regulation 2001;*
- *Protection of the Environment Operations Act 1997 (NSW) and*
- *Environment Protection Authority's Environmental Guidelines; Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).*

(Reason: To ensure the appropriate management of hazardous or intractable wastes.)

59. Classification of Hazardous Waste

Prior to the exportation of hazardous waste (including hazardous fill or soil) from the site, the waste materials must be classified in accordance with the provision of the *Protection of the Environment Operations Act 1997* and the NSW DECC *Waste Classification Guidelines, Part1: Classifying Waste* (April 2008).

(Reason: Health and safety.)

60. Disposal of Asbestos and Hazardous Waste

Asbestos and hazardous waste, once classified must only be transported to waste facilities licensed to accept asbestos and appropriate classifications of hazardous waste.

(Reason: Health and safety.)

61. Asbestos Removal

Where hazardous material, including bonded or friable asbestos has been identified such material must be demolished, disturbed and subsequently removed. All such works must comply with the following criteria:

i) Be undertaken by contractors who hold a current WorkCover Asbestos or Demolition Licence and a current WorkCover Class A Asbestos License.
ii) Be carried out in accordance with National Occupational Health and Safety Commission (NOHSC): "*Code of Practice for the Safe Removal of Asbestos*".
iii) No asbestos products may be reused on the site.
iv) No asbestos laden skip or bins shall be left in any public place.

(Reason: To ensure asbestos is removed in accordance with statutory requirements.)

62. Asbestos Removal Signage

Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm are to be erected in prominent visible positions on the site when asbestos is being removed.

(Reason: Health and safety.)

63. Notification of Asbestos Removal

In addition to the requirements for licensed asbestos removalists to give written notice to WorkCover all adjoining properties and those opposite the development site must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and facsimile numbers and email addresses.

(Reason: Health and safety.)

64. (465) Storage of Hazardous or Toxic Material

To ensure hazardous and toxic materials are not to become a threat to the environment they must be stored in a bunded area constructed and maintained in accordance with AS 1940 – 1993 The storage and handling of flammable and combustible liquids and with Workcover NSW requirements.

(Reason: To ensure the appropriate management of hazardous or toxic material.)

65. (466) Storage of Potentially Contaminated Soil

All stockpiles of potentially contaminated soil must be stored in an environmentally acceptable manner in a secure area on the site.

(Reason: To ensure the appropriate management of contaminated soil.)

66. (467) Assessment of Potentially Contaminated Soil

All stockpiles of potentially contaminated soil must be assessed in accordance with relevant NSW Environment Protection Authority guidelines, such as the publication titled *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non – Liquid Wastes* (EPA, 1999).

(Reason: To ensure the appropriate management of contaminated soil.)

67. (468) Offsite Disposal of Contaminated Soil

All contaminated soil removed from the sire must be disposed at a waste facility that can lawfully receive that waste.

Copies of all test results and disposal dockets must be retained for at least 3 years and be made available to authorised Council officers on request.

(Reason: To ensure the appropriate management of contaminated soil.)

68. (450) Ventilation

To ensure that adequate provision is made for ventilation of the premises, mechanical and/or natural ventilation systems shall be designed, constructed and installed in accordance with the provisions of:

a) the *Building Code of Australia*;
b) Australian Standard *AS1668 - Parts 1 and 2* – 1991; and
c) Protection of the Environment Operations Act 1997.

(Reason: To ensure adequate ventilation to the basement car park.)

69. (451) Odour Control

To ensure that adequate provision is made for the treatment of odours, the mechanical exhaust system shall be fitted with sufficient control equipment to prevent the emission of all offensive odours from the premises, as defined by the Protection of the Environment Operations Act, 1997.

(Reason: To prevent offensive odours from any future use).

70. (412) Grease Trap (Food and Drink Premises)

Trade wastewater shall be disposed of in accordance with *Sydney Water* requirements and relevant approvals obtained.

Note: Any first use of a food and drink premises on land to which this consent relates requires the submission of a separation development application to Council.

(Reason: To ensure compliance with Sydney Water requirements regarding trade wastewater.)

71. (409) Construction and Fit out of Food and Drink Premises

To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, the construction and fit-out of any food premises (including supermarket) must comply with the following:

i) *The Food Act 2003*;
ii) *Food Regulation 2015*;
iii) *Australia and New Zealand Food Standards Code*;
iv) *Australian Standard AS 4674 – 2004 (Design, construction and fit-out of a food premises);* and
v) The *Building Code of Australia*.

Note: Any first use of a food and drink premises on land to which this consent relates, requires the submission of a separate development application to Council.

(Reason: Compliance with food premises legislation and standards.)

72. (433) Garbage Collection

Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the *Protection of the Environmental operations Act 1997*. Records shall be kept of all waste disposal from the site.

Waste and recycling material, generated by the premises, must not be collected between the hours of 10pm and 6am on any day.

(Reason: To ensure the appropriate management of waste in accordance with the Protection of the Environmental operations Act 1997.)

73. Shoring and Adequacy of Adjoining Properties

Any excavation that extends below the level of the base of the footings of a building structure of work (including any structure or work within a road or rail corridor) on

adjoining land, requires the person(s) having the benefit of the development consent, at the person's own expense, to:

a) protect and support the building, structure or work from possible damage from excavation; and
b) where necessary, underpin the building structure, or work to prevent any such damage.

This condition does not apply if the person(s) having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.

(Reason: This is a 'prescribed' condition under clause 98E of the EP&A Regulation 2000.)

C. CONDITIONS WHICH MUST BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORKS

74. (B1) Council Infrastructure Damage Bond

The applicant shall lodge with Council a **$50,000** cash bond or bank guarantee. The bond is to cover the repair of damage or outstanding works to Council's roads, footpaths, kerb and gutter, drainage or other assets as a result of the development.

The bond will be released upon issuing of the Final Occupation Certificate. If Council determines that damage has occurred as a result of the development, the applicant will be required to repair the damage. Repairs are to be carried out within 14 days from the notice. All repairs are to be carried in accordance with Council's requirements. The full bond will be retained if Council's requirements are not satisfied. Lodgement of this bond is required, prior to the commencement of any works (including demolition and excavation works).

(Reason: Council requirement to cover the repair of damage or outstanding works to Council's assets.)

75. Construction Traffic Management Plan (CTMP)

A Construction Traffic Management Plan (CTMP) is to be prepared by an appropriately qualified Traffic Management Consultant and submitted to and approved by Council, prior to the commencement of any works including demolition.

The following matters should be addressed in the CTMP (where applicable):

(i) Ways to manage impacts to the adjoining Child Care Centre (Goodstart Early Learning Lane Cove) and Preschool (Birrahlee) during peak drop off and pick up periods, including the provision of a designated 'drop off/pick up area' at the front of the centre for the duration of the construction works. The applicant shall liaise directly with the owner(s) of the two (2) centres specified above in the development phase of the CTMP to ensure that the needs of the centres and safety of the children are met. Evidence to be provided.
(ii) Measures to ensure surrounding public car parking areas are not used by trade vehicles.
(iii) Description of the demolition, excavation and construction works.
(iv) Site plan showing the site, roads, footpaths, site access points and proposed route of travel for vehicular movements.

(v) Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site).
(vi) Impacts of the proposed works and vehicular movements on the road network, traffic and pedestrians including proposed methods to safely manage pedestrians and construction related vehicles at the Burns Bay Road and Sera Street frontages.
(vii) Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.).
(viii) Measures to indicate changed traffic conditions to the public including proposed road and/or footpath closures such as removal of vehicular access between Burns Bay Road and Sera Street.
(ix) Any activities proposed to be located or impact upon Council's road, footways or any public place.
(x) Measures to maintain public safety and convenience.
(xi) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.
(xii) Locations of Work Zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such Work Zones have been approved by the Local Traffic Committee and Council.
(xiii) Location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road).
(xiv) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.
(xv) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected safely.
(xvi) On-site parking area for employees, tradespersons and construction vehicles as far as possible.
(xvii) Proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period.
(xviii) Measures to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

Additional requirements for the CTMP:

a) No truck movements are to occur on Sera Street, Lane Cove on school days between 7.30am – 9.00am and 2.30pm – 4.00pm.
b) Heavy vehicles are only permitted to travel on the local roads as identified in the Construction Traffic Management Plan.
c) Vehicles, particularly trucks will not be permitted to queue on public roads within the site vicinity. Trucks will therefore need to be appropriately timed.
d) Lane Cove Council will not be liable for any traffic or pedestrian safety matters.
e) Any construction vehicles exiting the site during demolition/construction are to have their tyres washed in order to avoid any construction material, dust, etc. coming into contact with the road pavement.
f) Any construction related machinery or trucks, (other than in an approved loading Zone), that are required to stand on the road or footway, (including unloading and loading of trucks and standing of any demolition or construction related machinery or plant), must be covered by an approved Stand Plant permit. Application for the permit is to be made ten (10) working days before the day of the related works.
g) All vehicle unloading/loading activities on a public roadway/footway are to be undertaken within an approved Work Zone.

h) Parking for workers must be provided on site or alternatives suggested including encouraging workers to car pool to the site. Construction workers will not be permitted to park on public roads.
i) All complaints and concerns from the community must be dealt with by the applicant in the first instance. Council will not take responsibility for the complaints arising from the development. A Complaint Management Policy is to be prepared and executed for the duration of the construction works.
j) The applicant will be liable to reinstate any road infrastructure if damage is caused by construction trucks or any construction related activities.
k) Any changes to the Construction Traffic Management Plan must be submitted to Lane Cove Council for further approval.
l) Council reserves the right to revoke the approval at any time without further explanation.

(Reason: To mitigate traffic impacts on the surrounding road network during construction, and to ensure pedestrian/vehicular safety).

76. Works Zones

Due to requirements for safe traffic and pedestrian movement, loading or unloading of any vehicle or trailer carrying material associated with the development must not take place on a public road unless within a Works Zone. The proposed Works Zone must be approved by the Council and have a minimum length of 20 metres (to accommodate a large truck), unless restricted by site constraints.

Works Zone signs are only to be erected by Council staff. The Works Zone application is to be submitted to and approved by Council, prior to the earlier of the following two situations occurring: either (a) issue of any Construction Certificate or (b) any work commencing, in the case where work is to occur on a Public Road during demolition. The developer must give Council written notice at least fourteen (14) days prior to the date upon which use of the Works Zone will commence. The duration of the Works Zone approval shall be taken to commence from that date.

All vehicle unloading/loading activities on a public roadway/footway are to be undertaken within an approved Work Zone.

(Reason: To mitigate adverse impacts to the surrounding area during construction and to ensure pedestrian/vehicular safety).

77. Identification of Hazardous Material

In accordance with *Australian Standard AS2601- The Demolition of Structures*, the owner shall identify all hazardous substances located on the site including asbestos, Polychlorinated biphenyls (PCBs), lead paint, underground storage tanks, chemicals, etc. as per Clause 1.6.1 of the Standard. In this regard, prior to the commencement of any work, the Principal Certifying Authority and Council shall be provided with a written report prepared by a suitably qualified person detailing;

i) all hazardous materials identified on the site;
ii) the specific location of all hazardous materials identified;
iii) whether the hazardous materials are to be removed from the site as part of the works to be undertaken; and
iv) safety measures to be put in place.

(Reason: Health and Safety.)

78. (406) Stabilised Access Point

A stabilised all-weather access point is to be provided prior to the commencement of site works, and maintained throughout construction activities until the site is stabilised. These requirements shall be in accordance with *"Managing Urban Stormwater, Soils and Construction" Fourth Edition 2004 Volume 1"* produced by Landcom.

(Reason: Environmental protection.)

79. (407) Site Water Management Plan

A Site Water Management Plan is to be submitted to Council for approval, prior to the commencement of any works (including excavation and demolition). The plan is required to be site specific and be in accordance with *"Managing Urban Stormwater, Soils and Construction" Fourth Edition 2004 Volume 1"* produced by Landcom.

(Reason: Environmental protection.)

80. (C2) Erosion and Sediment Control

The applicant shall install appropriate sediment control devices, prior to the commencement of any works on the site. The devices are to be installed in accordance with the approved plan satisfying condition *'(C1) Erosion and sediment control Plan'.* The devices shall be maintained during the construction period and replaced when necessary.

(Reason: To prevent water pollution.)

81. Project Arborist and Protection of Trees

Prior to any works commencing (including excavation and demolition), a Project Arborist of minimal AQF Level 5 qualification is to be appointed to sign off on tree protection measures. Tree protection measures shall be in accordance with *Section 1.9 Tree protection measures* of Part J of Lane Cove DCP 2010 and *Australian Standard AS 4970-2009 Protection of trees on development sites*.

Prior to any works commencing (including excavation and demolition), a Certificate is to be prepared by the Project Arborist and submitted to the Principal Certifying Authority, confirming that tree protection measures have been installed in accordance with any conditions of consent, *Section 1.9 Tree protection measures* of Part J of Lane Cove DCP 2010 and *Australian Standard AS 4970-2009 Protection of trees on development sites*.

Trees are to be monitored by the project arborist during construction. Monthly site inspections are to be carried out at a minimum.

All certificates are to be submitted to the Principal Certifying Authority within five (5) days of site attendance, and must be available to Council immediately upon request. Failure to produce the certificate (s) will be considered a breach of this condition of consent.

(Reason: To ensure the protection of trees to be retained in accordance with relevant standards to ensure their ongoing viability.)

82. Tree Protection Measures – Specific Trees

Prior to any works commencing (including excavation and demolition), trees identified in the Arborist Report prepared by Landscape Matrix, dated 9 May 2019, as T7, T8, T9, T10, T31 and T32 are to be provided with trunk and branch protection in accordance with Australian Standard *AS 4970 – Protection of Trees on Development Sites (2009)*.

Protection measures shall be maintained until the completion of the development and the final inspection by the Project Arborist.

(Reason: To ensure the protection of trees to be retained in accordance with relevant standards and policies.)

83. Sediment Control Barriers – Sera Street Garden Beds

Sediment control barriers are to be installed on the high sides of Sera Street garden beds containing trees within ten (10) metres radius of the development. Landscape Plans and the Civil drawings are to be updated to reflect the additional sediment control. Sediment control forms part of the required *Tree Protection* and is to be approved by the Project Arborist and installed, prior to any works commencing (including excavation and demolition).

(Reason: To ensure the protection of trees to be retained in accordance with relevant standards and policies.)

84. Excavation Greater than 1m Depth

Where there are structures on adjoining land including all Council infrastructure located within five (5) metres of the proposed excavation:

The applicant shall:

a) seek independent advice from a suitably qualified engineer on the impact of the proposed excavations on the adjoining structures;
b) detail what measures are to be taken to protect the adjoining structures from undermining during construction; and
c) provide Council with a Certificate from a professional engineer (structural engineer), certifying the necessity and adequacy of support for the adjoining structures.

All recommendations of the suitably qualified engineer are to be carried out for the duration of the excavation works. The applicant must provide at least seven (7) days' notice to the owner(s)/occupier(s) of the adjoining properties, before excavation works commence.

The above maters shall be completed and documentation submitted to the Principal Certifying Authority, prior to the commencement of any works.

(Reason: To protect adjoining structures during excavation works).

D. CONDITIONS WHICH MUST BE SATISFIED PRIOR TO THE ISSUE OF THE RELEVANT CONSTRUCTION CERTIFICATE

85. Section 7.11 Contribution Payment

Payment of a contribution in accordance with Council's Section 94 Contributions Plan is required, prior to the issue of any Construction Certificate). Contributions shall be indexed at the time of payment in accordance with Council's Plan.

The total Section 7.11 contribution payable is **$464,326.40** at the current rate of $10,642 per person and $130 per square metre for retail/commercial based on the 2019/2020 fees and charges.

Payment shall be in the form of a bank cheque. Personal cheques will not be accepted.

This contribution is for community facilities, open space/ recreation and roads under the Lane Cove Section 94 Contributions Plan, which is available for inspection at the Customer Service Counter, Lane Cove Council, 48 Longueville Road, Lane Cove.

The contribution payable is calculated in the following manner:

Residential Contributions		
Dwelling Type	**Total number of persons per dwelling**	**Contribution payable @ $10,642/person 2019/2020 fees and charges**
3 x Studio	3 x 1.2 = 3.6	$38,311.20
13 x 1 bedroom	13 x 1.2 = 15.6	$166,015.20
12 x 2 bedroom	A cap of $20,000 per dwelling has been imposed under the *Reforms of Local Development Contribution* 12 x $20,000 = $240,000.00	$240,000.00
1 x 3 bedroom	A cap of $20,000 per dwelling has been imposed under the *Reforms of Local Development Contribution* 1 x $20,000 = $240,000.00	$20,000.00
Total: 29 units		**$464,326.40**
Total Contribution:		**$464,326.40**

The commercial/retail floor area approved by this consent does not exceed the existing commercial/retail floor area and accordingly no Section 7.11 contribution is leviable for this component of the development.

The total Section 94 contribution for the proposal is **$464,326.40**

(Reason: To enable the provision of public amenities and services required/anticipated as a consequence of increased demand resulting from the development.)

86. (141) Long Service Levy

Pursuant to Section 6.8 of the *Environmental Planning and Assessment Act 1979*, the relevant Construction Certificate must not be issued unless any long service levy payable under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* (or, where such a levy is payable by instalments, the first instalment of the levy) has been paid. All building works in excess of $25,000 are subject to the payment of a Long Service Levy at the rate of 0.35%.

Compliance with the requirements of this condition must be satisfied, prior to the issue of the relevant Construction Certificate.

(Reason: Statutory requirement.)

87. Security Deposit – Trees on Council Land

Pursuant to Section 80A(6)(a) and (7) of the *Environmental Planning and Assessment Act, 1979*, the application must, prior to the issue of any Construction Certificate, provide a security deposit in the amount of **$50,000** (by way of a cash deposit with the Council, or a guarantee satisfactory to the Council) for the payment of the cost of making good any damage caused, as a consequence of carrying out any activities to which this development consent relates, to all existing trees that are standing in the public reserve immediately adjoining the land the subject of this development consent.

This bond may be forfeited in the event of damages to any of these trees as a result of the development works as determined by Council's Tree Management Officer. At a minimum, the cost of replacing the tree including labour will be deducted from the bond.

The applicant shall contact Council to arrange the street trees inspected, following the issue of the Occupation Certificate.

(Reason: To ensure the protection of trees on the adjoining public reserve).

88. (1) Construction Certificate

The submission of the relevant Construction Certificate and its issue by Council or Private Certifier, prior to any construction works commencing.

(Reason: Statutory requirement.)

89. (11) Sydney Water

The approved plans must be submitted to Sydney Water online approval portal "Sydney Water Tap In", please refer to web site www.sydneywater.com.au. This is 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. An approval receipt with conditions shall be issued by Sydney Water (if determined to be satisfactory) and is to be submitted to the accredited certifier, prior to the issue of the relevant Construction Certificate.

(Reason: Sydney Water requirements.)

90. (C1) Erosion and Sediment Control Plan

An *Erosion and Sediment Control Plan* (ESCP) shall be prepared by a suitably qualified consultant in accordance with the guidelines set out in the manual *"Managing Urban Stormwater, Soils and Construction" Fourth Edition 2004 Volume 1"* prepared by Landcom. The ESCP is to be submitted to the principal certifying authority to, prior to the issue of the relevant Construction Certificate.

The following details are to be included in drawings accompanying the *Erosion and Sediment Control Plan*:

(a) Existing and final contours
(b) The location of all earthworks, including roads, areas of cut and fill

(c) Location of all impervious areas
(d) Location and design criteria of erosion and sediment control structures
(e) Location and description of existing vegetation
(f) Site access point/s and means of limiting material leaving the site
(g) Location of proposed vegetated buffer strips
(h) Location of critical areas (drainage lines, water bodies and unstable slopes)
(i) Location of stockpiles
(j) Means of diversion of uncontaminated upper catchment around disturbed areas
(k) Procedures for maintenance of erosion and sediment controls
(l) Details for any staging of works
(m) Details and procedures for dust control.

(Reason: Environmental protection.)

91. (45) Fire Safety Schedule

A Fire Safety Schedule specifying the fire safety measures that are proposed or required to be implemented in the building premises as required by Clause 168 – Environmental Planning & Assessment Regulation 2000 are to be submitted and approved, prior to the issue of the relevant Construction Certificate.

(Reason: Statutory requirement.)

92. (57) Professional Structural Engineer's Details

Detailed professional engineering plans and/or specifications (prepared by a certified practicing structural engineer) shall be provided for all structural, electrical, hydraulic, hydrogeological, geotechnical, mechanical and civil work complying with this consent and approved plans, and submitted to the Certifying Authority with the application for the relevant Construction Certificate.

Structural engineering details and/or specifications shall be certified by a practicing structural engineer) and accompany any application for the relevant Construction Certificate, including details of the following:

i) underpinning;
ii) retaining walls;
iii) footings;
iv) reinforced concrete work;
v) structural steelwork; and
vi) upper level floor framing.

(Reason: To ensure the structural integrity of the development.)

93. (139) Sydney Water Requirements to PCA

A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure compliance with Sydney Water requirements.)

94. Pump Out System

The basement pump out system is to be designed in accordance with *Part O – Stormwater Management* of Lane Cove DCP 2010. The pump out system is to be designed for runoff from the undrained driveway area and seepage water.

Full details of hydraulic calculation and certification of compliance with *Part O – Stormwater Management* of Lane Cove DCP 2010, shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

Note: Direct discharge into the kerb/gutter is not permitted.

A positive covenant is required to be executed and registered for ongoing maintenance and repair of the pumps.

(Reason: To ensure compliance with Part O – Stormwater Management of Lane Cove DCP 2010*).*

95. (O1) Positive Covenant Bond

The applicant shall lodge with Council a **$2000** cash bond to cover the registration of the required positive covenants. Lodgment of this bond is required, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure any required positive covenants are lodged.)

96. (T1) Design of Retaining Structures

All retaining structures greater than 1m in height are to be designed and certified for construction by a suitably qualified engineer. The structural design is to comply with, all relevant design codes and Australian Standards. The design and certification shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure the structural integrity of all retaining walls.)

97. (D3) Geotechnical Monitoring Program

Excavation works associated with the proposed development must be overseen and monitored by a suitably qualified engineer. A Geotechnical Monitoring Program shall be submitted to the Principal Certifying Authority, prior to issue of the relevant Construction Certificate. The Geotechnical Monitoring Program is to be prepared and certified by a suitably qualified and experienced engineer in geotechnical engineering, ensuring that all geotechnical matters are regularly assessed during construction as per the recommendations in the Geotechnical Report.

The Geotechnical Monitoring Program for the construction works must be in accordance with the recommendations of the Geotechnical Report and shall (as a minimum):

i) detect any settlement associated with temporary and permanent works and structures;
ii) detect deflection or movement of temporary and permanent retaining structures (foundation walls, shoring bracing or the like);
iii) detect vibration in accordance with *AS 2187.2-1993 Appendix j* including acceptable velocity of vibration (peak particle velocity);
iv) detect groundwater changes calibrated against natural groundwater variations;

v) provide details the location and type of monitoring systems to be utilised;
vi) provide details of the pre-set acceptable limits for peak particle velocity and ground water fluctuations;
vii) provide details of the recommended hold points to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
viii) provide details of a contingency plan.

(Reason: To mitigate adverse geotechnical impacts on surrounding property and infrastructure.)

98. (D4) Construction Methodology Report

There are structures on neighbouring properties that are deemed to be in the zone of influence of the proposed excavations. A suitably qualified engineer must prepare a Construction Methodology Report demonstrating that the proposed excavation works will have no adverse impact on any surrounding property and infrastructure. The report must be submitted to Principal Certifying Authority, prior to issue of the relevant Construction Certificate.

The details must include a geotechnical report to determine the design parameters appropriate to the specific development and site.

The Report must include recommendations on appropriate construction techniques to ameliorate any potential adverse impacts.

The development works are to be undertaken in accordance with the recommendations of the Construction Methodology report.

Architectural and structural engineer's plans must be submitted with the relevant Construction Certificate application and certified by a qualified practicing structural engineer with membership of the Institute of Engineers Australia.

Retaining walls or other approved methods necessary to prevent the movement of soil, together with associated stormwater drainage measures, shall be designed by a civil engineer. Details of any retaining walls shall accompany plans and specifications submitted with the relevant Construction Certificate application.

(Reason: To mitigate structural damage to surrounding property and infrastructure.)

99. (D5) Pre-commencement Dilapidation Report

The applicant is to provide a dilapidation report of all adjoining properties and any of Councils infrastructure located within the zone of influence of the proposed excavation.

The dilapidation report must be conducted by a suitably qualified engineer prior to the commencement of any demolition, excavation or construction works. The extent of the survey must cover the zone of influence that may arise due to excavation works, including dewatering and/or construction induced vibration. The initial dilapidation report must be submitted to Principal Certifying Authority, prior to issue of the relevant Construction Certificate.

(Reason: To ensure the protection of adjoining properties, and properties deemed to be within the zone of influence of proposed excavation works.)

100. (H1) Pre-commencement Road Dilapidation Survey

The applicant shall prepare a dilapidation survey and a dilapidation report detailing the existing state of repair / condition of the road surfaces along Burns Bay Road, Sera Street, and adjoining site area.

The dilapidation survey and report must be prepared by an engineer registered with the Institute of Engineers.

The survey and report are to be submitted to the Council, prior to the issue of the relevant Construction Certificate.

(Reason: Asset management.)

101. (A10) Boundary Levels

The levels of the street alignment shall be obtained from Council. These levels are to be incorporated into the design of the internal pavements, car parking, landscaping and stormwater drainage plans and shall be obtained, prior to the issue of the relevant Construction Certificate.

(Reason: Pedestrian safety.)

102. Car Parking Certification

All car parking facilities, driveways and access ramps shall comply with Australian Standard AS 2890.1: *Off-street car parking*, and Council's standards and specifications. Details demonstrating compliance including certification by a suitably qualified engineer, shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure that car parking facilities comply with AS 2890 and Council's standards).

103. Council Construction Requirements

The applicant shall construct / reconstruct the following:

a) New 1.5m wide concrete footpath adjacent the entire frontage of the site to Council's satisfaction (Sera Street)
b) Full width footpath [concrete base with suitable paver chosen by Council] adjacent the entire frontage of site to Council's satisfaction (Burns Bay Road)
c) New Kerb and Gutter along the entire frontage of site to Council's satisfaction
d) Reinstate all adjustments to the road surfaces to Council's satisfaction.
e) Reinstate all existing nature-strips with turf and soil to Council's satisfaction.

A **$25,000** cash bond or bank guarantee shall be lodged with Council to cover the satisfactory construction of the above requirements. Lodgement of this bond is required, prior to the issue of the relevant Construction Certificate.

The Bond will be held for a period of six (6) months after satisfactory completion of the works. All works shall be carried out, prior to the issue of any Occupation Certificate. All costs associated with the construction of the above works are to be borne by the applicant.

(Reason: Council asset management).

104. Evidence of Executed Voluntary Planning Agreement (VPA)

Evidence of the executed Voluntary Planning Agreement entered into by Lane Cove Council and Sun Property Lane Cove Ltd in respect of the proposed development at 56-60 Burns Bay Road, Lane Cove is to be provided to the Principal Certifying Authority.

Security for the Development Contribution is to be provided, prior to the issue of any Construction Certificate for the development.

(Reason: To ensure the delivery of public works in accordance with the VPA.)

105. (K4) Council Inspection Requirements

The following items require Council inspections:

i) All new footpaths on Council property.
ii) New kerb and gutters on Council property.
iii) All asphalt adjustments to the roadway.
iv) All the approved stormwater drainage works on Council property.
v) Earthworks on Council property.

Each item is to be inspected prior to the pouring of any concrete (formwork) and on completion of the construction.

An initial site meeting is to be conducted with Council and the contractor prior to the commencement of any of the above works to allow for discussion of Council construction / set out requirements.

An Inspection fee of **$580** is to be paid, prior to the issue of the relevant Construction Certificate.

(Reason: Council requirement.)

106. (440) Acoustic Consultant

A qualified acoustic consultant shall be engaged to certify that the design and construction of the traffic noise affected portions of the building comply with the EPA's – '*Environmental criteria for road traffic noise'*.

The submitted *Acoustic Assessment Report* shall be updated accordingly and submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure acoustic amenity to residents.)

107. (481) Carwash Bay – Compliance with Sydney Water Requirements

A designated car wash area shall be provided to residential users. All waste water shall be disposed of in accordance with Sydney Water requirements.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure that the development provides a car wash facility for residents, and that its operation is in accordance with Sydney Water requirements.)

108. Landscaping – Additional Information

Prior to the issue of any Construction Certificate, the following items from Council's *Landscape Checklist* are to be addressed and additional information provided in the landscape documentation in accordance with *Part J: Landscaping* of Lane Cove DCP 2010, as follows:

Landscape Checklist Item No.	Details to be provided
10	Tree protection measures are to be shown on the *Tree Management Plan*, as prepared by the project Arborist in accordance with Australian Standard *AS4970-2007: Protection of trees on development sites.*
11	Site plan clearly showing the required percentage of landscaped area, deep soil planting, raised planter box planting and communal open space as hatching / shading. A table showing the % of each of the calculations as well as the overall site area is to be clearly labelled.
12	Existing and proposed stormwater detention tanks, OSD tanks, drainage pits/pipes, easements and rights-of way are indicated clearly on plan (especially within tree protection areas).
14	Extent of excavations, earthworks, cut & fill or ground disturbance is indicated.
22	Sections and elevations clearly showing the relationship of the proposed landscaping with the built form. As a minimum a section in both east to west and north to south directions.

(Reason: Requirement of Council's Tree Management Officer to ensure compliance with Council's 'Landscape Checklist').

109. Landscaping – Requirements for New Plantings

Prior to the issue of the relevant Construction Certificate:

a) All proposed trees shall be of a height of at least four (4) metres above natural ground level at the time of planting. The landscape plan(s) shall be amended accordingly to reflect the required container size.
b) All trees must conform to Australian Standard *AS2303:2018: Tree stock for landscape use*. Trees are to be inspected by the project Landscape Architect upon delivery to the site and no more than five (5) days prior to installation. The project Landscape Architect shall provide written verification that each tree meets the standards for health, shape and vitality as outlined in the Standard. A copy of the written verification is to be provided to Council's Tree Management Officer.
c) All landscaping areas shall have an automatic irrigation system on a timer that provides adequate water for the ongoing health and vitality of the plants. The watering times and frequencies are to be adjusted seasonally to account for the different watering requirements for the temperatures and hours of sunlight for each season and maintained for the life of the development. This obligation shall become the responsibility of the Strata Management outside the Council appointed maintenance period.
d) A certificate must be submitted by a qualified practicing Landscape Architect, Landscape/Environmental Designer or Horticulturist, certifying that the proposed subsoil drainage and any associated waterproofing membrane has been installed

in accordance with the details shown on the approved landscape working drawings and specifications. Works must not progress until Council or the accredited certifier has confirmed that this condition has been fully satisfied**.** Where the project is being supervised by a private certifier, for the purposes of public record, a copy of the certification must be forwarded to Council within five (5) working days of the date of issue.

(Reason: To ensure new plantings thrive post development and contribute to the landscape amenity of Lane Cove Village).

110. Garbage Chutes

Garbage chute systems and interim recyclable storage facilities must be provided to the development:

- Garbage chutes must be constructed in accordance with the requirements of the Building Code of Australia (BCA)
- Garbage chutes must be located and insulated in a manner that reduces noise impacts.
- Chutes, service openings and charging devices must be constructed of material (such as metal) that is smooth, durable, impervious, non-corrosive and fire resistant.
- Chutes, service openings and charging devices must be capable of being easily cleaned.
- Chutes must be cylindrical and have a diameter of at least 500mm
- Chutes must not have any bends or sections of reduced diameter in the main shaft of the chute.
- Internal overlaps in the chute must follow the direction of waste flow
- A cut off device must be located at or near the base of the chute so that the bottom of the chute can be closed when the bin or compacting device at the bottom of the chute is withdrawn or being replaced.
- The upper end of the chute must extend above the roofline of the building
- The upper end of the chute must be weather protected in a manner that doesn't impede the upward movement of air out of the chute.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: Requirements for garbage chute rooms, as recommended by Council's Waste Officer).

111. Garbage Chute Service Room

The service opening (for depositing rubbish into the main chute) on each floor of the building must have a dedicated service room:

- The charging device for each service opening must be self-closing and must not project into the main chute.
- Branches connecting service openings to the main chute must be no longer than 1m.
- Each service room must include provision for 2 x 240L recycling bins for the storage of recyclable materials (1 x240 L for paper,1x 240 L MGB for mixed containers). Signage regarding the materials that can be recycled must be displayed near these recycling bins.
- Each service room must be located for convenient access by users and must be well ventilated and well lit.
- The floors, walls and ceilings of service rooms must be finished with smooth durable materials that are capable of being easily cleaned.

- Service rooms must include signage that clearly describes the types of materials that can be deposited onto the garbage chute and the types of materials which must be deposited into recycling bins.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: Requirements for garbage chute rooms, as recommended by Council's Waste Officer).

112. Waste and Recycling Storage Room

The waste and recycling storage room must be provided and be of sufficient size to accommodate a total of 10 x 240L general waste bins, 3 x 240L container recycling bins, 3 x 240L paper recycling bins, and 1 x 240L garden waste bins; with adequate space for manoeuvring garbage and recycling bins:

- Minimum clearance between bins of 300mm
- Minimum door openings of 1700mm
- Minimum distance of 1700mm between rows of bins (where bins are located on either side of the room)

The floor of waste and recycling storage rooms (including bulky waste storage room) must be constructed of either:

- concrete which is at least 75mm thick; or
- other equivalent material; and
- graded and drained to a floor waste which is connected to the sewer.

All floors must be finished to a smooth even surface, coved at the intersections of walls and floor.

The walls of waste and recycling storage rooms, bulky waste storage rooms, and waste service compartments must be constructed of solid impervious material and must be cement rendered internally to a smooth even surface coved at all intersections.

All waste and recycling storage rooms and bulky waste storage rooms must be provided with an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock.

A close-fitting and self-closing door that can be opened from within the room must be fitted to all waste and recycling and bulky waste storage rooms.
All waste and recycling and bulky waste storage rooms must be constructed to prevent the entry of vermin.

All waste and recycling and bulky waste storage rooms must be ventilated by either:

- mechanical ventilation systems exhausting at a rate of 5L.s per m@ of floor space area, with a minimum rate of 100L/s; or
- permanent, unobstructed natural ventilation openings direct to the external air.

All waste and recycling and bulky waste storage rooms must be provided with artificial light controlled by switches located both inside and outside the rooms.
Clearly printed "No Standing" signs must be affixed to the external face of each waste and recycling and bulky waste storage room.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: Requirements for waste and recycling storage rooms).

113. Bulky Waste Storage Room

A readily accessible bulky waste storage room located near the garbage room must be provided for the use of all residents. The bulky waste storage room must have a minimum floor area of 30m2 and be of sufficient size to practically accommodate a minimum of 10m3 of bulky waste at any given time. Doorways and travel paths must be a minimum width of 1700mm and of sufficient height and be free of obstructions to permit easy transport from individual units to the storage area, and from the storage area to the collection point.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: Requirements for on-site bulky waste storage provision).

114. Access to Waste Collection Point

All waste must be collected on-site via on-site access by Council's waste collection vehicles. The location(s) of waste and recycling rooms and bulky waste storage areas must be conveniently accessible for both occupants and Council's waste collection contractors. The minimum finished ceiling height must be 2.6m along the path of travel from the street to the residential waste and recycling collection point and manoeuvring area. This clearance must be kept free of any overhead ducts, services and other obstructions. The maximum grade of any access road leading to the waste and recycling point must not be more than 1:5 (20%). The running area at the base of any ramp must be sufficient for the manoeuvre of a 6.64m rigid vehicle to enter and exit the building in a forward direction. Where security gates are installed, a remote-control access device must be provided to Council to permit unimpeded access.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure adequate access to the waste collection point).

115. Residential Unit Internal Waste Management

Internal waste and recycling cupboards with sufficient space for one day's garbage and recycling generation must be provided to each dwelling.

(Reason: To ensure adequate waste storage provision within residential units).

116. SEPP 65 – Natural Ventilation

Prior to the issue of the relevant Construction Certificate, amended plans are to be provided to provide for the following design amendments to ensure adequate natural ventilation is provided to the development:

- Openable windows are to be added to the southern side of Units B201 and B204.
- Well placed ventilating skylights that draw air across the living spaces are to be added to Units B203, A402, A403, and A404.

(Reason: To ensure adequate natural ventilation).

117. No Air Conditioning Plant to Roof

No air conditioning plant is to be installed on any roof of the proposed development. All air conditioning plant is be located at basement level in accordance with relevant Australian Standards and the *Building Code of Australia*.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate, and Construction Certificate plans notated accordingly.

(Reason: To mitigate adverse visual impacts when viewed from surrounding residences).

118. (457) Fresh Air Intake Vents

All fresh air intake vents must be located in a position that is free from contamination and at least six (6) metres from any exhaust air discharge vent or cooling tower discharge.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure air quality and adequate health and safety.)

119. (458) Exhaust Air Discharge Vents

All exhaust discharge vents must be located in a position where no nuisance or danger to health will be created and at least six (6) metres from any fresh air intake vent or natural ventilation opening

Details demonstrating compliance are to be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure air quality and adequate health and safety.)

120. (454) Car Park Ventilation

The covered car park must be provided with an adequate system of permanent natural ventilation or an approved system of mechanical ventilation in accordance with relevant standards and the *Building Code of Australia*.

Details demonstrating compliance are to be provided to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure adequate ventilation to the basement car park.)

121. Planting on Structures

Planting on structures must provide for adequate soil depth, volume and a suitable soil profile to support the number of trees and shrubs indicated on the approved plans in accordance with the table provided in *Lane Cove DCP Part J Landscaping cl.1.10 – Planting on Structures*.

Landscape Plans shall be revised to show detailed construction methods for all proposed planter boxes. The revised plans shall be submitted to the Principal

Certifying Authority, prior to the issue of the relevant Construction Certificate. The Landscape Plans shall include the following details as a minimum:

- *Type of wall*
- *Dimensions of wall*
- *Levels for both top of wall and bottom of wall*
- *Materials used for the wall*
- *Drainage information*
- *Waterproofing information*
- *Soil profile and depth for each plant type*
- *Proposed soil volume*
- *Sections and elevations clearly illustrating the design intent and how it pertains to the human scale*
- *Plant materials specified for each of the planter boxes*
- *Certification from a practicing Structural Engineer*

(Reason: To ensure adequate conditions to promote and sustain plant growth.)

122. (432) Garbage Storage Area - Commercial

All garbage shall be stored in a designated garbage area, which includes provision for the storage of all putrescible waste and recyclable material emanating from the premises. The area is to be constructed with a smooth impervious floor graded to a floor waste and connected to the sewer. The garbage area/room is to be well ventilated and fitted with fire sprinklers and meet fire safety standards in accordance with the *Building Code of Australia*.

Detailed plans and specifications for the construction of the designated garbage area are to be submitted with the relevant Construction Certificate application.

(Reason: To ensure appropriate storage of waste.)

123. Garbage Control

a) A sufficient number of garbage bins are to be provided on the premises for garbage disposal in accordance with Council's requirements. Such bins shall be made of impervious material and shall have close-fitting, vermin/fly-proof lids.
b) All waste bins are to be stored in designated garbage/trade refuse areas which must be maintained in a satisfactory condition at all times and must not be permitted to overflow into adjoining areas.
c) Garbage room floors shall be graded to an appropriate floor waste disposal system, which is to be connected to the sewer. No drainage from garbage rooms shall be connected directly or indirectly to the stormwater drainage system, Council's street gutter or Council's drainage system.
d) Garbage rooms shall be ventilated by:
    i) An approved system of mechanical exhaust ventilation in accordance with the requirements of the Building Code of Australia and *Australian Standard AS 1668.*
    ii) Permanent unobstructed natural ventilation openings with contact direct to the external air, having an aggregate area of not less than $1/20^{th}$ of the floor area. One half of the openings shall be situated at or near the floor level and one half at or near the ceiling level.
    iii) Where permanent natural ventilation openings are provided, the openings shall be designed to prevent the entry of rainwater.

Detailed plans and specifications for the construction of the designated garbage area are to be submitted with the relevant Construction Certificate application.

(Reason: To ensure appropriate waste storage and management.)

124. Clothes Drying Facilities

Clothes drying facilities are to be provided within each unit (not on any balcony space) in accordance with the *Building Code of Australia* and shall not be visible from the public domain.

The location of clothes drying facilities shall be detailed on the Construction Certificate drawings in accordance with this condition, prior to the issue of the relevant Construction Certificate.

(Reason: To minimise any adverse impacts on the public domain.)

125. Accessibility

The approved plans submitted with the relevant Construction Certificate application are to show compliance with the relevant accessibility requirements of:

- *Disability Standards 2010* (Access to Premises) – Premises Standards;
- *Building Code of Australia* (BCA);
- *National Construction Code* (NCC);
- Australian Standard *AS1428 series: Design for access and mobility*;
- Australian Standards *AS/NZS2890.6:2009: Parking facilities* (Part 6: Off-street parking for people with disabilities).
- Australian Standard *AS1735.12-1999: Lifts, escalators and moving walks* (Part 12: Facilities for persons with disabilities).
- *Australian Standards AS4299 -1995: Adaptable Housing*.
- *Part F – Access and Mobility of* Lane Cove DCP 2010.

Of the total number of residential units:

- 20% shall be provided as adaptable units;
- 80% shall be provided as visitable units; and
- 20% shall incorporate the Liveable Housing Guidelines silver level universal design features.

A Certificate of Compliance by a suitably qualified access consultant demonstrating compliance of the Construction Certificate drawings with the above is to be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To achieve access for people for with a disability in accordance with relevant standards and policies).

E. CONDITIONS WHICH MUST BE SATISFIED PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT WORK

126. (49) Notification of Principal Certifying Authority

Prior to the commencement of any construction works associated with the development, the Applicant shall erect signs in a prominent position at the site

boundaries, which can be viewed from the nearest public place. The sign(s) shall indicate:

i) the name, address and telephone number of the Principal Certifying Authority;
ii) the name of the person in charge of the construction site and telephone number at which that person may be contacted outside working hours; and
iii) a statement that unauthorised entry to the construction site is prohibited.

The signs shall be maintained for the duration of construction works.

(Reason: Statutory requirement.)

127. (86) Erection of Hoarding

An approved type of hoarding being is to be erected along the street frontage, prior to the commencement of any demolition or works.

(Reason: Council requirement during construction works.)

F. CONDITIONS WHICH MUST BE SATISFIED DURING ANY DEVELOPMENT WORK

128. (87) Pedestrian Path Kept Clear

The Pedestrians' portion of the footpath is to be kept clear and trafficable at all times.

(Reason: To ensure pedestrian safety during construction works.)

129. (402) Dust Control

The following measures must be undertaken to control the emission of dust:

(a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the works.
(b) Any existing accumulations of dust (e.g. in ceiling voids and wall cavities) must be removed using an industrial vacuum cleaner fitted with a high efficiency particulate air (HEPA) filter.
(c) All dusty surfaces must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the street or stormwater system.
(d) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
(e) Demolition work must not be carried out during high winds, which may cause dust to spread beyond the boundaries of the site.

(Reason: To reduce or prevent the surface and air transport of dust during construction.)

130. Landscaping – Requirements for New Plantings

A Certificate is to be submitted by the Project Arborist or qualified practicing Landscape Architect, Landscape/Environmental Designer or Horticulturist, certifying that the proposed subsoil drainage and any associated waterproofing membrane has been installed in accordance with the details shown on the approved landscape working drawings and specifications.

Works must not progress until Council or the accredited certifier has confirmed that this condition has been fully satisfied**.** Where the project is being supervised by a private certifier, for the purposes of public record, a copy of the certification must be forwarded to Council within five (5) working days of the date of issue.

(Reason: To ensure new plantings thrive post development and contribute to the landscape amenity of Lane Cove Village).

G. CONDITIONS WHICH MUST BE SATISFIED PRIOR TO ANY OCCUPATION OR USE OF THE BUILDING

131. (17) Occupation Certificate

An Occupation Certificate is to be obtained from the Principal Certifying Authority before any occupation of the building.

(Reason: Statutory requirement.)

132. Compliance with the BCA

All building works are required to be carried out in accordance with the provisions of the *Building Code of Australia*.

a) A Completion Certificate of Compliance with the BCA is to prepared by a suitably qualified professional, and submitted to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

b) A Completion Certificate is to be issued by a qualified accredited Fire Safety Engineer, confirming that all identified Performance Solutions have been completed for the building, prior to the issue of any Occupation Certificate.

(Reason: To ensure compliance with the BCA and compliance with fire safety requirements).

133. (64) Check Survey Certificate

A check survey certificate is to be obtained from a registered surveyor and submitted to the PCA, prior to the issue of any Occupation Certificate.

Note: All levels are to relate to the reduced levels as noted on the approved architectural plans and should be cross-referenced to Australian Height Datum.

(Reason: To ensure constructed levels are consistent with the approved plans.)

134. Stormwater System Engineering Certification

On completion of the drainage system a suitably qualified engineer shall certify that the drainage system has been constructed in accordance with the approved plans, *Part O of Council's DCP - Stormwater Management* and *AS-3500*.

The certification is to include a *Work As Executed* (WAE) Plan. The work as executed plan shall:

i) be signed by a registered surveyor, and
ii) clearly show the surveyor's name and the date of signature.

All documentation is to be submitted to the Principle Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure compliance of stormwater engineering works with Council's DCP requirements.)

135. (V3) Redundant Gutter Crossing

All redundant gutter and footpath crossings shall be removed and the kerb, gutter and footpath reinstated to the satisfaction of Council's Urban Services Division. These works shall be carried out, prior to the issue of any Occupation Certificate.

(Reason: Council requirement to minimise vehicular crossings.)

136. (D6) Certification of Retaining Structures and Excavations

A suitably qualified engineer shall provide certification to the Principal Certifying Authority that all retaining structures and excavations have been carried out in accordance with the relevant Australian Standards and Codes of Practice.

The certification and a complete record of inspections, testing and monitoring (with certifications) must be submitted to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure the structural integrity of retaining structures and excavation works.)

137. Air Handling and Water Systems

Any air handling and water systems regulated under the *Public Health Act 2010* must be installed, operated and maintained in accordance with the requirements of the *Public Health Regulation 2012.*

Any such premise is to be registered with Council together with payment of the approved fee, prior to the issue of any Occupation Certificate.

(Reason: Health and safety requirements.)

138. Fire Safety Certification

Prior to the issue of any Occupation Certificate, the Principal Certifying Authority must be satisfied that a Final Fire Safety Certificate has been issued for the relevant part of the building.

(Reason: Fire safety.)

139. Sustainable Transport Action Plan (STrAP)

A Sustainable Transport Action Plan (STrAP) shall be prepared by a suitably qualified professional showing the proposed mode shares, relevant bike routes, pedestrian access to the development, access to existing car-share spaces, and bus route frequencies. Recommendations to encourage greater active transport opportunities and use of public transport shall be integrated into the development.

The STrAP shall be submitted to and approved by Council's *Manager Traffic and Transport*, prior to the issue of any Occupation Certificate.

(Reason: To encourage sustainable transport options in order to reduce greenhouse gas emissions and other environmental impacts.)

140. Fulfillment of BASIX Commitments

All BASIX commitments must be met and demonstrated to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: Statutory compliance.)

141. Landscaping

Prior to the issue of any Occupation Certificate:

a) A Works-As-Executed landscape plan from a qualified landscape architect/designer, horticulturist and/or arborist as applicable is to be submitted to the *Principal Certifying Authority*, certifying that all landscaping works have been completed in accordance with the approved landscape plans and Arboricultural Report (as amended by any conditions of consent) to a professional standard, free of any standards or unnecessary maintenance problems, is to be submitted to the Principal Certifying Authority.
b) A Landscape Practical Completion Report must be prepared by the Project Landscape Architect and submitted to Council and the Principal Certifying Authority within seven (7) working days of the date of practical completion of all landscaping works. This report must certify that all landscape works have been completed in accordance with the landscaping working drawings.
c) The applicant must submit evidence of an agreement for the maintenance of all site landscaping by a qualified Horticulturist, Landscape Contractor or Landscape Architect, for a period of twelve (12) months from the date of practical completion.

(Reason: To ensure landscaping is executed in accordance with the approved landscape plans and Arboricultural Report, as amended by any conditions of consent).

142. Project Arborist and Protection of Trees

A Final Condition Report and certification is to be prepared by the Project Arborist, demonstrating compliance with all tree related conditions of consent and that the trees have been maintained and are in good condition. The Report shall contain remedial advice for trees post construction to mitigate long term construction impacts. The Final Condition Report is to be submitted to Council's Tree Management Officer for approval, prior to the issue of any Occupation Certificate.

The Final Certificate, and endorsed Final Condition Report by Council's Tree Management Officer is to be submitted to the Certifying Authority and Council, prior to the issue of any occupation certificate.

(Reason: To ensure the protection of trees to be retained in accordance with relevant standards to ensure their ongoing viability.)

143. (D5) Final Dilapidation Report

A second dilapidation report conducted by a suitably qualified engineer, recording structural conditions of all structures originally assessed prior to the commencement of works, must be carried out at the completion of all works and be submitted to the Principle Certifying Authority, prior to the issue of the relevant Occupation Certificate.

(Reason: To ensure no damage to all structures originally assessed, as determined by a suitably qualified engineer.)

144. (H1) Final Road Dilapidation Survey

Prior to the issue of any Occupation Certificate, the applicant is to prepare a second dilapidation survey and dilapidation report that includes details of all changes and damage caused to the road surfaces along Burns Bay Road, Sera Street and adjoining site area as a consequence of truck movements associated with the construction of the development.

The Council may apply funds realised from the security deposit to meet the cost of making good any damage caused to the surface of the listed roads as a consequence of truck movements associated with the construction of the development.

The dilapidation survey and report must be prepared by an engineer registered with the Institute of Engineers.
The Council may apply funds realised from the damage security deposit to meet the cost of making good any damage caused to the surface of the abovementioned public roads associated with the construction of the development.

(Reason: To ensure no damage to Burns Bay Road and Sera Street.)

145. (O2) Positive Covenants OSD and Pump Out System

Documents giving effect to the creation of a Positive Covenant over the on-site detention system and over the basement pump out system shall be registered on the title of the property ensuring the ongoing retention, maintenance and operation of the stormwater facility, prior to the issue of any Occupation Certificate.

The wordings of the terms of the Positive Covenant shall be in accordance with *Part O of Council's DCP - Stormwater Management*.

(Reason: To ensure the on-site detention and/or pump system is maintained to an appropriate operational standard.)

146. Road Works (Including Footpaths)

The following works must be completed to the satisfaction of Council, prior to issue of any Occupation Certificate:

a) Stormwater pipes, pits and connections to public stormwater systems within the *road*;
b) Driveways and vehicular crossings within the *road*;
c) Removal of redundant driveways and vehicular crossings;
d) New footpaths within the *road*;
e) Relocation of existing power/light pole
f) Relocation/provision of street signs
g) New or replacement street trees;

h) New footway verges, where a grass verge exists, the balance of the area between the footpath and the kerb or site boundary over the full frontage of the proposed development must be turfed. The grass verge must be constructed to contain a uniform minimum 75mm of friable growing medium and have a total cover of turf predominant within the street.
i) New or reinstated kerb and guttering within the *road*; and
j) New or reinstated road surface pavement within the *road*.

(Reason: To ensure public amenity and management of Council assets.)

147. Engineering Works (Certification of)

Prior to the issue of any Occupation Certificate, a Work-As-Executed (WAE) Plan of all engineering and/or drainage works is to be submitted to the Principal Certifying Authority. The WAE Plan is to be certified by a suitably Qualified Engineer, demonstrating that:

i) the stormwater drainage system;
ii) the car parking arrangement and area;
iii) any related footpath crossing works;
iv) the proposed basement pump and well system;
v) the proposed driveway and layback; and
vi) any other civil works

have been constructed in accordance with the approved plans and any relevant Standards and Council policies/specifications.

For major works, such as subdivisions, works within the road reserve (requiring separate S138 approval) and as where specified by Council, a Part 4A Certificate will be required. It is strongly recommended that an Engineer supervise all engineering related works.

Where Council is not the Principal Certifying Authority, an electronic copy of the above documents is to be provided to Council, prior to the issue of the Final Occupation Certificate.

(Reason: To ensure all engineering and drainage works have been constructed in accordance with Council's requirements.)

148. Indemnity

Prior to the issue of any Occupation Certificate, the applicant must enter into a suitable Deed indemnifying Council and its contractors against claims for loss or damage to common property, liabilities, losses, damages, and any other demands arising from any on-site collection services.

(Reason: To manage risk to Council's assets).

149. Provision of Waste Services

Prior to the issue of any Occupation Certificate, the applicant must make written application to Council for the provision of domestic waste services and finalise the payment for the supply and delivery of all waste and recycling bins.

(Reason: Council requirement for domestic waste collection services).

150. Ventilation

A Certificate of Compliance shall be obtained from a practising mechanical engineer certifying that the design and operation of the mechanical ventilation system meets the requirements of:

a) the *Building Code of Australia*;
b) Australian Standard *AS1668 - Parts 1 and 2* – 1991; and
c) Protection of the Environment Operations Act 1997

The Certificate shall be submitted to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure adequate ventilation to the basement car park.)

151. Accessibility

A Final Certificate of Compliance is to be provided by a suitably qualified access consultant following completion of the works and prior to the issue of any Occupation Certificate, certifying that the building-as-constructed complies with the relevant accessibility requirements as follows:

- *Disability Standards 2010* (Access to Premises) – Premises Standards;
- *Building Code of Australia* (BCA);
- *National Construction Code* (NCC);
- Australian Standard *AS1428 series: Design for access and mobility*;
- Australian Standards *AS/NZS2890.6:2009: Parking facilities* (Part 6: Off-street parking for people with disabilities).
- Australian Standard *AS1735.12-1999: Lifts, escalators and moving walks* (Part 12: Facilities for persons with disabilities).
- *Australian Standards AS4299 -1995: Adaptable Housing*.
- *Part F – Access and Mobility of* Lane Cove DCP 2010.

Of the total number of residential units:

- 20% shall be provided as adaptable units;
- 80% shall be provided as visitable units; and
- 20% shall incorporate the Liveable Housing Guidelines silver level universal design features.

(Reason: To ensure access for people for with a disability in accordance with relevant standards and policies).

152. (O3) On-Site Stormwater Detention System - Marker Plate

The on-site detention system shall be indicated on the site by fixing a marker plate. This plate is to be a minimum size of 100mm x 75mm and is to be made from non-corrosive metal or 4mm thick laminated plastic. The plate is to be fixed in a prominent position to the nearest concrete or permanent surface or access grate. The wording on the marker plate is described in *Part O of Council's DCP - Stormwater Management* and shall be in accordance with this. An approved plate may be purchased from Council's customer service desk.

Details demonstrating compliance shall be submitted to the Council and the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: Council requirement as per Part O of Council's DCP – Stormwater Management.)

153. Completion of Works in Kind

Payment of the Development Contribution and delivery of all Works in Kind and land dedications are to be completed, with details demonstrating compliance with this condition submitted to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure the delivery of public works in accordance with the VPA.)

H. On-going Use of the Premises

154. Landscaping

a) At the completion of the landscape maintenance period (i.e. 12 months), the Project Landscape Architect/ Designer must submit a Final Report to Council or the accredited certifier, certifying that all plant material has been successfully established, that all of the outstanding maintenance works, or defects have been rectified prior to preparation of the report and that a copy of the 12-month landscape maintenance strategy has been provided to the Strata Management. A copy of the report must be submitted to Council.
b) All trees are to be maintained in a healthy condition for the life of the development with replacement trees installed within six (6) months of any trees demise. This obligation shall become the responsibility of the Strata Management at the completion of the 12-month maintenance contract.
c) A Landscape Management Plan shall be prepared by a suitably qualified Landscape Professional, for the proposed landscaping across the site. The report shall include as a minimum the necessary prescriptions for management of existing and new plantings associated with the mixed-use development. The report shall cover the first five (5) years of maintenance commencing from any occupation of the premises, and shall be the subject of an annual review succeeding this. This plan should be read in conjunction with the approved Landscape Plans (as amended by any conditions of consent).

(Reason: To ensure that landscaping across the site is managed appropriately and is maintained as part of on-going use of the site.)