

**DEVELOPMENT APPLICATION
DRAFT CONDITIONS OF CONSENT**

Under the *Environmental Planning and Assessment Act, 1979*

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| Application No: | DA2021/0273 |
| Applicant: | Costco Wholesale Australia Pty Ltd 17-21 Parramatta Road LIDCOMBE NSW 2141 |
| Property Description: | 13 to 15 Parramatta Road and 17-21 Parramatta Road Lidcombe. Lot 1 DP 574894, Lot 26 DP 586063, Lot 2 DP 1167437. |
| Development: | Staged construction and operation of a mixed-use development comprising a service station and commercial offices including associated alterations to the adjoining Costco site, landscaping and civil works. |
| Determined by: | Sydney Central City Planning Panel. |

CONDITIONS OF CONSENT**Deferred Commencement Conditions****1. DADCA01 - Deferred Commencement Approval**

This is a 'Deferred Commencement Consent' under Section 4.16(3) of the Environmental Planning and Assessment Act 1979. This consent does not become operative until the applicant has satisfied Council of the requirements listed in Schedule 'A' of this consent, and Council has advised in writing that those matters have been satisfactorily addressed. In accordance with s.4.53(6) of the Act, if the applicant fails to satisfy Council as to the matter/s specified in Schedule A within 5 years from the date of this consent, this consent lapses.

(Reason: Statutory requirement)

Schedule 'A'

1. The Traffic Control Signal/s at the intersections of Parramatta Road / Nyrang Street and Parramatta Road / John Street shall be designed to meet TfNSW requirements. The Traffic Control Signal (TCS) and civil plans shall be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner.

The submitted design plans shall be in accordance with Austroads Guide to Road Design in accordance with relevant TfNSW supplements (available on www.tfnsw.nsw.gov.au). The certified copies of the TCS design and civil design plans shall be submitted to TfNSW for consideration and approval prior to commencement of any road works. Please send all documentation to development.sydney@transport.nsw.gov.au.

2. The proponent shall provide the electronic copies of SIDRA modelling undertaken for review and verification. TfNSW requests that any adjustments to the base values of the model shall be identified and supporting justification for each change provided.

General Conditions**2. DAGCA01- General**

This consent shall lapse five years after the date from which it operates unless building, engineering or construction work has physically commenced.

(Reason: Advisory)

3. DAGCA02 - Approved Plans and Supporting Documents

The development must be carried out in accordance with the following endorsed plans and documents, except as otherwise provided by the conditions of this consent.

| Reference/Dwg No | Title/Description | Prepared By | Date/s |
|--------------------------------|--|------------------|-----------|
| Number 0000 (Revision C) | Title Sheet and Location Plan | Group GSA | 4/11/2021 |
| Number 1100 (Revision D) | Site Plan (Including the change marked in red) | Group GSA | 8/11/2021 |
| Number 1200 (Revision A) | Demolition Plan | Group GSA | 22/1/2021 |
| Number 2001 (Revision C) | Parking Level 01 General Arrangement Plan | Group GSA | 4/11/2021 |
| Number 2002 (Revision C) | Parking Level 02 General Arrangement Plan | Group GSA | 4/11/2021 |
| Number 2003 (Revision C) | Office Level 01 General Arrangement Plan | Group GSA | 22/1/2021 |
| Number 2004 (Revision C) | Overall Roof Plan | Group GSA | 4/11/2021 |
| Number 3001 (Revision C) | Overall Elevations | Group GSA | 4/11/2021 |
| Number 3010 (Revision C) | Office Elevations | Group GSA | 4/11/2021 |
| Number 3101 (Revision C) | Overall Sections | Group GSA | 4/11/2021 |
| Number S2-2004 (Revision C) | Office Ceiling / Future Level | Group GSA | 4/11/2021 |
| Number S2-2005 (Revision C) | Stage 2 Roof Plan | Group GSA | 4/11/2021 |
| Number S2-3001 (Revision C) | Stage 2 Overall Elevations | Group GSA | 4/11/2021 |
| Number S2-3010 (Revision C) | Stage 2 Office Elevations | Group GSA | 4/11/2021 |
| Number S2-3101 (Revision C) | Stage 2 Overall Sections | Group GSA | 4/11/2021 |
| Number DAP2001 (Revision C) | Concept Fuel Facility Plans and Details | Group GSA | 4/11/2021 |
| Number DAP3001 (Revision C) | Fuel Station Elevations | Group GSA | 4/11/2021 |
| | Description Cover Sheet | Group GSA | 4/11/2021 |
| L1000 Revision B | Description Landscape Plan | Group GSA | 4/11/2021 |
| L5000 Revision B | Description Planting Schedule | Group GSA | 4/11/2021 |
| L70001 Revision B | Description Landscape Detail | Group GSA | 4/11/2021 |
| DAC2.01 (Issue B) | Civil Works Site works Plan (Including the change marked in red) | ACOR Consultants | 4/11/2021 |
| DAC2.11 (Issue B) | Civil Works Cut / Fill and PMF Level Plan | ACOR Consultants | 4/11/2021 |

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|---|---|---------------------------------|-------------------|
| DAC3.01 (Issue B) | Civil Works Site Works Sections Sheet 1 of 2 | ACOR Consultants | 4/11/2021 |
| DAC3.02 (Issue B) | Civil Works Site Works Sections Sheet 2 of 2 | ACOR Consultants | 4/11/2021 |
| DAC3.11 (Issue B) | Civil Works On Site Detention Tank Details (Including the change marked in red) | ACOR Consultants | 4/11/2021 |
| DAC4.01 (Issue B) | Civil Works Line marking and Signage Plan | ACOR Consultants | 4/11/2021 |
| DAC5.01 (Issue B) | Civil Works Vehicle Turning Path Plan Trucks | ACOR Consultants | 4/11/2021 |
| DAC5.02 (Issue B) | Civil Works Vehicle Turning Path Plan Cars | ACOR Consultants | 4/11/2021 |
| DAC5.05 (Issue B) | Civil Works Vehicle Movements Plan | ACOR Consultants | 4/11/2021 |
| DAC6.01 (Issue B) | Civil Works Soil Erosion and Sediment Control, Notes and Details | ACOR Consultants | 4/11/2021 |
| Revision A | Geotechnical Investigation Report | Alliance Geotechnical | 17 September 2020 |
| Report Number 10254-ER-1-1 (Revision 0) | Detailed Site Investigation | Alliance Geotechnical | 27 February 2020 |
| Revision B | Water Management Plan | ACOR Consultants | 4 November 2021 |
| | Acid Sulphate Soils Management Plan | Senversa | 30 November 2020 |
| Document No WS170297-002 Issue R1 | Preliminary Hazard Analysis | ACOR Consultants | 24/5/2021 |
| Revision V1 | Limited Destructive Hazardous Materials Survey Report | Property Risk Australia Pty Ltd | 27 November 2020 |
| Job Number 19-215741 | Building Code of Australia 2019 Amendment 1 First Amendment Review | Philip Chun Building Compliance | 1 February 2021 |
| Report Reference AN020-215740 | Design Development Accessibility Report | Philip Chun Building Compliance | 27 January 2021 |
| | Waste Management Plan | Waste Tech Services Pty Ltd | 21 January 2021 |

(Reason: To confirm and clarify the details of the approval)

4. DAGCA05 - Construction within Boundary

All approved construction including but not limited to footings, walls and guttering shall be constructed wholly within the boundaries of the site.

(Reason: To ensure compliance with approved plans)

5. **DAGCA08 - Obtaining a Construction Certificate for Building Work**

This Development Consent does not constitute approval to carry out construction work. Construction work may only commence upon the issue of a Construction Certificate, appointment of a Principal Certifier, and lodgement of Notice of Commencement.

If demolition is associated with the erection of or extension to an existing building, then demolition must not commence prior to the issue of a Construction Certificate.

(Reason: Information)

6. **DAGCB04 - Street Numbering of site**

Numbering of premises shall be prominently displayed at the front of the property and shall be maintained in accordance with the property numbers allocated by Council.

(Reason: Identification of property for emergency services and mail deliveries)

7. **DAGCB07 - Tree Preservation**

All street trees and trees on private property that are protected under Cumberland City Council's controls, shall be retained except where Council's prior written consent has been obtained.

(Reason: Tree preservation)

8. **DAGCD06 - Mechanical Ventilation**

The premises must be suitably ventilated in accordance with the National Construction Code 2019 and AS1668.1 and 2 - 2012. The Use of Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings.

(Reason: To ensure compliance with ventilation standards)

9. **DAGCD07 - Waste Management**

Requirements of the approved Waste Management Plan shall be complied with during site preparation and throughout demolition and construction phases of the development.

(Reason: Compliance with approval)

10. **DAGCZ06 - Staging of construction works**

The development shall be completed in stages, in accordance with the endorsed Staging Plan, as listed within Condition No. 2, from the date of this development consent, unless otherwise submitted to and approved by the Cumberland City Council Executive Manager Development and Building.

(Reason: To confirm and clarify the terms of this development consent)

11. **DAGCZ07 - Staging requirements**

Unless otherwise specified, the conditions contained within this development consent shall apply separately and individually to each and every single stage of the development. In this regard, all construction works are to be completed in accordance with the endorsed Staging Plan, unless otherwise submitted to and approved by the Cumberland City Council Executive Manager Development and Building.

For the avoidance of doubt, the following works are to be provided for each stage:

| STAGE | WORKS |
|-------|--|
| 1 | 2 x parking levels and level 1 of the office building. The Costco fuel station and supporting infrastructure. |
| 2 | Level 2 of the office building. |

(Reason: to ensure essential services and facilities are available to the site to facilitate subsequent stages)

Conditions which must be satisfied prior to the commencement of demolition of any building or structure

12. DAPDB02 - Demolition - General

Demolition - General

- a) That two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of any demolition work, notice in writing is to be given to the Council. Such written notice is to include:
 - The date when demolition will commence,
 - Details of the name, address and business hours contact telephone number of the demolisher, contractor or developer.
 - The licence number of the demolisher, and relevant WorkCover licenses, (see minimum licensing requirements in (d) below, and
 - Copies of the demolisher's current public liability/risk insurance policy indicating a minimum cover of \$10,000,000.00.
- b) Demolition of buildings and structures must comply with all current and relevant Australian Standards.
- c) Demolition works are restricted as follows:
 - Monday to Saturday inclusive - 7:00am - 5:00pm
 - Sundays and Public Holidays - No work
- d) At least two (2) working days (i.e. Monday to Friday exclusive of public holidays), the developer or demolition contractor must notify adjoining residents prior to demolition commencing advising the following:
 - The date when demolition will commence;
 - Details of the name, address and business hours contact telephone number of the demolisher, contractor or developer;
 - The telephone number of WorkCover's Hotline 13 10 50.

Demolition Involving the Removal of Asbestos

General Information

Homes built or renovated prior to 1987 are likely to contain asbestos. Asbestos is most commonly found within eaves, internal and external wall cladding, ceilings and walls (particularly within wet areas such as bathrooms and laundries), and fences. Unless properly handled, asbestos disturbed or removed during renovations can cause the development of asbestos related diseases, such as asbestosis, lung cancer and mesothelioma.

To ensure work does not cause undue risk please see the following site for further information:
www.asbestosawareness.com.au

Asbestos to be removed by licensed asbestos removalist

All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Workcover NSW, holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies AND a current WorkCover Demolition License where works involve demolition.

NOTE:

- Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom).
- Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
- To find a licensed asbestos removalist please see www.workcover.nsw.gov.au

Compliance with applicable Legislation, Policies and Codes of Practice

Asbestos removal works are to be undertaken in accordance with the following:

- NSW Work Health and Safety Act and Regulation 2011;
- Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace [NOHSC:2018(2005)]
- NSW Government WorkCover Code of Practice - How to Safely Remove Asbestos;

- NSW Government WorkCover Code of Practice - How to Manage and Control Asbestos in the Workplace; and

Clearance certificate

Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.

Notification of asbestos removal works

At least two (2) working days (i.e. Monday to Friday exclusive of public holidays), the developer or demolition contractor must notify adjoining residents prior to the commencement of asbestos removal works. Notification is to include, at a minimum:

- The date and time when asbestos removal works will commence;
- The name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
- The full name and license number of the asbestos removalist/s; and
- The telephone number of WorkCover's Hotline 13 10 50

Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance.

Barricades

Appropriate barricades must be installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

13. **DAPDB03 - Demolition - Asbestos**

Asbestos to be removed by a licensed asbestos removalist

All demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover NSW Friable Class A Asbestos Removal Licence or where applicable a Non-friable Class B (bonded) Asbestos Removal Licence. Removal must be carried out in accordance with the "Code of Practice on how to safely remove asbestos" published by WorkCover NSW (catalogue no.WC03561).

No asbestos products are to be re-used on site.

No asbestos laden skips or bins are to be left in any public place without the approval of Council.

Note:

- Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal licence is permitted if the asbestos being removed is 10 m² or less of non-friable asbestos (approximately the size of a small bathroom).
- Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
- To find a licensed asbestos removalist please see www.workcover.nsw.gov.au

Compliance with applicable Legislation, Policies and Codes of Practice

Asbestos removal works are to be undertaken in accordance with the following:

- NSW Work Health and Safety Act and Regulation 2011;
- Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace [NOHSC:2018(2005)]
- NSW Government WorkCover Code of Practice - How to Safely Remove Asbestos;
- NSW Government WorkCover Code of Practice - How to Manage and Control Asbestos in the Workplace.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

14. DAPDB04 - Asbestos Clearance Certificate

Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

15. DAPDB05 - Notification of Asbestos Removal Works

At least five (5) working days (i.e. Monday to Friday exclusive of public holidays), the developer or demolition contractor must notify adjoining residents prior to the commencement of asbestos removal works. Notification is to include, at a minimum:

- The date and time when asbestos removal works will commence;
- The name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
- The full name and license number of the asbestos removalist/s; and
- The telephone number of WorkCover's Hotline 13 10 50.

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

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

16. DAPDB06 - Barricades for Asbestos Removal

Appropriate barricades must be installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

17. DAPDB07 - Site Safety Fencing - Demolition Only

The site must be fenced to a minimum height of 1.8m in accordance with SafeWork NSW guidelines to prevent public access throughout demolition. The fencing must be erected before the commencement of any demolition work and maintained.

(Reason: Public safety)

18. DAPDB09 - Tree Preservation

All street trees and trees on private property that are protected under Cumberland City Council's controls, shall be retained and protected in accordance with AS 4970 - 2009 'Protection of Trees on Development Sites' during demolition and construction works except where Council's prior written consent has been obtained.

(Reason: Tree Preservation and Protection)

19. DAPDB12 - Sediment and Erosion Control measures

Prior to the commencement of any works, temporary sediment and erosion control measures are to be installed in accordance with Landcom's Managing Urban Stormwater: Soils and Construction guidelines and maintained during the demolition, excavation and construction phase of the project to the satisfaction of Council and the Principal Certifier. The following measures should be included:-

- (a) Sediment-trapping fencing using a geotechnical fabric specifically designed for such purpose and installed to manufacturer's specifications is to be placed in suitable locations below the construction area;
- (b) Vegetation and areas not affected by the construction are to remain undisturbed;
- (c) Provision of one designated point for vehicular access which is adequately covered at all times with blue metal or the like to prevent mud and dirt leaving the site and being deposited on the street. Wheel wash/shakers may be required for extensive construction works;
- (d) Building operations such as brick cutting, washing tools or brushes and mixing mortar must not be carried out on public roadways or footway areas;
- (e) Stockpiles such as topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway. Stockpiles shall be

- protected with adequate sediment controls; and
- (f) Gutters, downpipes and the connection of downpipes to the stormwater disposal system must be complete prior to the fixing of the roof cladding.

(Reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site)

20. DAPDB13 - Sediment and Erosion Control Plan - Large sites

A site specific Soil and Water Management Plan (also known as an Erosion and Sediment Control Plan) shall be prepared in accordance with Landcom's Managing Urban Stormwater: Soils and Construction guidelines for all construction, excavation and demotion phases of the development. All required erosion and sediment control measures at the site shall be installed and maintained in accordance with the erosion and sediment plans prepared by Acor Consultants Pty Ltd numbered WS170297-DAC6.01 revision B and dated 4/11/2021. A copy of the plan must be kept on-site at all times and made available to Council Officers on request.

(Reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site)

21. DAPDZ01 - Sydney water approval

Approval from Sydney water must be obtained for the following matters. The approval letter must indicate Sydney water's approval or no objection to the following activities affecting the Sydney water asset.

- a. Excavation on and around the Sydney water's asset such as sewer line and sewer manhole do not adversely impact on those assets.
- b. Sydney water's approval is granted for the proposed measures of replacing/relocating and/or any other appropriate alternative measures, as required by Sydney water to eliminate conflict with Sydney water's asset such as the sewer pipe, manhole which are impacted by the proposed development,

(Reason: To ensure compliance with the requirements for construction within the Sydney water's asset.)

22. DAPDZ02 - Transport of Hazardous Materials

The routes identified in the Preliminary Hazard Analysis prepared by ACOR Consultants dated 24 May 2021 (reference WS170297-002) for the transport of fuel deliveries shall be used except where departures are necessary for emergencies.

(Reason: To ensure safe transport of fuel)

23. DAPDZ03 - Safe Management System (Inclusive of Emergency Plan)

Prior to the issue of an Occupation Certificate, a document setting out a comprehensive Safety Management System, covering all on-site operations and associated transport activities involving hazardous materials shall be provided to the Principle Certifying Authority. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. The Safety Management System shall be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'. Records shall be kept on-site and shall be available for inspection by Council upon request.

(Reason: To ensure the safe operations of the site)

Conditions which must be satisfied prior to the issue of a Construction Certificate

24. DACCZ07 - Transport for New South Wales conditions

1. 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 height or depth), along the Parramatta Road boundary.

2. The civil works on Parramatta Road shall be in accordance with TfNSW requirements. Details of these requirements should be obtained by email to developerworks.sydney@transport.nsw.gov.au.

Detailed design plans of the proposed works are to be submitted to TfNSW for approval prior to the issue of a construction certificate and commencement of any road works. Please send all documentation to development.sydney@transport.nsw.gov.au.

A plan checking fee and lodgement of a performance bond is required from the applicant prior to the release of the approved road design plans by TfNSW.

The developer is required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. TfNSW fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.

3. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to TfNSW for assessment, in accordance with Technical Direction GTD2020/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by TfNSW. Please send all documentation to development.sydney@transport.nsw.gov.au.

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) day notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

4. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to TfNSW for approval, prior to the commencement of any works. Please send all documentation to development.sydney@transport.nsw.gov.au.

A plan checking fee will be payable and a performance bond may be required before TfNSW approval is issued.

5. All vehicles shall enter and exit the site in a forward direction.

6. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018.

7. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.

8. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.

9. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Parramatta Road during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>

The conditions must be fully complied with at all times.

(Reason: Statutory compliance)

25. DACCA01 - Amendments to Approved Plans

Amended plans/documents shall be submitted to the Accredited Certifier prior to the issue of a Construction Certificate addressing the following matters:

a) Long-Section profile

The long section profile of the access driveway shall be prepared at i) entry and exit into the car park, and ii) ramp from one level of basement into the next basement. The long section

profile shall include the sectional length, finished surface level at each change of gradient, surface gradient, headroom clearance etc. The maximum gradient shall comply with AS2890.1-2004 for small vehicles (B99 and B85) and AS2890.2-2002 for heavy vehicles.

Further, the finished floor level, surface gradient and distance/dimension shall also be shown at various critical locations on the architectural plan of the basement car park for clarification on the gradient and its direction.

b) Roundabout

The proposed alteration to the existing entry location and the traffic island on the northern side of the existing covered car parking area servicing 17-21 Parramatta road (Costco wholesale Store) and conversion to a traffic roundabout shall comply with the following:-

- i. The proposed vehicular entry and exit and the roundabout provision at the northern side access into the existing covered car park shall be amended to provide an unobstructed and through westbound exit lane from the roundabout adjacent to eastbound entry lane without having to pass through the open area parking aisle located on western side of the proposed roundabout (southern side of the existing circulation lane).

c) Access driveway gradient from Parramatta Road

The gradient of the proposed access driveway within the nature strip shall not exceed 10% or as required by the relevant authority (Office of Transport for NSW or council's infrastructure Asset/design section whichever is relevant). Further, to maintain the footpath cross fall gradient, the section of the driveway within the concrete footpath crossing shall not exceed 2.5%. The layout plan and long section profile demonstrating compliance with these requirements shall be submitted for approval.

d) Swept path diagrams

The internal swept path diagram of manoeuvring vehicles in the car park of Levels 1 and 2 shall be provided demonstrating that the vehicles in opposite direction can pass without overrunning into the structure or path of the vehicle in opposite direction at the following locations:-

- i. Entry into and exit from the basement level 1 parking area.
- ii. Through the basement ramp from one level into another level and vice versa.
- iii. At the critical parking spaces being the parking spaces at the end of aisle and the corners.

(Reason: To ensure compliance with the vehicle manoeuvring road access provisions and requirements and to ensure compliance with provisions Australian standards.)

e) Stormwater Plan (On-Site Detention System)

The stormwater plan shall be amended to address the following issues.

- i. All the surface runoffs shall be directed into the HED (High Early Discharge) control pit and not into the storage area.
- ii. All the pipes shall be laid at falling gradient.
- iii. For clarity, each of the surface collection pits shall be appropriately numbered. The detail of each surface collection pit including the grate surface levels and the invert levels shall be shown with the label adjacent to the pit.

(Reason: To ensure compliance with the Stormwater requirements.)

f) Water Quality Treatment measures

The water quality treatment measure shall address the following:

- i. The size, model, specification, and treatment rate/ capacity of the nominated treatment unit must be designed and detailed.

- ii. The tested treatment efficiency and pollutant reduction rate for the model proposed must be shown on the design plan.
- iii. A design certificate from the manufacturer certifying the filtration rate and pollutant removal efficiency of the proposed treatment component must accompany the design.
- iv. The stormwater runoff from around the fuel bowzers shall be separately collected and treated for grease oil and hydrocarbon separation. In this regard, a bund or similar measure to confine/contain the runoff from this area shall be employed such that the contaminated runoff is contained within the bund and does not spill over and mix-up with the normal surface runoff from other areas. Sydney water's approval shall be obtained prior disposal of the treated stormwater into the sewer line.
- v. The stormwater plan shall be amended to show in clearly this provision including the separation of the line from the general stormwater drainage line.

(Reason: To ensure compliance with the Sydney water's water quality treatment and disposal standards.)

26. DACCA02 - Application for a Construction Certificate

Construction work must not commence until a Construction Certificate has been obtained from Council or an Accredited Certifier.

(Reason: Statutory requirement)

27. DACCA03 - Disabled Access & Facilities

Access and facilities for people with disabilities must be provided in accordance with the relevant requirements of the National Construction Code (for all new building work) and in addition, with the relevant requirements of the 'Disability (Access to Premises - Building) Standards 2010'. Details of the proposed access, facilities and car parking for people with disabilities are to be included in the plans/specifications for the construction certificate.

(Reason: To ensure compliance with the requirements of the National Construction Code)

28. DACCA04 - Works within Boundary

No portion of the works are to encroach beyond the boundaries of the subject property. Alternatively, documentary evidence that the owner of the adjoining property has no objection to the required works or access, is to be submitted to the Principal Certifier prior to the issue of a Construction Certificate.

(Reason: To ensure protection of adjoining properties)

29. DACCB02 - Payment of Bonds, Fees and Long Service Levy

The Principal Certifier is to ensure and obtain written proof prior to the issue of a Construction Certificate that all bonds, fees and contributions as required by this consent have been paid to the applicable authority. This includes payment of a long service levy as required under part 5 of the Building and Construction Industry Long Service Payments Act 1986.

(Reason: To ensure that the applicable bonds, fees and levies are paid)

30. DACCB03 - Cumberland Local Infrastructure Contributions Plan 2020

Prior to the issue of a Construction Certificate, a monetary contribution imposed under the Cumberland Local Infrastructure Contributions Plan 2020 is to be paid to Council. The amount payable is \$316,270. A copy of the Cumberland Local Infrastructure Contributions Plan 2020 can be viewed on Council's website at www.cumberland.nsw.gov.au or inspected at Council's Service Centre located at 16 Memorial Avenue, Merrylands between the hours of 8am and 4.30pm Monday to Friday.

(Reason: To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments)

31. DACCB05 - Fees to be paid to Council prior to issue of the Construction Certificate

| Fees | Amount |
|---|-----------------|
| Sect. 7.11 Contributions | \$316,270 + CPI |
| Bond for removal of redundant vehicle crossings | \$4,000 |

| | |
|--|---|
| Bond for footpath construction and reconstruction | \$5,000 |
| Bond for kerb and gutter construction and reconstruction | \$2,000 |
| Bond for registration of Positive Covenant and restriction | \$6,800 |
| TOTAL | \$334,070 + CPI where applicable |

Please note that other fees and charges may be applicable to the proposal, and the total fees calculated at the time of payment may exceed the figures detailed above. Further, fees to be paid to Council will be determined at the time of payment in accordance with Council's current adopted Fees and Charges Policy and therefore may exceed the fee amount quoted above.

(Reason: Statutory requirement and information)

32. DACCC01 - Footpath Design Levels

Detailed footpath levels shall be obtained from Council before finalisation of the footpath and driveway design for Construction Certificate Application by lodging an "Application for Property Boundary Line Levels". Any required adjustments shall be included in the plans and the interface across the street boundaries shall be designed to incorporate smoothly the designated levels.

When lodging the "Application for Property Boundary Line Levels", fees are payable in accordance with Council's adopted fees and charges, which will go towards administration costs.

Unless an alternative specific design is submitted and approved by Council, the footpath levels adjoining the site shall generally be as follows:

- (a) The internal driveway levels shall be designed to meet Council's footpath verge levels such that a maximum cross fall of 2.5% is achieved where the formal footpath meets the driveway.
- (b) The level of the boundary line as it crosses the driveway shall incorporate a cross fall equivalent to the general longitudinal grade of the street. Any required adjustments shall be included in the plans and submitted for approval (under Section 138 of the Roads Act) prior to the release of the Construction Certificate.

Note: Care should be taken in steep landforms to ensure scraping of vehicles is avoided.

(Reason: Public infrastructure)

33. DACCC02 - Protection of Public Places

The adjoining or adjacent public area is not to be obstructed by any materials, vehicles, refuse skips and the like, under any circumstances unless approved in writing by Council.

If the work involved in the demolition or construction of a building is likely to disrupt or obstruct pedestrian or vehicular traffic in a public place, or building involves the closure of a public place, a barrier, fence or hoarding shall be erected prior to the commencement of any work subject to approval of a Traffic Management Plan.

(Reason: Safety)

34. DACCC03 - Submission of Plans for Works within the Road Reserve

The submission to Council of three (3) copies and an electronic copy of Civil Engineering drawings for the design of all works within the road reserve required adjacent and outside the site including long and long sections, details of proposed structures, ancillaries (e.g. footpaths, signage etc.) and specifications.

The drawings must be approved by Council in writing and all fees and charges paid prior to the issue of the Construction Certificate.

Such design shall be:

- (a) Prepared and submitted in electronic format, undertaken by a consulting Civil Engineer,
- (b) Approved in writing by Council under Section 138 of the Roads Act., prior to the issue of the Construction Certificate, and

- (c) All Civil Engineering works outside the site or within the road reserve is to be fully supervised by Council. A maintenance period of six (6) months or as specified by Council shall apply to the work after it has been completed and approved. In that period the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the design conditions, and
- (d) Upon completion of the works, the Applicant is to provide to Council two (2) copies of "work as executed plans". The plans are to show relevant dimensions and finished levels and are to be certified by a registered surveyor. Also the Applicant is to provide to Council, in an approved format, details of all public infrastructure created as part of the works, including certification from the Design Engineer.

Note: Driveway construction will require a separate approval vehicular crossing and road works.

(Reason: To ensure compliance of engineering works/Council assets are constructed to acceptable standards for engineering works)

35. DACCC04 - Vehicular Crossings, Redundant Vehicular Crossings and other Works

Concrete vehicular crossing(s) and layback shall be constructed across the nature strip at the entrance(s) and/or exit(s) to the site in accordance with Council requirements. All disused or redundant vehicle crossings and laybacks shall be removed and reinstated with concrete kerb and gutter and natural grass verge to the existing edging profile as specified by Council and the footpath area is to be restored to the satisfaction of Council's Engineer.

A separate Council approval is required and in this regard the applicant must lodge an application under Section 138 of the Road Act 1993 (available from Council's Customer Services Centre or from Council's website), and pay the appropriate fees and charges prior to works commencing.

This application will also be required where new pavement, repair or reinstatement of footpath or other ancillary works such as kerb and gutter and stormwater pit construction is proposed and/or required.

(Reason: To ensure appropriate access to the site can be achieved)

36. DACCC06 - Separate Approval for Works in the Public Road (External Works) - Section 138 Roads Act

In accordance with Section 138 of the Roads Act 1993 and prior to the issue of any Construction Certificate, the applicant must submit a Road and Footpath Opening Permit application with detailed plans. Written approval must be obtained from the appropriate road authority (usually Council for local and regional roads and both Council and Roads & Maritime Services (RMS) for arterial roads), for any works in the road reserve.

Where the work involves closure of a carriageway on a State or Regional Road, or may impact on traffic flows on a State or Regional Road, or is within close proximity of a Traffic Facility (e.g. Traffic Lights) then a Road Occupancy License (ROL) must be obtained from the Planned Incidents Unit of the Traffic Management Centre of the RMS. The application should be lodged at least 10 days prior to the planned commencement date.

(Reason: Protection of Public Assets and information)

37. DACCE02 - Construction Management Plan

Prior to the issue of any Construction Certificate, a Construction Management Plan shall be submitted to the Accredited Certifier providing details of the following:

- a) Actions and works proposed to ensure safe access to and from the site, including how the road and footpath area will be protected from building activities, plant and materials delivery, or static loads from cranes, concrete pumps and the like.
- b) The proposed method of loading and unloading excavation machines, building materials, formwork, and the erection of any part of the structure within the site.
- c) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- d) How it is proposed to ensure that soil/excavated material is not transported on wheels or tracks of vehicles or plant and deposited on surrounding roadways.
- e) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve - the proposed method of support is to be designed by a Chartered Civil Engineer.

- f) A Soil and Water Management Plan detailing all sedimentation controls.

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

38. DACCE03 - Construction Traffic Management Plan (CTMP)

Prior to the issue of any Construction Certificate, the applicant shall submit and have approved by Council's Transportation and Traffic Section, a detailed construction Traffic Management Plan (TMP). The plan shall demonstrate how construction and delivery vehicles will access the development site during the demolition, excavation and construction phase of the development. The plan shall be certified by a suitably qualified and experienced traffic consultant and all traffic associated with the subject development shall comply with the terms of the approved Construction Traffic Management Plan.

The following matters (at a minimum) must be addressed in the TMP:

- a) A detailed description and route map of the proposed truck/construction vehicle access routes.
- b) The locations of any proposed Construction Works Zones along the site frontage.
- c) Provide a construction schedule.
- d) Tradesperson parking (parking shall be provided on-site where possible).
- e) Provide relevant Traffic Control Plans (must be certified by a suitably qualified RMS ticket holder).
- f) Provide relevant Pedestrian Management Plans.
- g) A site plan which indicates site entrances and exits, turning areas within the site for construction and spoil removal vehicles allowing a forward ingress and egress for all construction vehicles on the site (superimposed truck swept path diagrams). Site entrances and exits shall be controlled by a certified traffic controller.

(Reason: Traffic management, pedestrian safety and amenity during construction phase)

39. DACCF02 - Landscape Maintenance Strategy

To ensure the survival of landscaping following works, a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period following the issue of the Occupation Certificate shall be prepared and provided to the satisfaction of the Accredited Certifier with the Construction Certificate application. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning and plant replacement.

(Reason: Ensure landscape survival)

40. DACCG05 - Off Street Car Parking - General

A total of 161 off-street car parking spaces suitably marked in accordance with the approved plans (unless elsewhere specified) shall be provided. Each space shall have minimum dimensions in accordance with the relevant Australian Standard.

The following traffic control measures shall be implemented on site:-

- (a) Signage indicating "Entry Only" shall be prominently displayed at the entrance to the development.
- (b) Signage indicating "Exit Only" shall be prominently displayed at the exit to the development.
- (c) One-Way directional arrows shall be painted on the driveway pavement to indicate the required vehicular directional movement through the car parking area.

Details are to be submitted to the Principal Certifier prior to the issue of a Construction Certificate showing compliance with this condition.

(Reason: Parking and access)

41. DACCG07 - Maintaining Sight Lines (multi- unit development)

All new walls adjacent to vehicular crossings must be lowered to a height of 600mm above the internal driveway level for a distance of 2 m within the site or splayed 2 metres by 2.5 metre deep to provide satisfactory sight lines. Details are to be submitted to the Accredited Certifier prior to the issue of a Construction Certificate showing compliance with this condition.

(Reason: Safety)

42. DACCG11 - Stop Signs

Appropriate sign(s) shall be provided and maintained within the site at the point(s) of vehicular egress to signal all vehicles to stop before proceeding onto any public way or internal circulation road.

(Reason: Adequate access and egress)

43. DACCI04- Site Cranes

Site Crane/s and hoist/s proposed within the boundary of the land being developed must comply with Australian Standards AS 1418, AS 2549 and AS 2550 and all relevant parts of 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.

(Reason: Safety and statutory compliance)

44. DACCJ01 - Detailed Stormwater Drainage System Design

Prior to the issue of the Construction Certificate a detailed stormwater drainage plan for the safe disposal of stormwater from the site, prepared in accordance with Council's "On-Site Stormwater Detention Policy", the "Stormwater and On Site Detention Drawing Submission Checklist " and the "Upper Parramatta River Catchment Trust's On-site Stormwater Detention Handbook" shall be submitted and approved by the Accredited Certifier.

Should any changes be required to the approved stormwater drainage plan, the amended design shall achieve equivalent performance standards in accordance with Council's "On-Site Stormwater Detention Policy".

Please note that where the proposed design extends beyond the property boundary, separate approval under Section 138 of the Roads Act 1993, must be obtained from Council prior to the commencement of works.

The amendments to the stormwater plan shall be made in accordance with the approved stormwater plan, drawing numbers WS170297-DAC2.01, DAC3.01, DAC3.02, DAC3.11, Revision "B" dated 04/11/2021 prepared by Acor consultants Pty Ltd and shall address the following:-

- a. The roof gutter and downpipe system shall be designed to convey the 5-minute duration 1% AEP storm event into the OSD system with no gutter overflows.
- b. All the rain head shall have sufficient inlet capacity to prevent overflowing.
- c. The stormwater runoff from around the fuel bowsters (the area shaded by green and blue colour in drawing number DAC2.01), shall be separately collected and treated for grease oil and hydrocarbon separation. In this regard, a bund or similar measure shall be employed to confine/contain the runoff from this area such that the contaminated runoff is contained within the bund and does not spill over and mix-up with the normal surface runoff from other areas. Sydney water's approval shall be obtained prior disposal of the treated stormwater runoff into the sewer line.
- d. All site runoffs must be directed into the respective High Early Discharge (HED) control pit unless they are to be connected to other prescribed components such as rainwater tank, water quality treatment system etc. All the downpipes must be connected directly into the HED control pit, instead of into the OSD storage area as shown.
- e. The stormwater pipelines and stormwater structures such as the pit and OSD tank must be clear off any services such as sewer line.
- f. The HED control pit shall have the following provisions
 - i. One half of the base of the HED control pit shall have a dry platform constructed to allow stepping while inside the control pit for maintenance and reduce volume if stagnant water within the sump. The platform shall be at least level with the centre of the orifice to allow it to remain dry.
 - ii. The other half of the base of the HED control pit shall a sump adjacent to the orifice plate for collection of the sediments and to allow trash screen to be fitted. The sump shall be benched towards the orifice plate.
 - iii. 2 nos x 90 mm diameter relief drain (weep hole) at the base of the sump of the HED control pit should be installed. The drain hole should be filled with the 5 mm

- diameter gravel (blue metals) up to and flush with the base of the sump to act as filter preventing debris entering the relief drain hole
- g. Areas of the site that will by-pass the detention system/s shall be clearly delineated on the drawing and the OSD Design Summary Calculations shall correspond.
- h. Emergency overflow escape route from the OSD underground tank should be shown on the plan.
 - i. Sub-soil drainage line shall be provided along the basement retaining wall and drained appropriately on to the proposed stormwater system.

Aboveground OSD Basins

- j. Retaining walls forming above ground on-site Detention (OSD) storage basin or water retaining structure wall shall be constructed wholly within the property and must be constructed of leak proof, watertight solid (i.e.: Masonry/Brick) construction with a typical sectional detail shown on the drawing. No timber retaining wall is acceptable.
- k. A safety fence or an equivalent barrier shall be provided around the periphery of the OSD basin with access gate to control the access to the OSD basin area.
- l. Subsoil drainage lines shall be provided within the OSD basin storage area.
- m. The stormwater plan shall indicate the finished surface levels within all courtyards, driveways, and detention storage areas at critical locations such as each corner of the basin floor, at the change of gradient within the basin floor, and the adjacent adjoining areas behind the retaining wall such as driveway ramp, landscape area, car park circulation aisle.
- n. Emergency overflow spillway weir of at least 1.2m wide shall be provided at RL5.53mAHD i.e. at 50 mm above the top water level (TWL) or grate level of the overflow pit for emergency overflow escape route. The emergency overflow shall be collected by provision of overflow pit adjacent to the HED control pit.
- o. All mulch to landscaped areas of the above ground basin shall be non-floatable (i.e. rock/gravel or similar).
- p. Amendments in red as shown on the Council's approved plans.

The amended plan shall be submitted to the Principal Certifying Authority (PCA) for approval together with the application for the construction certificate.

(Reason: Stormwater management)

45. DACCJ03 - Certification of the Stormwater Drainage System Design

The proposed stormwater design shall be certified by a suitably qualified person, in accordance with Council's "On-site Stormwater Detention Policy" and shall be submitted to the Accredited Certifier prior to the issue of the Construction Certificate.

Certification of the proposed stormwater design shall be obtained from a Chartered Professional Civil Engineer with Institution of Engineers, Australia Corporate Membership and registered on the National Engineers Register (NER) and shall be submitted to the Accredited Certifier prior to the issue of the Construction Certificate.

(Reason: Adequate stormwater management)

46. DACCJ05- Grated Drain to Garage Entrance/Driveway/Street Boundary

A grated trench drain shall be provided across the width of the driveway at the boundary.

Unless otherwise designed by a Qualified Civil Engineer, the dimensions of the trench grate shall not be less than 200mm wide by 150mm deep at the shallow end, and have a minimum slope of 2%. This trench drain shall be connected to an approved drainage system. The grated drain calculation shall be in accordance with AS/NZS3500.

The above information must be indicated on all relevant drawings to be submitted with the Construction Certificate.

(Reason: Management of driveway and Environmental protection.)

47. DACCJ06 - Silt Arrestors and Gross Pollutant Traps

Silt and gross pollutant traps shall be fitted in all stormwater pits, designed in accordance with Council's Engineering Specifications and the Development Control Plan and to the satisfaction of Council or an

Accredited Certifier. Details are to be submitted with the design prior to the issue of the Construction Certificate.

(Reason: Environmental protection.)

48. DACCJ10 - Engineering Design - Basement Excavation

The following engineering details or design documentation (where appropriate) shall be submitted to the Principal Certifier (Council or Accredited Certifier) prior to the issuing of a Construction Certificate:-

- a) A report shall be prepared by a professional engineer and submitted to the Principal Certifier prior to the issuing of a Construction Certificate, detailing the proposed methods of excavation, shoring or pile construction. This report must include details of vibration emissions and any possible damage which may occur to adjoining or nearby premises from the proposed building and excavation works. Any practices or procedures specified in the engineer's report in relation to the avoidance or minimisation of structural damage to nearby premises, are to be fully complied with and incorporated into the plans and specifications for the Construction Certificate. A copy of the engineer's report is to be submitted to the Council, if the Council is not the Principal Certifier.
- b) Driven type piles/shoring must not be provided unless a geotechnical engineer's report is submitted to the Principal Certifier, prior to the issuing of a Construction Certificate, which states that damage should not occur to any adjoining premises and public place as a result of the works.

(Reason: To ensure the proposed method of excavation is suitable for the site and to prevent damage occurring to adjoining premises)

49. DACCK01 - Dilapidation Report

A Dilapidation report should be prepared for any adjoining or nearby property that may be subject to potential damage as a result of any works being undertaken on the site as part of this approved development. This is designed to assist all parties should damage occur which is not preventable. The dilapidation reports must be completed and submitted to the owner/s of the affected property/ies, Council and the Principal certifier prior to undertaking any works that may cause damage. All costs shall be borne by the applicant/person acting on the consent.

The Dilapidation Report is to be prepared by a suitably qualified practising engineer.

Please note:

- a) Any damage that may be caused is a civil matter. This consent does not allow or authorise any party to cause damage, trespass, or any other unlawful act and Council will not be held responsible for any damage that may be caused to adjoining buildings as a consequence of the development being carried out.
- b) Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

(Reason: To ensure there is an adequate record of the state of neighbouring properties prior to works commencing on site)

50. DACCK06 - Retaining Walls

Retaining walls greater than 1.0m above the finished ground level or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated stormwater drainage measures, shall be designed by an appropriately qualified person. Details are to be included with any Construction Certificate application.

(Reason: To ensure safety and the proper design or retaining structures)

51. DACCK07 - Structural Engineer's Details

Structural engineer's details (in duplicate) prepared and certified by a practising qualified structural engineer of all reinforced concrete and structural members shall be submitted to the Accredited Certifier.

(Reason: To ensure safety and the proper design or structural elements of the building)

52. DACCL01 - Electricity Substation

Documentary evidence of compliance with the relevant energy authority's requirements is to be provided to the Principal Certifier prior to the issue of a Construction Certificate.

(Reason: Access to utility)

53. DACCL02 - Telecommunications

If the development likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to the proposed works must be submitted to the Principal Certifier prior to the issue of a Construction Certificate or any works commencing, whichever occurs first.

(Reason: Ensure services are not disturbed)

54. DACCM03 - Mechanical Ventilation - Certification of Compliance

Details of any mechanical ventilation and/or air handling system must be prepared by a suitably qualified person and certified in accordance with Clause A2.2 (a) (iii) of the National Construction Code 2019, to the satisfaction of the Principal Certifier prior to the issue of a Construction Certificate. The system must be certified as complying with AS1668.1 and 2 - 2012 The Use of Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings, the National Construction Code and relevant Australian Standards.

(Reason: To ensure adequate mechanical ventilation is provided)

55. DACCZ01 - Security measures for the development

The following security measures shall be shown on the construction certificate plans for approval by Council or the Accredited Certifier:-

- a. Adequate lighting that ensures that users, activities and tasks of an area are undertaken whilst determining criminal activities. Higher lighting levels may be required for vulnerable area and lighting should be uniform across the site.
- b. Details of a CCTV surveillance camera system that is installed in and around the premises placed in strategic details such as the service station forecourt, the data hut and the entrance and exit areas of the office building.
- c. Digital and monitored technology should be used to record images from the cameras and installed surveillance equipment should be maintained in working order and regularly maintained and tested.
- d. Details of warning signs that are to be strategically posted around the perimeter of the property especially near entry points to warn intruders of security measures such as:-
 - i. "Warning - The premises are under constant surveillance"
 - ii. "Warning - "Don't leave valuables inside your vehicle".
- e. Details of directional signage to be posted at decision making points including ingress and egress points to provide guidance to patrons whilst driving their vehicles.

(Reason: To provide adequate security to the premises)

56. DACCZ02 - Fire safety report

A fire safety report from a suitably qualified Fire Safety Engineer shall be submitted to the principal certifying authority for the subject premises, which has been prepared by an accredited C10 - Fire Safety Engineer detailing all non-compliances with the current requirements of Sections C, D, E, G and H of the Building Code of Australia (National Construction Code Series).

The report shall rationalise the non-compliances and clearly recommend in the conclusion all works required to be completed at the premises. The report will also need to provide a schedule of the proposed essential fire safety measures and address the need to carry out in accordance to the Report's recommendations.

However, an alternative solution complying with the Building Code of Australia would also be favourably considered.

(Reason: To promote fire safety.)

57. DACCZ03 - Staging of Development

Prior to the commencement of each stage of the development, as identified in the endorsed Staging Plan, the following matters shall be addressed:

- a) Safe access to the car park shall be maintained for each stage.
- b) Traffic management and traffic control plans for each stage shall be submitted and approved.

The above details shall be submitted to and approved by the Principal Certifying Authority.

(Reason: to ensure each stage can operate safely and independently without unreasonably affected by construction of the other stages.)

58. DACCZ04 - Payment of Bonds

The following Bonds are required to be paid.

a) Bond for removal of redundant vehicular crossing - The applicant shall lodge with Council a \$4,000.00 or as directed by council, a cash bond or bank guarantee to cover the removal of redundant vehicular crossings and laybacks along the full road frontage and replacement with kerb and gutter.

b) Bond for footpath construction/ reconstruction - The applicant shall lodge with Council a \$5,000.00 or as directed by council, a cash bond or bank guarantee for the satisfactory completion of the construction and/or reconstruction of the concrete footpath paving adjacent to the site.

c) - Bond for Kerb & Gutter construction/ reconstruction - The applicant shall lodge with Council a \$2,000.00 or as directed by council, a cash bond or bank guarantee for the satisfactory completion of the construction and/or reconstruction of the concrete kerb and guttering adjacent to the site.

The above bonds will be held for 'Six (6) months after the completion of works' or issue of a 'Final Occupation Certificate' (whichever occurs last) to remedy and defects that may arise within this time.

d) - Bond for Registration of positive covenant and restriction - The applicant shall lodge with Council a \$6,800.00 cash bond to cover the registration of a Positive Covenant and Restriction as to User over the *On-site Detention system and water Quality treatment system. This bond is refundable upon the submission of proof of registration of the Restriction on Use and Positive Covenant with the land Property Information NSW.

(Reason: To ensure compliance with the requirements.)

59. DACCZ05 - Water Sensitive Urban Design (WSUD)/ Water Quality measures

In accordance with the council's requirement, appropriate Water Sensitive Urban Design Measures (Water Quality measures) shall be employed as a part of Site Stormwater Management). A WSUD strategy / measure as specified in development controls plan shall be incorporated into the stormwater management plan. Details shall be submitted to the certifying authority prior to the issue of a Construction Certificate and the following shall be addressed.

- a. Demonstrate compliance with Council's approved stormwater plans.
- b. The size, model, specification, and treatment rate/ capacity of the nominated treatment unit shall be designed and detailed,
- c. The tested treatment efficiency and pollutant reduction rate for the model proposed shall be shown on the design plan.
- d. A design certificate from the manufacturer certifying the filtration rate and pollutant removal efficiency of the proposed treatment component must accompany the design.
- e. The stormwater runoff from around the fuel bowzers shall be separately collected and treated for grease oil and hydrocarbon separation. In this regard, a bund or similar measure to confine/contain the runoff from this area shall be employed such that the contaminated runoff is contained within the bund and does not spill over and mix-up with the normal surface runoff from other areas. Sydney water's approval shall be obtained prior disposal of the treated stormwater into the sewer line.
- f. The stormwater plan shall be amended to show clearly above mentioned provisions including the separation of the pipe line from the general stormwater drainage line.

(Reason: To ensure provision of appropriate stormwater Quality management.)

60. DACCZ06 - Amended Operational Environmental Management Plan

The draft Operational Environmental Management Plan (OEMP) titled, Costco Wholesale - Auburn Fuel Facility, Costco Auburn - DRAFT OEMP" (dated 9 July 2021 Revision A, reference: IA006701-1800.01-OEMP-0001) shall be amended to reflect the approved stormwater management across the forecourt into an oil/water separator and sewer. The amended OEMP shall be provided to the Principle Certifying Authority prior to the issue of an Occupation Certificate.

(Reason: To maintain safe site operations.)

Conditions which must be satisfied prior to the commencement of any development work

61. DAPCA01 - Appointment of Principal Certifier

No work shall commence in connection with this Development Consent until:

- a) A construction certificate for the building work has been obtained from a Certifier.
- b) the person having the benefit of the development consent has:
 - (i) appointed a principal certifier for the building work, and
 - (ii) given at least 2 days' notice to the Council, and the principal certifier if not the Council, of the person's intention to commence the erection of the building, and
- c) The principal certifier has, no later than 2 days before the building work commences:
 - (i) notified the Council of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d) The person carrying out the building work has notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case
- e) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - (ii) notified the principal certifier of such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and

(Reason: Statutory requirements)

62. DAPCA03 - Site Safety Fencing

Erect site fencing to a minimum height of 1.8m, to exclude public access to the site throughout the construction works. The fencing must be erected before the commencement of any work and maintained.

(Reasons: Statutory requirement and health and safety)

63. DAPCA04 - Principal Certifier Sign

Prior to commencement of any work, signage must be erected in a prominent position on the work site identifying:

- a) The Principal Certifier by showing their name, address and telephone number;
- b) The Principal Contractor (if any) by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person.
- c) The sign must state that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the work is being carried out, and must be removed when the work has been completed.

(Reason: Statutory requirement)

64. DAPCA05 - Sydney Water Tap in Approvals

The approved plans must be submitted through the Sydney Water 'Tap in' portal to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Sydney Water 'Tap in' customers will

receive an approval receipt. For further details please refer to Sydney Water's web site at www.sydneywater.com.au/tapin or call 1300 082 746.

The Principal Certifier must ensure that the plans have been approved through the Sydney Water 'Tap in' process and an approval receipt is issued prior to the commencement of works.

(Reason: Statutory requirement)

65. DAPCA06 - Toilet Amenities for People Working at the Site

Suitable toilet amenities are to be provided at the work site at all times. If a temporary toilet is proposed, it must:-

- a) Have a hinged door capable of being fastened from both inside and outside,
- b) Be constructed of weatherproof material,
- c) Have a rigid and impervious floor; and
- d) Have a receptacle for, and supply of, deodorising fluid.

(Reason: To ensure suitable toilet amenities are provided for workers)

66. DAPCA07 - Notice of Requirements from Sydney Water

Following application to Sydney Water, they will assess the development and if required will issue a "Notice of Requirements" letter detailing all requirements that must be met. The Notice of Requirements letter must be submitted to the Principal Certifier before the commencement of works.

(Reason: To comply with statutory requirements)

67. DAPCB02 - Arborist Report

The applicant must engage a suitably qualified and experienced arborist (Australian Qualification Framework Level 5 or above) to assess the impact of the proposed works to ensure the longevity of the trees to be retained. The report must be written in accordance with 'Cumberland City Councils' Arborist Report Submission Requirements'.

(Reason: Qualified assessment of impact of proposed works on trees to be retained)

68. DAPCZ01 - Protection of Footpath paving, Kerb and Gutter

Protection must be provided for Council footpath paving, kerb and gutter. Wooden mats must also be provided at all entrances where the site fronts paved footpaths.

(Reason: To ensure protection of public asset.)

69. DAPCZ02 - Surveying Boundaries

All footings and walls proposed within 1 metre of a boundary must be set out by a registered surveyor, a boundary survey and report shall be prepared indicating the true boundaries and position of the external walls that are adjacent to the boundaries of the development site. The survey/report shall be submitted to the principal certifying authority.

(Reason: To ensure correct boundary offsets.)

Conditions which must be satisfied during any development work

70. DADWA01 - Construction Hours

No construction or any other related activities including the delivery of materials to the site shall be carried out on the site outside the hours of 7.00 am to 6.00 pm Mondays to Fridays and 8.00 am to 4.00 pm Saturdays. No work is to occur on Sundays and public holidays.

Note: Demolition work is not permitted on weekends or public holidays- refer to specific demolition conditions for approved hours.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 6.00 pm Monday to Friday.

(Reason: To minimise impacts on neighbouring properties)

71. DADWA02 - Dust Control

Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of minimum 2 metres height of shade cloth or similar material secured to a chain wire fence of the like and shall be modified as directed by the Cumberland Council should it fail to adequately control any dust nuisance.

(Reason: To prevent the movement of dust outside the boundaries of the site)

72. DADWA03 - Site Management

All possible and practical steps shall be taken to prevent nuisance to the occupants of the surrounding neighbourhood from windblown dust, debris, noise and the like during the demolition, excavation and building works.

(Reason: Health and amenity)

73. DADWA04 - Unexpected find of Acid Sulphate Soils

- a) Any excavation works carried out on site should be closely monitored to ensure no signs of Potential Acid Sulphate Soil (PASS) or Actual Acid Sulphate Soil (AASS) are observed. Indicators may include grey to greenish blue clays, unusual gold-yellow mottling or 'rotten egg' odours. If any of these indicators are observed, excavation of the site is to be stopped immediately, the Principal Certifier is to be notified and a suitably qualified environmental scientist should be contracted to further assess the site.
- b) If an Acid Sulphate Soils management plan is recommended by the suitably qualified environmental consultant, then all recommendations of this plan must be complied with during works.

(Reason: Environmental protection)

74. DADWA05 - Construction Management Plan

All development activities and traffic movements must be carried out in accordance with the approved Construction Management Plan.

All controls in the Plan must be maintained at all times. A copy of the Plan must be kept on site at all times and made available to the certifier on request.

(Reason: Compliance with condition of consent)

75. DADWA06 - Stamped Plans

Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure compliance with approved plans)

76. DADWA07 - General Site Requirements during Demolition and Construction

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- a) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- b) Demolition must be carried out by a registered demolition contractor.
- c) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- d) No blasting is to be carried out at any time during construction of the building.
- e) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- f) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- g) Any demolition and excess construction materials are to be recycled wherever practicable.
- h) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- i) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by

the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.

- j) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- k) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- l) Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
- m) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- n) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
- o) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- p) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.

(Reason: To ensure minimal disruption to the local area and to ensure demolition, building and any other site works are undertaken in accordance with relevant legislation and policy.)

77. DADWA09 - Power Connection - Major Development

All power connection to the development shall be installed underground for all major development (excluding dwellings, secondary dwellings and dual occupancy developments).

(Reason: To avoid visual clutter)

78. DADWA11 - Communication Cabling

All communication cabling shall be installed underground as per the relevant authority's requirements.

(Reason: Environmental Amenity)

79. DADWA13 - Compliance with Hazardous Materials Survey Report

All of the recommendations for management and/or removal of hazardous materials on the site, as outlined in the Hazardous Materials Survey Report prepared prior to commencement of demolition works, must be complied with.

Prior to the Occupation Certificate being issued, a clearance certificate must be submitted to the Principal Certifier from a suitably qualified person (such as a certified Occupational Hygienist) confirming that all hazardous materials identified have been contained, managed or removed in accordance with the recommendations given in the approved Hazardous Materials Survey Report, and that the site is safe for future occupation in accordance with the approved use.

(Reason: To ensure controls are in place for hazardous materials)

80. DADWA14 - Classification of Waste

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the NSW EPA's Waste Classification Guidelines, Part1: Classifying Waste (2014). The materials must also be transported and disposed of in accordance with the Protection of the Environment Operations Act 1997 and the requirements of their relevant classification.

(Reason: Environmental protection)

81. DADWA15- Importation of Fill

All fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with

the existing soil characteristic for site drainage purposes.

All fill imported onto the site must be validated by either one or both of the following methods:

- a) Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines.

(Reason: To ensure controls are in place for contamination management)

82. DADWA17 - Notification of New Contamination Evidence

- (a) Any new information which comes to light during site preparation, remediation, demolition or construction works which has the potential to alter previous conclusions about site suitability and contamination must be notified to the Principal Certifier and Cumberland City Council.
- (b) Council may require a NSW accredited site auditor to be engaged to review the contamination assessment and remediation/validation process (where applicable). If appropriate, Council may also require a new Remedial Action Plan (RAP) to be prepared and implemented to ensure the site can be made suitable for the approved use in light of the new information.
- (c) Where a NSW accredited Site Auditor is engaged in compliance with part (b) above, an occupation certificate **must not be** issued until a Section A Site Audit Statement has been submitted to Cumberland City Council by the Auditor confirming the site is now suitable for the proposed use.

(Reason: To ensure controls are in place for contamination management)

83. DADWA18 - Decommissioning/ Removal of Underground Storage Tanks

Decommissioning and any removal of underground storage tanks are to be supervised by a 'Duly Qualified Person' as defined by the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 ('Regulations') in accordance with the legislation and any relevant EPA Guidelines, standards, plans and policies. If a storage system is decommissioned/removed, the person responsible must ensure that a report for the storage site (prepared in accordance with the Regulations) is submitted to Council and, in the case that remedial works are required a Validation Report also be submitted, to the satisfaction of Council within 60 days of the completion of the decommissioning/remediation works. Any documentation relating to the decommissioning must be kept for 7 years.

(Reason: To ensure compliance with statutory requirements)

84. DADWA20 - Road and Footpath Opening Permit

Pursuant to Section 138 of the Roads Act, should any work on the verge, footpath, public road reserve or public reserve (open space) be required, approval will need to be obtained from Council. In this regard the Applicant is to contact Council's Customer Services Centre to apply for a Road and Footpath Opening Permit, for works in relation to the excavation of the verge (e.g. for the purpose of installation of services such as private stormwater, private gas line, private sewer, private water pipe, etc.). This Permit is to be obtained prior to any works on the verge, footpath, public road reserve or public reserve being undertaken.

Road and Footpath Opening Permits do not include driveways, laybacks and major stormwater drainage construction, which are covered separately by the 'Application for Vehicular Crossing and Road Works' or the 'Application for Street Drainage Works Approval'.

(Reason: Maintain public asset)

85. DADWA22 - Dust Control - Major Works

The following measures must be implemented (in part or in total), along with any other measures as directed by Cumberland Council, 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 work.
- b) 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 contaminated or allowed to enter the stormwater system.
- c) All stockpiles of materials that are likely to generate dust must be kept damp or covered.

- d) All stockpiles of soil or other materials shall be placed away from drainage lines, gutters or stormwater pits or inlets.
- e) All stockpiles of soil or other materials likely to generate dust or odours shall be covered.
- f) All stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining more than 24 hours or as directed by the Cumberland City Council.

(Reason: To prevent the movement of dust outside the boundaries of the site)

86. DADWB02 - Tree Protection

To minimise impacts on trees to be retained, no permanent fill or storage of building materials, excavated fill or topsoil during the site works shall take place within their drip lines/root zone area.

(Reason: Tree preservation)

87. DADWC01 - Obstruction of Road or Footpath

The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste bins or any other matter is not permitted unless approved by Council.

(Reason: Protection of infrastructure, safety & information)

88. DADWC02 - Compliance with the National Construction Code

All building work must be carried out in accordance with the provisions of the National Construction Code (NCC).

(Reason: Prescribed statutory control)

89. DADWZ01 - Work close to overhead and underground power lines

For any work situated close to overhead and or underground power lines, the following procedures are to be undertaken:-

Overhead power lines

- a) Special consideration shall be given to the positioning and operation of any cranes and the location of scaffolding to ensure there is no close contact to overhead power lines.
- b) The as constructed minimum clearances to power lines shall be maintained. The distances can be obtained at Ausgrids Network Standard NS220 Overhead Design Manual which can be sourced at Ausgrids website being www.ausgrid.com.au <<http://www.ausgrid.com.au>>
- c) Any relocation of overhead power lines are at the applicant's expense.
- d) There shall be adequate clearance provided to power lines during the operation of any vehicles entering and leaving the site.

Underground power lines

- a) Driveways and other construction activities within the footpath area shall not interfere with the existing cables in the footpath area.
- b) Prior to any work commencing, the developer shall locate and record the depth of all known underground services prior to excavation work occurring.
- c) Should ground anchors be required in the vicinity of underground cables, the anchors must not be installed within 300 mm of any cable and the anchors must not pass over the top of any cable.

(Reason: To protect electrical assets owned and managed by Ausgrid)

90. DADWZ02 - Inspection of Works (OSD system and Water Quality treatment system

The stormwater drainage and/or pollution control devices shall be inspected during construction, by the Council or by a suitably qualified Civil Engineer. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:

- (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of the construction of the pollution control devices.
- (b) After completion of storage but prior to installation of fittings (e.g. Screens etc.)
- (c) Final Inspection.

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

(Reason: To ensure work complies with the design standard and maintain quality of works.)

91. DADWZ03 - Access to premise and parking provisions

The access to the premise and parking provision shall comply with the following requirements

- a. Access to the premise.
 - i. An application for the vehicle crossing approval must be made to council prior to commencement of the work.
 - ii. Any works requiring levels within the road reserve will require the submission of Council's Vehicular Crossing application form.
 - iii. The vehicle crossing and the access driveway between the street and front boundary shall be constructed of plain concrete with no colour or stencilling. The vehicular crossing and access driveway shall be constructed in accordance requirement of council engineering section and AS2890.1-2004.
- b. Parking space.
 - i. All parking spaces shall be signposted and line marked in accordance with the endorsed signs and line marking plans and Australian Standards (i.e. AS2890.1 2004, AS2890.1 2002, and 2890.6 2009).
 - ii. The entry / exit driveways shall be indicated with appropriate signage and line marking to avoid traffic conflict at the driveway.
 - iii. Wheel stops shall be provided at appropriate parking locations in accordance with AS2890.1-2004.

(Reason: Provision of access and parking management.)

Conditions which must be satisfied prior to the issue of any Occupation Certificate relating to the use of the building or part

92. DAOCA01 - Occupation Certificate (section 6.9 of the Act)

A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of section 6.10 of the Act) unless an Occupation Certificate has been issued in relation to the building or part.

The Principal Certifier is required to be satisfied, amongst other things, that:

- a) All required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- b) Any preconditions to the issue of the certificate required by a development consent have been met.

Note: A new building includes an altered portion of, or an extension to, an existing building.

(Reason: Statutory requirement)

93. DAOCA03 - S73 Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the

issue of the Occupation Certificate. Application must be made through Sydney Water or an authorised Water Servicing Coordinator (WSC). An assessment will be made to determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Please refer to Sydney Water's website at www.sydneywater.com.au or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

(Reason: To meet Sydney Water's requirements to adequately service the new subdivision with water, wastewater and stormwater facilities).

94. DAOCA04 - Engineers Certificate

A Structural Engineer's certificate from the supervising structural engineer responsible for the design shall be submitted to the Accredited Certifier. This certificate shall state that reinforced concrete/structural members have been carried out/erected in accordance with the Engineer's requirements and the relevant standards/codes.

(Reason: Structural certification.)

95. DAOCA08 - Certification of Engineering Works

Prior to occupation, the following documents must be submitted to the Accredited Certifier.

- a) A Certificate from a Chartered Professional Engineer with Institution of Engineers, Australia Corporate Membership and registered on the National Engineers Register (NER) under the appropriate professional category, and
- b) "Work - As - Executed" drawings of the engineering works prepared by a Registered Surveyor or equivalent.
- c) The "As-built" On-Site Detention (OSD) storage volumes are to be prepared based on the as build floor levels.
- d) OSD WAE Survey certification form and WAE dimensions form (Refer to UPRCT Handbook).
- e) Approved verses installed On-site Detention (OSD) Design Calculation summary Sheet certified by a qualified practicing Hydraulic Engineer.
- f) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.
- g) Structural Engineer's Certificate for the OSD tank structure, basement pump out tank structure, OSD basin (retaining) wall certifying structural stability of the structure and leak-proof capability etc.

The abovementioned Certificate is to certify that:

- i. the stormwater drainage system, and/or
- ii. the car parking arrangement and area including circulating ramps, and/or
- iii. any related footpath works, and/or
- iv. the basement mechanical pump and well system, and/or
- v. the proposed driveway and layback, and/or
- vi. other civil works have been constructed in accordance with the Council approved plans and details and satisfies the design intent and complies with the appropriate SAA Codes relevant Standards and Council's Policies and Specifications.

Where Council is not the Principal Certifier, copies of the above documents are to be provided to Council prior to the issue of any Occupation Certificate.

(Reason: Asset management)

96. DAOCA11 - Civil Works on the Footway

The following works are to be carried out at the applicant's expense and to Council's satisfaction prior to the issue of any occupation certificate:

- a) Reconstruct sections of cracked or defective footpath along the full frontage of the site, and/or
- b) Reconstruct existing public drainage pit/pipe system, and/or
- c) Construct a new vehicular crossing, and/or
- d) Remove any redundant vehicular crossings and replace with kerb and gutter to match the adjoining.

Where the Applicant nominates Council to undertake the civil and stormwater works, they must contact Council in order to obtain an estimated cost for construction and contract to undertake the works.

(Reason: To preserve Council's assets and amenity)

97. DAOCA12- Construction of Concrete Footpath

A concrete footpath of width 1.2m shall be constructed across the full length adjacent to the Parramatta Road front of the property. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing SD8100 and issued level sheets. All footpath areas within the road reserves that are not concrete shall be turfed with 'ST85 Buffalo' or 'Sir Walter'.

The above works must be constructed prior to the release of any Occupation Certificate.

Note: The above works will require the submission of the relevant application for the works to be undertaken.

(Reason: To preserve Council's assets and amenity)

98. DAOCA13 - Construction of Concrete Kerb and Gutter

Standard 150mm high concrete kerb with gutter shall be constructed to replace the damaged sections adjacent to the frontage of the property. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing SD8100 and issued level sheets.

The above works must be programmed and constructed prior to the issuing of any Occupation Certificate.

Note: The above works will require the submission of the relevant application for the works to be undertaken.

(Reason: To preserve Council's assets and amenity.)

99. DAOCB09 - Design and Installation of Underground Petroleum Storage Systems (UPSS)

Prior to the issue of the Occupation Certificate, relevant certification and documentation must be provided to the satisfaction of the Principal Certifier demonstrating that the underground petroleum storage system (UPSS) is designed, installed and equipped in compliance with all relevant requirements of the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 (UPSS Regulation) and AS 4897 - 2008 The design, installation and operation of underground petroleum storage system including:

- a) Certification that the UPSS is equipped with suitable loss monitoring and leak detection systems and equipment;
- b) Certification that the UPSS has been designed, installed and/or modified by a duly qualified person;
- c) Detailed as-built plans of the system;
- d) Certification that an equipment integrity test (EIT) of the system has been carried out by a duly qualified person and that the system satisfied the test requirements.

(Reason: Environmental protection) (Reason: Environmental protection.)

100. DAOCB10 - Installation of Vapour Recovery

Prior to the issue of the Occupation Certificate, the proponent must install suitable vapour recovery control equipment (VR1 and VR2) in accordance with the Protection of the Environment Operations (Clean Air) Regulation 2010 and any relevant EPA guidelines on vapour recovery as published from time to time. Details of the control equipment must be provided to the Principal Certifier.

(Reason: Environmental protection)

101. DAOCB12 - Fuel System Operational Plan

The person responsible for a fuel storage system must not use the system unless a fuel system

operational plan that complies with Part 4, Clause 18 of the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 is in place with details provided to the Principal Certifier prior to release of any Occupation Certificate.

(Reason: Environmental protection)

102. DAOCB13- Fuel System Measuring Instruments

The person responsible for a fuel storage system must not use the system unless a measuring systems/ instruments that comply with Part 4, Clause 19 of the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 is in place with details provided to the Principal Certifier prior to release of any Occupation Certificate.

(Reason: Environmental protection)

103. DAOCC01 - Modifications to Service Stations

The proponent must ensure that all design, installation and testing of new or modified storage systems including any control, vapour recovery and monitoring equipment for petrol dispensers is designed and performed by a 'duly qualified person' as defined by the Protection of the Environment Operations (Clean Air) Regulation 2010 and the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019.

(Reason: Environmental protection)

104. DAOCD01 - Fire Safety Certificate

A final Fire Safety Certificate shall be obtained in accordance with Part 9, Division 4 of the Environmental Planning and Assessment Regulation 2000, prior to the issue of the Occupation Certificate for the building.

A copy of the Fire Safety Certificate and fire safety schedule shall be:

- 1) Forwarded to Cumberland Council;
- 2) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- 3) Prominently displayed in the building.

(Reason: Fire safety)

105. DAOCE04 - Pollution Control - Service Stations, Transport Depots, Mechanical Repairers and Similar Uses

Storage tanks, fuelling areas, product mixing, filling and preparation areas, repair work bays must be bunded and all waste water collected and discharged to the sewer in accordance with the requirements of Sydney Water. Documentary evidence of compliance with Sydney Water's requirements must be submitted to Council or the Principal Certifier prior to occupation of the site.

(Reason: Environmental Protection.)

106. DAOCG01 - Certification of the Constructed Stormwater Drainage System

The constructed stormwater drainage system shall be certified by a Chartered Professional Civil Engineer with Institution of Engineers, Australia Corporate Membership and registered on the National Engineers Register (NER), in accordance with Council's Engineering Specifications, Development Control Plan" prior to issue of the Final Occupation Certificate.

(Reason: Adequate stormwater management)

107. DAOCH02 - Covenant & Restriction as to User for Stormwater Controlled Systems

Prior to occupation and the issuing of an Occupation Certificate, the Applicant shall register a Positive Covenant and a Restriction as to User, under section 88E and or section 88B of the Conveyancing Act as appropriate in favour of Council ensuring the ongoing retention, maintenance, and operation of the stormwater system. This is to include the Stormwater on-site Detention (OSD) System and the water quality treatment system.

(Reason: To ensure the owners obligation and covenants are in place in place for the ongoing maintenance of the systems.)

108. DAOCH03 - OSD Identification Plate

Prior to the issue of a Final Occupation Certificate, the applicant shall install an identification plate near or on the control structure of the On-site Stormwater Detention (OSD) system. This is to advise the registered proprietor of their responsibility to maintain the OSD facility and not to tamper with it in any manner without the written consent of Council.

The wording and plate shall be in accordance with Council's standard requirements.

(Reason: To ensure that the OSD system is installed and identified in accordance with this approval)

109. DAOCH04 - Evidence of Consolidation

The existing allotments that forms 13 to 15 and 17 to 21 Parramatta Road (Lot 1 in DP 574894, Lot 26 in DP 586063 and Lot 2 in DP 1167437) shall be consolidated into a single lot. Evidence that the plan of consolidation has been registered as a deposited plan by the NSW Land Registry Services must be submitted to Council prior to the issue of the Occupation Certificate.

(Reason: Information)

110. DAOCH09 - Certificate of Compliance

A certificate of compliance for the construction of vehicular crossings, footpath paving, kerb and guttering and roadworks shall be obtained from Council and be submitted to the Principal Certifier.

(Reason: Protection of public asset)

111. DAOCZ01 - Emergency Flood evacuation plan

Emergency Flood evacuation plan shall be prepared for evacuation to a safe refuge above PMF flood level.

(Reason:- ensure protection of person from flood.)

112. DAOCZ02 - Safe Pedestrian Access / Walkway Line Marking

In order to eliminate the conflict between the vehicular traffic and the pedestrian within the basement car parks, a safe pedestrian walkway/access from the parking spaces leading up to the staircase and lift shall be provided with the walkway being line marked to guide the pedestrian through the walkway. The line-marking shall be completed to the satisfaction of the principal certifying authority prior to issue of an occupation certificate.

(Reason: To ensure provision of appropriate parking access and facilities.)

113. DAOCZ03 - Construction/Reconstruction kerb ramps

The construction or reconstruction of the damaged section of the kerb ramps and associated works at the pedestrian crossing adjacent to the traffic signal within the property frontage. The works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing SD 8101 and issued level sheets

Reason: To preserve Council's assets and amenity.

114. DAOCZ05 - On-Site Detention (OSD) area warning Signs

The applicant shall provide a standard OSD area warning sign within the aboveground basin area in accordance with Clause 7.1 (i) of the Council's OSD policy.

(Reason: To provide warning that the stormwater may rise and cause ponding.)

115. DAOCZ06 - Maintenance Schedule for OSD System and water quality treatment system

A maintenance schedule for the stormwater and On-site Stormwater Detention including a sketch plan of the components forming the sites stormwater drainage and On-Site-Detention system shall be submitted. The maintenance schedule shall be prepared by a qualified hydraulic engineer and shall be in accordance with the Upper Parramatta River Catchment Trust requirements.

(Reason: To aware and guide the owners for the required maintenance of the system.)

116. DAOCZ07 - Traffic and Pedestrian Management Plan

Prior to the issue of an Occupation Certificate, a Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to the satisfaction of Council which incorporates how traffic will be managed at peak operating times for the site.

The Plan shall address, but not be limited to, the following matters:

- (1) ingress and egress of vehicles to the site.
- (2) loading and unloading, including construction zones.
- (3) predicted traffic volumes, types and routes.
- (4) pedestrian and traffic management methods.

The plan shall incorporate the traffic management plan as required under Condition B36 of Development Consent Major Project Number 09-0184 issued 17 December 2010 as part of a holistic approach to the whole Costco site being 13 to 15 and 17 to 21 Parramatta Road Lidcombe.

(Reason: To ensure satisfactory traffic movements within the site)

117. DAOCZ08 - Submission of a work place travel plan

Prior to the issue of an Occupation Certificate, a work place travel plan is to be prepared by a suitably qualified person and submitted to the satisfaction of Council addressing the ways in which numerous employees may access the site for work. The work place travel plan shall include items such as:-

- a) Car sharing scheme.
- b) Bicycle facilities.
- c) Travel Plan Noticeboards.
- d) Availability of public transport.

The plan shall incorporate the work place travel plan as required under Condition E26 of Development Consent Major Project Number 09-0184 issued 17 December 2010 as part of a holistic approach to the whole Costco site being 13 to 15 and 17 to 21 Parramatta Road Lidcombe.

(Reason: To ensure satisfactory traffic movements within the site)

Conditions which must be satisfied during the ongoing use of the development

118. DAOUA09 - Business/Trade Commercial Waste Collection

Prior to occupation of the premises the operator shall enter into a commercial contract for the collection of trade waste and recyclables generated at the premises. A copy of all contracts and receipts shall be kept on the premises and made available to Council Officers on request.

(Reason: To ensure suitable arrangements are in place for the collection of business/trade commercial waste and recyclables)

119. DAOUA14 - Hours of Business Operation

The hours of operation are restricted to between:

- The office building 8 am to 6 pm Monday to Friday.
- The service station 6 am to 10 pm daily.

(Reason: Ensure business operates between approved hours)

120. DAOUA20 - Loading

All loading and unloading operations shall be carried out wholly within the confines of the site, at all times. All delivery vehicles shall enter and leave the site in a forward direction.

(Reason: Adequate servicing)

121. DAOUB01 - Annual Fire Safety Statement

Pursuant to Part 9, Division 5 of the Environmental Planning and Assessment Regulation the owner of the building shall furnish Council with an Annual Fire Safety Statement from a competent person to certify the essential fire safety measures in the building. The Annual Fire Safety Statement shall be issued within 12 months of the issue of the fire safety certificate, and then on an annual basis.

A copy of the Annual Fire Safety Statement shall also be:

- a) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- b) Prominently displayed in the building

(Reason: Fire safety)

122. DAOUC01 - Chemical Storage

All chemicals, paints and other liquids shall be stored in approved receptacles in an area that is bunded or has a spill containment system that will minimise the risk of pollution from liquid spills and leaks. Where applicable the construction of bunds must comply with the requirements of:

- a) Australian Standard AS 1940D1993: The storage and Handling of Flammable and Combustible Liquids;
- b) Australian Standard AS 4452B1997: The storage and Handling of Toxic Substances; and
- c) The Dangerous goods Act 1975

(Reason: Environmental protection)

123. DAOUC04 - Air Emissions

The use of the premises shall not give rise to air pollution or and an odour nuisance as defined by the Protection of the Environment Operations Act 1997 and waste gases shall not be hazardous or harmful to human health or the environment.

(Reason: To protect human health and the environment)

124. DAOUC05 - Dangerous Goods/Hazardous Chemical Storage

The storage of dangerous goods and hazardous chemicals at the premises shall comply with SafeWork NSW requirements including notification requirements.

(Reason: To protect human health and the environment)

125. DAOUC08 - Spill Kit Required

Sufficient supplies of appropriate absorbent materials shall be kept on site to recover any liquid spills. Liquid spills shall be cleaned up using dry methods, by placing absorbent material on the spill, and sweeping or shovelling the material into a secure bin. Absorbent materials used to clean up spills shall be disposed of to an appropriately licensed waste facility.

(Reason: To protect the environment)

126. DAOUC19- Waste Management Plan

The storage, handling and disposal of waste and recyclable materials generated on the premises must be carried out in accordance with the approved Waste Management Plan.

(Reason: To protect the environment)

127. DAOUD02- Landscape Maintenance - General

All open space areas are to be regularly maintained in a neat and tidy state. In this regard, lawn areas are to be kept mown and gardens weeded and mulched with any dead plants replaced. Property owners must maintain their trees in a safe growing condition.

(Reason: Safety and landscape amenity)

128. DAOUZ01 - Business and Building Identification Signs

Business and building identification signs shall comply with the following:-

- a) The approved signage shall be appropriately maintained at all times.
- b) The signage shall be used as building or business identification signage only and shall not be

adapted or altered to be third party advertising signage without the further consent of Council.
c) The signage shall not.

- Flash, move, be animated, scintillate or be decorated with rotating flashing lights.
- Include any apparatus to provide any sound.
- Carry any message which is offensive.
- Give instructions to traffic by the use of the words “halt”, “stop” or any other direction, nor imitate traffic signs in respect to shape, layout or colour.
- Adversely impact the nearby traffic lights such as visibility.
- Contain interchangeable or moveable parts.
- Impair or distract the vision of a driver through the intensity of the illumination of the sign.

d) The wording shall be displayed in English but may include a translation in another language.

(Reason: To ensure the appearance and operation of the signage is in an orderly fashion.)

129. DAOUZ02 - Annual maintenance inspection of OSD and water quality treatment system:

Annual maintenance inspection summary of the onsite detention and water quality treatment system with associated certificates shall be sent to Council within the first month of every calendar year. In this regard:-

- All critical inspections shall be carried out by a qualified person.
- A maintenance logbook shall be maintained as per the approved maintenance schedule on site and readily available for inspection by a Council officer.
- All associated cost shall be borne by the owner(s).

(Reason: to ensure the onsite detention facility is in good working order.)

Advisory Notes

130. DAANN01 - Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please, contact Dial Before You Dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.



131. DAANN02 - Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's mobile network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works, which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443 or <https://www.telstra.com.au/consumer-advice/digging-construction/relocating-network-assets>.

132. DAANN05 - Lapsing of Consent

In accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 (as amended), this Development Consent lapses 5 years after the date from which it operates unless building, engineering or construction work has physically commenced. A Construction Certificate must be obtained and the works commenced in accordance with the approved plans and specifications within 5 years from the date this Development Consent operates.

133. DAANN08 - Process for Modification

The plans and/or conditions of this Consent are binding and may only be modified upon written request to Council under Section 4.55 of the Environmental Planning and Assessment Act, 1979 (as amended). The modification application shall be accompanied by the appropriate fee, application form and required information. You are not to commence any action, works, contractual negotiations, or the like, on the requested modification until Council issues an amended consent.

134. DAANN09 - Review of Determination

In accordance with the provisions of Section 8.2 of the Environmental Planning and Assessment Act 1979, you can request Council to review this determination (this does not apply to designated or Crown development). You must lodge the review application within a period of 12 months from the date shown on this determination. It should be noted that a review application is unable to be reviewed/determined after 12 months from the date of determination. Therefore, the submission of the review application must allow sufficient time for Council to complete the review within the prescribed timeframe including the statutory requirement for public notification. A fee as per Council's current Pricing Policy, Fees and Charges, is payable for such a review.

135. DAANN10 - Right of Appeal

Section 8.7 and 8.10 of the Environmental Planning and Assessment Act 1979, gives the applicant the right of appeal to the Land and Environment Court within 12 months after the date the decision appealed against is notified or registered on the NSW planning portal, or as otherwise prescribed.

136. DAANN13 - Work Health and Safety

For information regarding, codes of practice and guidelines regarding demolition and construction work, visit the SafeWork NSW website at safework.nsw.gov.au/your-industry/construction, or phone 13 10 50.

137. DAANN16 - Compliance with Disability Discrimination Act

This approval does not necessarily protect or guarantee against a possible claim of discrimination (intentional or unintentional) under the Disability Discrimination Act 1992, and the applicant/owner is advised to investigate their liability under this Act. Please note that from 1 May 2011 under the Disability (Access to Premises - Buildings) Standards 2010, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To inform of relevant access requirements for persons with a disability)

138. DAANN20 - Critical Stage Inspections for Building Work (Classes 5, 6, 7, 8 or 9)

Where applicable inspections of the development site may be required to be undertaken at the following stages:

- a) Prior to covering any stormwater drainage connections; and
- b) After the building work has been completed and prior to any occupation certificate being issued in relation to the building;
- c) Final.

If the person having the benefit of the development consent appoints Council as the Principal Certifier, Council will give written advice as to what critical stage inspections apply.

Prior to issuing an occupation certificate or subdivision certificate the Principal Certifier must be satisfied that the work has been inspected on the above occasions.

Except as provided by subclause (c), the inspections may be carried out by the Principal Certifier or, if the Principal Certifier agrees, by another certifier.

The final inspection detailed at subclause (c) may only be carried out by the Principal Certifier.

For each inspection the principal contractor (or owner-builder) must notify the Principal Certifier at least forty eight (48) hours in advance that the site is ready to be inspected prior to the commencement of work on the next stage.

(Reason: Statutory Requirements)