

Conditions of consent (draft)

Proposed development	Integrated development application for construction of a part 14/part 15 storey shop top housing development comprising 227 residential apartments, 7 basement parking levels, a supermarket, 14 retail tenancies, a child care centre, landscaping and public domain treatments.
Property description	Lots 19-25 DP 11157 and Lots 26 and 27 DP 137472 5-19 George Street, Blacktown

1 Deferred Commencement Matters

- 1.1 This Development Consent is not to operate until such time as:
- 1.2 Amended engineering plans are submitted to demonstrate the following;
 - a splay corner (along the property boundary) of 5 m X 5 m at the corner of Humphries Lane and Sunnyholt Road.
 - the alignment of the kerb return at the intersection of Humphries Lane and Sunnyholt Road are to remain as per the existing configuration.
 - that pedestrian traffic within the reconstructed footway along the north western corner of site at the intersection of Humphries Lane and Sunnyholt Road can be safely facilitated and generally in accordance with the relevant Australian Standards and Council's Engineering Guide for Development.
- 1.3 The engineering plans by Northrop job no. 181363 dated 7 June 2019 are to be amended to include the following to the satisfaction of the Manager Asset Design:
 - i Number all pits including those street pits in Humphries Lane.
 - ii. On drawing DAC02.02 (02) in reference to the note for the VortSentry HS12 delete the part of the note that states "or approved equivalent".
 - iii. On drawing DAC02.02 (02) in reference to the note on the rainwater tank. Delete all of the note after "BE CONNECTED TO" and replace with the following "ALL TOILETS ON THE GROUND FLOOR AND LEVEL 1 (INCLUDING CHILDCARE) AND THE IRRIGATION OF LANDSCAPING ON THE LEVEL 2 PODIUM"
 - iv. Provide a roof plan demonstrating which areas drain to the rainwater tank.
 - v. Geotechnical report by JK Geotechnics (reference number 31727Lrpt revision 3 dated 9 July 2019) suggests that groundwater will be encountered well above the proposed bulk excavation level. Results and

recommendations carried out in this report must be considered when designing the structure of the building. Further groundwater assessment is required to ensure that the proposed development does not impact the groundwater flows. Any groundwater management systems proposed are to have a minimum design life of 50 years. All components of the structure, including subsoil drainage, must be located entirely within the property boundary. The groundwater regime will be maintained as close as possible to the pre-development condition during the construction and operational phases of the development. Construction techniques, where possible, will eliminate the need for dewatering.

- vi. Provide an on-site detention catchment plan showing the areas draining to the detention basin and clearly show any areas of bypass.
- vii. The internal pipe network is to be designed to carry the 1% AEP (100 year ARI) storm flows to the detention and rainwater tank.
- viii. On drawing DAC02.02 (02) in "Inset A" angle the proposed pipe across Humphries Lane at 45°. Amended plans are required
- ix. On drawing DAC03.01 (3):
 - a) Show all pipe inlets into the OSD and rainwater tanks.
 - b) All access points to the detention tank are to be grated.
 - c) Provide a 2 m high by 1.6 m wide person access centrally through each of the internal structural walls of the detention tank, while leaving every second block along the base open.
 - d) Provide a section through one of the lower level 900 x 900 side access showing all levels including Top Water Level.
 - e) On the plan delete the overflow weir from the rainwater tank and show a minimum of 4 x 225 mm overflow pipes with non-return flaps with inverts at RL 58.00. Provide a full height wall.
 - f) On the plan and section A for access to the rainwater tank show a 900 mm high x 1200 mm wide solid (not grated) access. Ensure this access is lockable.
 - g) On Section A show the wall between the rainwater and detention tanks as full height with a minimum of 4 x 225 mm overflow pipes with non-return flaps with inverts at RL 58.00.
 - h) On section A show a 300 mm pipe with 181 mm 100 year ARI orifice inside for the part section through the overflow pit.
- x. On drawing DAC03.02(4):
 - a) At section B delete the step irons on the right-hand side.
 - b) At section B show the pipe sizes through each control pit with a minimum capacity of twice the orifice flow.
 - c) Provide dimensions on the orifice plates.
- xi. Amend the Northrop Hydraulic Plans H20.00 (3) and H20.06 (3) by redirecting the discharge point from the lower basement pump pit to the detention tank and not direct to the GPT.

- xii. Amend the Northrop Hydraulic Plan H20.07 (4) by separating the roof water downpipes from each of the two towers and discharging two 300 RWO pipes into the rainwater tank. Though no sizing is indicated on the downpipes from the western tower, the indicative line width suggests a smaller size pipe from the western tower to the eastern tower when the roof areas are very similar. Provide details.
- xiii. Amend the Northrop Hydraulic Plan H20.07 (4) by providing pre-treatment for downpipes discharging to the rainwater tank.
- xiv. Amend the Northrop Hydraulic Plans H20.13 (4) and H20.14 (4) by ensuring all the roof inlets connect with the downpipes on the level below and directed only to the rainwater tank. The connections are unclear.
- xv. Amend the Northrop Hydraulic Plans to ensure that any of the outlets from the balconies do not discharge to the rainwater tank.

1.4 The Stormwater Management Report by Northrop reference no. 181363 revision D dated 7 June 2019 is to be amended to include the following to the satisfaction of the Manager Asset Design:

- i. The approach undertaken in Section 4 of the Stormwater Management Report on Water Conservation is not supported by Council and the use of S3QM for the calculation of the rainwater tank size and what infrastructure this applies to for this development is not appropriate.
- ii. The rainwater sizing is to be based on MUSIC modelling that achieves an agreed percentage reuse of 64%.
- iii. The ground floor toilets comprise 8 toilets and 3 urinals.
- iv. The childcare centre on the first floor comprises 10 toilets. Based on a 5 day usage this equates to 7 equivalent toilets.
- v. On the remaining first floor (excluding child care) there are 9 toilets and 3 urinals.
- vi. It is acknowledged that based on the limited roof area the 80% reuse will not be achieved. Consequently, to reduce the non-potable demand waterless urinals (6) are to be used.
- vii. Base the rainwater tank modelling on 24 toilets.
- viii. Allow for 0.1 KL/day per toilet
- ix. For watering landscaped areas only (excluding turf areas) e.g. common areas, allow 0.4 kl/ year/m² as PET-Rain. Allow for 256 kl/yr.
- x. Allow for a 10% loss in rainwater tank size.volume in MUSIC to that shown on the design plans to allow for anaerobic zones, mains water top up levels and overflow levels. e.g. where a 60,000 L tank is specified on the drainage plan it is to be modelled as 54,000 L in MUSIC.
- xi. Produce a graph with MUSIC tank size along the X axis and % reuse along the Y axis. In consultation with Council agree with a reasonable tank size that achieves% reuse (less than 80%) before the curve becomes asymptotic.

- 1.5 Pay to Council a fee of \$2,070 incl GST (10 hrs Goods and Services Item 5.2.7) for the Manager Asset Design's team to assess the deferred drainage details. Where the submission is unsatisfactory an additional fee is required for each revision.
- 1.6 All of the requirements listed in the above condition must be completed within 24 months of the date of this deferred commencement consent. Should these matters not be completed to Council's satisfaction within this time period, this consent will lapse.

If the satisfaction of any of the above deferred commencement conditions results in any changes to the operational conditions in this consent, the Applicant must lodge a modification application, seeking consent for those changes. This includes a modification to consent for any amended engineering plans accepted by Council.

2 ADVISORY NOTES

2.1 Terminology

- 2.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.
- 2.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Part 6 of the Environmental Planning and Assessment Act 1979.

2.2 Scope of Consent

- 2.2.1 Separate approval is required for the fit out and occupation of the supermarket and the 13 commercial tenancies on ground level, upper ground level and Level 1.
- 2.2.2 Separate approval is required for the fit out and occupation of the child care facility on Level 1. The child care facility is to demonstrate compliance with the requirements of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 and the NSW Planning, Industry and Environment's Child Care Planning Guideline.

2.3 Other Approvals

- 2.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works. Any Construction Certificate is to demonstrate compliance with the Building Code of Australia.
- 2.3.2 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.
- 2.3.3 This consent does not approve any form of paid car parking arrangements.

2.4 Services

- 2.4.1 The applicant is advised to consult with:
- (a) Sydney Water Corporation Limited
 - (b) A recognised energy provider

- (c) Natural Gas Company
- (d) The relevant local telecommunications carrier

regarding any requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

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

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

Sydney Water provide the following comments in their correspondence dated 6 September 2019:

Water: Sydney Water's servicing investigation shows that the existing 100mm drinking water main in George Street will need to be amplified to a 200mm to service the proposed development. The developer will be required to construct these works.

Wastewater: Sydney Water's servicing investigation shows that the existing 225mm sewer main located in Humphries Lane will need to be extended to service the proposed development. The developer will be required to construct these works.

- 2.4.2 Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.
- 2.4.3 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- 2.4.4 Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works

which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on 1800 810 443.

- 2.4.5 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.

2.5 **Tree Planting and Service Locations (after all other services)**

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

Street tree planting must not interfere with street light spill. The applicant is to provide documentation to confirm there is no conflict between proposed vegetation at maturity and street lighting. This confirmation must be received before a Construction Certificate can be issued.

2.6 **Identification Survey**

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

2.7 **Swimming Pool Register**

- 2.7.1 The Swimming Pool Act 1992 (as amended) requires a pool/spa, upon its completion, to be registered on the NSW Swimming Pool Register at www.swimmingpoolregister.nsw.gov.au.

2.8 **Engineering Notes**

- 2.8.1 All works requiring approval under the *Roads Act 1993* (except standard vehicular crossings) or *Local Government Act 1993* must be approved PRIOR to the issue of any Construction Certificate or Subdivision Works Certificate.

2.9 **Payment of Engineering Fees**

- 2.9.1 If the applicant wishes for Council to issue the Construction Certificate or Subdivision Works Certificate as nominated in the 'Prior to Construction Certificate/Subdivision Works Certificate please:

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

3 **GENERAL**

3.1 **Scope of Consent**

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

Plan reference	Revision issue	Dated
Concept Plans prepared by Jackson Teece		
DA-000 Cover Sheet	K	06.10.2020
DA-004 Site Plan	G	28.02.2020
DA-005 Site and Context Analysis	B	03.06.2019
DA-010 Existing Demolition Plan	C	03.06.2019
DA-093 Floor Plan – Basement 7	D	04.12.2019
DA-094 Floor Plan – Basement 6	D	04.12.2019
DA-095 Floor Plan – Basement 5	D	04.12.2019
DA-096 Floor Plan – Basement 4	D	04.12.2019
DA-097 Floor Plan – Basement 3	E	28.02.2020
DA-098 Floor Plan – Basement 2	F	22.09.2020
DA-099 Floor Plan – Basement 1	F	22.09.2020
DA-100.5 Floor Plan – Upper Ground	F	28.02.2020
DA-100 Floor Plan – Ground	F	22.09.2020
DA-101 Floor Plan – Level 1	G	28.02.2020
DA-102 Floor Plan – Level 2	F	04.12.2019
DA-103 Floor Plan – Level 3	G	28.02.2020
DA-104 Floor Plan – Level 4	G	08.05.2020
DA-105 Floor Plan – Typical Level – Levels 5-14	F	08.05.2020
DA-115 Floor Plan – Level 15 – Penthouse Level	B	04.12.2019
DA-116 Roof Plan	B	22.07.2019
DA-150 Privacy Screens Studies	B	04.12.2019
DA-201 Street Elevation – South – George Street	F	04.12.2019
DA-202 Street Elevation – East – (Sunnyholt Road) and West	F	04.12.2019
DA-203 Street Elevation – North – (Humphries Lane)	F	28.02.2020
DA-204 East Tower – Elevation – South & West	F	04.12.2019
DA-205 East Tower – Elevation – North & East	F	28.02.2020
DA-206 West Tower – Elevation – South & West	E	04.12.2019
DA-207 West Tower – Elevation – East	F	04.12.2019
DA-401 East Tower – Section – East West	F	04.12.2019
DA-403 West Tower – Section – North South	E	04.12.2019

Plan reference	Revision issue	Dated
DA-404 Podium – Section	D	04.12.2019
DA-405 Podium – Section	E	04.12.2019
DA-410 Tower Façade Detail – Typical	D	04.12.2019
DA-500 Apartment Types – 1 Bed	B	04.12.2019
DA-501 Apartment Types – 2 Bed	B	04.12.2019
DA-502 Apartment Types – 2 Bed	C	04.12.2019
DA-503 Apartment Types – 2 Bed	B	04.12.2019
DA-504 Apartment Types – 3 & 4 Bed	B	04.12.2019
DA-505 Adaptable Apartment Types	B	22.07.2019
DA-506 Livable Apartment Types	A	18.03.2019
DA-600 Development Summary	H	08.05.2020
DA-602 (GFA) Gross Floor Area Plan	G	28.02.2020
DA-603 (NSA) Net Saleable Area Floor Plan – Ground Floor Level 1	E	04.12.2019
DA-604 (GBA) Building Area Plan - Basement	D	04.12.2019
DA-605 (GBA) Building Area Plan	G	28.02.2020
DA-650 Basement Storage Schedule	D	22.07.2019
DA-700 Solar Access Diagrams	F	28.02.2020
DA-701 Direct Sun Analysis Diagrams 21 Jun 9am-11:30am	B	28.02.2020
DA-702 Direct Sun Analysis Diagrams 21 Jun 11.45am-1.30pm	B	28.02.2020
DA-703 Direct Sun Analysis Diagrams 21 Jun 1.45pm-3:00pm	B	28.02.2020
DA-705 Façade Details – Childcare	C	28.02.2020
DA-706 Façade Detail Sections - Childcare	B	21.02.2020
DA-707 Podium Height Diagrams	B	28.02.2020
DA-710 Cross Ventilation Diagrams	F	28.02.2020
DA-730 Communal Open Space	C	04.12.2019
DA-731 Childcare Centre – Outdoor Space	C	21.02.2020
DA-800 Shadow Diagrams 21 Jun (9am, 10am, 11am & 12pm)	C	22.07.2019
DA-801 Shadow Diagrams 21 Jun	C	22.07.2019

Plan reference	Revision issue	Dated
(1pm, 2pm & 3pm)		
DA-910 Perspective (3D) View 1	D	22.07.2019
DA-911 Perspective (3D) View 2	C	22.07.2019
DA-920 Materials and Finishes	B	04.12.2019
Landscape Plans prepared by Site Image		
L-000 Cover Sheet	H	06.11.2019
L-C100 Composite Landscape Render	H	06.11.2019
L-100 Composite Landscape Plan	H	06.11.2019
L-101 Ground Floor Landscape Plan	H	06.11.2019
L-102 Level 1 Landscape Plan	H	06.11.2019
L-103 Level 2 Landscape Plan	H	06.11.2019
L-104 Level 3 Landscape Plan	H	06.11.2019
L-105 Level 15 Landscape Plan	H	06.11.2019
L-201 Ground Floor Landscape Plan	H	06.11.2019
L-202 Level 1 Hardscape Plan	H	06.11.2019
L-203 Level 2 Hardscape Plan	H	06.11.2019
L-204 Level 3 Hardscape Plan	H	06.11.2019
L-205 Level 15 Hardscape Plan	H	06.11.2019
L-401 Ground Floor Landscape Plan	H	06.11.2019
L-402 Level 1 Planting Plan	H	06.11.2019
L-403 Level 2 Planting Plan	H	06.11.2019
L-404 Level 3 Planting Plan	H	06.11.2019
L-405 Level 15 Planting Plan	H	06.11.2019
L-501 Landscape Specifications and Details	H	06.11.2019
L-502 Landscape Specifications and Details	H	06.11.2019

- 3.1.2 This consent does not authorise the use of the land for the purpose of a child care centre unless the operator and all employees are in possession of current licences from NSW Department of Education.
- 3.1.3 This consent grants approval for the following, subject to full compliance with all other conditions of this consent:
- (a) 27 x 1 bedroom apartments;
 - (b) 184 x 2 bedroom apartments;
 - (c) 14 x 3 bedroom apartments; and
 - (d) 2 x 4 bedroom apartments.

Any change in apartments mix will require the separate approval of Council.

- 3.1.4 Separate construction certificates are permitted to be issued to enable this development to be constructed in stages, subject to the satisfaction of relevant conditions. Prior to the issue of any Occupation Certificate, all works associated with the ground level and basement levels and the public domain improvements are to be completed. Prior to the issue of any Occupation Certificate for the residential component of the development, the podium level communal open space areas are to be completed. Prior to the issue of any Occupation Certificate, the applicant must demonstrate that the safety of occupants and the general public is protected while construction works are undertaken. This is to provide assurance that the development will be constructed in an orderly manner for the benefit of future occupants and the surrounding locality.
- 3.1.5 No construction preparatory work (such as, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued.
- 3.1.6 Compliance with conditions of development consent to. DA-19-01719, unless varied by this consent.

3.2 **Services**

- 3.2.1 Low voltage electricity and telecommunications services for the approved development shall be reticulated underground.

3.3 **Compliance with BASIX Certificate**

- 3.3.1 All commitments listed in BASIX Certificate 945777M_04 dated 23 July 2019 shall be complied with.

3.4 **Engineering Matters**

3.4.1 **Design and Works Specification**

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

- (a) Blacktown City Council's Works Specification - Civil (Current Version)
- (b) Blacktown City Council's Engineering Guide for Development (Current Version)
- (c) Blacktown City Council Development Control Plan (Current Version) including Part J - Water Sensitive Urban Design and Integrated Water Cycle Management
- (d) Blacktown City Council On Site Detention General Guidelines, S3QM online tool and standard drawing A(BS)175M
- (e) On Site Stormwater Detention Handbook - Upper Parramatta River Catchment Trust FOURTH Edition.

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

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

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

3.4.2 **Other Necessary Approvals**

3.4.2.1 A separate application will be required for the following approvals under the *Roads Act 1993*.

- Vehicular Crossing
- Works on or occupation of existing public roads (Not including works covered by a Roads Act Approval)
- Road reconstruction, drainage and associated works along Humphries Lane.
- Path paving and associated works along George Street and Sunnyholt Road.

3.4.3 **Other Matters**

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

3.4.4 **Other Drainage Matters**

3.4.4.1 The development must at all times maintain the water quality system to achieve the following minimum pollutant removal targets of Part J of DCP 2015 for the duration of the development:

Required percentage reductions in post development average annual load of pollutants

Pollutant	% post development pollutant reduction targets
Gross Pollutants	90
Total Hydrocarbons	90

3.4.4.2 The registered proprietor/lessee is to provide to Council's WSUD Compliance Officer a report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices in accordance with the approved maintenance schedule. All material removed are to be disposed of in an approved manner. Copies are to be provided of all contractor's cleaning reports or certificates to Council's WSUD Compliance Officer WSUD@blacktown.nsw.gov.au

3.4.4.3 Each year the registered proprietor/lessee is to provide to Council's WSUD Compliance Office at WSUD@blacktown.nsw.gov.au a report outlining non-potable water used annually and the percentage of non-potable reuse. The modelling indicates a 64% non-potable reuse

3.5 **Water NSW - General Terms of Approval**

3.5.1 Prior to the commencement of any works or activity, the development consent holder must apply to WaterNSW for a Water Supply Work approval. The GTAs do not constitute an approval under the Water Management Act 2000.

3.5.2 The development shall adhere to the General Terms of Approval issued by WaterNSW, dated 12 December 2019:

Dewatering

- GT0062-00001 Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application.
- GT0063-00001 An authorisation under the relevant water legislation, such as a Water Access Licence (WAL), shall be obtained for the take of groundwater as part of the activity. For avoidance of doubt, these terms do not represent any authorisation for the take of groundwater, nor do they constitute the grant, or the indication of an intention to grant, any required WAL.
- GT0064-00001 An authorisation under the relevant water legislation, such as an Approval, is also required for the works involved in extracting the groundwater. For avoidance of doubt, these terms do not represent any authorisation for the construction or installation of such works.
- GT0065-00001 The relevant works must not be carried out, installed or operated until a specialist hydrogeological assessment has been completed by the Department of Planning Industry and Environment, which concludes that adequate arrangements are in force to ensure that no more than minimal harm will be done to any water source, or its dependent ecosystems, as a consequence of the construction or use of the proposed water management work.
- GT0066-00001 The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation.
- GT0067-00001 Sufficient permanent drainage shall be provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impeded and: a. any groundwater mounding at the edge of the structure shall be at a level not greater than 10 % above the level to which the water table might naturally rise in the location immediately prior to the construction of the structure; and b. any elevated water table is more than 1.0 m below the natural ground surface existent at the location immediately prior to the construction of the structure; and c. where the habitable part of the structure (not being footings or foundations) is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.
- GT0068-00001 Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.
- GT0069-00001 The Applicant is bound by the above terms and any other terms and conditions of the subsequent authorisation(s) required for the extraction of groundwater and the associated works under the relevant water legislation.
- GT0070-00001 Measurement and monitoring arrangements to the satisfaction

of WaterNSW are to be implemented. Weekly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a completion report provided after dewatering has ceased. Records of groundwater levels are to be kept and a summary showing daily or weekly levels in all monitoring bores provided in the completion report.

- GT0071-00001 Following cessation of the dewatering operations and prior to the surrender of any associated authorisation, the applicant shall submit to WaterNSW the completion report which shall include: a. detail of the volume of water taken, the precise periods and location of water taken, the details of water level monitoring in all of the relevant bores; and b. The location and construction of groundwater extraction works that are decommissioned c. a water table map depicting the aquifers settled groundwater condition and a comparison to the baseline conditions; and d. a detailed interpreted hydrogeological report identifying all actual resource and third party impacts, including an assessment of altered groundwater flows and an assessment of any subsidence or excessive settlement induced in nearby buildings and property and infrastructure.

General Terms of Approval for Building Dewatering

1. The Department of Planning, Industry and Environment-Water has determined that an authorisation to account for the temporary and transient impacts on groundwater systems associated with the proposed development for up to twelve months is required (to be issued by WaterNSW).
2. A Site Hydrogeology Report prepared and certified by a qualified, experienced and practising hydrogeologist must be provided with the authorisation application that includes, but is not limited to, the following:
 - a. pre-development (existing) conditions in the form of a baseline monitoring record and comprehensive groundwater system description:
 - i. site and neighbouring area stratigraphy, formation description, site groundwater levels, groundwater flow paths, site aquifer and aquitard (if relevant) hydraulic characterisation
 - ii. groundwater quality and specific consideration of groundwater potentially affected by contamination from surrounding land uses or acid sulfate soils where they are found to exist
 - iii. neighbouring users, groundwater dependent ecosystems, water bodies and other relevant features within a one kilometre radius of the subject site
 - iv. the above site information must not date more than six months prior to the date of lodgement of the development application to account for climate trends and maintain the currency of groundwater data
 - b. pre-development (existing) conditions in the form of a baseline monitoring record to the requirements for a Dewatering Management Plan):

- i. predicted groundwater modelling impacts (extent, magnitude and duration) that are developed through suitable methods comprising either;
 - numerical modelling in high risk areas
 - analytical solutions in low risk areas.
 - ii. corresponding trigger levels (levels, quality, flow, volume and ground surface settlement) to manage any potential impacts
 - iii. construction techniques and approaches that will be used to prevent any ongoing groundwater pumping at the same time as not causing any obstruction to natural groundwater behaviour
 - iv. details of monitoring (groundwater levels, quality as required, rate of inflows, metered pumping)
 - v. where a risk of ground settlement is identified due to the proposed dewatering, the proponent is to provide a program of monitoring, trigger and responses to Council (Note while it is the Proponent's responsibility to identify the risk, the Department recommends that Council enforce this requirement for all applications in all high risk areas which includes sand formations or other unconsolidated ground).
 - c. post-excavation phase (during aboveground construction) in the form of a comprehensive post-dewatering impact review (equivalent to the requirements for a Dewatering Completion Report):
 - i. collation of monitoring records,
 - ii. analysis of actual impacts compared to predicted impacts, noting that some impacts may be delayed,
 - iii. magnitude and extent of potential long-term effects from the completed structure
 - iv. arrangements for reporting (measurements, technical analysis and future predictions) to the relevant authority
 - d. occupational phase (after building completion) in the form of an annual groundwater monitoring plan:
 - i. monthly monitoring to demonstrate the magnitude of groundwater pumping after construction, either through satisfactory photographic and documented evidence of no visible seepage into the building or, if inflows cannot be prevented, measured flow rates into all pump-out sumps
 - ii. recording arrangements to document ongoing compliance, event-based notification of unexpected groundwater take to the relevant authority and annual reporting arrangements
3. All required monitoring and reporting arrangements are to be designed to demonstrate the activity meets due diligence with respect to the Water Management Act 2000, the relevant water sharing plan(s) and the NSW Aquifer Interference Policy during construction and occupation phases of

the building.

4. At the time of application for a Construction Certificate, the developer must be able to demonstrate to the consent authority that an authorisation for the pumping of groundwater for temporary construction dewatering has been obtained for the relevant groundwater source from which water is being taken.
5. At the time of application for an Occupation Certificate, the developer must be able to demonstrate to the consent authority that any unexpected groundwater pumping (resulting from poor construction methods, materials or inadequate waterproofing) has been authorised by a water access licence purchased for the relevant groundwater source from which water is being taken and must be able to demonstrate no impact on neighbouring sites or the integrity of the aquifer.
6. All monitoring data collected for the development and all monitoring and management reports are to be provided in electronic format (tabulated and raw corrected data) to the Department of Planning, Industry and Environment-Water.

3.6 **Sydney Trains - General Terms of Approval**

3.6.1 The development shall adhere to the General Terms of Approval issued by Sydney Trains, dated 18 June 2020.

3.6.1.1 Unless amendments are required in order to obtain approval/certification/ compliance from Sydney Trains in relation to any of the Sydney Trains related conditions of consent, all excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings and recommendations as detailed in the following documents:

- i. Overhead Power Mains Assessment revision 2.0 prepared by AA Power Engineering dated 25 March 2020.
- ii. Blow-Out Model reference 3712 prepared by AA Power Engineering dated 15 November 2019.
- iii. Sag Tension Temperature Calculation Results reference 210-211 prepared by AA Power Engineering dated 29 October 2019.
- iv. Geotechnical Investigation reference 31727Lrpt revision 3 prepared by JK Geotechnics dated 9 July 2019.
- v. Geotechnical Investigation – Proposed Early Works reference 31727Lrpt- Early Works revision 1 prepared by JK Geotechnics dated 18 November 2019.
- vi. Supplementary Geotechnical Investigation Report reference 8688.1-GR-1-1 revision 0 prepared by Alliance Geotechnical dated 06 April 2020.
- vii. Geotechnical Finite Element Analysis Report reference G2019-37A revision 0 prepared by Cubitic Consulting dated 18 October 2019.
- viii. Geotechnical Finite Element Analysis Supplementary Report reference G2019-37C revision 0 prepared by Cubitic Consulting dated 13 March 2020.

- ix. FE Analysis Plot reference G2019-37 section 2 M-C BH103 prepared by Cubitic Consultant dated 28 April 2020.
- x. Structural Plans as listed below:
 - Cover Sheet reference 190286 revision D drawing S0000 prepared by Cubitic Consulting dated 06 May 2020.
 - Standard Notes & Backpropping Details reference 190286 revision B drawings S0001 and S0002 dated 06 May 2020.
 - Blockwork Wall Stiffener & Joint Details reference 190286 revision A drawing S0003 dated 06 May 2020.
 - Shoring and Bulk Excavation Overall Plan reference 190286 revision E drawing S0100 dated 06 May 2020.
 - Shoring and Bulk Excavation Plan Towers A & B reference 190286 revision D drawings S0101 and S0102 dated 06 May 2020.
 - Shoring Details reference 190286 revision C drawing S0103 dated 06 May 2020.
 - Shoring Elevations & Sections (A) reference 190286 revision C drawings S0105 and S0106 dated 06 May 2020.
 - Shoring Elevation & Sections (B, C & D) reference 190286 revision D drawings S0107 and S0108 dated 06 May 2020.
 - Shoring Elevation & Sections (D & E) reference 190286 revision C drawings S0109 and S0110 dated 06 May 2020.
 - George Street & Rail Corridor Plans reference 190286 revision E drawings S0120, S0121, S0122, S0123 prepared by Cubitic Consulting dated 06 May 2020.
 - Monitoring Plan reference 190286 revision D drawing S0130 prepared by Cubitic Consulting dated 06 May 2020.
 - Monitoring Notes & Specifications reference 190286 revision E drawing S0131 prepared by Cubitic Consulting dated 08 May 2020.
 - Vibration Plan reference 190286 revision D drawing S0140 prepared by Cubitic Consulting dated 06 May 2020.

The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming which of the documentation listed in this condition are to now apply or are superseded as a result of the compliance with the Sydney Trains related conditions of consent. The measures detailed in the documents approved/certified by Sydney Trains under this Condition are to be incorporated into the construction drawings and specifications prior to the issuing of the Construction Certificate. Prior to the commencement of works the Principal Certifying Authority is to provide verification to Sydney Trains that this condition has been complied with.

- 3.6.2 No work is permitted within the rail corridor, or any easements which benefit Sydney Trains/RailCorp, at any time, unless the prior approval of, or an Agreement with, Sydney Trains/RailCorp has been obtained by the Applicant. The Principal

Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

- 3.6.3 The Applicant/Developer appears to need power outages (shutting of power to Sydney Trains/RailCorp's facilities) to be able to undertake the proposed excavation, construction and installation work. If required, prior to the issue of a Construction Certificate, the Applicant/Developer shall enter into an Agreement with Sydney Trains, enabling this work to be planned and to proceed in a safe and controlled manner. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains that this condition has been satisfied.
- 3.6.4 Sydney Trains advises they have two power poles associated with the **33kV** High Voltage Aerial Transmission Line immediately adjacent to the development site. Prior to the issue of a Construction Certificate, the Applicant shall provide for Sydney Trains review, comment and endorsement a Construction Methodology including safety measures and methods ensuring that the pole will be protected from impact for the duration of the works. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains that this condition has been satisfied.
- 3.6.5 Sydney Trains advises there is a **33kV** High Voltage Aerial Transmission Line in close proximity to the proposed works. All works within 6 metres of the nearest transmission line conductor must comply with:
- ISSC 20 – Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure.
 - The Safe Approach Distances (SADs) in the Sydney Trains Document titled “SMS-06-GD-0268 – Working Around Electrical Equipment”.
 - “WorkCover Code of Practice – Work near Overhead Power Lines (The Code)”
- In addition, all Landscaping within 10 metres of the 33kV High Voltage Aerial Transmission Line shall be in accordance with the Sydney Trains High Voltage Powerline Tree Management Plan, including limiting of tree height to a maximum of no more than three (3) metres at mature height.
- 3.6.6 No metal ladders, tapes, and plant, machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any aerial power supplies within or adjacent to the rail corridor.
- 3.6.7 No scaffolding is to be used facing the electrical asset unless prior written approval has been obtained from Sydney Trains. To obtain approval the Applicant/Developer will be required to submit details of the scaffolding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the electrical asset. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels.
- 3.6.8 The applicant shall not at any stage block the corridor access gates on George Street, and should make provision for easy and ongoing 24/7 access by rail

vehicles, plant and equipment to support maintenance and emergency activities.

- 3.6.9 If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts to the rail corridor (including electrical assets). The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- 3.6.10 No rock anchors, rock bolts, ground anchors or rock ties, piles, foundations, rock pillars, transfer structures, basement walls, slabs, columns, beams, cut rock faces, are to be installed into RailCorp/Sydney Trains property or easements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- 3.6.11 Prior to the issuing of a Construction Certificate, the following final version rail specific items are to be submitted to Sydney Trains for review and endorsement:
- Machinery to be used during demolition, excavation and construction
 - Demolition, excavation and construction methodology and staging
- The Principal Certifying Authority is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.
- 3.6.12 Prior to the issuing of a Construction Certificate, the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
- 3.6.13 Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.
- 3.6.14 The proposed development is to comply with the deemed-to-satisfy provisions in the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".
- 3.6.15 Prior to the issue of an Occupation Certificate (whether an interim or final Occupation Certificate), a report must be prepared and submitted to the Certifying Authority, Council and Sydney Trains certifying that the completed development meets the requirements of State Environmental Planning Policy (Infrastructure) 2007 and with the Department of Planning and Infrastructure's Development

Assessment Guideline titled “Development Near Rail Corridors and Busy Roads - Interim Guidelines” as set down in the subject condition of this consent. Such a report must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development, and that internal noise levels meet the required dB(A) levels. Where it is found that internal noise levels are greater than the required dB(A) level, necessary corrective measures must be carried out to ensure that internal noise levels are compliant with the requirements of this consent.

- 3.6.16 The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare, reflectivity and illumination to the satisfaction of the light rail operator. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- 3.6.17 Any signage visible from the Rail Corridor shall not incorporate any green, red or amber colours.
- 3.6.18 A monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Trains for review, comment and endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority is not to issue a Construction Certificate until written confirmation has been received from Sydney Trains advising of the need to undertake the track monitoring plan and that it has been endorsed.
- 3.6.19 If required by Sydney Trains, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required within 10 days following the undertaking of the inspection, unless otherwise notified by Sydney Trains.
- 3.6.20 If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Engineering & Interface Management to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure and must be maintained for the duration specified by Sydney Trains. The Applicant is to contact Sydney Trains Engineering & Interface Management to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.
- 3.6.21 If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Engineering & Interface Management to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains.

Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.

- 3.6.22 Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, must be permitted to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and the requirements of this consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.
- 3.6.23 The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
- oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
 - acts as the authorised representative of the Applicant; and
 - is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.
- 3.6.24 Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.
- 3.6.25 Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains external party interface team. In this instance the relevant interface team is West Interface and they can be contacted via email on West_Interface@transport.nsw.gov.au.
- 3.6.26 Where a condition of consent requires Sydney Trains or Transport for NSW endorsement the Principal Certifying Authority is not to issue a Construction Certificate or Occupancy Certificate, as the case may be, until written confirmation has been received from those entities that the particular condition has been complied with. The issuing of staged Construction Certificates dealing with specific works and compliance conditions can be issued subject to written agreement from those entities to which the relevant conditions applies.
- 3.6.27 Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains or RailCorp must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.

3.7 **Transport for NSW– Roads and Maritime - Requirements**

- 2.7.1 The development shall adhere to the requirements of Roads and Maritime in their correspondence dated 12 September 2019, as follows:
1. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for

approval, prior to the commencement of any works. Documents should be submitted to Development.Sydney@rms.nsw.gov.au

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

2. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

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 Roads and Maritime.

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.

3. The redundant driveways on the George Street boundary and also Sunnyholt Road boundary shall be removed and replaced with kerb and gutter to match existing. The design and construction of the kerb and gutter on George Street and Sunnyholt Road shall be in accordance with Roads and Maritime requirements. Details of these requirements should be obtained by email to DeveloperWorks.Sydney@rms.nsw.gov.au.

Detailed design plans of the proposed kerb and gutter are to be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works.

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 Roads and Maritime.

4. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate.
5. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on George Street and Sunnyholt Road during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>
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 – 2002 for heavy vehicle usage. Parking Restrictions may be required to maintain the required sight distances at the driveway.
7. Sight distances from the proposed vehicular crossings to vehicles on Humphries Lane are to be in accordance with the Austroads 'Guide to Traffic Engineering Practice, Part 5: Intersections at Grade, Section 6.2 – Sight

Distance' and AS 2890. Vegetation and proposed landscaping/fencing must not hinder sight lines to and from the vehicular crossings to motorists, pedestrians and cyclists.

8. All vehicles are to enter and leave the site in a forward direction.
9. All vehicles are to be wholly contained on site before being required to stop.

3.8 **Hunter Pipeline: Safety Management Study**

3.8.1 The proposal shall be consistent with the requirements from Caltex, being the operator of the Hunter Pipeline, and in accordance with actions from the Safety Management Study;

- Vibration over the pipeline needs to be monitored, with the limit being 20mm/sec measured at ground level directly over the pipeline.
- A traffic management plan needs to be provided to Caltex to indicate no loading above 8.25 tonne per axle.

3.8.2 The fire safety measures outlined in the Concept Fire Safety Strategy prepared by Warrington Fire and dated 23 July 2019 are to be illustrated on the construction certificate documentation.

3.9 **NSW Police - Requirements**

3.9.1 The development shall adhere to the requirements of the NSW Police in its correspondence dated 19 September 2019, as follows:

1. Surveillance
 - Consideration to be given to the installation of Closed Circuit Television Systems (CCTV) surveillance cameras for the development, paying attention to those areas susceptible to anti-social behaviour and criminal activity. This includes the proposed communal open space area on Level 2 - pool, BBQ area, toilets and gymnasium. Also, residential foyer/lobby where mail boxes are located.
 - The exterior coverage should capture all entrances and exits and the immediate vicinity of the building including carpark entry and loading docks.
 - CCTV surveillance of the proposed Childcare centre entry, all internal hallways and corridors.
 - CCTV, Management and Operation; should be installed accordance to AS:48006.1 and Applications Guidelines - AS 4806.2
 - By ensuring clear sightlines, the opportunity to commit a crime is decreased.
2. Lighting
 - A lighting maintenance policy needs to be established for the development.
 - Lighting should be vandal resistant and placed around the perimeter of the property, at all entry/exits points, throughout the proposed Level 2 common areas, loading docks, basement carparks and driveway.
 - Possible entrapment spots such as the storage units, waste/rubbish bin

areas should be lit with vandal-resistant and energy saving lighting.

- Lighting used in the car park area should illuminate continuously in hours of darkness.
- The ceiling of the car parks should be painted white or be light in colour. This will enhance the lighting operating in this space.

3. Barriers

- Limit the number of blank surfaces on the external parts of the building. These surfaces should be coated with graffiti resistant material/paint to reduce opportunities for malicious damage type offences (graffiti) and allow ease of cleaning to these structures. Consideration in landscaping for planting low line hedge or plants along these structures to decrease accessibility to the blank surfaces. The use of screen landscaping (green screens) or creepers, murals, vandal resistant paint or other means to discourage graffiti are encouraged.
- Glass within vulnerable areas like entry points be re-enforced with shatter resistant film or laminated glass to control access.
- Doors - Security/entry control systems - Electronic communication devices such as voice and visual intercom can be an effective way of increasing the effort required by criminals to enter buildings. It is recommended the developer install security/entry control systems to the main foyer/lobby door to minimise break and enter offences and unauthorised access to residential units. Also lift swipe cards/fob keys to control access to residential floors of buildings.

4. Space Activity Management

- The exterior coverage should capture all entrances and exits and the immediate vicinity of the building.
- Level 2 should have restricted access. Residents/visitors having 'LIMITED' access to this area.
- Limited being that the proposed communal area is opened to residents from 8am-8pm ONLY. This is to reduce noise related issues and to assist in the prevention of incidents of anti-social behaviour that may occur. NO glass items be allowed in this area.
- That a key holder be identified with relevant contact details provided to aid emergency services to gain entry if there are any related issues preventing them from getting immediate access.

5. Access Control

- Landscaping and Vegetation - Landscaping and vegetation enhance the natural amenity of any site. It is important, however, to ensure dense foliage and inappropriate planting does not lead to opportunities for concealment. The recommended plants suggested in the application should be low lying shrubs and or grass like plants that are free from stones and or rocks at the soil base (eliminating stones used for projectiles). These low-lying shrubs and or grass like plants should be planted to avoid clumping and to retain sightlines and opportunities

for surveillance around the communal areas. The plants proposed should have an appearance of impenetrability and qualities that minimises concealment opportunities.

6. Territorial Re-enforcement

- Erect appropriate signage. I.e. Trespassers will be prosecuted, surveillance systems operating, etc.
- Warning signs in car parks. Signs should be clear and concise displaying the area of which cars should be parked. Signs warning people not to leave valuables in their cars. e.g. 'Lock it or lose it' or 'don't leave valuables in your vehicle'.
- Install bollards on pavement/footpaths, ground level. This will assist in providing safe pedestrian activity, particularly outside of proposed ground level retail premises.

4 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

4.1 DA Plan Consistency

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

4.2 Services/Utilities

4.2.1 The following documentary evidence shall accompany any Construction Certificate:

- (a) A "Notification of Arrangement" Certificate from a recognised energy provider, stating that arrangements have been made with the service authority for electrical services, including the provision of street lighting, to the development.
- (b) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

4.3 Street Tree Planting and CBD Pavement Treatment

4.3.1 Prior to the issue of a Construction Certificate relating to the approved development, full detail plans in relation to the proposed street tree planting and landscaping consistent with Council's adopted Street Tree Guidelines shall be submitted to and approved by Council's Manager Civil and Park Maintenance. The Street Tree Plan shall observe the species palette identified by Council's Street Tree Guidelines for Street Trees in the CBD and will include the following:

- cross-sections showing dimensions of tree pits
- minimum of 100 litre containers or a species to be nominated by Council
- details of root protection barriers
- soil specifications

- location of tree pits in relation to any awning within the street setback, services, intersections and future driveways, light poles, stormwater pits sewerage infrastructure and utilities

These shall be submitted to Council for the approval of Council's Manager Civil and Park Maintenance. NOTE: Any tree planting to be undertaken as part of the approved development shall be available to Council for inclusion in future carbon sequestration programs.

- 4.3.2 Prior to the issue of a Construction Certificate relating to the approved development, full detail plans in relation to the pavement treatment along all pavements shall be submitted to and approved by Council's Manager Civil Maintenance. This shall be at the full cost of the Applicant.

4.4 **Waste Matters**

- 4.4.1 The applicant must ensure the approved bin collection points for all bins for the whole site are shown on the stamp approved plans to Council's satisfaction with each bin indicated.

- 4.4.2 Access for collection vehicles must be designed in accordance with the dimensions indicated on the approved architectural plans, CAD files and vertical clearances (as per Australian Standards), showing adequate truck entry and exit and in all manoeuvring areas to Council's satisfaction.

- 4.4.3 Once the development is strata titled a Community Management Agreement / Strata Management Agreement is required to Council's satisfaction which:

- indicates a requirement for the appointment of a building manager/caretaker to manage bins and bulky waste onsite in accordance with the approved waste management plan. This includes placement of bins out for collection and their return to the storage areas following servicing.
- indicates the responsibility for maintenance of the garbage collection system and bin cleaning, and ensure waste collection points are clear and unobstructed prior to collection times including providing access to the loading bay prior to bin servicing.
- indicates the method of communication to new tenants and residents regarding the waste management service and collection system for the complex.
- clearly outlines the requirement for the building manager to maintain and display consistent signs on all bins and in all communal bin storage areas.
- clearly outlines the requirement for the building manager to arrange for the prompt removal of dumped rubbish from the site
- includes the updated (and approved) waste management plan as lodged with the development application on 27/03/2020

4.5 **SEPP No. 65 – Design Quality of Residential Apartment Development**

- 4.5.1 No construction certification must be issued unless all design verifications have been provided in accordance with Clause 143A of the Environmental Planning and Assessment Regulation 2000. A certifying authority must not issue a construction certificate for residential apartment development unless the certifying authority has received a design verification from a qualified designer, being a statement in which

the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of [State Environmental Planning Policy No 65—Design Quality of Residential Flat Development](#).

4.6 Wind Impact Mitigations

- 4.6.1 The recommendations of the Environmental Wind Assessment prepared by ARUP and dated July 2019 shall to be implemented. Any mitigation measures are to be identified on the construction certificate plans.

4.7 Social Impact Assessment – Implementation of Mitigation Measures

- 4.7.1 The mitigation measures outlined in the Social Impact Assessment prepared by Cred Consulting and dated February 2020 shall be demonstrated on the plans and implemented.

4.8 Awnings

- 4.8.1 Details of the proposed awnings over Council's road reserve, including colour samples of the materials / finishes from brochures or the like are to be submitted for the separate approval of Council's Maintenance Engineers. The height and width of the proposed footpath awning is to comply with the following requirements:
- (a) The general provisions applicable to awnings under the Local Approvals Policy 2015 Parts A, E, E1 and E2.
 - (b) It must not cover, obstruct or interfere with facilities essential to the function or occupation of any building (e.g. ventilation ducts/openings and architectural features).
 - (c) Must have a minimum horizontal distance of 600 mm from the road kerb/shoulder.
 - (d) Must have a minimum height of 3.2 m to the underside of the awning (i.e. measured above the adjacent finished/proposed footway level).
 - (e) Must have a maximum height of 5 m to the upper side of the awning (excluding the overhead support components).
- 4.8.2 Under awning lighting is to be provided to enhance pedestrian amenity and safety.
- 4.8.3 Certification is to be provided by a NPER engineer as to the structural integrity of the awning and compliance with the BCA and other relevant standards.
- #### **4.9 Sydney Trains - General Terms of Approval**
- 4.9.1 The development shall adhere to the relevant General Terms of Approval issued by Sydney Trains, dated 18 June 2020 outlined earlier in Condition 3.6.
- #### **4.10 Transport – Roads and Maritime - Requirements**
- 4.10.1 The development shall adhere to the requirements of Roads and Maritime in its correspondence dated 12 September 2019 outlined earlier in Condition 3.7.

4.11 **Hunter Pipeline: Safety Management Study**

4.11.1 The proposal shall be consistent with the requirements from Caltex, being the operator of the Hunter Pipeline, and in accordance with actions from the Safety Management Study;

- Vibration over the pipeline needs to be monitored, with the limit being 20mm/sec measured at ground level directly over the pipeline.
- A traffic management plan needs to be provided to Caltex to indicate no loading above 8.25 tonne per axle.

4.12 **NSW Police - Requirements**

4.12.1 The development shall adhere to the relevant requirements of the NSW Police in its correspondence dated 19 September 2019 outlined earlier in Condition 3.9.

5 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)

5.1 Section 7.11 Contributions

5.1.1 The following monetary contributions under *Section 7.11 of the Environmental Planning & Assessment Act 1979* must be paid. The amounts below are as 25 September 2020. They WILL BE INDEXED from this date to the date of payment. Payment of the indexed amounts must be made prior to the issue of the first Occupation Certificate for the development, either by Council or any accredited certifier, whichever occurs first.

Accredited Certifiers to Note (Planning Circular PS 20-003)

An application for an Occupation Certificate, if made to a private accredited certifier, needs to be accompanied by a certificate from the relevant council that any local infrastructure contributions or levies (under section 7.11 or s7.12 of the Act) have been made, if they are required to be made at any time before the issue of the occupation certificate.

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

Contribution Item	Amount	Relevant C.P.
Flood Mitigation	\$10,453.00	19
Stormwater Quality	\$41,297.00	19
Traffic Management		
Medium to High Density Development	\$252,348.00	19
All Residential Development	\$839,676.00	19
Open Space	\$1,559,115.00	19
Community Facilities	\$644,230.00	19
Local Road Construction	\$663,597.00	19
Streetscape Facilities	\$504,156.00	19
Traffic Management – CBD Northern Precinct		
Residential Development	\$402,017.00	19
Commercial/ Office Development	\$773,748.00	19

Total | **\$5,690,637.00** |

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

Payment:

- i) A monetary contribution that is required to be paid under this condition must be paid before the issue of the first occupation certificate in respect of any building to which this consent relates, except as provided by paragraph (ii).
- ii) If no construction certificate in respect of the erection of any building to which the consent relates has been issued on or before 25 September 2022, the monetary contribution must be paid before the issue of the first construction certificate after that date for any such building.

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

S7.11 CP No. 19 Blacktown Growth Precinct

The Section 7.11 contribution(s) have been based on the total developable area, and the potential additional population nominated below. Should the final plan of survey indicate any change in the total developable area or should amendments change the potential additional population, the Section 7.11 contribution(s) will be adjusted accordingly.

Developable Area: 0.46180 hectares

Additional Population: 494.8 persons

Commercial area: 63.3700 m²

Road Frontage: 277.77 m

5.2 Aesthetics/Landscaping

- 5.2.1 The reflectivity index of glass used in the external facade of the building is not to exceed 20% must not affect road traffic and must not cause discomfort through glare or intense heat to surrounding areas. 'Anti-glare' glazing is to be used to minimise any glare affect. Details are to be provided as part of the Construction Certificate plans.
- 5.2.2 Any bathroom, w.c. or laundry window in the external wall of the building shall be fitted with translucent glazing.
- 5.2.3 The development approved by this consent is to be constructed in accordance with the materials, finishes and colours indicated on the photomontage and the approved Materials and Finishes Plan. Details of these building materials and finishes, including colour samples from brochures or the like, are to be included as part of the Construction Certificate plans.

5.3 Access/Parking

- 5.3.1 The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1.
- 5.3.2 436 car parking spaces are to be provided on site, being 264 residential spaces,

36 visitor car parking spaces, 111 retail spaces and 25 spaces for the child care centre and are to be designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1 as follows:

Commercial car space: 2.6 m x 5.4 m

Residential flat building (excluding width of pillar): 2.5 m x 5.4 m

Residential flat building (adjacent to solid wall): 2.7 m x 5.4 m

Disabled car space: 2.4 m x 5.4 m (plus shared zone)

- 5.3.3 The design of the car parking area is to ensure that all vehicles must enter and leave the development in a forward direction.
- 5.3.4 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 and AS1428.1 - 2009.
- 5.3.5 The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) are to be designed in accordance with Australian Standard 2890.1 – 2004 and AS 2890.2 – 2002 for heavy vehicles.
- 5.3.6 The basement ceiling is to be light in colour, and preferably painted white, to enhance lighting illumination.
- 5.3.7 A roller shutter and card-key system, or similar, is to be installed at the entry/exit points of the basement car park.
- 5.3.8 The basement storage areas are to be provided with quality doors/cages and lock sets to restrict unauthorised access. The loading dock and areas within the bin storage room and bulky waste storage area that are unsafe for children to access area to be provided with lock sets to restrict unauthorised access.
- 5.4 **Adaptable Housing Units**
- 5.4.1 A minimum of 10% of the units are to be designed in accordance with the Australian Adaptable Housing Code (AS 4299-1995) which includes “pre-adaptation” design details to ensure visitability is achieved.
- 5.5 **Communal Open Space and Landscaping**
- 5.5.1 All landscaping, recreation features and furniture, bbq facilities, swimming pool, gym and sauna shall be of a high quality and detailed on the approved landscaping design plans.
- 5.6 **Floor to Ceiling Heights**
- 5.6.1 All habitable rooms are to have a minimum floor to ceiling height of 2.7 m. Service bulkheads are not to intrude into habitable spaces.
- 5.7 **Conditions of DA-19-01719 for Stage 1**
- 5.7.1 All conditions of DA-19-01719 for Stage 1 must be met prior to the issue of a Construction Certificate for the building.
- 5.8 **Plant and Equipment**
- 5.8.1 The plans are to demonstrate that all building plant, equipment and services including air conditioning systems, basement vents, and substations, etc. are

appropriately located and treated so as not to be visually prominent and not to adversely impact on the units and communal open spaces with regard to visual, acoustic and odour impacts.

- 5.8.2 External service fixtures and conduits are to be part of the overall appearance of the building, or are to be screen from view.
- 5.8.3 Any required substation as part of the development is required to be located on private property and incorporated into the design of the building or landscaping of the development.

6 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

6.1 Building Code of Australia Compliance

- 6.1.1 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:
 - (a) Complying with the deemed to satisfy provisions, or
 - (b) Formulating an alternative solution which:
 - (i) complies with the performance requirements, or
 - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - (iii) A combination of (a) and (b).

6.2 Site Works and Drainage

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

- (a) Preserved and protected from damage, and
- (b) Underpinned and supported.

Such details shall accompany the Construction Certificate.

6.3 **Swimming Pools**

- 6.3.1 The swimming pool and child-resistance barrier(s) shall comply with the design and construction requirements of Part 2 of the Swimming Pool Act 1992, Australian Standard 1926.1-2012: "Swimming Pool Safety - Safety Barriers" (AS) and Council's Swimming Pool Guidelines booklet. Any exemption certificate required under the provisions of Section 22 of the Act shall be issued by Council. Should the barrier incorporate a glazed fence or balustrade, that part of the barrier shall also comply with the relevant design requirements of Appendix E of the AS and Australian Standard 1288 – "Glass in Buildings".

7 **PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)**

7.1 **General**

- 7.1.1 All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate can be issued.

- 7.1.2 The engineering drawings referred to below are not for . construction. The Construction Certificate/Subdivision Works Certificate drawings shall be generally in accordance with the approved drawings and conditions of consent. Any significant variation to the design shall require a section 4.55 application

Construction Certificate plans shall be generally in accordance with the following drawings and relevant Consent conditions:

Prepared By	Job No.	Drawing No.	Revision	Dated
NORTHROP	181363	DAC01.01	03	7/6/2019
NORTHROP	181363	DAC01.21	01	7/11/2019
NORTHROP	181363	DAC01.22	01	7/11/2019
NORTHROP	181363	DAC02.01	04	23/9/2020
NORTHROP	181363	DAC02.02	02	23/9/2020
NORTHROP	181363	DAC03.01	03	23/9/2020
NORTHROP	181363	DAC03.02	04	23/9/2020

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

- i. The maximum allowable cross fall along the full width segmental path paving to be reconstructed along the frontage of the development, along Sunnyholt Road and George Street, is 2.5%
- ii. the alignment of the kerb return at the intersection of Humphries lane and Sunnyholt Road are to remain as per the existing configuration.
- iii. that pedestrian traffic within the reconstructed footway along the north western corner of site at the intersection of Humphries Lane and Sunnyholt Road can be safely facilitated and generally in accordance with the relevant Australian Standards and Councils Engineering guide for Development.
- iv. A linemarking and signage plan is to be submitted to local traffic committee and Council for approval for the intersection of Humphries Lane and Sunnyholt Road

7.2 **Construction Certificate Requirements**

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

- On-site stormwater detention
- Water quality treatment

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

7.3 **Roads Act Requirements**

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

- Any works within Council's road reserve
- Vehicular crossings
- Road reconstruction, drainage and associated works along Humphries Lane.
- Full width segmental path paving and associated works in accordance with Council's Engineering Guide for Development along George Street and Sunnyholt Road.
- Removal of redundant crossings and Laybacks and replace with Council's standard kerb and gutter in George Street and Sunnyholt Road.

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

7.4 **Other Engineering Requirements**

7.4.1 If the estimated cost is \$25,000 or greater proof of long service levy payment is required.

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

7.5 **Roads**

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

Note: The design CSR is to be confirmed on site prior to placement of any pavement. If actual CSR is less than design CSR, revised pavement design will be required.

7.5.2 Submit a traffic management plan (TMP) including but not limited to a Traffic Control Plan (TCP) and Pedestrian Management Plan, for any works within public road reserves. The TCP shall be approved, signed and dated by a person who holds a current Roads and Maritime Services (RMS) Work Zone Traffic Management Plan accreditation and photo card.

7.5.3 A road occupancy licence (ROL) is to be obtained from Transport for N.S.W (Roads and Maritime) for any works along Sunnyholt Road.

The ROL is also required for any works along George Street and Humphries Lane within 100 meters of a signalised intersection.

- 7.5.4 Any approved design drawings must show a 5 m x 5 m splay for the development at the intersection of Humphries Lane and Sunnyholt Road.
- 7.5.5 Splays are to be adjusted to meet site specific intersection designs in accordance with Council's Engineering Guide for Development.
- 7.5.6 A minimum full width of pavement for the full road frontage of the development along Humphries Lane is required. These construction works include drainage, kerb and gutter, footway turfing, service adjustments and any other ancillary work necessary to make this construction effective.

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

- 7.5.7 The existing pavement of Humphries Lane from Sunnyholt Road to Prince Street shall be milled, re-sheeted and rehabilitated to the satisfaction of Council generally in accordance with the following:

Name	Width (m)	Length (m)	Traffic N(E.S.A)	Loading
Humphries Lane	Full Width	160.00	5x105	

Note: Humphries Lane pavement surface will require regular monitoring by a qualified civil engineer to ensure optimal conditions are maintained for all users throughout the duration of construction. Ongoing pavement remediation will be required throughout construction to keep safe and make good Humphries Lane at the cost of the applicant.

- 7.5.8 Indicate the replacement the redundant layback and footway crossing with Council's standard kerb and gutter in George Street, Sunnyholt Road and Humphries Lane. The footway area shall be restored with turf in accordance with Council's specifications.

7.6 **Drainage**

- 7.6.1 Drainage from the site must be connected into Council's existing drainage system.
- 7.6.2 Drainage from the site shall be connected into Council's existing drainage system. In this regard it is required to construct a new standard Council kerb inlet pit in Humphries Lane in accordance with engineering plan: Job No: 181363, Drawing No: DAC02.02, Revision 02 dated 23/09/2020 as prepared by NORTHROP Consulting, to drainage into existing Council kerb inlet pit in Humphries Lane.

7.7 **Erosion and Sediment Control**

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

7.8 Earthworks

- 7.8.1 Finished levels of all internal works at the road boundary of the property must be 2.5% above the top of kerb where full width path paving is proposed within the existing public footway.

7.9 On-Site Detention

- 7.9.1 On-site detention system shall be designed in accordance with the parameters set out in Council's Water Sensitive Urban Design Standard Drawings A(BS)1 75M On- site detention requirements - Sheet 20, or an S3QM Certificate
- 7.9.2 The on-site detention system shall be generally designed to achieve the following: ensure DCP is updated
- All systems shall use at least 2 orifice plates to control flows:
 - The 1.5 year ARI orifice shall be designed to convey a maximum of 40/Us/ha
 - The 100 year ARI orifice shall be designed to convey a maximum of 190 Us/ha
 - Storage shall be provided as follows:
 - Volume up to 1.5 year ARI TWL = 300 m³/ha
 - Volume up to 100 year ARI TWL = 455 m³/ha
 - Orifice flow rates will be adjusted for bypass with a maximum site bypass of 15% as per the following table:

Total OSD BYPASS (%)	ENVIRONMENTAL DISCHARGE (1.5 YEAR ARI ORIFICE) (Us/ha)	ENVIRONMENTAL STORAGE (BELOW 1.5 YEAR ARI WEIR) (m ³ /ha)	FLOOD DISCHARGE (100 Year ARI ORIFICE) (Us/ha)	FLOOD STORAGE (BELOW EMERGENCY WEIR) (m ³ /ha)
0	40.0	300	190	455
2.5	38.5	300	176	455
5	37.0	300	162	455
7.5	35.5	300	148	455
10	34.0	300	134	455
12.5	32.5	300	120	455
15	31.0	300	106	455

- 7.9.3 A registered engineer (NER) must certify that:
- The structures associated with the on-site stormwater detention system have been designed to withstand all loads likely to be imposed on them during their lifetime.
 - The on-site stormwater detention system will perform to meet the on-site stormwater detention requirements and function hydraulically in general accordance with Council's Engineering Guide for Development DCP Part J - Water Sensitive Urban Design and Integrated Water Cycle Management, S3QM Deemed to comply tool and Councils Standard Drawing A(BS)175M.

7.9.4 The following documents shall be submitted to accompany the on-site detention design in accordance with the design:

- Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
- On-site detention detailed design submission and calculation summary sheet
- A maintenance schedule that complies with Council's Water Sensitive Urban Design maintenance guidelines, signed and dated by the designer
- S3QM Deemed to Comply On-site detention summary details

7.10 **Stormwater Quality Control**

7.10.1 Stormwater quality treatment system shall be designed in accordance with Council's Engineering Guide for Development and DCP [Part J- Water Sensitive Urban Design and Integrated Water Cycle Management](#).

7.10.2 Provide a maintenance schedule for the stormwater quality device that is signed and dated by the designer.

7.11 **Vehicular Crossings**

7.11.1 Plans to demonstrate the construction of a commercial and industrial vehicular crossing to Council's standard A(BS)103S, one crossing to serve the residents of the development and another to loading dock area in Humphries Lane. (A total of 2 crossings.)

7.12 **Footpaths**

7.12.1 Path paving is to be provided generally in accordance with Council's Path Paving Policy, Blacktown City Council Engineering Guide for Development as follows:

Street Name	Side	Paving Width	Length
George Street	Northern	Full Width	Full length
Sunnyholt Road	Western	Full Width	Full length
Humphries Lane	Southern	Full Width	Full length

7.12.2 The construction of segmental path paving is to be provided in George Street and Sunnyholt Road and Concrete path paving for Humphries Lane generally in accordance with Council's Path Paving Policy, Blacktown City Council Engineering Guide for Development.

7.13 **Other Drainage Matters**

7.13.1 For the rainwater tank, an experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply Plan for non-potable water uses on the site. For this plan non-potable water uses refer to all toilet flushing on the ground floor and level 1 (including the child care centre) and a non-potable supply pipe to level 2 for watering the podium landscaping. The plan is to show the rainwater pipe and tank arrangement including:

- i. a first flush or pre-treatment system,
- ii. a pump with isolation valves,
- iii. control panel and a warning light to indicate pump failure;
- iv. an automatic solenoid controlled mains water bypass;
- v. **flow meters** on the solenoid controlled mains water bypass line and the pump outflow line, to determine actual non-potable usage and % reuse
- vi. a warning light to indicate pump failure;
- vii. ensuring all the reuse pipes and taps are coloured purple
- viii. an automatic backwash inline filter;
- ix. ensuring the pipeline to the podium is sized large enough to deliver the peak flow rates required by the irrigation demand;
- x. fitting rainwater warning signs to all external taps using rainwater.
- xi. waterless urinals are to be used.
- xii. ensuring that all Sydney Water requirements have been satisfied

7.13.2 Amended architectural plans are required for buildings, or parts of buildings, that are not affected by BASIX, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:

- i. star dual-flush toilets.
- ii. star showerheads.
- iii. star taps (for all taps other than bath outlets and garden taps).
- iv. Waterless urinals are to be used.
- v. Water efficient washing machines and dishwashers are to be specified.

7.13.3 An experienced irrigation specialist is to prepare and certify a detailed Landscape Watering Plan for non-potable landscape watering of the level 2 podium area. The plan is to show the irrigation layout based on a non-potable water supply point from the rainwater tank, including:

- i. isolation valve for maintenance or during water restrictions
- ii. any additional filtration systems needed to protect the irrigation system.
- iii. a timer and control box for landscape watering, allowing for seasonal variations and split systems
- iv. designed to automatically achieve a minimum average usage rate of 0.4 kU yr/m² including increasing the frequency of watering by a minimum 50% above average for the hotter months and reducing for the cooler months. The system is to deliver a combined minimum of 256 kUyear.
- v. ensuring all the reuse pipes and taps are coloured purple
- vi. fitting warning signs to all external taps using non-potable water

7.13.4 Provide details for a permanent coloured interpretive signage minimum A1 size to be installed to highlight the water conservation. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures the rainwater tank, detention tank and GPT and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the GPT. The wording and details are available on Council's website and is to be approved by Council.

7.13.5 The engineering plans by Northrop job no. 181363 are to be amended to include the following:

- i. Road drainage is to be constructed in Humphries Lane generally in accordance with the submitted Stormwater Concept Plan prepared by Northrop Uob no. 181363). The drainage line must be approved by Council. In this regard, detailed engineering plans including longitudinal sections of the drainage line, accurate location of services in the footway area, traffic control plan etc. must be submitted to Council for approval prior to construction works commencing. Plan checking and inspection fees will be assessed upon submission of plans.
- ii. The minimum storage and dual alternating pump requirements for the basements garage is to satisfy AS/NZS 3500.3:2015 - Plumbing and Drainage Part 3: Stormwater Drainage.
- iii. Detail Confined space entry warning signs on the drainage plans adjacent to all entries into the GPT, rainwater tanks and detention tank in accordance with Council's Engineering Guide for Development 2005.
- iv. Provide on-site detention (OSD) warning signs as per the Upper Parramatta River Catchment Trust guidelines.
- v. Provide galvanised or equivalent step irons or ladders for all entry points to the tanks.
- vi. Charge line cleanout systems are to be provided for all rainwater tank charge lines at the lowest point in the system. Provide a screw cap on the charge line.
- vii. Design the roof water system to collect all the 1% AEP flows. Allow for a 50% blockage factor on the roof grates.

7.13.6 An experienced Drainage Engineer registered with NER and supported by a DRAINS or similar hydraulic calculation is to certify that the existing and proposed internal drainage system is capable of carrying 1% AEP (100 year ARI) flows to the detention and rainwater tanks.

8 PRIOR TO CONSTRUCTION CERTIFICATE (ENVIRONMENTAL HEALTH)

8.1 Environmental Management

8.1.1 The recommendations provided in Remedial Action Plan (prepared by Alliance Geotechnical Pty Ltd, Reference 8688-ER-1-2 and dated 8 November 2019) must be carried out.

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

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

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

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

This is to include consideration of the noise impacts generated by the operation of the loading dock and entry/exit to the car parking area and potential adverse impacts on the acoustic amenity of surrounding properties (and future residential redevelopment).

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

9 PRIOR TO EXCAVATION AND DEVELOPMENT WORKS

9.1 Safety/Health/Amenity

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

Each toilet provided shall be:

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

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

- (a) the name, address and telephone number of the principal certifying authority for the work, and

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

This condition does not apply to:

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

9.1.3 Should the development work:

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

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

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

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

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

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

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

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

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

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

supporting work commences, be given notice of such intention and particulars of the excavation or supporting work.

9.2 Notification to Council

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

9.3 Sydney Water Authorisation

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

OR

The approved plans are to be submitted to a Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans must be appropriately stamped and all amended plans will require restamping. For further information please refer to the "Developing Your Land" section of the website: www.sydneywater.com.au, or telephone 1300 082 746 for assistance.

9.4 Use of a Crane

- 9.4.1 Any crane used in the construction of this development to swing over public air spaces must have approval under the Roads Act 1993 and Local Government Act 1993 from Council's Manager, Civil and Open Space Maintenance.
- 9.4.2 The crane used must be provided with a light in accordance with the requirements of the Civil Aviation Safety Authority (CASA).

9.5 Water NSW - General Terms of Approval

- 9.5.1 Prior to the commencement of any works or activity, the development consent holder must apply to WaterNSW for a Water Supply Work approval. The development shall adhere to the General Terms of Approval issued by WaterNSW, dated 12 December 2019.

9.6 Sydney Trains - General Terms of Approval

- 9.6.1 The development shall adhere to the relevant General Terms of Approval issued by Sydney Trains, dated 18 June 2020.

9.7 Transport for NSW – Roads and Maritime - Requirements

- 9.7.1 The development shall adhere to the requirements of Roads and Maritime in its correspondence dated 12 September 2019.

9.8 Hunter Pipeline: Safety Management Study

- 9.8.1 The proposal shall be consistent with the requirements from Caltex, being the operator of the Hunter Pipeline, and in accordance with actions from the Safety Management Study;

- Vibration over the pipeline needs to be monitored, with the limit being 20mm/sec measured at ground level directly over the pipeline.
- A traffic management plan needs to be provided to Caltex to indicate no loading above 8.25 tonne per axle.

9.9 **NSW Police - Requirements**

9.9.1 The development shall adhere to the relevant requirements of the NSW Police in its correspondence dated 19 September 2019.

9.10 **Geotechnical Requirements**

9.10.1 All works are to be consistent with the comments and recommendations of the Structural and Geotechnical Report prepared by Cubitic Consulting dated 18 October 2019 and the Geotechnical Investigation report prepared by JK Geotechnics dated 9 July 2019.

10 **DURING EXCAVATION AND CONSTRUCTION (GENERAL)**

10.1 **Water NSW - General Terms of Approval**

10.1.1 The development shall adhere to the General Terms of Approval issued by WaterNSW, dated 12 December 2019.

10.2 **Sydney Trains - General Terms of Approval**

10.2.1 The development shall adhere to the relevant General Terms of Approval issued by Sydney Trains, dated 18 June 2020.

10.3 **Transport for NSW – Roads and Maritime Services - Requirements**

10.3.1 The development shall adhere to the requirements of Roads and Maritime in its correspondence dated 12 September 2019.

10.4 **NSW Police - Requirements**

10.4.1 The development shall adhere to the relevant requirements of the NSW Police in its correspondence dated 19 September 2019.

10.5 **Tree Protection Measures**

10.5.1 Any existing trees located outside of the boundary of this site are not approved for removal and must be retained and protected as per AS 4970-2009 Protection of Trees on Development Sites, and in line with the recommendations of the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees and dated 20 November 2019.

10.6 **Geotechnical Requirements**

10.6.1 All works are to be consistent with the comments and recommendations of the Structural and Geotechnical Report prepared by Cubitic Consulting dated 18 October 2019 and the Geotechnical Investigation report prepared by JK Geotechnics dated 9 July 2019.

10.7 **Nuisance Control**

10.7.1 Any noise generated during demolition and excavation shall not exceed those limits specified in the Protection of the Environment Operations Act 1997 and shall be limited to between 7 am and 6 pm, Monday to Friday, and 8 am to 1 pm,

Saturday, with no demolition work being undertaken on Sundays or public holidays.

10.8 Construction Management Plan

10.8.1 All works are to be consistent with the DA Construction Management Plan prepared by Construction Consultants dated 18 July 2019. Any noise generated during demolition and bulk earthworks including excavation and shoring works shall not exceed those limits specified in the Protection of the Environment Operations Act 1997 and shall be limited to between 7 am and 6 pm, Monday to Friday, and 8 am to 1 pm, Saturday, with no demolition work being undertaken on Sundays or public holidays.

11 DURING CONSTRUCTION (BUILDING)

11.1 Safety/Health/Amenity

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

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

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

11.1.3 Should the development work:

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

the required hoarding, awning or protective barrier shall be maintained between the land and the public place.

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

11.1.4 Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.

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

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

- 11.1.7 Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.
- 11.1.8 Should any excavation associated with the ongoing development works extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:
- (a) shall be preserved and protected from damage, and
 - (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
 - (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting works be given notice of such intention and particulars of the excavation or supporting works.
- 11.1.9 Building and construction materials, plant, equipment and the like shall not be placed or stored at any time on Council's footpath, roadway or any public place.
- 11.2 **Building Code of Australia Compliance**
- 11.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.
- 11.3 **Surveys**
- 11.3.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifier to verify the approved position of each structure in relation to the property boundaries.
- 11.3.2 A registered surveyor's report confirming the approved design ground and/or floor levels, shall be lodged with the Principal Certifier prior to work proceeding above floor level.
- 11.4 **Nuisance Control**
- 11.4.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 11.4.2 The hours of any offensive noise-generating demolition, excavation and development works shall be limited to between 7 am to 6 pm, Mondays to Fridays: 8 am to 1 pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.
- 11.5 **Swimming Pools**
- 11.5.1 Any child-resistant barrier required by the Swimming Pool Act 1992 shall be erected prior to filling, or allowing the pool to fill, with water to a depth exceeding 300 mm.
- 11.5.2 A poster (warning notice) prepared by the Royal Life Saving Society shall be exhibited in a prominent position adjacent the pool area. The poster shall contain the wording referred to in Part 3 of the Swimming Pools Regulation 2008, including a flow sequence containing details of resuscitation techniques (for infants, children and adults).

- 11.5.3 The filtration motor is not permitted to operate between the hours of 8 pm and 8 am. The swimming pool filter and pump shall be fully enclosed in a purpose-built acoustic enclosure to attenuate noise emitted by the swimming pool equipment. The acoustic enclosure shall reduce the sound pressure level of the swimming pool filter and pump equipment to a level not greater than 5dB (A) above the background noise level in accordance with Protection of the Environmental Operations Act 1997.
- 11.5.4 The discharge and/or overflow pipe from the swimming pool and filtration unit shall be connected to an approved sewerage system where available.
- All backwash water from the filtration unit shall be similarly disposed, or alternatively, shall be connected to an absorption trench having a minimum capacity of 1 m³, having a maximum depth of 600 mm and located a minimum 3 m from any boundary and existing or proposed building (including impervious pavement) on the land.
- 11.5.5 The following inspections shall be carried out during construction of the swimming pool:
- (a) Completion of the pool excavation (fibreglass or fibrecrete construction), and/or placement of steel reinforcement (prior to pouring concrete),
 - (b) Erection of the child resistant barrier (prior to filling or allowing the pool to fill with water to a depth exceeding 300 mm),
 - (c) Completion of the swimming pool development (prior to use of the pool).
- 11.6 **Stormwater Drainage**
- 11.6.1 Stormwater, surface water and sub-surface seepage (other than natural flows) shall be prevented from entering the building or being diverted onto any adjoining land (as applicable) by:
- (a) the floor level being a minimum 225 mm above the adjoining finished ground level, and/or
 - (b) being drained to an effective drainage system.
 - (c) if draining to kerb use an approved kerb outlet and sewer grade PVC or RHS
- 11.7 **Waste Control**
- 11.7.1 The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works.
- 11.8 **Construction Inspections**
- 11.8.1 The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):
- (a) After excavation for, and prior to placement of, any footings; and
 - (b) Prior to pouring any in-situ reinforced concrete building element; and

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

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

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

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

12 DURING CONSTRUCTION (ENGINEERING)

12.1 Notification of Works

- 12.1.1 A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works required by this consent. This must be submitted a minimum 5 business days prior to commencement of engineering works.

12.2 Insurances

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

12.3 Service Authority Approvals

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

12.4 Boundary Levels

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

12.5 Soil Erosion and Sediment Control Measures

- 12.5.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 12.5.2 Re-vegetation and restoration of all disturbed areas as a result of the development works shall be completed as soon as practicable after the

completion of earthworks and before the commencement of any other works on-site. The revegetated/restored areas must be established prior to the release of maintenance security/bonds. Note: All open drains must be turfed.

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

12.6 **Filling of Land and Compaction Requirements**

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

- a) Compaction certificates for fill within road reserves.
- b) Compaction certificates for road sub-grade.
- c) Compaction certificates for road pavement materials (sub-base and base courses).
- d) Contour lot fill diagrams and lot fill compaction certificates. A restriction as to User with Council's standard wording must be placed on filled lots.
- e) Applicant to submit material compliance documentation in accordance with Council's Civil Works Specification 8.1.4
 - Compliance Certificate and Test Results
 - Delivery Dockets
 - Summary of Material deliveries as per template available on Council's website

Note: Council's Works Specification (Civil) requires road pavement and pipe bedding materials be sourced from N.A.T.A. certified stockpiles.

The above documentation shall be submitted prior to Subdivision and/or Occupation certificate as required by this consent

12.7 **Inspection of Engineering Works - Environmental Planning and Assessment Act 1979.**

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

Where Council is appointed as the Principal Certifying Authority for the development, compliance certificates issued by accredited certifiers in lieu of council inspections will only be accepted by prior agreement or by Council request. All compliance certificate(s) must

certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction Certificate.

12.8 Inspection of Engineering Works - Roads Act 1993 or Local Government Act 1993

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

Inspections must be pre-booked with a minimum 24 hours' notice. Council's Development Overseers may be contacted on 02 9839 6586 between 6 am - 7 am, Monday to Friday. Note: A site inspection is required prior to commencement of work. A schedule of mandatory inspections is listed in Council's Works Specification - Civil (current version).

12.9 Public Safety

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

12.10 Site Security

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

12.11 Traffic Control

12.11.1 Any "Traffic Control Plan" utilised for engineering works required by this consent must be prepared by a person who holds a current Roads and Maritime Services (RMS) Work Zone Traffic Management Plan accreditation and photo card for all works that are carried out in or adjacent to a public road. This Plan must satisfy all the requirements of AS 1742.3 –2009.

12.11.2 Traffic control devices/facilities (i.e. barricades, signs, lights, etc.) required by the certified Traffic Control Plan must be setup, installed, monitored and maintained and by a person who holds a current Roads and Maritime Services (RMS) accreditation and photo card to implement Traffic Control Plans.

12.11.3 Persons undertaking the control of traffic through or around work sites on Council controlled roads must hold a current Roads and Maritime Services (RMS) Traffic Controller accreditation and photo card and carry it with them.

12.11.4 The applicant is advised that prior to implementation of any traffic control system and during the entire course of construction suitably qualified Roads and Maritime Services (RMS) accredited work site traffic controllers will ensure a smooth transition with other nearby traffic control setups. The coordination, communication and cohesion between adjacent traffic control systems shall be addressed by the applicant and must satisfy all the requirements of AS 1742.3 - 2009.

- 12.11.5 Where the Traffic Control Plan may change during the course of construction to facilitate new works, a revised traffic control plan shall be prepared and certified by a person who holds a current Roads and Maritime Services (RMS) accreditation to prepare a Work Zone Traffic Management Plan. This Plan must satisfy all the requirements of AS 1742.3 - 2009 and the current version of the RMS *Traffic Control at Work Sites* manual and shall be submitted to Council prior to implementation.
- 12.12 **Road Maintenance**
- 12.12.1 Humphries Lane pavement surface will require regular monitoring by a qualified civil engineer to ensure optimal conditions are maintained for all users throughout the duration of construction. Ongoing pavement remediation will be required throughout construction to keep safe and make good Humphries Lane at the cost of the applicant.
- 12.13 **Road Line Marking and Traffic Signage**
- 12.13.1 Prior to the implementation of any road line marking and traffic signage required by this development the applicant shall acquire an approved construction certificate for the line marking and traffic signage plan arrangement.
- In this regard, the applicant shall provide evidence to the certifying authority in order to demonstrate that the proposed line marking and traffic signage plan has approval from the local traffic committee and has been adopted by Ordinary Council Meeting.
- Note: all recommendations by the local traffic committee and Ordinary Council Meeting shall be reflected within the construction certificate for line marking and traffic signage.
- 12.14 **Other Drainage Matters**
- 12.14.1 The proposed Vortsentry HS12 GPT unit supplied by Ocean Protect is not to be replaced with a smaller device or a device from an alternate manufacturer.
- 12.14.2 A plumber licensed with NSW Fair Trading is to undertake flow testing of the non-potable water reuse system to certify that all the toilets on the ground floor and level 1 and the landscape watering supply to the level 2 podium are capable of being supplied by rainwater and that there is no cross mixing, or cross contamination with the potable water supply.
- 13 **DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)**
- 13.1 **Premises Construction**
- 13.1.1 Any asbestos material is to be handled and treated in accordance with the SafeWork NSW document '*Your Guide to Working with Asbestos - Safety guidelines and requirements for work involving asbestos*' dated March 2008.
- 13.1.2 Any materials requiring off-site disposal will need to be classified, managed and disposed of in accordance with the Protection of the Environment Operations Act (NSW) 1997 and the NSW Environment Protection Authority's Waste Classification Guidelines (2014)

- 13.1.3 The recommendations outlined in DA Acoustic Assessment prepared by Acoustic Logic, Report no. 20181009.2, dated 13 June 2019 must be carried out.
- 13.1.4 The acoustic requirements as required by Condition 8.1.2 must be carried out. This is to include noise attenuation measures associated with the loading dock and entry/exit to the car parking area to protect the acoustic amenity of surrounding properties (and future residential redevelopment).

14 PRIOR TO OCCUPATION CERTIFICATE

14.1 Consolidation of Lots

- 14.1.1 The lots shall be consolidated into one title which shall be registered with NSW Land Registry Services.

14.2 Road Damage

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

14.3 Service Authorities

- 14.3.1 The applicant shall obtain a Trade Waste Approval from the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.
- 14.3.2 A final written clearance shall be obtained from Sydney Water Corporation, Energy provider and Telstra (or any other recognised communication carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc.) has not previously been issued.
- 14.3.3 The following documentary evidence shall be obtained and forwarded to the Principal Certifying Authority prior to the release of any Occupation Certificate:
- (a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Applications must be made through an authorised Water Servicing Coordinator. Please refer to the "Building Plumbing and Developing" Section of the website www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation of the development/release of the plan of subdivision, whichever occurs first.
 - (b) A "Notification of Arrangement" Certificate from energy provider, or any other recognised energy provider, stating that arrangements have been made with the servicing authority for electrical services, including the provision of street lighting, to the development.
 - (c) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or

that arrangements have been made for the provision of services to the development.

14.4 Compliance with Conditions

- 14.3.1 Prior to commencement of the occupation or use of the whole or any part of a new building, or commencement of a change of building use for the whole or any part of an existing building, it is necessary to obtain an Occupation Certificate from the Principal Certifier in accordance with the provisions of Section 6.9 of the Environmental Planning and Assessment Act 1979.

14.4 Temporary Facilities Removal

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

14.5 Fire Safety Certificate

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

14.6 Acoustic Certification

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

14.7 Wind Impact Mitigation Certification

- 14.7.1 Certification must be provided by a qualified consultant that all work associated with wind mitigation measures been completed in accordance with the certified design and to the standard required by this consent.

14.8 Landscaping

- 14.8.1 All landscaping shall be completed in accordance with approved landscaping design plan.
- 14.8.2 All landscaping, recreation features and furniture, bbq facilities, swimming pool, gym and sauna shall be completed in accordance with the approved landscaping

design plans submitted as part of the Construction Certificate.

- 14.8.3 Vandal proof and security lighting, CCTV and security measures are to be provided in accordance with the approved details submitted as part of the Construction Certificate.
- 14.8.4 The required letterboxes are to comply with the details submitted as part of the Construction Certificate and with Australia Posts requirements for size. The letterbox system should be vandal resistant and secure.
- 14.8.5 All power boards should be housed within a locked cabinet to restrict tampering with the power supply. The lock set must be approved by the electricity authority.

14.9 **Car Parking**

- 14.9.1 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 14.9.2 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.
- 14.9.3 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.
- 14.9.4 All required internal driveways and car parking spaces shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.
- 14.9.5 Head room clearance at the basement ramp must comply with requirements of AS2890.1 (Section 5.3) for a Disabled Vehicle, and meet AS2890.1 – Appendix C for the disabled parking space and access to the lift.
- 14.9.6 A Parking Management Strategy is to be prepared and is to include the following responsibilities for the Managing Agent/future Body Corporate:
 - (a) Measures to ensure a clear segregation between the non-residential and residential parking spaces (and resident basement storage areas) is maintained at all times.
 - (b) Appropriate maintenance of the vehicular entry driveways to ensure that Humphries Lane is not obstructed by vehicles and trucks entering the site at any time.
 - (c) Management and storage of shopping trolleys associated with the supermarket and commercial tenancies.
 - (d) Management of the loading dock for activities relating to deliveries and waste collection. This is to include noise attenuation measures to protect the acoustic privacy of surrounding properties.

14.10 **Adaptable Housing Units**

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

14.11 **Total Maintenance Plan**

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

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

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

14.12 **Graffiti Management Plan**

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

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

14.13 **Street Tree Planting**

14.13.1 Prior to the issue of the final Occupation Certificate, all required street tree planting and payments of bonds are to be completed to the satisfaction of Council's Maintenance Section.

14.13.2 The applicant is to undertake street tree planting and maintenance along the frontage of the development site to improve the amenity of the streetscape must be approved before an Occupation Certificate is issued.

14.13.3 The street trees are to be planted at a minimum spacing of approximately 8 metres, taking into account vehicle sightlines and street light spill.

14.13.4 Trees must be of a minimum container size of 100 litres with root directors for medium and high density residential developments.

14.13.5 The applicant must obtain clearances from relevant service authorities.

14.13.6 The applicant will be required to pay a bond per tree as indicated in the current goods and services pricing schedule to ensure the health and vigour of the tree(s). The bond will be returned 12 months after the completion of the development (i.e. on issue of final occupation/subdivision certificate), by Council if

the trees are maturing satisfactorily. The applicant is responsible for notifying Council when the works are completed to request a practical completion inspection and at the end of street tree bond maintenance period for an inspection

- 14.13.7 The applicant will also be required to pay an inspection fee and a landscaping assessment fee as indicated in the current goods and services pricing schedule. A Blacktown City Council representative will inspect all street tree and public landscaping during the establishment period (i.e. between the practical date of completion and formal handover). Elements deemed to be not adequately performing are to be removed, substituted or repaired by the developer within 60 days of written notification.

14.14 **Privacy Screening**

- 14.14.1 All privacy screening measures / devices detailed on the approved plans are to be installed prior to the issue of any Occupation Certificate.

14.15 **NSW Local Police Matters**

- 14.15.1 Details of the Body Corporate are to be forwarded to Blacktown Police Local Area Command.
- 14.15.2 A copy of Evacuation Plan for the development is to be forwarded to the Blacktown Police Local Area Command.

14.16 **State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development**

- 14.16.1 No occupation certification must be issued unless all design verifications have been provided in accordance with Clause 154A of the Environmental Planning and Assessment Regulation 2000, a certifying authority must not issue a construction certificate for residential apartment development unless the certifying authority has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of [State Environmental Planning Policy No 65—Design Quality of Residential Flat Development](#).

14.17 **Pavement Treatment and Awnings**

- 14.17.1 Prior to the issue of any Occupation Certificate, the pavement treatment all frontages are to be completed to Council's Manager Civil and Park Maintenance satisfaction.
- 14.17.2 The awnings must be constructed in accordance with the details submitted as part of the Construction Certificate. The height and width of the awning must comply with the requirements of Council's Civil and Park Maintenance section.

14.18 **Lighting**

- 14.18.1 All lighting is to comply with relevant Australian Standards, including Australian Standard 4282 to ensure no spillage of light affecting the amenity of adjoining residential properties.

14.19 **Road Damage**

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

applicant/developer.

14.20 Compliance with Conditions

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

14.21 Engineering Matters

14.21.1 Surveys/Certificates/Works As Executed plans

14.21.1.1 A Work-as-Executed (WAE) plan signed by a Registered Engineer (NER) or a Registered Surveyor must be submitted to Council when the engineering works are completed. A colour soft copy (on a CD/USB with file format .PDF) of the WAE plans are to be submitted to Council. All engineering WAE plans MUST be prepared on a copy of the original, stamped Construction Certificate plans. for engineering works.

14.21.1.2 The Work-as-Executed (WAE) plan must confirm that the On Site Detention system identification plate has been installed in accordance with the Upper Parramatta River Catchment Trust Guidelines.

14.21.1.3 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the On-Site Detention System as constructed will perform to meet the on-site stormwater detention requirements in accordance with the approved design plans.

14.21.1.4 A certificate from a Registered Engineer (NER) must be lodged with Council verifying that the structures associated with the On-Site Detention System(s) have been constructed to withstand all loads likely to be imposed on them during their lifetime.

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

14.21.1.6 Applicant is to compile and submit the following (where applicable), in relation to works along Humphries Lane, in accordance with Council's Works Specification -Civil (Current Version):

- a) Compaction certificates for road sub-grade.
- b) Compaction certificates for road pavement materials (sub-base and base courses).
- c) Applicant to submit material compliance documentation in accordance with Council's Civil Works Specification 8.1.4
 - Compliance Certificate and Test Results
 - Delivery Dockets

- Summary of Material deliveries as per template available on Councils website.

14.21.1.7 The applicant is to submit the certified line marking and traffic signage plan as required by this consent. This will require evidence to demonstrate that approvals have been obtained from the Local Traffic Committee and adoption by Council Ordinary Meeting. A final inspection report is to be included noting that all line marking and traffic signage works are complete.

14.21.1.8 The submission to Council of Compliance Certificate(s) and construction inspection reports required by this consent for engineering works. A final inspection report is to be included noting that all works are complete.

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

14.21.2 Easements/Restrictions/Positive Covenants

14.21.2.1 Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:

- (a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).
- (b) The standard format for easements and restrictions as accepted by NSW Land Registry Services.

14.21.2.2 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Land Registry Services over the on-site detention storage areas and outlet works.

14.21.2.3 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Land Registry Services over the Stormwater Quality Control devices/system and outlet works.

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

14.21.3 Dedications

14.21.3.1 Dedication at no cost to Council of 5 m x 5 m splay corners at the intersection of Sunnyholt Road and Humphries Lane.

14.21.4 Bonds/Securities/Payments in Lieu of Works

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

Certificate for the work.

- 14.21.4.2 A maintenance security of 5% of the value of the required engineering works must be lodged with Council prior to the practical completion of the works. Council will hold this security for a period of at least twelve months.
- a) In the case of subdivision - This period commences at the release of the final plan of subdivision. (Issue of Subdivision Certificate)
 - b) In the case where no subdivision occurs - This period commences at the date of practical completion of the development.

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

14.21.5 Inspections

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

14.21.6 CCTV Inspection of Stormwater Drainage Structures

- 14.21.6.1 All road stormwater drainage structures (pipelines and pits) must be inspected via CCTV after completion of road pavement construction works (excluding any deferred AC works) and the provision of all public utility services in accordance with Council's current Works Specification Civil. CCTV reports must be submitted to council in the form of video footage of the inspections, a copy of the SEWRAT (or equivalent) report, and a certified CCTV statement in accordance with section 6.8 of Council's Works Specification Civil indicating that any defects identified by this inspection have been rectified.

14.21.7 Other Drainage Matters

- 14.21.7.1 A Chartered Civil Engineer registered with NER, is to certify that:
- i. all the requirements of the approved drainage plans have been undertaken;
 - ii. only the roof area from the subject development drain to the rainwater tank;
 - iii. the minimum detention storage of 138.90 m³ has been provided below the 1.5 year ARI weir and a minimum of 210.60 m³ has been provided below the 100 year ARI emergency overflow weir;
 - iv. the orifice sizes match the approved plan.
 - v. the Vortsentry HS12 GPT has been installed as per the Ocean Protect manufacturer's recommendations;
 - vi. the interpretative water quality sign has been correctly installed.
 - vii. all other signage and warning notices have been installed;
 - viii. a 60 kl rainwater tank has been installed to collect all the roof water from the proposed development
 - ix. a copy of the certification and the works-as-executed drainage

plan has been provided to the certifier, who shall provide it to Council.

- 14.21.7.2 Where the Groundwater Assessment Report indicated the requirement for a Groundwater Management Plan, then a Geotechnical Engineer registered with NER, is to certify that all the requirements of the Groundwater Management Plan have been undertaken and that there is no adverse impact due to groundwater.
- 14.21.7.3 A plumber licensed with NSW Fair Trading, or experienced hydraulic engineer, is to certify that:
- i. all the requirements of the detailed Non-Potable Water Supply Plan have been installed to the required locations.
 - ii. all the non-potable toilet water flushing uses for the ground floor and level 1 are being supplied by rainwater.
 - iii. only waterless urinals have been installed for the ground floor and level 1
 - iv. the flow meters have been installed on the solenoid-controlled mains water bypass line and the pump outflow line to determine non-potable usage and actual percentage of reuse.
 - v. The initial flow meter readings are detailed in the certificate;
 - vi. the pumps, alarms and all other systems are working correctly;
 - vii. The water from four toilets (2M/2F) from each level have been tested to show no chloririe residual.
 - viii. A signed, works-as-executed Rainwater Supply is to be provided to Council's WSUD Compliance Officer
WSUD@blacktown.nsw.gov.au
- 14.21.7.4 A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
- i. 4 star dual-flush toilets;
 - ii. 3 star showerheads;
 - iii. 5 star taps (for all taps other than bath outlets and garden taps);
 - iv. Waterless urinals are used; and
 - v. 3 star Water efficient washing machines and dishwashers have been used
- 14.21.7.5 A plumber licensed with NSW Fair Trading, or experienced irrigation specialist is to certify that:
- i. all the requirements of the detailed Landscape Watering Plan have been installed as per the approved plan and are working correctly;
 - ii. the pumps, alarms and all other systems are working correctly;

- iii. a timer and control box are working correctly and the system is designed to vary the flow seasonally and deliver a minimum of 256 kl/ year.
 - iv. Provide a signed , works-as-executed Landscape Watering Plan to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au
- 14.21.7.6 Provide a Restriction to User and Positive Covenant over the over the Vortsentry HS12 GPT and Rainwater Tank in accordance with the requirements of Council's Engineering Guide for Development 2005. The covenant requirements are to include the submission of an annual report on non-potable water usage and percentage reuse before 1 September each year, noting that the current design reuse is set at 64%. The Restriction to User and Positive Covenant must be registered with NSW Land Registry Services.
- 14.21.7.7 Provide maintenance requirements for each of the proposed Vortsentry HS12 GPT, First Flush System, Rainwater Tank and On-site Detention system generally in accordance with the WSUD Inspection and Maintenance Guidelines available on Council's website. Where a proprietary device is not included within this guideline, provide these separately as per the manufacturer's recommendations. Where these devices are located in roadway/parking areas these are to include traffic management requirements. The designer of the stonnwater treatment system must prepare the Maintenance schedule .and this schedule must show the designer's name, company, signature and date on it.
- 14.21.7.8 Provide written evidence that the registered owner/lessee has entered into a minimum five (5) year signed and endorsed maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the Vortsentry HS12 GPT, On-site Detention and Rainwater Tank. Forward a copy of the signed and endorsed contract(s) and maintenane contractor(s) details to Council's WSUD Compliance Officer WSUD@blacktownmsw.gov.au. This maintenance contract cannot be cancelled, but can be replaced with an alternative contract of the same standard.

15 OPERATIONAL (PLANNING)

15.1 Access/Parking

- 15.1.1 All required off-street car parking spaces and internal driveways shall be maintained to a standard suitable for the intended purpose.
- 15.1.2 All loading and unloading operations shall take place at all times wholly within the confines of the land.
- 15.1.3 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

15.2 Specific Uses

- 15.2.1 The approved uses shall comply with the definitions in Blacktown Local Environmental Plan 2015 as follows:

‘Commercial premises’ means ‘any of the following—

- (a) business premises,
- (b) office premises,
- (c) retail premises.'

'Shop top housing' means 'one or more dwellings located above ground floor retail premises or business premises.'

'Centre-based child care facilities' means

- '(a) a building or place used for the education and care of children that provides any one or more of the following—
 - (i) long day care,
 - (ii) occasional child care,
 - (iii) out-of-school-hours care (including vacation care),
 - (iv) preschool care, or
- (b) an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)),

Note. An approved family day care venue is a place, other than a residence, where an approved family day care service (within the meaning of the Children (Education and Care Services) National Law (NSW)) is provided.

but does not include—

- (c) a building or place used for home-based child care or school-based child care, or
- (d) an office of a family day care service (within the meanings of the Children (Education and Care Services) National Law (NSW)), or
- (e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or
- (g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or
- (h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.'

15.3 **General**

- 15.3.1 No goods, materials, or trade waste shall be stored at any time outside the building other than in approved garbage receptacles.
- 15.3.2 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 15.3.3 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.

- 15.3.4 Arrangements shall be made for an effective commercial refuse removal service.
- 15.4 **Landscaping**
- 15.4.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.
- 15.4.2 The management of vegetation, gardens, planter boxes, communal areas and other similar areas is to be incorporated within the future strata management plan once the development is occupied.
- 15.5 **Use of Premises**
- 15.5.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.
- 15.5.2 The development shall not be used or converted for use for any purpose other than that:
- (a) Granted consent by Council's Notice of Determination, or
 - (b) Which is "Exempt Development" under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other NSW or Council planning instrument.
- 15.6 **Emergency Procedures**
- 15.6.1 Instructions concerning procedures to be adopted in the event of an emergency shall be clearly displayed on the premises for both public and staff information at all times to the satisfaction of Council.
- 15.7 **Lighting and Security**
- 15.7.1 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 15.7.2 All intruder alarms shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 15.7.3 The maintenance of all external lighting is to be managed by way of an annual service agreement to ensure the security of the building and persons within are not compromised from dark or uncontrolled public areas.
- 15.7.4 Sightlines must be kept free from obstructions. If a lack of natural surveillance occurs this would quickly encourage anti-social behaviour and criminal offences specifically malicious damage to the area. The 'fear of crime' would also no doubt increase if there is sign of malicious damage, rubbish, broken bottles etc. around the development. Regular maintenance and up-keep of the site must therefore be adhered to.
- 15.8 **Waste**
- 15.8.1 The Owners Corporation/Community Management Association will be responsible for ensuring that clear access is provided to waste collection trucks entering the property.
- 15.8.2 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.
- 15.8.3 Ongoing management of waste for the site must be in accordance with the waste requirements outlined in the approved waste management plan as submitted with

the development application. This includes but is not limited to:

- separation or caging of waste equipment onsite from residents (such as chute discharge points or storage areas for bin movement aides etc), to prevent injury or damage.
- provision and maintenance of suitable signage in all areas with waste facilities such as bin storage areas, waste chute rooms on each floor, chute discharge points, bin collection points, loading bays or any other relevant area accessible to residents, cleaners and/or building management staff.
- separated bin storage areas and associated waste management equipment for commercial and residential components of a development if applicable.
- provision of bin movement aids such as bin tugs and trolleys if suggested for the site.
- engagement of a building manager and/or caretaker onsite to manage the waste system if suggested for the site. This includes prompt removal of illegal dumping onsite.

15.8.4 A building manager must be engaged in perpetuity and for the life of the development to:

- manage bins and bulky waste onsite
- clean bins and the waste room(s)
- arrange clear access to the waste loading bay on collection day (i.e., remove lockable bollards or open roller doors and boom gates etc), which are in place to protect the truck turning areas on private property from being parked out.

15.9 **Emergency Procedures**

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

15.10 **Clothes Drying**

15.10.1 The hanging/drying of clothes on balconies (where visible from a public place) is prohibited. A clause is to be included in the Plan of Strata Management prohibiting the drying of clothes on balconies (where visible from a public place).

15.11 **Graffiti Removal**

15.11.1 Removal of any graffiti, visible from any public road or place, is the responsibility of the property owner/s. All graffiti must be removed no later than 48 hours after detection.

15.12 **Crime Prevention Through Environmental Design**

15.12.1 Vandal proof and security lighting, CCTV and security measures endorsed by this consent shall be met and maintained at all times.

15.13 **Awnings**

15.13.1 The integrity of the awning must be checked by a NPER engineer engaged by the body corporate every 5 years to ensure compliance in line with the BCA and other relevant standards. A certificate of compliance is to be forwarded to Council's Civil

and Park Maintenance Section for its records every 5 years.

15.13.2 No hanging is permitted under the awning which may affect the minimum clearance height of 2.4 m.

15.13.3 The property owner is responsible for the maintenance of the awnings at all times.

16 OPERATIONAL (ENVIRONMENTAL HEALTH)

16.1 Environmental Management

16.1.1 The recommendations outlined in DA Acoustic Assessment (prepared by Acoustic Logic, Report number 20181009.2, Revision 1 and dated 13 June 2019) must be carried out.

16.1.2 The acoustic requirements of Condition 8.1.2 must be carried out. This is to include noise attenuation measures associated with the loading dock and entry/exit to the car parking area to protect the acoustic amenity of surrounding properties (and future residential redevelopment).

16.1.3 The recommendations provided in Remedial Action Plan (prepared by Alliance Geotechnical Pty Ltd, Reference 8688-ER-1-2 and dated 8 November 2019) must be carried out.

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

16.1.5 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.

16.1.6 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.

16.1.7 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.