

## Conditions of consent (draft)

<b>Proposed development</b>	Amending development application to Stage 1 of an approved 18 storey mixed-use development approved under JRPP-16-03305.
<b>Property description</b>	Lots 96 to 98 DP 11517, 11-17 Second Avenue, BLACKTOWN

### 1. ADVISORY NOTES

#### 1.1 Terminology

- 1.1.1 Any reference in this document to a 'consent' means a 'development consent' defined in the Environmental Planning and Assessment Act 1979.
- 1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 6.4 of the Environmental Planning and Assessment Act 1979.

#### 1.2 Scope of Consent

- 1.2.1 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

#### 1.3 Other Approvals

- 1.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.
- 1.3.2 The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary development not approved by this consent, including:
  - (a) Any fence, retaining wall, land excavation or filling, advertising structure or other development not being approved by this development application.
  - (b) The erection of any advertising sign, not being 'Exempt Development' in State Environmental Planning Policy (Exempt and Complying Development) 2008.
  - (c) The use or fit-out of any shop or commercial premises not being 'Exempt Development' within the State Environmental Planning Policy (Exempt and Complying Development) 2008.
  - (d) The installation of a vehicular footway crossing servicing the development.
  - (e) Separate Council approval under the Roads Act 1993 is required for any crane used to construct this development that swings over public air space.
- 1.3.3 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.

#### 1.4 Services

1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) 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 and stamped by a Sydney Water Corporation Limited Customer Centre or a Sydney Water Quick Check Agent as an indication that the proposal complies with the Sydney Water requirements. Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

1.4.2 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](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

1.4.3 Telstra (and its authorised contractors) is the only company that is 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.

1.5 **Tree Planting and Service Locations**

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

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

1.6 **Identification Survey**

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

## 1.7 **Services**

1.7.1 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.

## 1.8 **Engineering Notes**

1.8.1 All works requiring approval under the Roads Act 1993 (except standard vehicular crossings) must be approved PRIOR to the issue of any Construction Certificate.

1.8.2 Any Construction Certificate covering engineering works must include and address the following:

- Design of specified Engineering Works as required by this consent.
- Any ancillary works necessary to make the construction effective

If both Building and Engineering works are required, separate construction certificates can be issued for the following works:

- Construction Certificate for Building Works
- Construction Certificate for Engineering Works (As nominated in the 'Prior to Construction Certificate (Engineering)' section of the consent)

Works which require approval under the *Roads Act 1993 or Local Government Act 1993* CAN NOT be privately certified. Examples of these works are, but not limited to:

- Works in public areas (i.e. road reserve, public reserves)
- Inter-allotment drainage (i.e. drainage outside the boundary of the land being developed)

Engineering works (as nominated in the 'Prior to Construction Certificate (Engineering)' section of the consent) can be included within a Construction Certificate for Building works, provided that:

- All Engineering Works are specifically mentioned on the Construction Certificate
- The Certifier holds relevant qualifications to issue a Construction Certificate for the Engineering works. Appropriate accreditation qualifications must be shown on Construction Certificate.

1.8.3 All works requiring approval under the *Roads Act 1993 or Local Government Act 1993* must be approved PRIOR to the issue of any Construction Certificate.

## 1.9 **Payment of Engineering Fees**

1.9.1 If the applicant wishes for Council to issue the Construction Certificate for engineering works (as nominated in the 'Prior to Construction Certificate (Engineering)') the applicant must:

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

A quote will be provided verbally generally within 6 weeks followed by confirmation in

writing.

- 1.9.2 If the applicant wishes for Council to undertake Construction inspections and issue a Compliance Certificate for engineering works, the applicant must:

- Complete application form
- Submit all relevant plans produced by a suitably qualified person
- If plans are privately certified, applicant must supply Construction Certificate covering the required works.

A quote will be provided verbally generally within 6 weeks, followed by confirmation in writing.

## 1.10 Road Damage

- 1.10.1 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.

## 2 GENERAL

### 2.1 Scope of Consent

- 2.1.1 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:

Drawing No.	Dated
Development Summary DA001 Issue D	11/11/2022
Site Photos DA100 Issue A	8/10/2021
Site Analysis Plan 1/2 DA101 Issue A	8/10/2021
Site Analysis Plan 2/2 DA102 Issue A	8/10/2021
Existing Site Survey DA104 Issue A	8/10/2021
Site Plan DA104 Issue D	8/9/2022
Demolition/Excavation Plan DA105 Issue A	8/10/2021
Basement 5 DA200 Issue C	8/9/2022
Basement 3-4 DA201 Issue C	8/9/2022
Basement 2 DA201 Issue C	8/9/2022
Basement 1 DA202 Issue D	11/11/2022
Ground Floor Plan DA204 Issue G	11/11/2022
Level 1 DA205 Issue E	8/9/2022

<b>Drawing No.</b>	<b>Dated</b>
Level 2 DA206 Issue E	8/9/2022
Level 3-17 DA207 Issue E	8/9/2022
Level 18-20 DA208 Issue E	8/9/2022
Roof Plan DA209 Issue D	8/9/2022
Elevations – Sheet 1 DA300 Issue D	8/9/2022
Elevations – Sheet 2 DA301 Issue B	21/4/2022
Perspective Renders DA302 Issue C	8/9/2022
Sections – Sheet 1 DA303 Issue B	21/4/2022
Sections – Sheet 2 DA304 Issue D	11/11/2022
Sections – Sheet 3 DA305 Issue 01	14/1/2022
Solar Access Calculations DA400 Issue D	11/11/2022
Eye of the Sun DA401 Issue A	8/10/2021
Cross Ventilation Calculations DA402 Issue C	8/9/2022
COS Calculations DA403 Issue D	8/9/2022
Apartment Mix DA404 Issue C	8/9/2022
Adaptable Apartments DA405 Issue C	8/9/2022
Adaptable Layouts – Sheet 1 DA406 Issue A	8/10/2021
Adaptable Layouts – Sheet 2 DA407 Issue A	8/10/2021
Livable Apartments DA408 Issue C	8/9/2022
Livable Layouts DA409 Issue A	8/10/2021
Stage 2 COS Calculations DA410 Issue A	11/11/2022
Shadow Comparison Diagram DA411 Issue A	11/11/2022
Eye of the Sun – Original DA + Stage 2 DA412 Issue A	11/11/2022

Drawing No.	Dated
Eye of the Sun – Proposed DA + Stage 2 DA413 Issue A	11/11/2022
Solar Access Calculations Comparison DA414 Issue A	11/11/2022
Shadow Study DA500 Issue A	8/10/2021
COS Shadows DA500A Issue B	8/9/2022
3D Height Plan Study DA501 Issue C	8/9/2022
Materials & Finishes Palette DA502 Issue C	8/9/2022
Storage Calculation DA503	-
Storage Calculation DA504	-
Notifications Plans DA600 Issue B	21/4/2022
Notifications Plans DA601 issue B	21/4/2022
Notification Plans DA602 Issue B	21/4/2022
Plan of Management for the Serviced Apartments	August 2022

\*Unless modified by any conditions of this consent.

## 2.2 Modification of Development Consent JRPP-16-03305

2.2.1 Prior to the issue of a Construction Certificate for any works in accordance with JRPP-16-03305 and SPP-21-00011, development consent to JRPP-16-03305 must be modified in accordance with section 4.17(1)(b) to the *Environmental Planning and Assessment Act, 1979* to ensure that there are no inconsistencies between the 2 operative consents for the same staged development on the site.

2.2.2 Although consent to JRPP-16-03305 still applies, this consent prevails over JRPP-16-03305. In the event of an inconsistency between the consent to SPP-21-00011 and that of the former, this consent prevails to the extent of the inconsistency.

## 2.3 Staging, Lot Consolidation and Right of Carriageway

2.3.1 This proposal relates to Stage 1 of the approval development under JRPP-16-03305. The proposal is to remain consistent with the approved staging described as follows:

**STAGE 1** - construction of a 21 storeys mixed use building including ground floor retail, 1 level of serviced apartments and 19 levels of residential apartments consisting of 324 apartments, as well as 5 levels of basement car parking and associated landscaping on the following lots. (described as works located on, within or as required to be consolidated):

Lot 96 DP11157

Lot 97 DP11157  
Lot 98 DP11157

STAGE 2 - construction of an 18 storeys mixed use building including ground floor retail, commercial premises on the first and second floors and 15 levels of residential apartments on top consisting of 59 units as well as basement car parking and associated landscaping on the following lots: (described as works located on or within):

Lot 99 DP 11157

- 2.3.2 To ensure that Stages 1 and 2 function on each site as described above and also operate with shared vehicle access and egress to Second Avenue via the basement of Stage 1 as well as share access to, and use of, the loading bay in Stage 1, a restriction on the title of the site and allotments must be registered with NSW Land Registry Services prior to the issue of an Occupation Certificate for Stage 1 or Stage 2 – whichever is completed first.

2.4 **Suburb Name**

- 2.4.1 The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

**Suburb:** Blacktown

2.5 **Compliance with BASIX Certificate**

- 2.5.1 All commitments listed in BASIX Certificates:

- (i) Stage 1 – 1239671M\_03 dated 29 August 2022
- (ii) Stage 2 – 699851M dated 16 March 2016

shall be complied with.

2.6 **Engineering Matters**

2.6.1 **Design and Works Specification**

- 2.6.1.1 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 and Checklist, 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.

## **2.6.2 Stormwater**

- 2.6.2.1 The applicant shall submit engineering stormwater drawings from SGC Consulting Engineers and be generally in accordance with Project No. 20210271, Revision D, dated 12/8/2022, drawing number SW100, SW200, SW201, SW202, SW203, SW204, SW205, SW300, SW301, SW400, and SW500 (Council's TRIM Reference: D22/405577) and address the following drainage items:
- a) The bins located above the OSD tank shall be contained in a room or enclosed area so that no seepage waste is directed to the OSD tank. The current design would lead to extensive seepage of waste to the drainage system. The waste area drainage shall be directed to the sewer system. Should the waste area change significantly, a modification to the approved application may be required.
  - b) The outlet connection to the frontage street stormwater pit shall be an RCP pipe.
  - c) Amend the notations for the rainwater tank to be a stormwater tank on all relevant drawings.
  - d) Provide a digital copy of the MUSIC model utilised in the stormwater tank design.
  - e) On section A on drawing number SW301 provide a 5% graded mortar at the base of the 50% AEP sump, 1%AEP sump, and the overflow pit to direct runoff to the openings.
  - f) Detail confined space entry warning signs on the drainage plans adjacent to all entries into the rainwater tanks, and detention tank in accordance with Council's Engineering Guide for Development 2005.
  - g) Provide on-site stormwater detention (OSD) warning signs as per the Upper Parramatta River Catchment Trust guidelines.
  - h) Design all the roof and podium drainage to cater for the 100Y ARI event, up to connection to the OSD rainwater tank/ OSD tank.
  - i) On the basement drainage plans, provide pit levels and rising levels to ensure a fall of minimum 0.5% to pits
  - j) The outlet connection to the frontage street stormwater pit shall be an RCP pipe.
- 2.6.6.2 Submit the flood model (HEC-RAS and DRAINS) in digital form that complies with chapter 15 of the WSUD Developer Handbook.
- 2.6.6.3 Where conditions of consent are required to be amended to suit the revised plans, or changes to filter areas or detention storage requirements, or the drainage plan numbers updated, a modification application under section 4.55 of the Environmental Planning & Assessment Act 1979 will be required to be submitted to Council.



2.6.2.4 The applicant is required to submit to Council, bonds and/or contributions for works associated with the development in conjunction with the civil engineering works required to be constructed as part of this development. Works may include:

- Path paving construction

These matters will be individually addressed within the consent

2.6.2.5 Prior to release of any bond securities held by Council for civil engineering works, the payment of a bond release inspection fee in accordance with Council's Goods and Services Pricing Schedule must be made.

2.6.2.6 Written notice must be provided to adjacent properties, at least 5 days prior to works commencing, where works are approved by this consent and located within Council controlled lands (i.e. roads, drainage reserves, parks, etc)

A copy of this notice must be provided to Council's Co-ordinator of Engineering Approval.

## 2.7.2 **Other Necessary Approvals**

2.7.2.1 A separated 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)

## 2.8 **Other Matters**

2.8.1 No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works.

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

## 2.9 **Other Drainage Section Matters**

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

## 2.10 **Other Matters**

2.10.1 Any future substation or other utility installation required to service the approved subdivision/development shall not under any circumstances be sited on future or existing Council land, including road reservations and/or public reserves.

2.10.2 No construction preparatory work (including ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works.

- 2.10.3 In relation to matters concerning Aboriginal archaeology, should any archaeological material be uncovered during construction activities on any location within the proposed development, then all works are to cease immediately and representatives of the NSW Department of Planning & Environment (Environment & Heritage) and a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

### **3 PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE**

#### **3.1 DA Plan Consistency**

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

#### **3.2 Footpath/Road Condition Assessment Fee**

- 3.2.1 A footpath/road condition assessment fee is to be paid prior to the issue of any Construction Certificate. The applicable fee will be charged in accordance with Council's [Goods and Services Pricing Schedule](#).

Council will undertake an initial inspection of civil assets outside the development site. The applicant will be held liable for any damage arising from construction activities. Council will undertake reinstatement works and recover the costs from the applicant, which will be charged in accordance with Council's current Goods and Services Pricing Schedule in effect at the time of the work.

- 3.2.2 The payment of the following fee to Council's Maintenance Section pursuant to Sections 608 and 609 of the Local Government Act 1993. The fee is subject to periodic review and may vary at actual time of payment.

Vehicular crossing application and inspection Fee: \$510.00 each

#### **3.3 Services/Utilities**

- 3.3.1 The following documentary evidence shall accompany any Construction Certificate:

- (a) A 'Notification of Arrangement' Certificate from energy provider, or any other recognised energy provider, stating that arrangements have been made for the provision of electrical services, including the provision of street lighting, have been made available to the development.

#### **3.4 State Environmental planning Policy No. 65 – Design Quality of Residential Flat Development**

- 3.4.1 No construction certification must be issued unless all design verifications have been provided in accordance with Clause 29 of the Environmental Planning and Assessment Regulation 2021, a certifying authority must not issue a construction certificate for residential flat development unless the certifying authority has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development.

### 3.5 **Other Matters**

- 3.5.1 A Construction Traffic Management Plan (CTMP) must be prepared for the development by a suitably qualified person prior to the release of the Construction Certificate. The CTMP must detail construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control methods.
- 3.5.2 A dilapidation report shall be carried out for any of the potentially affected existing buildings surrounding the proposed development. A copy of the report shall be submitted to Council prior to construction commencing.

### 3.6 **Waste**

- 3.6.1 The removal of any asbestos from the site and its transportation to its final destination is to be undertaken in accordance with the NSW Environment Protection Authority's WasteLocate online system for tracking asbestos waste. Upon completion of the transportation, the WasteLocate consignment number is to be submitted to Council. For more information, please refer to the following link:  
<https://www.epa.nsw.gov.au/your-environment/waste/transporting-asbestos-waste-tyres>
- 3.6.2 The applicant must ensure that roads and driveways etc are rated suitable for 24 tonne trucks.
- 3.6.3 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.
- 3.6.4 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.
- 3.6.5 The applicant must demonstrate to Council's satisfaction, that the proposed construction plans (with respect to the services and piping infrastructure secured to the ceilings of the covered/undercroft, waste collection area), do not encroach the required 4.5m headroom allowance for truck access as per Australian Standards 2890.2. This 4.5m headroom allowance must be achievable clear of all eaves, overhangs, balconies, services (including sprinklers, pipes etc), and at the roller door entry point. Failure to comply may impact the ability for waste collection vehicles to safely access the development to service its waste and recycling bins.

### 3.7 **Wind Impact Mitigations**

- 3.7.1 The recommendations of the Wind Impact Assessment prepared by Windtech Consultants Pty Ltd (Stage 1 – Report No. WD290-01F02 (Rev0) dated 1 September 2016 and Stage 2 – Report No. WD289-01F02 (Rev0) dated 1 September 2016) are to be implemented for each stage. Any mitigation measures are to be identified on the construction certificate plans.

**Note:** Should any external modifications be made to the development, then a Section 4.55 application may be required.

### 3.8 **Salinity and Aggressive Soil Management**

- 3.8.1 A Salinity Assessment, including the preparation of a Salinity Management Plan is to be undertaken by a suitably qualified person and any recommendations are to be identified on the construction certificate plans for each stage.

### 3.9 **Acoustic impact**

- 3.9.1 The recommendations of the acoustic impact assessment prepared by Acoustic Logic (Stage 1 - Project No. 20151635.1 dated 14/01/16 and Stage 2 – 20151760.1 dated 21/01/16) is to be implemented for each stage. Note: Acoustic validation that the recommendations have been implemented is required prior to the release of an Occupation Certificate.

### 3.10 **Site Contamination**

- 3.10.1 Prior to the release of any construction certificate on the site an EPA recognised geoscientist is to certify the site as suitable for residential development in accordance with the strict residential use criteria as set out in the National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999 as amended 2013.

### 3.11 **Footpath/Road Condition Assessment Fee**

- 3.11.1 A footpath/road condition assessment fee is to be paid prior to the issue of any Construction Certificate. The applicable fee will be charged in accordance with Council's [Goods and Services Pricing Schedule](#).

Council will undertake an initial inspection of civil assets outside the development site. The applicant will be held liable for any damage arising from construction activities. Council will undertake reinstatement works and recover the costs from the applicant, which will be charged in accordance with Council's current Goods and Services Pricing Schedule in effect at the time of the work.

- 3.11.2 The payment of the following fee to Council's Maintenance Section pursuant to Sections 608 and 609 of the Local Government Act 1993. The fee is subject to periodic review and may vary at actual time of payment.

Vehicular Crossing Application and Inspection Fee: \$ 510.00 each

### 3.12 **Street Tree Planting**

- 3.12.1 The applicant must submit a Street Tree Plan detailing the proposed street tree planting and landscaping for the approved subdivision. The Street Tree Plan is to reflect the species palette in our Street Tree Guidelines and must include:

- cross-sections showing dimensions of tree pits
- species
- details of root protection barriers
- soil specifications
- location of tree pits in relation to services, intersections and future driveways, light poles, stormwater pits sewerage infrastructure and utilities

**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.**

The Street Tree Plan must show how the developer can decommission any median feature and road verge landscaping, and reinstate landscaping suitable to Blacktown City Council at handover.

Landscaping to lot boundaries is to be wholly located within private property and not encroach upon the road reserve.

Street tree planting must not interfere with the street light spill. The applicant is to provide documentation to confirm there is no conflict between proposed vegetation at maturity and street lighting.

This information must be received before a construction certificate can be issued.

### 3.13 **Street Tree Planting and CBD Pavement Treatment**

3.13.1 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.

3.13.2 Prior to the issue of a Construction Certificate relating to the approved development, full detail plans in relation to the pavement treatment along the Prince Street and Second Avenue pavements shall be submitted to and approved by Council's Manager Civil Maintenance. This shall be at the full cost of the applicant.

### 3.14 **Awnings**

3.14.1 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).

3.14.2 Under awning lighting is to be provided to enhance pedestrian amenity and safety.

3.14.3 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.

### 3.15 **Construction Environmental Management Plan**

3.15.1 Prior to the release of a Construction Certificate, an appropriately qualified person is to prepare a comprehensive Environmental Management Plan (EMP). The EMP is to be submitted to Council for separate approval.

The operational measures at a minimum should include the following:

- (a) Proposed schedule of works
- (b) Proposed hours of work
- (c) Noise and vibration controls
- (d) Salinity Management Plan
- (e) Erosion and Sedimentation Control Plan
- (f) Hazardous building materials survey
- (g) Procedures for validation of imported fill material and the proposed means of disposing overburden
- (h) Waste and materials re-use on-site
- (i) Community response and management procedure outlining the course of action to be undertaken following receipt of a complaint
- (j) Proposed means of controlling of any activity that could potentially cause a pollution incident as defined by the Protection of the Environmental Operations Act 1997.
- (k) Dust (air quality) management strategy noting that any stockpiled soil is to be stored on plastic sheeting in an area that is securely bunded with a silt fence and hay bales to prevent surface-water run-off. Plastic sheeting must be placed over the stockpile to minimise wind-blown dust.

3.15.2 Any asbestos material is to be handled and treated in accordance with the WorkCover document '*Your Guide to Working With Asbestos - Safety guidelines and requirements for work involving asbestos*' dated March 2008.

### 3.16 **Pipeline Safety Management Study**

3.16.1 With regard to the pipeline infrastructure under the intersection of Prince Street and Second Avenue to the south west of the site, a Safety Management Study (SMS) is to be carried out in consultation with Ampol Australia Petroleum Pty Ltd (formerly Caltex) and must be conducted to comply with AS2885 'Pipelines – Gas and Liquid Petroleum'

and the Pipelines Regulation. Any recommendations from this Study are to be incorporated into the design of this development and included in the Construction Certificate documentation. This requirement relates only to the Stage 1 part of the development, being in the vicinity of the pipeline. Should Ampol advise in writing that this SMS is not required, no further study is required. Appropriate measures shall be implemented at all times during demolition, construction and operation to ensure the pipeline infrastructure is appropriately protected.

#### **4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)**

##### **4.1 Section 7.11 Contributions – Stage 1**

4.1.1 The following monetary contributions under Section 7.11 of the Environmental Planning & Assessment Act 1979 must be paid. The amounts below are as 21 November 2022. 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 a Construction Certificate (for building works) or Subdivision Certificate (for subdivision works) either by Council or any accredited certifier, whichever occurs first.

**PLEASE NOTE:** Indexed payments must be made by BANK CHEQUE IF IMMEDIATE CLEARANCE IS REQUIRED and payments made by credit card attract a 0.5% surcharge.

<b>Contribution Item</b>	<b>Amount</b>
Flood mitigation	
Blacktown Creek	\$7,878.00
Stormwater Quality	\$31,119.00
Traffic Management	
Medium to High Density	\$406,475.00
All Residential Development	\$1,336,765.00
Open Space	\$2,645,154.00
Community Facilities	\$1,031,526.00
CBD Northern Precinct Developments	
Local Road Construction	\$316,543.00
Streetscape Facilities	\$240,419.00
Traffic Management – Residential Development	\$688,757.00
Retail Development	\$159,133.00
<b>Total</b>	<b>\$6,863,769.00</b>

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).

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](http://www.blacktown.nsw.gov.au):

#### Section 7.11 Contributions Plan No. 19 Blacktown Growth Precinct

The Section 7.11 contribution(s) have been based on the total developable area, the site's road frontage 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: 0.3104 hectares

Additional Population: 706.7 persons

Commercial area: 394m<sup>2</sup>

Road Frontage: 118.04 L/M

**Stage 2 (JRPP-16-03305) – for information purposes only (the amounts below are as at the base rate of March 2015 and will be indexed from the base date to the date of payment)**

Contribution item	Amount	Relevant CP
i. Flood Mitigation	\$2,075	19
ii. Stormwater Quality	\$8,198	19
iii. Traffic Management – Medium to High Density	\$89,492	19
iv. Traffic Management – All residential development	\$125,210	19
v. Open Space – Medium to High Density	\$432,938	19
vi. Open Space – All residential development	\$119,750	19
vii. Community Facilities	\$31,368	19
viii. Local Road Construction	\$40,860	19
ix. Streetscape Facilities	\$31,038	19
x. Traffic Management – Residential Development	\$97,704	19
xi. Traffic Management – Commercial/Office Development	\$114,438	19
xii. Traffic Management – Retail Development	\$33,355	19

#### **Stage 2**

Commercial/office area: 1,002 sqm

Retail area: 99 sqm

Additional Population: 131.8 persons

Road Frontage: 18.29 m

### **4.3 Building Materials and Finishes**



- 4.3.1 The development is to be constructed in accordance with the approved materials, finishes and colours submitted as part of the approved colours and finishes schedule.
- 4.3.2 The certifier is to be satisfied that the materials for use on the external walls of this development achieve compliance with the relevant fire resistance levels that are applicable to the development. This includes compliance with the relevant requirements of the Building Code of Australia and National Construction Code.
- 4.3.3 The reflectivity index of glass used in the external facades of the buildings is not to exceed 20%, must not affect road traffic and must not cause discomfort through glare or intense heat to surrounding areas.
- 4.3.4 All bathrooms, WC or laundry windows in the external walls and the building shall be fitted with translucent glazing.
- 4.4 **Communal Open Space and Landscaping**
- 4.4.1 A detailed landscape plan is to be submitted which reflects the concept landscape plan and it is to include details for tree and landscape species and landscaping of all communal open space areas and the public realm.
- 4.4.2 All landscaping, recreation features and furniture, BBQ facilities, children's play equipment and clothes drying facilities shall be of a high quality and detailed on the approved landscaping design plans.
- 4.5 **Access/Parking**
- 4.5.1 The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1.  
  
The loading facility must be designed so that trucks do not interfere with resident's vehicles during loading/unloading operations.
- 4.5.2 The layout of the car parking areas (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking dimensions) should be in accordance with AS2890.1-2004 and AS2890.6-2009.
- 4.5.3 A total of 428 parking spaces are to be provided on site for Stage 1, being 14 retail car parking spaces, 25 spaces for the serviced apartments, 324 residential car parking spaces and 65 resident visitor car parking spaces and 1 service / courier / building manager parking space and a total of 111 parking spaces are to be provided on site for Stage 2, being 38 retail and commercial car parking spaces, 61 residential car parking spaces and 12 resident visitor car parking spaces. Suitable bicycle parking must also be provided as indicated on the approved plans.
- 4.5.4 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 – 2009.
- 4.6 **Adaptable Housing Units**
- 4.6.1 A minimum of 10% of the units within the building are to be designed in accordance with the Australian Adaptable Housing Code (AS 4299-1995) which includes 'pre-adaptation' design details to ensure visitability is achieved.

## **5 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)**

### **5.1 Building Code of Australia Compliance**

5.1.1 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).

5.1.2 A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to the issue of any Construction Certificate to ensure compliance with the Building Code of Australia:

- (a) Part C
- (b) Part D
- (c) Part E

### **5.2 Site Works and Drainage**

5.2.1 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.

5.2.2 Stormwater drainage from the site shall be designed to satisfactorily drain rainfall intensities of 159mm per hour over an average recurrence interval of 20 years. The design shall:

- (a) Be in accordance with Australian Standard 3500.3.
- (b) Provide for drainage discharge to an existing Council drainage system.
- (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.

5.2.3 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.

5.2.4 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
- (b) Underpinned and supported.

Such details shall accompany the Construction Certificate.

### 5.3 **Fire Services**

- 5.3.1 Where any external on-site fire hydrant or hydrant booster assembly is to be located within any building setback from a boundary, the hydrant or booster assembly shall be located or protected in accordance with the requirements of AS 2419.1.
- 5.3.2 Where any external on-site water storage tank is required by AS 2118.1 or AS 2419.1, details of the location and type of any proposed tank are to be submitted to and approved by Council prior to the issue of the relevant Construction Certificate.

### 5.4 **Demolition**

- 5.4.1 A clearance certificate/statement prepared in accordance with the National Code of Practice for the Safe Removal of Asbestos shall be issued by the competent demolition contractor who holds an appropriate Demolition Licence issued by the NSW WorkCover Authority under the provisions of the Work Health and Safety Act 2011 (and any relevant Regulation there under). The certificate/statement must state that the pre-existing building/s was/were demolished in accordance with the conditions and terms of that licence, Australian Standard 2601-2001 – The Demolition of Structures and that any asbestos removal has been carried out in accordance with NOHSC-2002 – Code of Practice for Safe Removal of Asbestos. A copy of the clearance certificate/statement shall be attached to the Construction Certificate.

### 5.5 **BASIX Certificate Compliance**

- 5.5.1 The plans and specifications must indicate compliance with the commitments listed in BASIX Certificates:
- i Stage 1 – 1239671M\_03 dated 29 August 2022
  - ii Stage 2 – 699851M dated 16 March 2016

## 6 **PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)**

### 6.1 **General**

- 6.1.1 All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate can be issued.
- 6.1.2 The engineering drawings referred to below are not for construction. The Construction 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 engineering drawings and relevant Consent conditions:

Prepared By	Project No.	Dwg No.	Issue	Date	Council Reference
SGC consulting Engineers	20210271	SW100	D	12/8/22	D22/405577
SGC consulting Engineers	20210271	SW200	D	12/8/22	D22/405577
SGC consulting Engineers	20210271	SW201	D	12/8/22	D22/405577
SGC consulting Engineers	20210271	SW202	D	12/8/22	D22/405577
SGC consulting Engineers	20210271	SW203	D	12/8/22	D22/405577
SGC consulting Engineers	20210271	SW204	D	12/8/22	D22/405577
SGC consulting Engineers	20210271	SW205	D	12/8/22	D22/405577

SGC consulting Engineers	20210271	SW300	D	12/8/22	D22/405577
SGC consulting Engineers	20210271	SW301	D	12/8/22	D22/405577
SGC consulting Engineers	20210271	SW400	D	12/8/22	D22/405577
SGC consulting Engineers	20210271	SW500	D	12/8/22	D22/405577

## 6.2 Construction Certificate Requirements

6.2.1 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.

## 6.3 Roads Act Requirements

6.3.1 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
- Site stormwater connection to Council Kerb inlet pit.
- Vehicular crossings
- Segmental Path Paving
- Street Tree Planting

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

## 6.4 Other Engineering Requirements

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

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

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

## 6.5 Drainage

6.5.1 Drainage from the site shall be connected into Council's existing drainage system. In this regard it is required to connect the drainage pipe into an existing Council kerb inlet pit in Prince Street in accordance with drainage concept plan Project No: 20210271, Drawing No: SW202, Revision: D dated 12/8/2022 as prepared by SGC Consulting Engineers. (Council TRIM Reference No: D22/405577).

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

## 6.6 Erosion and Sediment Control

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

## 6.7 Earthworks

- 6.7.1 Finished levels of all internal works at the road boundary of the property must be 4% above the top of kerb.

## 6.8 On-Site Detention

- 6.8.1 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)175M On-site detention requirements - Sheet 20, or an S3QM Certificate

- 6.8.2 The on-site detention system shall be generally designed to achieve the following:

- i. 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/L/s/ha
  - The 100 year ARI orifice shall be designed to convey a maximum of 190 L/s/ha
- ii. Storage shall be provided as follows:
  - Volume up to 1.5 year ARI TWL = 300 m<sup>3</sup>/ha
  - Volume up to 100 year ARI TWL = 455 m<sup>3</sup>/ha
- iii. 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) (L/s/ha)	ENVIRONMENTAL STORAGE (BELOW 1.5 YEAR ARI WEIR) (m <sup>3</sup> /ha)	FLOOD DISCHARGE (100 Year ARI ORIFICE) (L/s/ha)	FLOOD STORAGE (BELOW EMERGENCY WEIR) (m <sup>3</sup> /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

- 6.8.3 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.

- 6.8.4 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
- S3QM Deemed to Comply On-site detention summary details

## 6.9 **Stormwater Quality Control**

- 6.9.1 The stormwater quality treatment system shall be designed in accordance with Council's Engineering Guide for Development and Blacktown DCP 2015 Part J - Water Sensitive Urban Design and Integrated Water Cycle Management.

## 6.10 **Vehicular Crossings**

- 6.10.1 Plans to demonstrate the construction a commercial and industrial vehicular crossing to Council's standard A(BS)103S.

## 6.11 **Footpaths**

- 6.11.1 Segmental path paving is to be provided generally in accordance with Council's Path Paving Policy, Blacktown City Council Engineering Guide for Development and Blacktown City Council Development Control Plan 2015 and as follows:

Street Name	Side	Paving Width	Length
Prince Street	Eastern Side	Full Width	Full Frontage
Second Ave	Northern Side	Full Width	Full Frontage

## 6.12 **Other Drainage Matters**

- 6.12.1 A Flood Risk Management Report shall be provided to the Principal Certifier to confirm all construction certificate documentation has been considered and assessed to ensure minimum floor level of 55.5m AHD is achieved for all ground level commercial and residential areas. The report shall address building materials, basement protection, and evacuation if required.
- 6.12.2 The CDS 1009 Unit product of ROCLA gross pollutant trap shall not be replaced with other product or smaller size unit.
- 6.12.3 Provide details for permanent coloured interpretive signage minimum A2 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the major water quality device. The wording and detail are to be generally in accordance with Section 14 of Council's WSUD developer handbook and be approved by Council.
- 6.12.4 An experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply and Irrigation Plan for non-potable water uses. Such use includes landscape watering, washdown and all toilet flushing and that all Sydney Water requirements have been satisfied. The plan is to show the rainwater pipe and tank arrangement including:
- A first flush or pre-treatment system
  - A pump with isolation valves
  - A solenoid-controlled mains water bypass
  - Flow meters on the solenoid-controlled mains water bypass line and the pump outflow line, to determine non-potable usage and actual percentage reuse
  - An inline filter and preferably an automatic backwash inline filter
  - A control panel with warning light to indicate pump failure.
  - Provide a minimum of ten (10) external taps for landscape watering or

washdown. 7 taps on the podium communal open space spread across all landscaping, 3 taps on the ground floor ground central courtyard spread evenly between landscape planters.

- h) Connection of ground floor commercial toilets to the stormwater tank.
- j) Providing a minimum stormwater tank size of 15 kL below overflow, servicing all ground floor commercial toilets and landscaping/washdown.
- k) Ensuring all the rainwater reuse pipes and taps are coloured purple.
- l) Rainwater warning signs are fitted to all external taps using rainwater
- m) All rainwater reuse taps are to be lockable or have removable handles

6.12.5 A Chartered Engineer, registered with NER, is to certify that the water from the Stormwater Tank used for irrigation and toilet flushing has after application of all necessary treatment meets the criteria for Level 1 under table 6.4 of Managing Urban Stormwater: harvesting and reuse by the Department of Environment and Conservation NSW Dec 2006 and is of a standard appropriate for its intended use. Where UV disinfection is required, a designer experienced in the use of UV treatment, is to provide details of the system arrangement. The arrangement is to include the size and configuration of UV lamps required, level of filtration as pre-treatment, together with design flowrate. Provide maintenance details.

6.12.6 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 or other requirements are:

- a) 4 star dual-flush toilets;
- b) 3 star showerheads;
- c) 5 star taps (for all taps other than bath outlets and garden taps);
- d) 3 star water efficient washing machines and dishwashers are to be specified.

## **7 PRIOR TO DEVELOPMENT WORKS COMMENCING**

### **7.1 Safety/Health/Amenity**

7.1.1 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.

7.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with the Environmental Planning and Assessment Regulation 2021 indicating:

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

7.1.3 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.

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

7.1.5 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.

7.1.6 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.

7.1.7 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.

7.1.8 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.
- (b) If necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate.
- (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.



## 7.2 Notification to Council

- 7.2.1 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 the Environmental Planning and Assessment Regulation 2021, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.
- 7.2.2 At least 5 full working days written notice must be given for the commencement of engineering works. Such notice must be accompanied by evidence of the contractors Public Liability and Workers Compensation Insurances. For Public Liability Insurance this should be a minimum amount of \$10,000,000.

## 7.3 Home Building Act

- 7.3.1 The construction of *residential building work* within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
- (a) In the case of work for which a principal contractor is required to be appointed:
    - i The name and licence number of the principal contractor
    - ii The NSW Home Building Compensation Fund 'Statement of Cover' under Part 6 of that Act.
  - (b) In the case of work to be done by an owner-builder:
    - i The name of the owner-builder
    - ii If the owner-builder is required to hold an owner-builder permit under Part 3 of the Act, the number of the owner-builder permit.

## 7.4 Sydney Water Authorisation

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

OR

The approved plans are to be submitted to a Sydney Water Customer Centre or Quick Check Agent, 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 Quick Check Agent details, please refer to the 'Building Plumbing and Developing' Section of the website [www.sydneywater.com.au](http://www.sydneywater.com.au), then follow the 'Developing Your Land' link or call 13 20 92 for assistance.

## 7.5 Use of Crane

- 7.5.1 Any crane used in the construction of this development must have approval under the Roads Act 1993 from Council to swing over public air spaces.
- 7.5.2 The crane used must be provided with a light in accordance with the requirements of the Civil Aviation Safety Authority (CASA) requirement. This may require a separate

approval from CASA.

## **8 DURING CONSTRUCTION (BUILDING)**

### **8.1 Safety/Health/Amenity**

8.1.1 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.

8.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with the Environmental Planning and Assessment Regulation 2021 indicating:

- (a) The name, address and telephone number of the principal certifying authority for the work.
- (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.
- (c) Stating that unauthorised entry to the work site is prohibited.

8.1.3 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.

8.1.4 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.

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

8.1.6 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.

8.1.7 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.

8.1.8 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.

- (b) If necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate.
  - (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.
- 8.1.9 Building and construction materials, plant, equipment and the like shall not to be placed or stored at any time on Council's footpath, roadway or any public place.
- 8.2 **Building Code of Australia Compliance**
- 8.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.
- 8.3 **Surveys**
- 8.3.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifying Authority to verify the approved position of each structure in relation to the property boundaries.
- 8.3.2 A registered surveyor's report indicating that the required minimum Australian Height Datum floor level has been achieved, shall be lodged with the Principal Certifying Authority prior to work proceeding above floor level.
- 8.3.3 A registered surveyor's report confirming the approved design ground and/or floor levels, shall be lodged with the Principal Certifying Authority prior to work proceeding above floor level.
- 8.4 **Nuisance Control**
- 8.4.1 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.
- 8.4.2 The hours of any offensive noise-generating 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.
- 8.4.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.
- 8.5 **Waste Control**
- 8.5.1 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.
- 8.5.2 The applicant must provide evidence of tipping dockets for all demolition and construction waste generated onsite.
- 8.5.3 The applicant must ensure all litter is managed onsite by ensuring waste receptacles are covered when not in use.

## 8.6 **Construction Inspections**

- 8.6.1 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.
  - (b) Prior to pouring any in-situ reinforced concrete building element.
  - (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.
  - (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).
  - (e) Prior to covering any stormwater drainage connections.
  - (f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection 'f' must be carried out by the Principal Certifying Authority.

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

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

## 8.7 **Vehicular Crossings**

- 8.7.1 Any vehicular crossing of the footway shall be maintained a minimum of 6 m from the tangent point of the kerb return on a corner allotment. The vehicular crossing shall also be maintained at least 1 m clear of any stormwater gully pit and clear of any other utility surface infrastructure.

## 8.8 **Site Contamination**

- 8.8.1 Should any contaminated material be unearthed or fly-tipped rubbish be encountered during construction, all works are to cease immediately. In this situation, an amended Remediation Action Plan (RAP) is to be submitted to Council's Manager Development Assessment for further consideration and all potentially contaminated material is to be tested, removed or undergo remediation. In this regard, the environmental consultant engaged for this project is to be on site for regular monitoring of the approved site works.
- 8.8.2 Throughout the duration of the works, the applicant is to demonstrate compliance with the following approval parameters:
- (a) The applicant is to ensure that validation for the entire subject site can be prepared by a certified contaminated land consultant recognised by the EPA in accordance with Council's Contamination Land Policy and NEPM 2013.
  - (b) The applicant is to ensure that the site has been satisfactorily secured so as to prevent any unauthorised dumping of illegal fill/waste building materials (i.e. non-

V.E.N.M soils) from entering onto the development site.

- (c) Appropriate dust suppression measures are to be incorporated into the site works process, so as to ensure that adjoining properties in the local vicinity are not negatively impacted upon by dust generated from the development site.
- (d) Any filling shall be undertaken in accordance with the fill protocol approved by Council's Manager, Development Assessment.

Should Council receive any complaints regarding non-compliance with any of the above matters or other such operational type matters, then Council will have no alternative but to fully investigate the complaint and pursue an appropriate course of action.

## **8.9 Aboriginal Archaeology**

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

## **8.10 Salinity and Aggressive Soil Management**

- 8.10.1 All salinity management measures provided in the report prepared at the construction certificate stage shall be implemented during construction.

# **9 DURING CONSTRUCTION (ENGINEERING)**

## **9.1 Notification of Works**

- 9.1.1 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.

## **9.2 Insurances**

- 9.2.1 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.

## **9.3 Service Authority Approvals**

- 9.3.1 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.

#### 9.4 **Boundary Levels**

- 9.4.1 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.

#### 9.5 **Soil Erosion and Sediment Control Measures**

- 9.5.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 9.5.2 All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.
- 9.5.3 Appropriate dust control measures are to be implemented during construction to reduce any impact on local air quality and reduce dust emissions. This will include but not be limited to regularly wetting down of the site during the course of works being carried out in order to control windblown dust.
- 9.5.4 All roads adjoining the site must be kept clean and free of all materials. Infringement Notices incurring a monetary penalty may be issued by Council where this measure is not being complied with.

#### 9.6 **Filling of Land and Compaction Requirements**

- 9.6.1 Special attention is drawn to the below listed requirements of Council's Works Specification - Civil (Current Version).
- (a) Submission of compaction certificates for fill within road reserves.
  - (b) Submission of compaction certificates for road sub-grade.
  - (c) Submission of compaction certificates for road pavement materials (sub-base and base courses).
  - (d) The submission of 2 contour lot fill diagrams and lot fill compaction certificates. A restriction as to User with Council's standard wording must be placed on filled lots.
  - (e) Compliance Certificates from road material supplies (the relevant certified stockpile number shall be digitally shown from supplier)
- Note:** Council's Works Specification (Civil) requires road pavement and pipe bedding materials be sourced from approved suppliers. A listing of these materials and approved stockpile numbers can be found on Council's webpage.
- 9.6.2 Site filling within lot boundaries (not in road reserves) and compaction is to be carried out under the supervision of a Chartered Geotechnical Engineer and shall be in accordance with Blacktown City Council's 'Works Specification - Civil (Current Version)'. Minimum standard compaction of 95% must be achieved and certified by a NATA registered soils lab and details submitted to Council.
- 9.6.3 Appropriate dust control measures are to be implemented during construction to reduce any impact on local air quality and reduce dust emissions. This will include but not be limited to regularly wetting down of the site during the course of works being carried out in order to control wind-blown dust.

- 9.6.4 All roads adjoining the site must be kept clean and free of all materials. Infringement Notices incurring a monetary penalty may be issued by Council where this measure is not being complied with.
- 9.6.5 Trucks transporting cut and fill must have their loads covered and provisions of 'shaker pads' and wash-down areas for trucks leaving the site are to be made available. All details are to be shown on soil erosion and sediment control plans.
- 9.7 **Inspection of Engineering Works - Environmental Planning and Assessment Act 1979.**
- 9.7.1 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, only compliance certificates issued by accredited certifiers will be accepted. All compliance certificate(s) must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction Certificate.
- 9.8 **Inspection of Engineering Works - Roads Act 1993.**
- 9.8.1 All inspection(s) required by this consent for any engineering works that are approved under the *Roads Act 1993* must be made by Council's Development Overseers.
- Inspections must be pre-booked with a minimum 24 hours' notice. Council's Development Overseers may be contacted on 02 9839 6586 between 7 am – 8 am and 12.30 pm - 1.30 pm, 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).
- 9.9 **Public Safety**
- 9.9.1 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.
- 9.10 **Site Security**
- 9.10.1 Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.
- 9.11 **Traffic Control**
- 9.11.1 Any 'Traffic Control Plan' utilised for engineering works required by this consent must be prepared by a person who holds a current Transport for NSW (Roads and Maritime) 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.

- 9.11.2 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 Transport for NSW (Roads and Maritime) accreditation and photo card to implement Traffic Control Plans.
- 9.11.3 Persons undertaking the control of traffic through or around work sites on Council controlled roads must hold with them their Transport for NSW (Roads and Maritime) Traffic Controller accreditation and photo card and carry it with them.
- 9.11.4 The applicant is advised that prior to implementation of any traffic control system and during the entire course of construction suitably qualified Transport for NSW (Roads and Maritime) 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.
- 9.11.5 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 Transport for NSW (Roads and Maritime) 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 Transport for NSW (Roads and Maritime) Traffic Control at Work Sites manual and shall be submitted to Council prior to implementation.
- 9.12 **Other Drainage Matters**
- 9.12.1 All required ground floor building slab levels shall be checked and certified by a Registered Surveyor confirming that all minimum floor levels have been achieved before pouring the concrete slabs.
- 9.12.2 The proposed CDS0708 Gross Pollutant Trap supplied by Rocla contains an oil baffle and is not to be replaced with a smaller device, or an alternate manufacturer's product.
- 9.12.3 A plumber licensed with NSW Fair Trading is to undertake flow testing of the non-potable water reuse system to certify that all ground floor toilets are capable of being supplied by rainwater and that there is no cross mixing, or cross contamination with the potable water supply.
- 10 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)**
- 10.1 **Premises Construction**
- 10.1.1 Any asbestos material is to be handled and treated in accordance with the WorkCover document '*Your Guide to Working With Asbestos - Safety guidelines and requirements for work involving asbestos*' dated March 2008.
- 11 PRIOR TO ISSUING THE OCCUPATION CERTIFICATE**
- 11.1 **Consolidation of Lots**
- 11.1.1 The lots shall be consolidated into one title which shall be registered with NSW Land Registry Services prior to the issue of an Occupation Certificate for Stage 1.
- 11.2 **Road Damage**
- 11.2.1 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.



**Note:** Should the cost of damage repair work not exceed the road maintenance bond Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued.

**11.3 Compliance with Conditions**

11.3.1 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.

11.3.2 Prior to occupation/use of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of Sections 6.9 and 6.10 of the Environmental Planning & Assessment Act 1979.

**11.4 Temporary Facilities Removal**

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

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

11.4.3 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.

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

11.4.5 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.

**11.5 Service Authorities**

11.5.1 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.

11.5.2 The following documentary evidence shall accompany 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](http://www.sydneywater.com.au), then follow the 'Developing Your Land' link or call 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. The Section 73 Certificate

must be submitted to the Principal Certifying Authority prior to the occupation of the development.

**11.6 Fire Safety Certificate**

11.6.1 An interim or final fire safety certificate complying with the Environmental Planning and Assessment Regulation 2021 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).

11.6.2 A final fire safety certificate complying with the Environmental Planning and Assessment Regulation 2021 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).

**11.7 Fee Payment**

11.7.1 Any fee payable to Council as part of a Construction, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

**11.8 Engineering Matters**

**11.8.1 Surveys/Certificates/Works As Executed plans**

11.8.1.1 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.

11.8.1.2 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.

11.8.1.3 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.

11.8.1.4 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.

11.8.1.5 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.

11.8.1.6 This development requires separate approvals under the Roads Act 1993. Prior to the issue of an Occupation Certificate, the applicant must obtain written confirmation from Council that these works have been completed to its satisfaction.

**11.8.2 Easements/Restrictions/Positive Covenants**

11.8.2.1 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.
- 11.8.2.2 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 for each lot.
- 11.8.2.3 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.
- 11.8.2.4 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.
- 11.8.3 **Dedication of splay corner**
- 11.8.3.1 A 5m x 5m splay at the corner of the site (corner of Prince Street and Second Avenue) is required. It shall be dedicated at no cost to Council prior to the Occupation Certificate being released.
- 11.8.4 **Bonds/Securities/Payments in Lieu of Works**
- 11.8.4.1 Concrete path paving must not be placed until about 85% of the PROPOSED DEVELOPMENT has been built upon or until approved in writing by Council. The applicant has the option of lodging a security deposit for the works, or paying a monetary payment in lieu of works based upon Council's Goods and Pricing Schedule. The security will be released upon satisfactory completion of the works.
- 11.8.4.2 Where Council has granted approval of providing security in lieu of outstanding works, a security, in the form of a bank guarantee or a cash deposit, shall be lodged with Council to cover outstanding works required by this consent. The security amount will be calculated at Council's approved rate upon request.
- 11.8.5 **Inspections**
- 11.8.5.1 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.
- 11.8.6 **CCTV Inspection of Stormwater Drainage Structures**
- 11.8.6.1 All road stormwater drainage structures (pipelines and pits) must be inspected via CCTV on completion of the provision of all public utility services in accordance with Council's current Works Specification Civil. CCTV reports must be submitted to council in the form of a DVD of the inspection, a hard copy printout of the SEWRAT (or equivalent) report and a certified CCTV statement in accordance with Section 6.8 of Council's Works Specification Civil indicating that any defects identified by this inspection have been rectified.

## 11.9 **Street Tree Planting**

11.9.1 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.

11.9.2 Any 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.

The number of trees should equal the number lots/dwellings with street frontage. However, corner lots require 1 tree for the primary frontage and 2 trees on the side frontage. In the case of medium and high-density residential developments. Trees will be planted at a minimum spacing of 8 m.

Additional trees may be requested following assessment of the development's configuration.

Trees must be of a minimum container size of 45 litres with root barriers.

The applicant must obtain clearances from relevant service authorities.

The applicant will be required to pay a bond of \$320 per tree 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), to council if the trees are maturing satisfactorily. The applicant is responsible for notifying Council when the works are completed.

The applicant will also be required to pay a \$132 inspection fee. A Blacktown City 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.

## 11.10 **Water Sensitive Urban Design Management**

11.10.1 Prior to the issue of the Occupation certificate, the applicant shall submit to Council documentation that identifies the correct locations, types, models, and model numbers of assets that form the WSUD system installed on the property. The documentation is to include the final version of the Stormwater management report and certified and signed stormwater Works-as-executed plans.

11.10.2 Prior to the issue of the Occupation certificate, the Applicant shall provide a Maintenance schedule for the WSUD system installed on the property. The Maintenance schedule is to be prepared in accordance with the Maintenance schedule template and WSUD inspection and maintenance guidelines available on Council's website. The Applicant shall submit the Maintenance schedule to Council for approval.

11.10.3 Prior to the issue of the Occupation certificate, the applicant shall provide a Positive covenant and Restriction on the use of land over the WSUD system installed on the property. The Positive covenant and Restriction on the use of land is to be accordance with Appendix F of Council's Engineering Guide for Development. The Positive covenant and Restriction on the use of land is to be endorsed by Council and lodged with New South Wales Land Registry Services. The applicant shall submit documentary evidence of the lodgement and execution of the Positive covenant and

Restriction on the use of land to Council prior to the issue of the final Occupation certificate.

- 11.10.4 The WSUD elements assessed by Council are on-site stormwater detention tank, Stormwater Tank, Gross Pollutant Trap.

**11.11 Other Drainage Section Matters**

- 11.11.1 A Chartered Civil Engineer registered with NER, is to certify that:

- a) All the requirements of the approved drainage plans have been undertaken;
- b) The installation of a CDS 1009 Unit by Rocla Gross Pollutant Trap.
- c) A minimum 15 m<sup>3</sup> below overflow single stormwater tank has been provided collecting roof water from a minimum 672 m<sup>2</sup> of roof area.
- d) The minimum detention storage of 93 m<sup>3</sup> has been provided below the 50% AEP weir and a total of 141 m<sup>3</sup> has been provided below the 1% AEP emergency overflow weir.
- e) the orifice size matches the approved construction certificate plans;
- f) The interpretative water quality sign is correctly installed
- g) All (other) signage and warning notices have been correctly installed.

- 11.11.2 A plumber licensed with NSW Fair Trading, or experienced chartered hydraulic engineer, is to certify that:

- a) All the requirements of the detailed Non-Potable Water Supply and Irrigation Plan have been installed to the required locations.
- b) The pumps, alarms and all other systems are working correctly.
- c) The flow meters have been installed on the pump outflow and the solenoid-controlled mains water bypass to determine non-potable usage and actual percentage of reuse.
- d) The initial flow meter readings are detailed in the certificate.
- e) All toilets are supplied by 15 kL stormwater tank.
- f) A minimum of 10 external taps for landscape watering or washdown being 7 taps on the podium communal open space spread across all landscaping and 3 taps on the ground floor ground central courtyard spread evenly between landscape planters.
- g) The water from at least 4 toilets (2 from each level) and 4 external taps have been tested to show no chlorine residual.
- h) Rainwater warning signs are fitted to all external taps using rainwater.
- i) All rainwater reuse taps are either locked, or have removable handles with handles removed.
- j) A signed, works-as-executed Non-Potable Water Supply & Irrigation Plan is to be provided to Council's WSUD Compliance Officer at [WSUD@blacktown.nsw.gov.au](mailto:WSUD@blacktown.nsw.gov.au)

- 11.11.3 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 4 star taps (for all taps other than bath outlets and garden taps)
  - iv 3 star urinals
  - v Water efficient washing machines and dishwashers have been used.
- 11.11.4 The Applicant shall enter into a Maintenance Agreement with a maintenance contractor for the WSUD system installed on the property. The Maintenance Agreement is to be in accordance with the Maintenance schedule approved by Council. The maintenance contractor is to possess the qualifications and licences, if any, required to undertake the maintenance works in accordance with Council and New South Wales policy and legislation. The Maintenance Agreement must be maintained for the life of the development. The Applicant shall submit a copy of the executed Maintenance agreement to Council for approval. The Maintenance Agreement can be replaced with an alternative Maintenance Agreement of the same or better standard. In the event that the Applicant enters into a replacement Maintenance Agreement the Applicant must, as soon as practically possible, forward a copy to Council.
- 11.11.5 A plumber, licensed with NSW Fair Trading, or experienced hydraulic engineer registered with NER, is to certify that all the non-potable water uses are being supplied by rainwater and that all the requirements of the detailed Non-Potable Water Reuse Plan have been installed and are working correctly. Provide a copy of the certification and a signed, works-as-executed Non-Potable Water Reuse Plan to Council's WSUD Compliance Officer at [WSUD@blacktown.nsw.gov.au](mailto:WSUD@blacktown.nsw.gov.au).
- 11.11.6 Provide maintenance requirements for each of the proposed detention system and Rainwater Tank. Where these devices are located in roadway / parking areas these are to include traffic management requirements. The designer of the stormwater treatment system must prepare the Maintenance schedule and this schedule must show the designer's name, company, signature and date on it.
- 11.11.7 Provide written evidence that the registered owner / owners corporation has entered into a minimum 5 years signed and endorsed maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the OSD Tank and Rainwater tank. Forward a copy of the signed and endorsed contract(s) and maintenance contractor(s) details to Council's WSUD Compliance Officer at [WSUD@blacktown.nsw.gov.au](mailto:WSUD@blacktown.nsw.gov.au). This maintenance contract cannot be cancelled, but can be replaced with an alternative contract of the same standard.
- 11.12 **Inspections**
- 11.12.1 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.

### 11.13 **External Finishes**

- 11.13.1 The development approved by Council is to be constructed in accordance with the approved schedule of materials, finishes and colours. All landscaping, fencing, retaining walls and driveways are to be provided in accordance with the approved plans, and the details submitted and approved as part of the Construction Certificate.

### 11.14 **Landscaping**

- 11.14.1 All landscaping and common open space areas shall be completed in accordance with approved landscaping design plan. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.
- 11.14.2 All common open space areas and internal driveways shall be appropriately illuminated by the use of suitable outdoor lighting or the like to provide for the safety and convenience of occupants and other people resorting to the land at night. The loading dock area and car parking areas must also be provided with sufficient lighting to enhance the safety of users.

### 11.15 **Car Parking**

- 11.15.1 Off-street commercial, resident and resident visitor car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability for residents and their visitors.
- 11.15.2 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 11.15.3 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.6 - 2009
- 11.15.4 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.
- 11.15.5 The car parking allocation is to be incorporated into a Parking Management Strategy which will also include the following responsibilities for the Managing Agent / future Body Corporate:
- (a) Measures to ensure a clear segregation between the retail, commercial, serviced apartment, residential and non-residential parking spaces is maintained at all times.
- 11.15.6 On-site waste collection areas, loading areas and manoeuvrability paths are to be suitably line-marked and sign-posted to ensure areas are kept clear of obstructions that may prohibit their future use.
- ### 11.16 **Ancillary Work**
- 11.16.1 Each dwelling unit is to be provided with a mechanical drying appliance within the unit.
- 11.16.2 Mail boxes are to be provided on site in accordance with the requirements of Australia Post.
- 11.16.3 The awning must be constructed in accordance with those details submitted as part of the Construction Certificate. The height and width of the awning must comply with the requirements of Council's Maintenance Section.

- 11.16.4 Plumbing services are to be provided to each commercial tenancy to enable the installation of a potential kitchen.
- 11.17 **Waste Management**
- 11.17.1 Evidence (e.g. in the form of receipts) is to be submitted to confirm that waste and recyclable materials, including fill from the excavation of the basement car parking have been managed and disposed.
- 11.17.2 Arrangements shall be made for an effective private contractor commercial refuse removal service.
- 11.17.3 Should Council provide a waste service to this site, the elected strata manager must sign our 'Onsite Waste Collection Agreement Form' on behalf of all lot owners (and stamped using the common seal), before collections can occur onsite.
- 11.17.4 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.
- 11.17.5 The owner or Owners Corporation / Community Management Association will be responsible for ensuring that clear access is provided to Council collection trucks entering the property.
- 11.17.6 A Community Management Agreement/Strata Management Agreement is required and to Council's satisfaction which:
- a) 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.
  - b) 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.
  - c) indicates the method of communication to new tenants and residents regarding the waste management service and collection system for the complex.
  - d) clearly outlines the requirement for the building manager to maintain and display consistent signs on all bins and in all communal bin storage areas.
  - e) clearly outlines the requirement for the building manager to arrange for the prompt removal of dumped rubbish from the site
  - f) includes the updated (and approved) waste management plan as lodged with the development application (see Version I dated 31/5/22).
  - g) provides a clear bin placement plan that indicates bin collection points for each dwelling in the development.
- 11.17.7 The applicant must demonstrate to Council's satisfaction, that completed construction of the covered/undercroft waste collection area achieves the required 4.5m headroom allowance (as per Australian Standards 2890.2) for the trucks entire travel path. This 4.5m headroom allowance must be achievable clear of all eaves, overhangs, balconies, services (including sprinklers, pipes etc), and at the roller door entry point.



Failure to comply may impact the ability for waste collection vehicles to safely access the development to service its waste and recycling bins.

- 11.17.8 As the retail/commercial component of this development will be serviced by private waste and recycling contractors, commercial/ retail tenants and operators are unable to access Council's household clean up service, or garbage and recycling service. These must be provided by the retail/commercial tenancies by private contractual arrangements. A Section 88B must be listed on the title to this effect and must contain the following:

- (a) The registered proprietor of the Burdened Lot, or where the Burdened Lot includes a Strata Scheme, the retail/commercial tenants of the Burdened Lot:
  - i. Are responsible for providing all waste and recycling services for the building or Strata Scheme
  - ii. Must ensure waste and recycling services, and bulky waste collections for the retail/commercial component of the building or Strata Scheme are to be provided and undertaken by a private waste and recycling contractors (not Blacktown City Council);
  - iii. Must not access Council's household clean up service or waste/recycling service
  - iv. Indemnifies Council in respect of any claim regarding the non-provision by Blacktown City Council of waste services.
  - v. This positive public covenant cannot be released, varied or modified without the prior written consent of the Prescribed Authority.

11.18 **Street tree planting**

- 11.18.1 Any 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.

The number of trees should equal the number lots/dwellings with street frontage. However, corner lots require 1 tree for the primary frontage and 2 trees on the side frontage. In the case of medium and high density residential developments, trees will be planted at a minimum spacing of 8 m.

Additional trees may be requested following assessment of the development's configuration.

Trees must be of a minimum container size of 45 litres with root barriers.

The applicant must obtain clearances from relevant service authorities.

The applicant will be required to pay a bond of \$320 per tree 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), to council if the trees are maturing satisfactorily. The applicant is responsible for notifying Council when the works are completed.

The applicant will also be required to pay a \$132 inspection fee. A Blacktown City 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

**11.19 Other Matters**

11.19.1 All commitments listed in BASIX Certificates:

- i Stage 1 - 1239671M\_03 dated 29 August 2022
- ii Stage 2 – 699851M dated 16 March 2016

shall be complied with prior to the issue of an Occupation Certificate for the relevant stage.

11.19.2 All fencing, landscaping, clotheslines, hot water systems, TV antennae, mailboxes, driveways and the common open space area are to be completed in accordance with the approved plans and conditions of this consent to Council's satisfaction prior to the release of the Occupation Certificate for each stage.

11.19.3 A post-construction dilapidation report shall be carried out for any of the potentially affected existing buildings surrounding the proposed development. A copy of the report shall be submitted to Council prior to issue of Occupation Certificate for each stage.

**11.20 State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development**

11.20.1 No occupation certification must be issued unless all design verifications have been provided in accordance with the Environmental Planning and Assessment Regulation 2021, a certifying authority must not issue a construction certificate for residential flat development unless the certifying authority has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development.

**11.21 Graffiti Management Plan**

11.21.1 A 'Graffiti Management Plan' is to be submitted for the separate approval of Council's Manager, Development Services. 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.
- (d) Maintenance of suitable landscaping to minimise the potential for graffiti attacks.

11.21.2 The Owners Corporation is to manage the graffiti management plan. The recommendations of the plan are to be integrated into a Strata Management Agreement/by-laws.

**11.22 Acoustic Verification**

11.22.1 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.

## 11.23 **Pavement Treatment and Awnings**

11.23.1 Prior to the issue of any Occupation Certificate, the pavement treatment along the street frontages is to be completed to Council's Manager Civil and Park Maintenance satisfaction.

11.23.2 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.

## 11.24 **Lighting**

11.24.1 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.

## 11.25 **Privacy Screening**

11.25.1 All privacy screening measures / devices detailed on the approved plans are to be installed prior to the issue of any Occupation Certificate for each stage.

## 11.26 **Security**

11.26.1 The basement ceiling is to be light in colour, and preferably painted white, to enhance lighting illumination.

11.26.2 A roller shutter and card-key system is to be installed at the entry/exit points of the basement carpark.

11.26.3 Should any basement storage areas be provided, they are to have quality doors/cages and lock sets to restrict unauthorised access. These are recommended to be constructed of an appropriately robust steel welded mesh to be used in lieu of chain link wire. Consider the use of 'over the bonnet' metal fully enclosed and lockable storage containers.

11.26.4 The car parking allocation is to be incorporated into a Parking Management Strategy which will also include the following responsibilities for the Managing Agent/future Body Corporate:

- (a) Measures to ensure a clear segregation between the commercial, serviced apartments, residential and non-residential parking spaces is maintained at all times.

## 12 **OPERATIONAL**

### 12.1 **Graffiti Removal**

12.1.1 Removal of any graffiti, visible from any public road or space, is the responsibility of the property owner/s. All graffiti must be removed within 48 hours.

### 12.2 **Access/Parking**

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

12.2.2 All loading and unloading operations shall take place at all times wholly within the confines of the land. All vehicles must enter and exit the site in a forward direction at all times.

- 12.2.3 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.
- 12.3 **General**
- 12.3.1 No goods, materials, or trade waste shall be stored at any time outside the building other than in approved garbage receptacles.
- 12.3.2 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 12.3.3 If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.
- 12.3.4 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.
- 12.3.5 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 12.4 **Landscaping**
- 12.4.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.
- 12.4.2 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.
- 12.4.3 The management of vegetation, gardens, planter boxes, communal areas, BBQ facilities, children's play equipment, etc is to be incorporated within the future strata management plan once the development is occupied.
- 12.5 **Use of Premises**
- 12.5.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.
- 12.5.2 The Serviced Apartments approved as part of Stage 1 of this development are to be operated at all times in accordance with the Plan of Management list as part of the approved plans by this consent.
- 12.6 **Waste Management**
- 12.6.1 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.
- 12.6.2 All waste generated on site must be disposed of in accordance with the approved Waste Management Plan.
- 12.6.3 Retail bin transfers from the temporary holding rooms to the collection points must be conducted after hours (i.e. between 7 am and 9 am or 5 pm and 7 pm).
- 12.6.4 Should a change of use be proposed for the approved retail space, allowance must be made for the following waste generation rates:

- 660L/100 sqm floor area/day for waste
- 130L/100 sqm floor area/day for recycling

## 12.7 **Emergency Procedures**

- 12.7.1 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.

## 12.8 **Clothes Drying**

- 12.8.1 Clothes drying is to be conducted in the mechanical dryers. The drying of clothes on balconies (where visible from a public place) is prohibited. If the development is to be strata subdivided, a clause is to be included in the Plan of Strata Management prohibiting the drying of clothes on balconies (where visible from a public place).

## 12.9 **Security**

- 12.9.1 All intruder alarms shall be fitted with a timing device in accordance with the requirements of the protection of the Environment Operations Act 1997.
- 12.9.2 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.
- 12.9.3 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.

## 12.10 **Awnings**

- 12.10.1 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.
- 12.10.2 No hanging is permitted under the awning which may affect the minimum clearance height of 2.4 m.
- 12.10.3 The property owner is responsible for the maintenance of the awnings at all times.

## 12.11 **Waste Management**

- 12.11.1 The owner/ Owners Corporation/Community Management Association will be responsible for ensuring that clear access is provided to waste collection trucks entering the property.
- 12.11.2 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.
- 12.11.3 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:

- a) 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.
  - b) 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.
  - c) separated bin storage areas and associated waste management equipment for commercial and residential components of a development if applicable.
  - d) provision of bin movement aids such as bin tugs and trolleys if suggested for the site. Adequate storage for both the bin tug and trolley attachment must be shown on the architectural drawings.
  - e) 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.
- 12.11.2 The Community Management Statement, Strata Management Statement, Total Maintenance Plan and/or Plan of Management (whichever is relevant to this site), must be provided to each tenant and/or owner occupier upon commencement of the site, and for every subsequent lease renewal and/or change in ownership of every lot in perpetuity.
- 12.11.2 A building manager must be engaged in perpetuity and for the life of the development to:
- a) manage bins and bulky waste onsite
  - b) clean bins and the waste room(s)
  - c) arrange clear access to the waste loading bay on collection day (ie, 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.
  - d) install and maintain relevant waste management signage onsite
- 12.12 **Environmental Management**
- 12.12.1 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 12.12.2 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 12.12.3 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.