

Conditions of consent (draft)

Proposed development	Construction of 9 residential flat buildings over 6 stages, 9 - 10 storeys each (including lower ground and ground level) comprising a total of 911 apartments, 2 retail premises, 989 parking spaces across 2 basement levels, a publicly accessible plaza and extensive landscaping works
Property description	Lots 8-9 DP 1249124, 34 - 42 Tallawong Road, Tallawong

1 DEFERRED COMMENCEMENT MATTERS

The following are deferred commencement conditions under Section 4.16(3) of the Environmental Planning and Assessment Act 1979.

Under Section 4.16(3) of the Environmental Planning and Assessment Act 1979, the Applicant must satisfy the following deferred commencement conditions of consent prior to the development consent becoming operative:

- 1.1** The Concept development application Development Consent No. SPP-17-00028 dated 9 November 2018 has been surrendered by written notice to the consent authority in accordance with section 67 of the Environmental Planning and Assessment Regulation 2021.
- 1.2** A Section 4.55 modification application has been determined to modify Development Consent No. DA-18-01599 dated 10 June 2020 to realign the lot boundaries to be consistent with this consent SPP-21-00013.
- 1.3** Revised drainage plans by Indesco Project No. 7474-DA are to generally address the following requirements to the satisfaction of the Manager Asset Design
 - i. As the proposed new high flow piped drainage system with overflow pit arrangement is not acceptable, delete the new pipe layout shown (in pink) in all the lots.
 - ii. Upsize the 5% AEP piped drainage system (shown in green) to 1% AEP capacity to divert the 1% AEP site and roof flows to the temporary detention basin through the Stormfilter tanks.
 - iii. For all the Stormfilter tanks set the length of overflow weir to minimum $10 \times Q_{100}$ where Q_{100} is 1% AEP catchment flow for each lot.
 - iv. Reconfigure all the Stormfilter tanks with new weir lengths.
 - v. Provide details of the Stormfilter tank in Pit A2.03 shown in drawing 204 (H), which is installed with 5 x 310mm cartridges. Name the Stormfilter tank as

“Stormfilter tank C-2 “.

- vi. Provide a drop pit OceanGuard in Pit A2.03 shown on Lot C drawing 204 (H) or provide an OceanGuard within the Stormfilter Chamber C-2 to treat the surface and pipe flows as the three shallow OceanGuard in pits G3.02 only treat surface flows enter those pits. It may be required to reset the invert levels of the pipe lines to fit a drop pit OceanGuard. OceanGuards (Enviropods) treating surface flows and upstream pipe flows require a minimum clear depth of 500 mm from the invert of the upstream pipes to be treated, to the obvert of the outlet pipe. Where these pits are treating upstream pipe flows the inverts of all pipes in and out of the pit are to be shown.
 - vii. Provide 150mm kerb or raised planter beds/masonry walls along the street frontages of north western boundaries of all the lots and south western boundaries of Lots A & D to direct the surface flows.
 - viii. Name drawing 202 (H) as “overall Stormwater Plan for Ultimate Stage”. Add in the Note “Lot A will be developed once the Regional Detention Basin is operational”.
 - ix. Provide a detailed plan view of each OceanGuard chamber to show the layout of the distribution channel and positioning of the hob/kerb along the channel with half height hobs or gaps adjacent to the baskets to distribute the flows equally between the baskets.
 - x. On drawing 508 (C) for Lot E Stormfilter chamber, correctly locate the hobs surrounding the pit baskets on section view.
 - xi. Provide a minimum 300 mm gap on the separation wall between the Stormfilter and OceanGuard chambers above the inner base level of the OceanGuard Chamber/Stormfilter chamber to allow the flows from OceanGuard Chamber to the Stormfilter chamber.
- 1.4** Provide amended architectural plans for Buildings D and E to show the toilets and any kitchen sink connection in the commercial part of the building.
- 1.5** If the satisfaction of any of the above deferred commencement conditions results in any changes to the operational conditions in this consent, the Applicant must also lodge a modification application, seeking consent for those changes.
- 1.6** All of the requirements listed in the above conditions must be completed within 24 months of the date of this "Deferred Commencement" consent. Should these matters not be completed to Council's satisfaction within this time period, this "Deferred Commencement" consent will lapse.

2 ADVISORY NOTES

2.1 Terminology

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

2.2 Scope of Consent

- 2.2.1 Separate development consent may be required from Council prior to the use of each individual commercial spaces in the approved building(s). The applicant is advised to contact Council's Development Services Unit in this regard.
- 2.2.2 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.
- 2.2.3 Separate approval is required prior to the fit out of each of the retail units on the ground floor. The applicant is advised to contact Council's Development Services Unit in this regard.

2.3 Other Approvals

- 2.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works
- 2.3.2 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.
- 2.3.3 The applicant's attention is drawn to the need to obtain separate appropriate approval for any ancillary development not approved by this consent, including:
- (a) the removal of any tree(s) not indicated on the approved plans
 - (b) any fence, retaining wall, land excavation or filling, advertising structure or other development not approved in this DA, and
 - (c) demolition of any existing buildings and associated structures in accordance with the requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, and
 - (d) the installation of vehicular footway crossings servicing the development, and
 - (e) the use of any crane that swings over public air space. If a crane is used to construct this development that swings over public air space, separate Council approval under the Roads Act 1993 and Local Government Act 1993 is required

2.4 Services

- 2.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Recognised energy provider
- (c) Natural Gas Company
- (d) The relevant local telecommunications carrier

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

All approved building construction plans attached to the Construction Certificate should be submitted to Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans are to be appropriately stamped and all

amended plans will require re-stamping. For further information go to: www.sydneywater.com.au, then follow the “Developing Your Land” link or telephone 1300 082 746 for assistance.

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

- 2.4.2 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 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.

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra’s network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra’s infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra’s assets in any way, you are required to contact: Telstra’s Network Integrity Team on phone number: 1800 810 443.

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

2.5 Tree Planting and Service Locations (After all other services)

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

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

2.6 Identification Survey

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

2.7 Engineering Notes

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

2.8 Payment of Engineering Fees

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

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

3 GENERAL

3.1 Scope of Consent

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

Drawing Reference	Dated
Masterplan prepared by Kann Finch:	
SK.00 Masterplan – Project Statistics and Notes, Revision BB	24/05/2022
SK.00A Masterplan – CGI – Sheet 1, Revision BB	24/05/2022
SK.00B Masterplan – CGI – Sheet 2, Revision BB	24/05/2022
SK.00C Masterplan – CGI – Sheet 3, Revision BB	24/05/2022
SK.00D Masterplan – CGI – Sheet 4, Revision BB	24/05/2022
SK.00E Masterplan – Proposed Updated Façade Treatment, Revision BB	24/05/2022
SK.00F Masterplan – Proposed Updated Façade Treatment, Revision BB	24/05/2022
SK.01 Masterplan – Site Plan, Revision BB	24/05/2022
SK.01A Masterplan – Demolition Plan, Revision BB	24/05/2022
SK.01B Masterplan – Site Analysis, Revision BB	24/05/2022
SK.02 Masterplan – Basement 2 Plan, Revision BB	24/05/2022
SK.03 Masterplan – Basement 1 Plan, Revision BB	24/05/2022
SK.04 Masterplan – Lower Ground Floor Plan, Revision BB	24/05/2022
SK.05 Masterplan – Ground Floor Plan, Revision BB	24/05/2022
SK.07 Masterplan – Level 2 Floor Plan, Revision BB	24/05/2022
SK.06 Masterplan – Level 1 Floor Plan, Revision BB	24/05/2022
SK.07 Masterplan – Level 2 Floor Plan, Revision BB	24/05/2022
SK.08 Masterplan – Level 7 Floor Plan, Revision BB	24/05/2022
SK.09 Masterplan – Roof Plan, Revision BB	24/05/2022
SK.10 Masterplan – 26m Height Plane Condition, Revision BB	24/05/2022
SK.11 Masterplan – Staging Plan, Revision BB	24/05/2022
SK.12 Masterplan – Site Context, Revision BB	24/05/2022

SK.15 Masterplan – Adaptable & Silver Level, Revision BB	24/05/2022
SK.20 Masterplan – Street Elevations Sheet 1, Revision BB	24/05/2022
SK.21 Masterplan _Street Elevations Sheet 2, Revision BB	24/05/2022
SK.22 Masterplan – Shadow Diagram 22 June Sheet 1, Revision BB	24/05/2022
SK.23 Masterplan – Shadow Diagram 22 June Sheet 2, Revision BB	24/05/2022
SK.24 Masterplan – Sun View 22 June Sheet 1, Revision BB	24/05/2022
SK.25 Masterplan – Sun View 22 June Sheet 2, Revision BB	24/05/2022
SK.26 Masterplan – External Materials Schedule, Revision BB	24/05/2022
SK.30 Masterplan – Site Sections Buildings C-H-J Sheet 1, Revision BB	24/05/2022
SK.31 Masterplan – Site Sections Buildings B-F-G Sheet 2, Revision BB	24/05/2022
SK.32 Masterplan – Site Sections Buildings A-D-E Sheet 3, Revision BB	24/05/2022
SK.33 Masterplan – Site Sections Ramps Sheet 4, Revision BB	24/05/2022
SK.34 Masterplan – Site Sections Sheet Buildings A-B-C, Revision BB	24/05/2022
SK.35 Masterplan – Site Sections Buildings D-F-H Sheet 6, Revision BB	24/05/2022
SK.36 Masterplan – Site Sections Buildings E-G-J Sheet 7, Revision BB	24/05/2022
SK.40 Masterplan – Solar Access Sheet 1, Revision BB	24/05/2022
SK.41 Masterplan – Solar Access Sheet 2, Revision BB	24/05/2022
SK.42 Masterplan – Solar Access Sheet 3, Revision BB	24/05/2022
SK.43 Masterplan – X-Ventilation Sheet 1, Revision BB	24/05/2022
SK.44 Masterplan – X-Ventilation Sheet 2, Revision BB	24/05/2022
SK.50 Masterplan – ADG Plans, Revision BB	24/05/2022
SK.50A Masterplan – ADG Plans, Revision BB	24/05/2022
SK.55Masterplan – Height Plane 3D View, Revision BB	24/05/2022
SK.56Masterplan – Ramp Sections, Revision BB	24/05/2022
Building A	
SK.A.03 Building A – Lower Ground Level Plan, Revision P	24/05/2022
SK.A.04 Building A – Ground Level Plan, Revision P	24/05/2022
SK.A.05 Building A – Level 1 Plan, Revision P	24/05/2022
SK.A.06 Building A – Level 2-6 Typical Plan, Revision P	24/05/2022
SK.A.07 Building A – Level 7 Plan, Revision P	24/05/2022
SK.A.08 Building A – Level 8 Plan, Revision P	24/05/2022
SK.A.09 Building A – Roof Plan, Revision P	24/05/2022
SK.A.10 Building A – Section 1, Revision P	24/05/2022
SK.A.11 Building A – Section 2, Revision P	24/05/2022

SK.A.12 Building A – Stair Sections, Revision P	24/05/2022
SK.A.15 Building A – North Elevation, Revision P	24/05/2022
SK.A.16 Building A – East Elevations, Revision P	24/05/2022
SK.A.17 Building A – South Elevation, Revision P	24/05/2022
SK.A.18 Building A – West Elevations, Revision P	24/05/2022
SK.A.20 Building A – Height Plane Condition, Revision P	24/05/2022
SK.A.21 Building A – Terrace Sections, Revision P	24/05/2022
SK.A.22 Building A – Terrace Sections, Revision P	24/05/2022
Building B	
SK.B.03 Building B – Lower Ground Level Plan, Revision P	24/05/2022
SK.B.04 Building B – Ground Level Plan, Revision P	24/05/2022
SK.B.05 Building B – Level 1 Plan, Revision P	24/05/2022
SK.B.06 Building B – Level 2-6 Typical Plan, Revision P	24/05/2022
SK.B.07 Building B – Level 7 Plan, Revision P	24/05/2022
SK.B.08 Building B – Roof Plan, Revision P	24/05/2022
SK.B.10 Building B – Section 1, Revision P	24/05/2022
SK.B.11 Building B – Section 2, Revision P	24/05/2022
SK.B.12 Building B – Stair Section, Revision P	24/05/2022
SK.B.15 Building B – North Elevation, Revision P	24/05/2022
SK.B.16 Building B – East Elevations, Revision P	24/05/2022
SK.B.17 Building B – South Elevation, Revision P	24/05/2022
SK.B.18 Building B – West Elevations, Revision P	24/05/2022
SK.B.20 Building B – Height Plane Condition, Revision P	24/05/2022
SK.B.21 Building B – Terrace Sections, Revision P	24/05/2022
Building C	
SK.C.03 Building C – Lower Ground Level Plan, Revision S	24/05/2022
SK.C.04 Building C – Ground Level Plan, Revision S	24/05/2022
SK.C.05 Building C – Level 1 Plan, Revision S	24/05/2022
SK.C.06 Building C – Level 2-6 Typical Plan, Revision S	24/05/2022
SK.C.07 Building C – Level 7 Plan, Revision S	24/05/2022
SK.C.08 Building C – Roof Plan, Revision S	24/05/2022
SK.C.10 Building C – Section 1, Revision S	24/05/2022
SK.C.11 Building C – Section 2, Revision S	24/05/2022
SK.C.12 Building C – Stair Section, Revision S	24/05/2022

SK.C.15 Building C – North Elevation, Revision S	24/05/2022
SK.C.16 Building C – East Elevations, Revision S	24/05/2022
SK.C.17 Building C – South Elevation, Revision S	24/05/2022
SK.C.18 Building C – West Elevations, Revision S	24/05/2022
SK.C.20 Building C – Height Plane Condition, Revision S	24/05/2022
SK.C.21 Building C – Terrace Sections, Revision S	24/05/2022
Building D	
SK.D.03 Building D – Lower Ground Level Plan, Revision V	24/05/2022
SK.D.04 Building D – Ground Level Plan, Revision V	24/05/2022
SK.D.05 Building D – Level 1-6 Typical Plan, Revision V	24/05/2022
SK.D.06 Building D – Level 7 Plan, Revision V	24/05/2022
SK.D.07 Building D – Roof Plan, Revision V	24/05/2022
SK.D.10 Building D – Section 1, Revision V	24/05/2022
SK.D.11 Building D – Section 2, Revision V	24/05/2022
SK.D.12 Building D – Stair Sections, Revision V	24/05/2022
SK.D.15 Building D – North Elevation, Revision V	24/05/2022
SK.D.16 Building D – South Elevation, Revision V	24/05/2022
SK.D.17 Building D – East & West Elevations, Revision V	24/05/2022
SK.D.20 Building D – Height Plane Condition, Revision V	24/05/2022
SK.D.21 Building D – Terrace Sections, Revision V	24/05/2022
Building E	
SK.E.03 Building E – Lower Ground Level Plan, Revision P	24/05/2022
SK.E.04 Building E – Ground Level Plan, Revision P	24/05/2022
SK.E.05A Building E – Level 1-3 Typical Plan, Revision P	24/05/2022
SK.E.05B Building E – Level 4-6 Typical Plan, Revision P	24/05/2022
SK.E.06 Building E – Level 7 Plan, Revision P	24/05/2022
SK.E.07 Building E – Roof Plan, Revision P	24/05/2022
SK.E.10 Building E – Section 1, Revision P	24/05/2022
SK.E.11 Building E – Section 2, Revision P	24/05/2022
SK.E.12 Building E – Stair Sections, Revision P	24/05/2022
SK.E.15 Building E – North Elevation, Revision P	24/05/2022
SK.E.16 Building E – South Elevation, Revision P	24/05/2022
SK.E.17 Building E – East & West Elevations, Revision P	24/05/2022
SK.E.20 Building E – Height Plane Condition, Revision P	24/05/2022

Building F	
SK.F.03 Building F – Lower Ground Level Plan, Revision U	24/05/2022
SK.F.04 Building F – Ground Level Plan, Revision U	24/05/2022
SK.F.05 Building F – Level 1-6 Typical Plan, Revision U	24/05/2022
SK.F.06 Building F – Level 7 Plan, Revision U	24/05/2022
SK.F.07 Building F – Roof Plan, Revision U	24/05/2022
SK.F.10 Building F – Section 1, Revision U	24/05/2022
SK.F.11 Building F – Section 2, Revision U	24/05/2022
SK.F.12 Building F – Stair Sections, Revision U	24/05/2022
SK.F.15 Building F – North Elevation, Revision U	24/05/2022
SK.F.16 Building F – South Elevation, Revision U	24/05/2022
SK.F.17 Building F – East & West Elevations, Revision U	24/05/2022
SK.F.20 Building F – Height Plane Condition, Revision U	24/05/2022
SK.F.21 Building F – Terrace Sections, Revision U	24/05/2022
Building G	
SK.G.03 Building G – Lower Ground Level Plan, Revision P	24/05/2022
SK.G.04 Building G – Ground Level Plan, Revision P	24/05/2022
SK.G.05A Building G – Level 1-3 Typical Plan, Revision P	24/05/2022
SK.G.05B Building G – Level 4-6 Typical Plan, Revision P	24/05/2022
SK.G.06 Building G – Level 7 Plan, Revision P	24/05/2022
SK.G.07 Building G – Roof Plan, Revision P	24/05/2022
SK.G.10 Building G – Section 1, Revision P	24/05/2022
SK.G.11 Building G – Section 2, Revision P	24/05/2022
SK.G.12 Building G – Stair Sections, Revision P	24/05/2022
SK.G.14 Building G – North Elevation, Revision P	24/05/2022
SK.G.15 Building G – South Elevation, Revision P	24/05/2022
SK.G.16 Building G – East & West Elevations, Revision P	24/05/2022
SK.G.20 Building G – Height Plane Condition, Revision P	24/05/2022
Building H	
SK.H.03 Building H – Lower Ground Level Plan, Revision Y	24/05/2022
SK.H.05 Building H – Ground Level Plan, Revision Y	24/05/2022
SK.H.06A Building H – Level 1-2 Typical Plan, Revision Y	24/05/2022
SK.H.06B Building H – Level 3-6 Typical Plan, Revision Y	24/05/2022
SK.H.07 Building H – Level 7 Floor Plan, Revision Y	24/05/2022

SK.H.08 Building H – Roof Plan, Revision Y	24/05/2022
SK.H.10 Building H – Section 1, Revision Y	24/05/2022
SK.H.11 Building H – Section 2, Revision Y	24/05/2022
SK.H.12 Building H – Stair Sections, Revision Y	24/05/2022
SK.H.15 Building H – North Elevation, Revision Y	24/05/2022
SK.H.16 Building H – South Elevation, Revision Y	24/05/2022
SK.H.17 Building H – East & West Elevations, Revision Y	24/05/2022
SK.H.20 Building H – Height Plane Condition, Revision Y	24/05/2022
DK.H.21 Building H – Terrace Sections, Revision Y	24/05/2022
Building J	
SK.J.03 Building J – Lower Ground Level Plan, Revision P	24/05/2022
SK.J.04 Building J – Ground Level Plan, Revision P	24/05/2022
SK.J.05 Building J – Level 1-6 Typical Plan, Revision P	24/05/2022
SK.J.07 Building J – Level 7 Plan, Revision P	24/05/2022
SK.J.08 Building J – Roof Plan, Revision P	24/05/2022
SK.J.10 Building J – Section 1, Revision P	24/05/2022
SK.J.11 Building J – Section 2, Revision P	24/05/2022
SK.J.12 Building J – Stair Sections, Revision P	24/05/2022
SK.J.15 Building J – North Elevation, Revision P	24/05/2022
SK.J.16 Building J – South Elevation, Revision P	24/05/2022
SK.J.17 Building J – East & West Elevations, Revision P	24/05/2022
SK.J.20 Building J – Height Plane Condition, Revision P	24/05/2022
Landscape Drawings prepared by Arcadia Landscape Architecture:	
Introduction, Revision E	17/08/2022
Context, Revision E	17/08/2022
Local Networks, Revision E	17/08/2022
Site Landscape Assessment, Revision E	17/08/2022
Design Principles, Revision E	17/08/2022
Design Strategies, Revision E	17/08/2022
Design Expression, Revision E	17/08/2022
Design Considerations, Revision E	17/08/2022
Masterplan, Revision E	17/08/2022
Street Interfaces, Revision E	17/08/2022
Public Plaza, Revision E	17/08/2022

Green Spine, Revision E	17/08/2022
Local Communal Space (Building A), Revision E	17/08/2022
Planting Palette, Revision E	17/08/2022
Materials Palette, Revision E	17/08/2022
L-000 Coversheet, Revision E	17/08/2022
L-201 Master Plant Schedule, Revision E	17/08/2022
L-301 Landscape Plan, Revision E	17/08/2022
L-302 Landscape Plan, Revision E	17/08/2022
L-303 Landscape Plan, Revision E	17/08/2022
L-304 Landscape Plan, Revision E	17/08/2022
L-501 Hardworks Details, Revision E	17/08/2022
L-601 Softworks Details, Revision E	17/08/2022
L-701 Landscape Specification, Revision E	17/08/2022
Staging Plans	
SK.01 Masterplan – Site Plan, Revision BB	24/05/2022
SK.02 Masterplan – Basement 2 Plan, Revision BB	24/05/2022
SK.01 Masterplan – Basement 1 Plan, Revision BB	24/05/2022
SK.04 Masterplan – Lower Ground Floor Plan, Revision BB	24/05/2022
SK.05 Masterplan – Ground Floor Plan, Revision BB	24/05/2022
SK.06 Masterplan – Level 1 Floor Plan, Revision BB	24/05/2022
SK.07 Masterplan – Level 2 Floor Plan, Revision BB	24/05/2022
SK.08 Masterplan – Level 7 Floor Plan, Revision BB	24/05/2022
SK.09 Masterplan – Roof Plan, Revision BB	24/05/2022
SK.11 Masterplan – Staging Plan, Revision BB	24/05/2022

*Unless modified by any condition of this consent.

- 3.1.2 Notwithstanding any other condition of this consent, including condition 4.2.1, to ensure sufficient road access and drainage, this consent permits separate Construction Certificates and Occupation Certificates to be issued for the development approved in accordance with the staging plans included in condition 2.1.1 of this consent, provided that all relevant conditions of consent relevant to each stage have been complied with prior to the release of the Construction Certificate or Occupation Certificate for the relevant stage. This shall include adequate road and drainage works required under DA-18-01599, landscaping, car parking, vehicular and pedestrian access.

The separate stages of building works are to be generally in accordance with the following staged Construction Certificates and Occupation Certificates, as follows:

Stage

1
2
3
4
5
6

Each stage must be able to operate and function in accordance with Council's requirements without reliance on any future stage.

3.2 Voluntary Planning Agreement

- 3.2.1 The developer must comply with any obligation from the 34-42 Tallawong Road Rouse Hill Planning Agreement dated 14 September 2021, which is registered on the title to the land to which this consent applies.

3.3 Water NSW – General Terms of Approval

- 3.3.1 Full compliance with the requirements contained within Water NSW General Terms of Approval dated 17 June 2022 (Reference Number: IDAS1144200) and included at Annexure A of this consent is required.

3.4 Endeavour Energy – Standard Conditions for Development Applications

- 3.4.1 Full compliance with the relevant requirements contained within Endeavour Energy's standard conditions for development applications dated 7 December 2021 and included at Annexure B of this consent is required.

3.5 Rural Fire Service – General Terms of Approval

- 3.5.1 Full compliance with the relevant requirements contained with Rural Fire Service General Terms of Approval dated 7 February 2022 (Reference: DA20211207005367-Original-1) and included at Annexure C of this consent is required.

3.6 Sydney Water – Requirements and advice

- 3.6.1 Full compliance with the relevant requirements and advice contained within the letter from Sydney Water dated 18 January 2022 (Reference: 167536, 180512, 182802, 185662) and included at Annexure D of this consent is required.

3.7 Services

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

3.8 Suburb Name

- 3.8.1 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: TALLAWONG

3.9 Compliance with BASIX Certificate

- 3.9.1 All commitments listed in the BASIX Certificate numbers: 1105409M, 1103718M, 1105461M, 1105440M, 1105309M, 1105310M and dated 24 September 2021 shall be complied with at each relevant stage.

3.10 Other matters

- 3.10.1 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 for each relevant stage being issued for the construction works.

3.11 Bushfire Assessment Report Recommendations

- 3.11.1 Construction Certificate plans are to comply with the recommendations contained in Section 12 of the Bushfire Assessment Report prepared by Sydney Bushfire Consultants, dated 21 September 2021.

3.12 Engineering Matters

3.12.1 Design and Works Specification

- 3.12.1.1. 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 Growth Centre Precincts Development Control Plan

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

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

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

3.13 Other Matters

- 3.13.1 No construction preparatory work (such as, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued.
- 3.13.2 The development must at all times maintain the water quality system to achieve the following minimum pollutant removal targets of Blacktown City Council Growth Centre Precincts Development Control Plan for the entire site:

Required percentage reductions in post development average annual load of pollutants

Pollutant	% post development pollutant reduction targets
Gross Pollutants	90
Total Suspended Solids	85
Total Phosphorous	65
Total Nitrogen	45

- 3.13.3 Each year the registered proprietor/ owner's corporation is to provide to Council's WSUD Compliance Officer a report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices in accordance with the approved maintenance schedule. All material removed are to be disposed of in an approved manner. Copies are to be provided of all contractor's cleaning reports or certificates to Council's WSUD Compliance Officer.
- 3.13.4 Each year the registered proprietor/owner's corporation is to provide to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au a report outlining all non-potable water used annually and the percentage of non-potable reuse for the commercial area in Lot F. Design reuse supplied is 0.14 ML/yr at 96%.
- 3.13.5 The temporary detention basin in Lot 1 under DA-18-01599 (Stage 4 SPP-21-00013) is not to be removed, nor the positive covenant lifted, until the downstream regional Council detention basin is completed.

4 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

4.1 DA Plan Consistency

- 4.1.1 Any Construction Certificate or Subdivision Works Certificate for each stage of the development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.
- 4.1.2 An Occupation Certificate for each stage shall not be issued until such time as a Subdivision Certificate has been issued for the parent subdivision approved under DA-18-01599 including but not limited to adequate road and drainage works.
- 4.1.3 No construction certificate for Stage 4 is to be issued until the downstream regional Council detention basin is completed and written approval from council is given for the removal of the temporary detention basin on Lot 1 under DA-18-01599.
- 4.1.4 No construction certificate for Building E is to be issued until Road 4 is connected to another public road and written approval from council is given for the removal of the temporary turning head shown under DA-18-01599.

4.2 Relationship to other Approvals

- 4.2.1 Compliance with the requirements of the following nominated approvals:
- a) Development Consent No. DA-18-01599 dated 10 June 2020 issued by Blacktown City Council, including any modification to this consent.
 - b) Relevant requirement of any other development consent, Construction Certificate issued under the *Environmental Planning and Assessment Act 1979* or *The Roads Act 1993*.

The road construction and public dedication as required by the abovementioned approvals shall be completed prior to any occupation certificate being issued for the relevant stage of the development.

4.3 Services / Utilities

- 4.3.1 The following documentary evidence shall accompany any Construction Certificate:
- (a) A "Notification of Arrangement" Certificate from Endeavour Energy, or any other recognised energy provider, stating that electrical services, including the provision of street lighting and padmount substation locations, have been made

available to the development.

- (b) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

4.4 Voluntary Planning Agreement

- 4.4.1 The Construction Certificate documentation for each relevant stage must demonstrate compliance with the relevant milestones and obligations set out in the 34-42 Tallawong Road Rouse Hill Planning Agreement dated 14 September 2021, which is registered on the title to the land to which this consent applies.

4.5 Blacktown Growth Centres Development Control Plan 2018

- 4.5.1 Except as otherwise approved, the design plans which accompany the Construction Certificate for each relevant stage shall comply with the design criteria specified in Council's Growth Centres Development Control Plan 2018.

4.6 Construction Traffic Management Plan

- 4.6.1 Construction Traffic Management Plans (CTMP) detailing construction vehicle routes, parking, number of trucks, hours of access, access arrangements, road safety and traffic control is to be submitted to Council prior to the issue of any Construction Certificate.

4.7 Construction Environmental Management Plan

- 4.7.1 A Construction Environmental Management Plan (CEMP) is to be submitted to Council prior to the issue of any Construction Certificate for each relevant stage as required by clause 3.3 Construction Environmental Management of the Growth Centres Precincts DCP 2018.

The CEMP is to state that all construction activities shall be limited to between 7 am to 6 pm, Mondays to Fridays: 7 am to 1 pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

The CEMP is to include measures to ensure minimal disturbance is caused to neighbours, including dust management measures.

4.8 Biodiversity

- 4.8.1 A Landscape Plan is to include retention of remnant trees where possible and the provision of native canopy trees within the street planting, particularly to provide a connection of retained vegetation on adjoining properties to the east of the property within retained vegetation along the tributary of First Ponds Creek. The Landscape Plan is to be submitted to Council Natural Areas Team for Approval.

4.9 Recreation Planning Design matters

- 4.9.1 Where walls or falls are greater than 900mm in height standard approved fencing to be installed to prevent falls. This applies to the western edge of the publicly accessible plaza where is the garden bed on rooftop lid. This detail is to be included on the Construction Certificate Plans for the relevant stage.
- 4.9.2 Public Plaza details including lighting, wayfinding, signage and a maintenance manual are to be submitted prior to the issue of a Construction Certificate for approval by Council's Recreation Planning Design team.

4.10 Landscaping

4.10.1 A revised landscape plan is to be submitted and endorsed by Council's Open Space section prior to issuing of the Construction Certificate. Standard street tree bonding conditions should be applied. Street trees species for the following streets in the submitted documents should be as follows (Note: the streets are indicated differently on Council GIS proposed subdivision roads) The applicant can contact the Open Space team to confirm the species for each street:

- Tallawong Road - *Syncarpia glomulifera*
- Frome Street (Road 1) - *Fraxinus pennsylvannica* Cimmaron
- Arum Street (Road 2) - *Flindersia australis*
- Rylstone Ave (Road 4) - *Buckinghamia celsissima*

4.11 Street Tree Planting

4.11.1 The applicant must submit a Street Tree Plan for each relevant stage of the development detailing any street trees proposed to be planted and landscaping proposed to be carried out in the public domain. 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

Trees are to be planted at a minimum spacing of approximately 8 metres, taking into account vehicle sightlines and street light spill. Trees must be of a minimum container size of 45 litres. The plan must contain a Maintenance Plan in line with our street tree planting guidelines.

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 at handover.

Landscaping to lot boundaries is to be wholly located within private property and not encroach upon the road reserve. The applicant must ensure street planting does not unreasonably interfere with the street light spill. The applicant must ensure street planting is properly maintained during construction to ensure this does not occur.

4.12 Waste Matters

4.12.1 The construction certificate plans are to demonstrate that roads and driveways etc are rated suitable for 24 tonne trucks.

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

4.13 NSW Local Police – Requirements

4.13.1 Doors and Windows

All external doors and frames to the Unit complex and two residential businesses should be made of solid construction. They should all be fitted with locks that comply with the Australian Standards:

Lock sets AS4145.

The fire exit doors need to comply with the Building Code of Australia (fire regulations).

Security screen doors are recommended for ground to third floor of all the unit complexes in this development application such as, A, B, C, D, E, F, G, H and J.

Sliding doors must be fitted with a suitable lock set.

Windows not only let in light and air but can also let in a thief if their design and placement is not carefully considered. Windows and frames within a business should be of solid construction. Glass within windows can be reinforced by either having a shatter-resistant film adhered to the existing glass, or by replacing the existing glass.

Windows must be able to be locked in a partially open position. They all must be fitted with a quality lock set for example with a bolt lock.

NSW Police suggest that display windows of two business within this complex should be covered with no more than 15% of promotional materials to increase surveillance opportunities to and from the business.

4.13.2 Lighting

The objective of security lighting is to deny criminals the advantage of being able to operate unobserved. However, if the area does not have any guardians to overlook and view that area, then lighting will only help a criminal see what they are doing, not deter them. High lighting levels may be required for vulnerable areas. Adequate, uniform lighting should cover the entire property (flood lighting/sensor lighting). The emphasis should be on installing low glare/high uniformity lighting levels in line with Australian Standard AS: 1158. Preferred external lighting should be of a 'white light' source.

Note; that low or high-pressure sodium 'orange' lighting is not compatible with quality CCTV surveillance system.

Police suggest all outdoor lights have anti-vandalism light covers to reduce opportunities for malicious damage (vandalism).

4.13.3 Fire and Safety Measures

All Australian standards in fire safety must be adhered to in any development proposal. These standards include fire escapes, evacuation procedures, evacuation assembly point etc.

A copy of these Operating Orders must be provided to the nearest Police Station (Riverstone Police Station), Crime Prevention Officer, Senior Constable Melissa Rosevear, (02) 9838 2199 with the Contact Person details on it.

A current Fire Safety Statement must be prominently displayed within the Unit complex to comply with the Environmental Planning & Assessment Regulations (1994) Clause 80GB. The annual fire safety statement is a statement issued by the owner of a building to the effect that: each essential fire safety measure specified in the statement has been assessed by a properly qualified person.

Signage needs to be provided at (fire) exits to assist occupants to identify exits in emergency situations. Signage needs to be provided to assist occupants to identify fire equipment for example extinguishers and fire hoses etc.

To comply with the building Code of Australia, you now must have smoke detectors installed on all levels of your premises. Fire extinguishers must also be installed and regularly checked. Appropriate signage must be displayed above each extinguisher and ensure that fire exits are all identifiable by an appropriate fire exit sign.

4.13.4 Car Park

All carparking areas should be well lit as per the Australian New Zealand Lighting Standards.

Park Smarter signage 'Lock it OR Lose it' can help to educate staff and patrons to not leave valuable items in their cars and to ensure they secure their vehicles appropriately.

Police recommend consideration be given to CCTV surveillance monitoring system be considered the underground car parking area and the other park area, including the internal and external businesses and the public plaza area from several angles covering all the carpark area and surrounding areas to maximise surveillance opportunities.

4.13.5 Storage cages

Storage cages must not be able to be accessed by climbing into it and must have a quality lock set on it.

4.14 Other Matters

4.14.1 Prior to the issue of a Construction Certificate for each relevant stage of the development, a lighting plan is to be submitted to Council which shows the location of lighting around all entry/exit points to the buildings, along all footpaths within the site, car parking areas and to the street numbers/building identifiers to facilitate identification of the building/site.

4.14.2 Prior to the issue of a Construction Certificate for each relevant stage of the development, a security plan is to be submitted to Council which shows the location and number of CCTV cameras which shall be installed around the site. Cameras shall be provided within all car park facilities, bike storage areas, stairways, lifts and common areas, building lobbies, entry/exit points, loading bays, waste rooms and mail box facilities.

4.14.3 The Construction Certificate plans for each relevant stage of the development are to show any existing/proposed substations, kiosks, sewer man holes and/or vents affecting any lot / units in accordance with the Growth Centre Precincts DCP 2018.

4.14.4 Separate approval under the Roads Act 1993 is required for any crane used to construct this development that swings over public air space.

5 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)

5.1 Section 7.11 Contributions under Section 7.17 Directions

5.1.1 The following monetary contributions pursuant to *Section 7.11 of the Environmental Planning & Assessment Act 1979* must be paid. The amounts below are as 15 September 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 or EFTPOS attract a 0.5% surcharge.

Stage 1

Contribution Item	Amount
Stormwater Quantity	
First Ponds Creek Land	\$102,355.00
First Ponds Creek Works	\$84,052.00
Stormwater Quality	
First Ponds Creek	\$19,314.00
Traffic Management	
Rouse Hill Land	\$161,653.00
Rouse Hill Works	\$902,510.00
Open Space	
Rouse Hill Land	\$3,367,872.00
Rouse Hill Works	\$1,027,338.00
Community Facilities	
Rouse Hill Land	\$13,107.00
Combined Precinct Facilities	
Community Facilities Land	\$25,278.00
E2 Conservation Zone Land	\$60,854.00
E2 Conservation Zone Works	\$21,845.00
Total	\$5,786,178.00

Developable Area: 0.4507 hectares

Additional Population: 279.3 persons

Stage 2

<u>Contribution Item</u>	<u>Amount</u>
Stormwater Quantity	
First Ponds Creek Land	\$110,167.00
First Ponds Creek Works	\$90,467.00
Stormwater Quality	
First Ponds Creek	\$20,788.00

Traffic Management	
Rouse Hill Land	\$139,254.00
Rouse Hill Works	\$777,458.00
Open Space	
Rouse Hill Land	\$2,901,218.00
Rouse Hill Works	\$884,990.00
Community Facilities	
Rouse Hill Land	\$11,291.00
Combined Precinct Facilities	
Community Facilities Land	\$21,775.00
E2 Conservation Zone Land	\$52,422.00
E2 Conservation Zone Works	\$18,818.00
Total	\$5,028,648.00

Developable Area: 0.4851 hectares

Additional Population: 240.6 persons

Stage 3

<u>Contribution Item</u>	<u>Amount</u>
Stormwater Quantity	
First Ponds Creek Land	\$163,514.00
First Ponds Creek Works	\$134,274.00
Stormwater Quality	
First Ponds Creek	\$30,854.00
Traffic Management	
Rouse Hill Land	\$167,730.00
Rouse Hill Works	\$936,439.00
Open Space	
Rouse Hill Land	\$3,494,484.00
Rouse Hill Works	\$1,065,960.00
Community Facilities	
Rouse Hill Land	\$13,600.00
Combined Precinct Facilities	
Community Facilities Land	\$26,228.00
E2 Conservation Zone Land	\$63,142.00

E2 Conservation Zone Works	\$22,666.00
Total	\$6,118,891.00
Developable Area: 0.7200 hectares Additional Population: 289.8 persons	

Stage 4

<u>Contribution Item</u>	<u>Amount</u>
Stormwater Quantity	
First Ponds Creek Land	\$75,103.00
First Ponds Creek Works	\$61,673.00
Stormwater Quality	
First Ponds Creek	\$14,172.00
Traffic Management	
Rouse Hill Land	\$134,161.00
Rouse Hill Works	\$749,022.00
Open Space	
Rouse Hill Land	\$2,795,105.00
Rouse Hill Works	\$852,621.00
Community Facilities	
Rouse Hill Land	\$10,878.00
Combined Precinct Facilities	
Community Facilities Land	\$20,979.00
E2 Conservation Zone Land	\$50,505.00
E2 Conservation Zone Works	\$18,130.00
Total	\$4,782,349.00

Developable Area: 0.3307 hectares

Additional Population: 231.8 persons

Stage 5

<u>Contribution Item</u>	<u>Amount</u>
Stormwater Quantity	
First Ponds Creek Land	\$142,802.00
First Ponds Creek Works	\$117,266.00

Stormwater Quality	
First Ponds Creek	\$26,946.00
Traffic Management	
Rouse Hill Land	\$186,251.00
Rouse Hill Works	\$1,039,841.00
Open Space	
Rouse Hill Land	\$3,880,348.00
Rouse Hill Works	\$1,183,664.00
Community Facilities	
Rouse Hill Land	\$15,101.00
Combined Precinct Facilities	
Community Facilities Land	\$29,124.00
E2 Conservation Zone Land	\$70,114.00
E2 Conservation Zone Works	\$25,169.00
Total	\$6,716,626.00

Developable Area: 0.6288 hectares

Additional Population: 321.8 persons

Stage 6

<u>Contribution Item</u>	<u>Amount</u>
Stormwater Quantity	
First Ponds Creek Land	\$136,307.00
First Ponds Creek Works	\$111,932.00
Stormwater Quality	
First Ponds Creek	\$25,720.00
Traffic Management	
Rouse Hill Land	\$180,637.00
Rouse Hill Works	\$1,008,497.00
Open Space	
Rouse Hill Land	\$3,763,383.00
Rouse Hill Works	\$1,147,985.00
Community Facilities	
Rouse Hill Land	\$14,646.00

Combined Precinct Facilities	
Community Facilities Land	\$28,546.00
E2 Conservation Zone Land	\$68,000.00
E2 Conservation Zone Works	\$24,410.00
Total	\$6,509,763.00

Developable Area: 0.6002 hectares

Additional Population: 312.1 persons

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:

S7.11 CP No. 22 – Rouse Hill (Works and Land)

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.

5.2 Special Infrastructure Contributions

- 5.2.1 The applicant is to make a special infrastructure contribution in accordance with any determination made by the Minister administering the Environmental Planning and Assessment Act 1979 under Section 7.23 of that Act that is in force on the date of the consent, and must obtain a certificate to that effect from the Department of Planning and Infrastructure before a Construction Certificate for each relevant stage is issued in relation to any part of the development to which this consent relates.

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

- 5.3.1 No construction certification must be issued unless all design verifications have been provided in accordance with Section 15 of *Environmental Planning and Assessment (Development Certification and Fire Safety) 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](#).

5.4 Aesthetics, Streetscape and External Materials

- 5.4.1 The reflectivity index of glass used in the external facade of the building is not to exceed 20% must not affect road traffic and must not cause discomfort through glare or

intense heat to surrounding areas. "Anti-glare" glazing is to be used to minimise any glare affect. Details are to be provided as part of the Construction Certificate plans.

- 5.4.2 Any bathroom, w.c. or laundry window in the external wall of the building shall be fitted with translucent glazing.
- 5.4.3 The development approved by Council is to be constructed in accordance with the external finishes shown on the approved External Materials Schedule.
- 5.4.4 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 Building Code of Australia.
- 5.4.5 External service fixtures and conduits are to be part of the overall appearance of the building, or are to be screen from view.
- 5.4.6 Windows in the residential apartments from above ground level through to the top floor level are to be fitted with a child safety mechanism to prevent accidental falls out of windows by persons such as children. Details of such safety mechanisms shall be shown on the Construction Certificate plans for each relevant stage and provided to the principal certifying authority/ principal certifier.
- 5.4.7 The individually coloured feature panels for each building are to be pre-mixed with each distinct building colour to reduce maintenance required by painting and increase longevity. This is to be shown on the Construction Certificate plans for each relevant stage.

5.5 Fencing

- 5.5.1 With regard to the treatment of any front fences or walls at the ground levels which are in the vicinity of the public domain / public footway, appropriate measures are to be in place to deter the potential for graffiti, such as landscaping which limits access, or a varied finish to these front fences/ walls and an anti-graffiti finish. These details are to be shown on the construction certificate plans to the satisfaction of the certifying authority.

5.6 Common Areas and Landscaping

- 5.6.1 All landscaping, recreation features and furniture, bbq facilities, children's play equipment, pathways, ramps and fencing shall be of a high quality and detailed on the landscaping design plans as part of the Construction Certificate for each relevant stage.

5.7 Access/Parking

- 5.7.1 989 basement car parking spaces are required to be provided on site, being 807 residential spaces and 182 visitor spaces. All car parking spaces are to be designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1 as follows:

Residential Flat Building (excluding width of pillar): 2.5 m x 5.4 m

Residential Flat Building (adjacent to solid wall): 2.7 m x 5.4 m

Disabled Car Space: 2.4 m x 5.4 m (plus shared zone)

- 5.7.2 The layout of the proposed car parking areas for each stage of the development (including, driveways, grades, turn paths, sight distance requirements, aisle widths,

aisle lengths, and parking bay dimensions) are to be designed in accordance with Australian Standard 2890.1 – 2004 and AS 2890.2 – 2002 for heavy vehicles.

5.7.3 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 and AS1428.1 - 2009.

5.7.4 The design of the car parking area is to ensure that all vehicles must enter and leave the development in the forward direction.

5.8 Adaptable Housing Units

5.8.1 A minimum of 10% of the units within the total development 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.

5.9 Floor to Ceiling Heights

5.9.1 All habitable rooms are to have a minimum floor to ceiling height of 2.7 m. Service bulkheads are not to intrude into habitable spaces.

5.10 Utilities, Services, Plant and Equipment

5.10.1 The plans are to demonstrate that all building plant, equipment and services including air conditioning systems, basement vents, and substations, etc. are appropriately located and treated so as not to be visually prominent and not to adversely impact on the units and communal open spaces with regard to visual, acoustic and odour impacts.

5.10.2 A “Notification of Arrangement” Certificate from a recognised energy provider, stating that electrical services, including the provision of street lighting, have been made available to the relevant stage of the development.

6 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

6.1 Building Code of Australia Compliance

6.1.1 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:

- (a) Complying with the deemed to satisfy provisions, or
- (b) Formulating an alternative solution which:
 - (i) complies with the performance requirements, or
 - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - (iii) A combination of (a) and (b).

6.2 Site Works and Drainage

6.2.1 Any required retaining wall(s) and/or other effective method to retain excavated or filled ground (not being Exempt Development under the Blacktown Local Environmental Plan), 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 for each relevant stage.

6.2.2 Should any proposed excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), separate details prepared by a suitably qualified person shall be prepared indicating how that building or structure is to be:

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

Such details shall accompany the Construction Certificate.

6.3 Fire Services

6.3.1 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.

6.3.2 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.

6.4 Internal Works

6.4.1 A separate application for development consent shall be lodged with Council for any proposed fit out of a commercial and industrial building (which includes any fixed internal partition wall/display/storage racking/machinery /equipment and the like) that was not approved by this Notice of Determination. This condition does not apply to work or development that is Exempt Development or Complying Development under the State Environment Planning Policy (Exempt and Complying Development Codes) 2008.

6.5 Compliance with BASIX Certificate

6.5.1 All commitments listed in the BASIX Certificate numbers: 1105409M, 1103718M, 1105461M, 1105440M, 1105309M, 1105310M and dated 24 September 2021 shall be complied with at each relevant stage.

6.6 Site Contamination

6.6.1 Prior to the issue of a Construction Certificate, a final site contamination Validation Report confirming the suitability of the site for the proposed development is to be provided to Council for any imported fill used in the subdivision. The Validation Report shall be prepared by a qualified EPA recognised Geoscientist consultant engaged under the terms of Council's Contaminated Lands Policy and in accordance with National Environmental Protection (Assessment of Site Contamination) Measure 2013.

6.7 Salinity

6.7.1 Prior to the issue of a Construction Certificate, certification from a suitably qualified consultant is to be provided to Council confirming the relevant salinity management measures were implemented during the subdivision works.

7 PRIOR TO CONSTRUCTION CERTIFICATE (ENVIRONMENTAL HEALTH)

7.1 Site contamination

- 7.1.1 The recommendations made in the Revised Stage 2 Detailed Contamination Assessment (Ref: 14652/1-AA) prepared by Geotechnique Pty Ltd. dated 20 May 2020 are to be implemented as relevant to each stage of the development.
- 7.1.2 All areas potentially/contaminated shall be remediated. Upon completion of remediation an appropriately qualified environmental consultant shall prepare a validation report. The validation report shall be carried out in accordance with;
- NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites (2020)
 - NSW Environment Protection Authority's Contaminated Sites Sampling Design Guidelines (1995).
 - NSW Environment Protection Authority's "Contaminated Sites: Guidelines for NSW Site Auditor Scheme" 3rd edition (2017)
 - National Environment Protection Council "National Environment Protection (Assessment of Site Contamination) Measure" (2013)

7.2 Geotechnical Matters

- 7.2.1 The recommendations as relevant to each stage provided in the Geotechnical Investigation (Reference: 6579-G1) prepared by Asset Geo Enviro dated 22 September 2021 shall be implemented.

7.3 Acoustic impact

- 7.3.1 The recommendations as relevant to each stage made in the Noise Impact Assessment (Ref: 30135044) prepared by Stantec Australia Pty Ltd, dated 29 September 2021, are to be implemented.
- 7.3.2 A qualified acoustic engineer must certify that the buildings have been designed to minimise the noise intrusion from any external noise source and when constructed the building shall satisfy the following criteria with windows and doors closed:

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

- 7.3.3 A certificate must be provided by a qualified acoustic engineer stating that provision has been made in the design of all sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems to ensure that it is acoustically attenuated so that the noise emitted:
- a) does not exceed an LAeq sound pressure level of 5dB (A) above the ambient background noise level when measured
- at the most effected point on or within any residential property boundary or
 - at the external edge of any sole occupancy unit balcony within the premises itself at any time the plant or equipment operates.

- b) cannot be heard within a habitable room in any sole occupancy unit or other residential premises (regardless of whether any door or window to that room is open) between the hours of 10pm and 7am.

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

8 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

8.1 General

- 8.1.1 No construction certificate for building works is to be issued until all subdivision works as part of DA-18-01599 have been completed to the satisfaction of Council, and the Subdivision Certificate issued. This includes public infrastructure such as roads and road drainage systems as well as any engineering infrastructure required to serve the road and road drainage system, including temporary onsite stormwater detention (OSD) located on privately owned land.

For temporary OSD located on privately owned land, the registration of all associated easements/restrictions and positive covenants of said infrastructure is required prior to any building works construction certificate being issued.

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

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

Prepared By	Project No.	Drawing No.	Revision	Dated
INDESCO	7474-DA	000	H	16/08/2022
INDESCO	7474-DA	101	H	16/08/2022
INDESCO	7474-DA	102	G	24/05/2022
INDESCO	7474-DA	201	H	16/08/2022
INDESCO	7474-DA	202	H	16/08/2022
INDESCO	7474-DA	203	H	16/08/2022
INDESCO	7474-DA	204	H	16/08/2022
INDESCO	7474-DA	205	H	16/08/2022
INDESCO	7474-DA	206	H	16/08/2022
INDESCO	7474-DA	207	B	16/08/2022
INDESCO	7474-DA	208	B	16/08/2022
INDESCO	7474-DA	210	A	15/08/2022
INDESCO	7474-DA	211	A	16/08/2022
INDESCO	7474-DA	212	A	16/08/2022
INDESCO	7474-DA	213	A	16/08/2022
INDESCO	7474-DA	214	A	16/08/2022
INDESCO	7474-DA	402	G	15/08/2022
INDESCO	7474-DA	503	F	24/05/2022
INDESCO	7474-DA	504	E	15/08/2022
INDESCO	7474-DA	505	C	15/08/2022
INDESCO	7474-DA	506	C	15/08/2022
INDESCO	7474-DA	507	C	15/08/2022
INDESCO	7474-DA	508	C	15/08/2022
INDESCO	7474-DA	509	C	15/08/2022
INDESCO	7474-DA	510	C	15/08/2022

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

- i. All OceanGuards are to be clearly notated as “200 micron” OceanGuards.
 - ii. Provide metal mosquito proof screens over all grated accesses into the Stormfilter tanks;
 - iii. Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the rainwater tanks and the Stormfilter units in accordance with Council’s Engineering Guide for Development 2005.
 - iv. The minimum storage and dual alternating pump requirements for the basement parking is to satisfy AS/NZS 3500.3:2015 – Plumbing and Drainage Part 3: Stormwater Drainage.
 - v. Provide roof plan to indicate the roof area directed to each rainwater tanks.
 - vi. On drawing 505 (C), at WSUD tank Section for Lot B, delete the two walls indicated by two vertical lines.
 - vii. On drawing 505 (C), at WSUD tank Section for Lot B, indicate the top level of overflow weir as RL 57.77.
 - viii. For Stormfilters A, C, D, E and F, set the top RL of overflow weir 540mm above the top of false floor level.
 - ix. Show energy dissipaters on plan view for Lot C and Lot E Stormfilter chambers on drawings 506 (C) and 508 (C).
 - x. On drawing 509 (C) for Lot F Stormfilter chamber, provide an energy dissipator downstream of inlet pipe to the Stormfilter chamber indicating on plan and section views.
- 8.1.3 Provide details for permanent interpretive signage minimum A1 size to be installed in each lot 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 and rainwater tanks 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 one of the major water quality devices in a location that can be viewed by the public. The wording and detail are to be approved by Council. Details are on Chapter 14 of Council’s WSUD developer handbook.
- 8.1.4 Due to the cut and/or fill exceeding 1.5 m, a desktop Groundwater Assessment Report is required for the site in accordance with section 4.6 of DCP 2015 Part J. Where there is the potential for interaction with groundwater, a Groundwater Management Plan must be prepared by a Geotechnical Engineer registered with NER.
- 8.1.5 An experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply and Irrigation Plan for non-potable water uses on the site including all toilet/urinal flushing for the commercial property and that all Sydney Water requirements have been satisfied. The plan is to show the rainwater pipe and tanks arrangement including:
- i) a first flush or pre-treatment system (typically 0.2 litres / m² of roof area going to the tank for a first flush),
 - ii) a pump with isolation valves;
 - iii) a solenoid controlled mains water bypass;
 - iv) **flow meters** on the solenoid controlled mains water bypass line and the pump

- outflow line, to determine non-potable usage and actual percentage reuse;
- v) an inline filter and preferably an automatic backwash inline filter;
- vi) a control panel with warning light to indicate pump failure;
- vii) providing a minimum tank size of 2 x 17.5 kL;

- 8.1.6 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 are:
- i. 4 star dual-flush toilets;
 - ii. 3 star showerheads;
 - iii. 5 star taps (for all taps other than bath outlets and garden taps);
 - iv. 3 star urinals; and
 - v. 3 star water efficient washing machines and dishwashers are to be specified.

8.2 Local Government Act Requirements

- 8.2.1 Under *Section 68 of the Local Government Act 1993* an approval for engineering work is required. These works include but are not limited to the following:
- Any works on adjoining land (outside the subject site boundaries)
 - Inter-allotment drainage on adjoining land
 - Connection to Council's drainage system

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

8.3 Roads Act Requirements

- 8.3.1 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
 - Kerb inlet pit connections or construction
 - Vehicular crossings
 - Path Paving

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

8.4 Other Engineering Requirements

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

8.5 Roads

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

8.6 Drainage

- 8.6.1 Drainage from the site must be connected into Council's existing drainage system.

8.7 Erosion and Sediment Control

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

8.8 Earthworks

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

8.9 Stormwater Quality Control

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

8.10 Vehicular Crossings

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

9 PRIOR TO DEVELOPMENT WORKS

9.1 Safety/Health/Amenity

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

Each toilet provided shall be:

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

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

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

This condition does not apply to:

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

- 9.1.3 Should the development work:

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

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

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

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

- 9.1.4 All soil erosion and sedimentation control measures indicated in the documentation accompanying the Construction Certificate for each relevant stage shall be installed prior to the commencement of development works.
- 9.1.5 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.
- 9.1.6 Any excavation and/or backfilling associated with the development shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent such work being dangerous to life or property.
- 9.1.7 Should any excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:
 - (a) shall be preserved and protected from damage, and
 - (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
 - (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting work commences, be given notice of such intention and particulars of the excavation or supporting work.

9.2 Notification to Council

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

9.3 Sydney Water Authorisation

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

OR

The approved plans are to be submitted to a Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans must be appropriately stamped and all amended plans will require restamping.

For further information please refer to the "Developing Your Land" section of the website: www.sydneywater.com.au, or telephone 1300 082 746 for assistance.

9.4 Adjoining Owners

9.4.1 Written permission from the respective owner(s) must be obtained to:

- (a) discharge stormwater onto adjoining owner's land.
- (b) carry out works on adjoining land.
- (c) drain the site across land owned by others.

A copy of such written permission shall be lodged with Council.

9.5 Septic Tank

9.5.1 In accordance with section 68 of the Local Government Act 1993 an 'Application for Approval to Install, Construct or Alter a Septic Tank or Sewage Management System' shall be submitted to Council for consideration. Approval must be obtained prior to construction work commencing.

9.6 Protection of Fauna

9.6.1 It is the responsibility of the developer to ensure that the removal of hollow-bearing trees or trees containing nests is conducted with due regard to any fauna present. In the event that fauna is evident an ecologist shall be engaged on-site to undertake appropriate relocation any fauna.

9.7 Biodiversity

- 9.7.1 Prior to any clearing of the existing vegetation, a pre-clearance survey should be undertaken by a qualified and experienced ecologist to ensure that fauna is not present within the existing vegetation that is to be cleared. This pre-clearance survey should be undertaken immediately prior to the commencement of any clearing activities.
- 9.7.2 A survey for the Cumberland Plain Woodland Snail and Dural Land Snail is to be conducted by a suitably qualified ecologist as part of the pre-clearance survey outlined above.
- 9.7.3 A two-stage clearing protocol is to be prepared and adopted for the removal of the two hollow-bearing trees identified onsite
- 9.7.4 A Translocation Protocol for any native fauna located on the site is to be prepared prior to clearing; and implemented should any native fauna be located on the site during the clearing.
- 9.7.5 A protocol for stop work and actions is required if fauna is found during surveys.
- 9.7.6 A report indicating the implementation and any results for the above conditions to be forwarded to Council's Biodiversity team.

9.8 Tree Removal

9.8.1 Regarding the trees on the property, trees 6, 7, 11 - 17, 19, 20, 26 - 28, 35 - 38, 41 - 122 as indicated in the Arboricultural Impact Assessment (AIA) by Birds Tree Consultancy, 22 September 2021 Revision E can be removed as part of this development. They are located within the site in a position where they cannot be retained due to the proposed infrastructure and bulk earthworks, where encroachment will have an adverse impact on its roots and crown for viability and stability, have a low retention value and they are in poor condition and/or health.

All other trees are to be retained and protected during construction works. Should removal of any other tree on any neighbouring property be required, this will require separate approval including owner's consent.

9.9 Waste Matters

- 9.9.1 The removal of 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>

10 DURING CONSTRUCTION (GENERAL)

10.1 Environmental Management

- 10.1.1 All areas potentially/contaminated shall be remediated. Upon completion of remediation an appropriately qualified environmental consultant shall prepare a validation report. The validation report shall be carried out in accordance with;
- NSW Environment Protection Authority's *Guidelines for Consultants Reporting on Contaminated Sites* (1997)
 - NSW Environment Protection Authority's *Contaminated Sites Sampling Design Guidelines* (1995).
 - Australian and New Zealand Environment and Conservation Council and National Health and Medical Research Council's *Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites* (1992).

A NSW Environment Protection Authority accredited Site Auditor shall review the validation report and submit to Council a Site Audit Statement. The Site Audit Statement shall verify that the investigation, remediation and validation was carried out in accordance with the aforementioned guidelines and that the site is suitable for the proposed use.

- 10.1.2 An unexpected finds policy (UFP) should be prepared and implemented for the proposed site redevelopment works.
- 10.1.3 The recommendation made in the Noise Impact Assessment (Ref: 30135044) prepared by Stantec Australia Pty Ltd, dated 29 September 2021, are to be implemented.
- 10.1.4 All waste generated on the site during the construction must be classified in accordance with the NSW EPA's Environmental Guidelines: Assessment, Classification and management of Liquid and Non-Liquid Waste and disposed of at a facility that may lawfully accept the waste.
- 10.1.5 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.

10.2 European Heritage

- 10.2.1 If, during the course of construction, the applicant or persons acting on this consent become aware of any previously unidentified heritage object(s), all work likely to affect the object(s) shall cease immediately and the Heritage Council of New South Wales

shall be notified immediately in accordance with section 146 of the *Heritage Act 1977*. Relevant works shall not recommence until written authorisation from the Heritage Council is issued.

10.3 Aboriginal Heritage

- 10.3.1 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 Office of 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.
- 10.3.2 The recommendations of the Aboriginal Heritage Due Diligence Assessment Update prepared by Extent Heritage Advisors dated 2 September 2021 shall be implemented.

10.4 Ecological Matters

- 10.4.1 The recommendations of the following Ecological Assessment prepared for 34 – 42 Tallawong Road, Tallawong prepared by Molino Stewart, dated September 2021 shall be implemented.

10.5 Fencing

- 10.5.1 All fencing details are to be as per the approved plans. All fencing is to be provide at full cost to the developer and is to be constructed on top of any masonry retaining walls.

10.6 NSW Local Police – Requirements

- 10.6.1 During construction stage all tools and building materials must be stored in strong rooms with tamper proof security systems.

Construction sites should be fenced with appropriate security fencing and locking devices.

The construction site is to have a CCTV surveillance monitoring system installed and used during the construction stage given the surrounding neighbouring properties are vacant land.

11 DURING CONSTRUCTION (BUILDING)

11.1 Safety/Health/Amenity

- 11.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.
- 11.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:
- (a) the name, address and telephone number of the principal certifying authority for the work, and
 - (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and

(c) stating that unauthorised entry to the work site is prohibited.

11.1.3 Should the development work:

(a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or

(b) involves the enclosure of a public place,

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

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

11.1.4 All measures specified in the Construction Certificate for each relevant stage to control soil erosion and sedimentation shall be maintained throughout development works.

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

11.1.6 Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.

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

(a) shall be preserved and protected from damage, and

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

(c) the owner(s) of which shall, at least 7 days before any such excavation or supporting works be given notice of such intention and particulars of the excavation or supporting works.

11.1.8 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.

11.2 Building Code of Australia Compliance

11.2.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.

11.3 Surveys

11.3.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifying Authority to verify the approved position of each structure in relation to the property boundaries.

- 11.3.2 A registered surveyor's report confirming the approved design ground and/or floor levels, shall be lodged with the Principal Certifying Authority prior to work proceeding above floor level.

11.4 Nuisance Control

- 11.4.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 11.4.2 The hours of any offensive noise-generating development works shall be limited to between 7 am to 6 pm, Mondays to Fridays: 8 am to 1 pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

11.5 Waste Control

- 11.5.1 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.

11.6 Construction Inspections

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

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

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

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

11.7 Ecological Matters

- 11.7.1 The recommendations of the Ecological Assessment prepared by Molino Stewart, dated September 2021 shall be implemented.

11.8 Aboriginal Heritage Matters

- 11.8.1 The recommendations of the Aboriginal Heritage Due Diligence Assessment Update prepared by Extent Heritage Advisors dated 2 September 2021 shall be implemented.

12 DURING CONSTRUCTION (ENGINEERING)

12.1 Notification of Works

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

12.2 Insurances

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

12.3 Boundary Levels

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

12.4 Soil Erosion and Sediment Control Measures

- 12.4.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with approved Erosion and Sediment Control Plan.
- 12.4.2 All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period and until all disturbed areas are restored to the satisfaction of Council in accordance with the design and construction specification. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.

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

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

Where Council is appointed as the Principal Certifying Authority for the development, compliance certificates issued by accredited certifiers in lieu of council inspections will only be accepted by prior agreement or by Council request. All compliance certificate(s) must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction Certificate.

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

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

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

12.7 Public Safety

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

12.8 Traffic Control

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

12.9 Other Matters

- 12.9.1 The 200 micron OceanGuards by Ocean Protect are not to be reduced in size nor replaced with an alternate manufacturer's product.
- 12.9.2 The 460 mm Stormfilter cartridges in Stormfilter tanks A, C, D, E and F, the 690 mm Stormfilter cartridges in Stormfilter tank B and the 310mm Stormfilter cartridges in Stormfilter tank C-2 supplied by Ocean Protect are not to be reduced in size or quantity, nor replaced with an alternate manufacturer's product.
- 12.9.3 A plumber, licensed with NSW Fair Trading, is to undertake flow testing of the non-potable water reuse system to certify that all the commercial toilets are capable of being supplied by rainwater and that there is no cross mixing, or cross contamination with the potable water supply.

13 DURING CONSTRUCTION (WASTE)

13.1 Waste matters

- 13.1.1 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 development works.
- 13.1.2 The applicant must provide evidence of tipping dockets for all demolition and construction waste generated onsite.
- 13.1.3 The applicant must ensure all litter is managed onsite by ensuring waste receptacles are covered when not in use.

14 PRIOR TO OCCUPATION CERTIFICATE

14.1 Compliance with Conditions

- 14.1.1 An Occupation Certificate for each stage 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 a stage of the development prior to compliance with all conditions

of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.

- 14.1.2 Prior to commencement of the occupation or use of the whole or any part of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of Section 6.10 of the Environmental Planning and Assessment Act 1979.

14.2 Fire Safety Certificate

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

14.3 Fee Payment

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

14.4 Road Damage

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

14.5 Service Authorities

- 14.5.1 The following documentary evidence shall be obtained and forwarded to the Principal Certifying Authority prior to the release of any Occupation Certificate:
- (a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Applications must be made through an authorised Water Servicing Coordinator. Please refer to the "Building Plumbing and Developing" Section of the website www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifier to the Construction Certificate being issued. The Section 73 Certificate which clearly states that water and sewer services are available to the development must be submitted to the Principal Certifying Authority prior to the occupation of the development/release of the plan of subdivision, whichever occurs first.
 - (b) A "Notification of Arrangement" Certificate from energy provider, or any other recognised energy provider, stating that arrangements have been made with the servicing authority for electrical services, including the provision of street lighting, to the development.
 - (c) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

14.6 Temporary Facilities Removal

- 14.6.1 Any temporary facilities provided during construction and/or development works shall be removed from the land prior to the issue of an Occupation Certificate.

14.7 Voluntary Planning Agreement

- 14.7.1 The developer must comply with any obligation from the 34-42 Tallawong Road Rouse Hill Planning Agreement dated 14 September 2021, which is registered on the title to the land to which this consent applies.

14.8 Salinity

- 14.8.1 A report from a geotechnical engineer is to be submitted to Council certifying the site classification for the reactivity of the lots in the subdivision after identification of the soil characteristics in accordance with the provisions of AS 2870, "Residential Slabs and Footings."

14.9 Public Plaza Signage

- 14.9.1 Prior to the issue of the Occupation Certificate for the relevant stage which includes the Plaza, the applicant is to install innovative signs to inform the public that the Public Plaza is public open space, accessible 24/7 and maintained by the applicant.

14.10 Public Pathway

- 14.10.1 Prior to the issue of the Occupation Certificate for the relevant stage which includes the publicly accessible pathway along the southern boundary, this pathway and adjacent landscaping are to be completed in accordance with the approved plans, and maintained by the applicant/developer.

14.11 Feature Panels

- 14.11.1 Prior to the issue of an Occupation Certificate for each stage, evidence is to be provided to the principal certifying authority that the individually coloured feature panels for each building have been pre-mixed with each distinct building colour to reduce maintenance required by painting and increase longevity.

14.12 Environmental Health

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

14.13 Street Tree Planting

- 14.13.1 Prior to the issue of the final Occupation Certificate for each stage, all required street tree planting and payments of bonds are to be completed to the satisfaction of Council's Open Space section.

14.14 Engineering Matters

14.14.1 Surveys/Certificates/Works As Executed plans

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

- 14.14.1.2. A certificate from a Registered Surveyor must be obtained and submitted to Council verifying that all finished floor levels (FFL) required by this consent have been achieved. The certificate must acknowledge that works and the construction of the floors have been complete. All levels must be to Australian Height Datum (AHD).
- 14.14.1.3. A certificate from a Registered Surveyor must be obtained and submitted to Council verifying that all finished surface levels (FSL) for lot(s) required by this consent have been achieved and/or have been maintained in accordance with those established at the time of creation of the lot. The certificate must acknowledge that works have been complete. All levels must be to Australian Height Datum (AHD).
- 14.14.1.4. A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system will function effectively in accordance with Blacktown Council's DCP Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.
- 14.14.1.5. This development requires separate approvals under the *Roads Act 1993* and / or *Local Government 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.
- 14.14.1.6. A Chartered Civil Engineer registered with NER, is to certify that:
- i. all the requirements of the approved drainage plan have been undertaken;
 - ii. all the signage and warning notices have been installed;
 - iii. a minimum 17.5 kL rainwater tank has been provided collecting roof water from a minimum 1242 m² of roof area of Building D;
 - iv. a minimum 17.5 kL rainwater tank has been provided collecting roof water from a minimum 1222 m² of roof area of Building E;
 - v. a minimum 17.5 kL rainwater tank has been provided collecting roof water from a minimum 1421 m² of roof area of Building F;
 - vi. a minimum 17.5 kL rainwater tank has been provided collecting roof water from a minimum 1231 m² of roof area of Building G;
 - vii. the interpretative water quality sign has been correctly installed;
 - viii. any proprietary water quality devices have been installed for the site as per the manufacturer's recommendations;
- 14.14.1.7. Ocean Protect is to certify for the installation of the 200 micron OceanGuards and Stormfilters that:
- i. they are installed in accordance with the Ocean Protect standard operational guidelines and production drawings;
 - ii. the '200 micron' OceanGuards in the OceanGuard chambers A, B, C, D, E and F and the '200 micron' OceanGuards in the surface inlet pits have been installed as per the approved plan;
 - iii. Stormfilter tank A contains 12 x 460 mm, Stormfilter tank B contains 12 x 690 mm, Stormfilter tank C contains 20 x 460 mm, Stormfilter tank C-2 contains 5 x 310 mm, Stormfilter tank D contains 18 x 460 mm, Stormfilter tank E contains 15 x 460 mm and Stormfilter tank F contains 23 x 460 mm Stormfilters.
 - iv. the Stormfilter tanks include a baffle 300 mm below the Stormfilter weir for the 460 mm cartridges and a baffle 400 mm below for the 690 mm cartridges and set 250 mm upstream from the weir to retain floatables;

- v. the Stormfilter weir lengths for Stormfilter chambers match the approved plans;
- vi. metal mosquito proof screens have been provided over all grated accesses into the Stormfilter tanks;
- vii. energy dissipaters have been provided on the inlets to each of the Stormfilter chambers as per the approved plan (except where discharging through an OceanGuard chamber) and
- viii. a maintenance contract has been entered into for the maintenance of the Stormfilters.

14.14.1.8. A plumber licensed with NSW Fair Trading, or experienced hydraulic engineer, is to certify that:

- i. All the toilets and urinals non-potable water uses within the commercial area are being supplied by rainwater;
- ii. 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;
- iii. The initial flow meter readings are detailed in the certificate;
- iv. The pumps, alarms and all other systems are working correctly;
- v. The water from all toilets from the commercial area have been tested to show no chlorine residual.
- vi. A signed, works-as-executed Non-Potable Water Supply Plan is to be provided to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au

14.14.1.9. A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:

- i. 4 star dual-flush toilets;
- ii. 3 star showerheads;
- iii. 5 star taps (for all taps other than bath outlets and garden taps);
- iv. 3 star urinals; and
- v. 3 star Water efficient washing machines and dishwashers have been used.

14.14.2 **Easements/Restrictions/Positive Covenants**

14.14.2.1. Any covenant(s) 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 covenants, easements and restrictions as accepted by the Land Registry Services (LRS).

14.14.2.2. 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 in 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.

- 14.14.2.3. The entire areas of Lots 1, 2 and 3 as subdivided under Notice of Determination No. DA-18-01599 (containing buildings A, B and C) are to be burdened and benefited accordingly for the purpose of Reciprocal rights-of-vehicular and pedestrian easement for access in gross and shared car parking under Section 88B of the Conveyancing Act 1919 and must be registered with NSW Land Registry Services.
- 14.14.2.4. Prior to the issue of the Occupation Certificate with the publicly accessible plaza land, an easement in gross is required to be created under Section 88B of the Conveyancing Act 1919 to benefit the public as it is a public plaza, and must be registered with NSW Land Registry Services.

14.14.3 Inspections

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

14.15 Water Sensitive Urban Design Management

- 14.15.1 Prior to the issue of the Occupation certificate, the applicant shall submit to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au 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. Note this assessment noted rainwater tanks, Stormfilters and OceanGuards.
- 14.15.2 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's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au for approval.
- 14.15.3 Written evidence is to be provided that the registered owner/ owners corporation has entered into and prepaid a minimum five (5) year signed and endorsed maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the Stormfilters, OceanGuards and rainwater tanks. Forward a copy of the signed and endorsed contract(s) with evidence of payment and maintenance contractor(s) details to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au. The maintenance contract is to contain a requirement that all maintenance on the filter cartridges is undertaken by Ocean Protect and either the filter cartridges are replaced no later than three years after the date of installation, or a flow test is to be undertaken on the filter chamber in accordance with Council's WSUD developer handbook. The flow test is to be repeated and passed each and every year after that for the filters to be retained, but the filters must be replaced after a maximum of 5 years. This contract cannot be cancelled.

- 14.15.4 Where the Groundwater Assessment Report indicated the requirement for a Groundwater Management Plan, then a Chartered Geotechnical Engineer registered with NER, is to certify that all the requirements of the Groundwater Management Plan have been undertaken and that there is no adverse impact due to groundwater.

14.16 Waste Matters

- 14.16.1 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.
- 14.16.2 The applicant must demonstrate that the onsite communal bulky waste storage and collection point is properly:
- sign posted stating its specific use as a bulky items collection point
 - sign posted 'no parking' at any time
 - line marked and painted as a special collection bay for bulky items.
- 14.16.3 Clean ups will only occur from the communal bulky waste collection point if they comply with Council requirements for household clean ups. If discarded items fail to comply, or the communal collection point is poorly managed, it is the responsibility of the strata/body corporation (and at their cost), to have these items removed from the site and disposed of appropriately.
- 14.16.4 No bulky waste items must be presented to a perimeter street frontage unless it belongs to an individual lot that has suitable truck access for a heavy rigid vehicle.
- 14.16.5 A Community Management Agreement/Strata Management Agreement is required and to Council's satisfaction which:
- indicates a requirement for the appointment of a building manager/caretaker to manage bins and bulky waste onsite in accordance with the approved waste management plan. This includes placement of bins out for collection and their return to the storage areas following servicing.
 - indicates the responsibility for maintenance of the garbage collection system and bin cleaning, and ensure waste collection points are clear and unobstructed prior to collection times including providing access to the loading bay prior to bin servicing.
 - indicates the method of communication to new tenants and residents regarding the waste management service and collection system for the complex.
 - clearly outlines the requirement for the building manager to maintain and display consistent signs on all bins and in all communal bin storage areas.
 - clearly outlines the requirement for the building manager to arrange for the prompt removal of dumped rubbish from the site
 - includes the updated (and approved) waste management plan as lodged with the development application on 16/03/2022.
 - provides a clear bin placement plan that indicates bin collection points for each dwelling in the development.
- 14.16.6 The applicant must provide to Council satisfaction, proof of installation of 'no parking' signage along both sides of the of the private laneway, private road or loop road, right of carriageway and/or in and around the loading bay (whichever applies to the site), before collections can occur onsite.
- 14.16.7 The applicant must ensure that the communal bin pads (if on private property), are line marked and sign posted to Council's satisfaction for their use as a bin collection

point. No stopping signage along the entire private road is also required to aid collection of waste and recycling bins, and discarded bulky waste items.

- 14.16.8 The applicant must ensure no plantings or landscaping is located where the bin collection points are as this will hinder safe and efficient collection of bins and bulky waste from the development.

14.17 Other Matters

- 14.17.1 All landscaping, recreation features and furniture, bbq facilities, children's play equipment, pathways, ramps and fencing shall be completed in accordance with the approved landscaping design plans.
- 14.17.2 All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.
- 14.17.3 All fencing and retaining walls shall be completed in accordance with the approved details submitted as part of the Construction Certificate. All fencing/retaining work must be provided at full cost to the developer. All fencing is to be constructed on top of any retaining walls. The selected fencing material/design must also minimise/eliminate the potential for graffiti attacks. Where possible, foliage should be grown on/over fencing adjacent to public areas to minimise any potential for graffiti.
- 14.17.4 Vandal proof and security lighting, CCTV and security measures are to be provided in accordance with the approved details submitted as part of the Construction Certificate.
- 14.17.5 The required letterboxes are to comply with the details submitted as part of the Construction Certificate and with Australia Posts requirements for size. The letterbox system should be vandal resistant and secure.
- 14.17.6 All power boards should be housed within a locked cabinet to restrict tampering with the power supply. The lock set must be approved by the electricity authority.
- 14.17.7 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 14.17.8 Head room clearance at the basement ramp must comply with requirements of AS2890.1 (Section 5.3) for a Disabled Vehicle, and meet AS2890.1 – Appendix C for the disabled parking space and access to the lift.
- 14.17.9 All required internal roads and car parking spaces shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.
- 14.17.10 The basement ceiling is to be light in colour, and preferably painted white, to enhance lighting illumination.
- 14.17.11 A roller shutter and card-key system is to be installed at the entry/exit points of the basement car park.
- 14.17.12 Basement storage areas 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.
- 14.17.13 Bicycle racks are to be provided on site.

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

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

14.18.1 No occupation certification must be issued unless all design verifications have been provided in accordance with Section 43 of Environmental Planning and Assessment (Development Certification and Fire Safety) 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.

14.19 Car Parking

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

14.19.2 Signage is to be installed indicating the location of the visitor parking spaces.

14.20 Adaptable Housing Units

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

14.21 Acoustic Verification

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

14.22 Graffiti Management Plan

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

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

14.23 Total Maintenance Plan

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

- (a) The long term up-keep and cleanliness of the development, to ensure all buildings, public areas, landscaping, the communal open space areas,

gymnasium, security systems, mail boxes, lighting, loading areas and services are regularly inspected and maintained at optimum levels at all times.

- (b) That security, cleanliness and general repairs are managed appropriately, and that areas are not left unattended for long periods thereby substantially increasing the opportunity for graffiti or anti-social behaviour. Any unwanted “junk mail” is to be collected on a regular basis and disposed of as necessary.
- (c) The proposed development is always under the control of a fulltime Building Manager.

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

14.24 Site Contamination

- 14.24.1 Prior to the issue of the Occupation Certificate, an EPA recognised accredited geoscientist is to validate 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.

14.25 NSW Local Police – Requirements

14.25.1 Surveillance System

Police strongly recommend that a CCTV surveillance system is to be installed throughout the residential unit complex development and other areas to include are, basement carparking area entry/exit points, stairways, lifts, foyers, other entry/exit points, alcoves, key pedestrian walkways dock/garbage bays, along the fence lines of the building perimeters and to cover mailbox facilities (mail theft).

A qualified consultant may be required in the planning and placement of video surveillance systems.

14.25.2 Gates

NSW Police strongly suggest that consideration be given to installation of boom-gates at the entrance to basement 1 so that the basement carparking area can be closed and locked to restrict unauthorised access for after business hours to stop any criminal activity from accruing within this basement carparking area.

Riverstone Police require access into this building area in case of an emergency whether that be a, swipe card, fob key OR access code.

Police contact person: Senior Constable Melissa Rosevear, Crime Prevention Officer, Riverstone Police Area Command who can be contacted on: (02) 9838 2199 or via email: rose2mel@police.nsw.gov.au

15 OPERATIONAL (PLANNING)

15.1 Specific Uses

- 15.1.1 The approved development shall comply with the requirements of the following definition within the State Environmental Planning Policy (Precincts- Central River City) 2021:

‘residential flat building’ means *‘a building containing 3 or more dwellings, but does not include an attached dwelling, co-living housing or multi dwelling housing.’*

15.2 Use of Premises

- 15.2.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.
- 15.2.2 The development shall not be used or converted for use for any purpose other than that:
- (a) Granted consent by Council's Notice of Determination, or
 - (b) Which is "Exempt Development" under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other NSW or Council planning instrument.

15.3 Noise

- 15.3.1 The hours of operation and noise levels from the communal areas are to be appropriately managed to ensure that the occupiers are not adversely affected by noise, in particular not prior to 8am and not after 10pm daily.

15.4 Access/Parking

- 15.4.1 All required off-street car parking spaces and internal driveways shall be maintained to a standard suitable for the intended purpose.
- 15.4.2 989 basement car parking spaces, being 807 residential spaces and 182 visitor spaces are to be available for use at all times.
- 15.4.3 At no time are the designated visitor car parking spaces permitted to be leased for residential car parking.

15.5 General

- 15.5.1 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 15.5.2 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.

15.6 Landscaping

- 15.6.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.
- 15.6.2 Regular maintenance and up-keep of the site must therefore be undertaken to the site to ensure that sightlines are kept free from obstructions.
- 15.6.3 The management of vegetation, gardens, planter boxes, communal areas, fences, BBQ areas, children's play equipment, lighting, retail premises and other similar areas is to be incorporated within the future strata management plan once the development is occupied.

15.7 Clothes Drying

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

15.8 Lighting and Security

- 15.8.1 No goods, materials or trade wastes are to be stored, displayed for sale or manufactured at any time outside the building on either the internal roadway, car parking areas, landscaping or footpath, other than in approved garbage receptacles.
- 15.8.2 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 15.8.3 The maintenance of all external lighting is to be managed by way of an annual service agreement to ensure the security of the building and persons within are not compromised from dark or uncontrolled public areas.

15.9 Emergency Procedures

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

15.10 Graffiti Removal

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

15.11 Total Maintenance Plan

- 15.11.1 The approved Total Maintenance Plan must be adhered to at all times.

15.12 Police

15.12.1 Signage

All units within this development must all display their Block letters such as, A to be prominently displayed at the front of each unit block to assist emergency services personnel to locate a location swiftly and its visitors.

The street number must be prominently displayed at the front entrance of each unit block to comply with the Local Government Act, 1973 Section 124, Order 8. The street and unit complex number must be visible at night.

Directional signage should be placed at decision making points example, business area to provide guidance to visitors in locating entry/exit points, fire exits and units etc. This can assist in controlling activities and movements throughout the premises and grounds.

Warning signs should be strategically posted around the perimeter of your unit block to warn intruders of what security treatments have been implemented to reduce opportunities for crime. Example. 'Warning, trespassers will be prosecuted' or 'Warning, these premises are under CCTV electronic surveillance'.

15.12.2 Building Design

Wheelie bins or other items should be locked away so they cannot be used as a climbing aid. Ensure that all garbage bins are adequately secured, and any garbage bins are kept locked to reduce the risk of unauthorised entry. Garbage bins are at risk areas as they can be areas of entrapment.

We recommend the unit complex has a 'Rapid Removal' policy for graffiti. Rapid Removal has proven to be successful as a long-term graffiti management strategy.

Power boards should be housed within a locked cabinet to restrict tampering with power supply and secured with an approved electricity authority lock to restrict unauthorised tampering with the power supply.

15.12.3 Surveillance System

CCTV surveillance system is to be installed throughout the residential unit complex development and other areas to include are, basement carparking area entry/exit points, stairways, lifts, foyers, other entry/exit points, alcoves, key pedestrian walkways dock/garbage bays, along the fence lines of the building perimeters and to cover mailbox facilities (mail theft).

A qualified consultant may be required in the planning and placement of video surveillance systems.

15.12.4 Gates

Riverstone Police require access into this building basements in case of an emergency weather that be a, swipe card, fob key OR access code.

Police contact person: Senior Constable Melissa Rosevear, Crime Prevention Officer, Riverstone Police Area Command who can be contacted on: (02) 9838 2199 or via email: rose2mel@police.nsw.gov.au

15.12.5 Doors and Windows

All external doors and frames to the Unit complex and two residential businesses should be made of solid construction. They should all be fitted with locks that comply with the Australian Standards: Lock sets AS4145.

The fire exit doors need to comply with the Building Code of Australia (fire regulations).

Security screen doors are recommended for ground to third floor of all the unit complexes in this development application such as, A, B, C, D, E, F, G, H and J.

Sliding doors must be fitted with a suitable lock set.

Windows not only let in light and air but can also let in a thief if their design and placement is not carefully considered. Windows and frames within a business should be of solid construction. Glass within windows can be reinforced by either having a shatter-resistant film adhered to the existing glass, or by replacing the existing glass.

Windows must be able to be locked in a partially open position. They all must be fitted with a quality lock set for example with a bolt lock.

NSW Police suggest that display windows of two business within this complex should be covered with no more than 15% of promotional materials to increase surveillance opportunities to and from the business.

15.12.6 Lighting

The objective of security lighting is to deny criminals the advantage of being able to operate unobserved. However, if the area does not have any guardians to overlook and view that area, then lighting will only help a criminal see what they are doing, not deter them. High lighting levels may be required for vulnerable areas. Adequate, uniform lighting should cover the entire property (flood lighting/sensor lighting). The emphasis should be on installing low glare/high uniformity lighting levels in line with Australian Standard AS: 1158. Preferred external lighting should be of a 'white light' source. Note; that low or high-pressure sodium 'orange' lighting is not compatible with quality CCTV

surveillance system.

Police suggest all outdoor lights have anti-vandalism light covers to reduce opportunities for malicious damage (vandalism).

15.12.7 Fire and Safety Measures

All Australian standards in fire safety must be adhered to in any development proposal. These standards include fire escapes, evacuation procedures, evacuation assembly point etc.

A copy of these Operating Orders must be provided to the nearest Police Station (Riverstone Police Station), Crime Prevention Officer, Senior Constable Melissa Rosevear, (02) 9838 2199 with the Contact Person details on it.

A current Fire Safety Statement must be prominently displayed within the Unit complex to comply with the Environmental Planning & Assessment Regulations (1994) Clause 80GB. The annual fire safety statement is a statement issued by the owner of a building to the effect that: each essential fire safety measure specified in the statement has been assessed by a properly qualified person.

Signage needs to be provided at (fire) exits to assist occupants to identify exits in emergency situations. Signage needs to be provided to assist occupants to identify fire equipment for example extinguishers and fire hoses etc.

To comply with the building Code of Australia, you now must have smoke detectors installed on all levels of your premises. Fire extinguishers must also be installed and regularly checked. Appropriate signage must be displayed above each extinguisher and ensure that fire exits are all identifiable by an appropriate fire exit sign.

15.12.8 Car Park

All carparking areas should be well lit as per the Australian New Zealand Lighting Standards.

Park Smarter signage 'Lock it OR Lose it' can be installed help to educate staff and patrons to not leave valuable items in their cars and to ensure they secure their vehicles appropriately.

A CCTV surveillance monitoring system is to be installed in the underground car parking area and the other parking areas, including the internal and external businesses and the public plaza area from several angles covering all the carpark area and surrounding areas to maximise surveillance opportunities.

15.12.9 Storage Cage

Storage cages must not be able to be accessed by climbing into it and must have a quality lock set on it.

16 OPERATIONAL (ENVIRONMENTAL HEALTH)

16.1 Environmental Management

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

Association of Australian Acoustic Consultants and shall be submitted to Council for consideration

- 16.1.2 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 16.1.3 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 16.1.4 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.

16.2 Street Tree Planting

- 16.2.1 The applicant will be required to pay a bond per tree as indicated in the current goods and services pricing schedule to ensure the health and vigour of the tree(s). The bond shall be returned 12 months after the completion of the development (i.e. issue of final Occupation/Subdivision Certificate) if the trees are in a state of good health and vigour to Council's satisfaction. Elements deemed to be not adequately performing are to be removed, substituted or repaired by the developer within 60 days of written notification. The applicant is responsible for notifying Council when the works are completed to request a practical completion inspection and at the end of street tree bond maintenance period for an inspection.

The applicant will also be required to pay two inspection fees and a landscaping assessment fee as indicated in the current goods and services pricing schedule. A Blacktown City representative will inspect all street trees and public landscaping during the establishment period (i.e. between the practical date of completion and formal handover).

17 OPERATIONAL (WASTE)

17.1 Waste Matters

- 17.1.1 The Owners Corporation/Community Management Association will be responsible for ensuring that clear access is provided to waste collection trucks entering the property.
- 17.1.2 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.
- 17.1.3 Ongoing management of waste for the site must be in accordance with the waste requirements outlined in the approved waste management plan as submitted with the development application. This includes but is not limited to:
 - separation or caging of waste equipment onsite from residents (such as chute discharge points or storage areas for bin movement aides etc), to prevent injury or damage.
 - provision and maintenance of suitable signage in all areas with waste facilities such as bin storage areas, waste chute rooms on each floor, chute discharge points, bin collection points, loading bays or any other relevant area accessible to residents, cleaners and/or building management staff.

- separated bin storage areas and associated waste management equipment for commercial and residential components of a development if applicable.
 - provision of bin movement aids such as bin tugs and trolleys if suggested for the site. Adequate storage for both the bin tug and trolley attachment must be shown on the architectural drawings.
 - 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.
- 17.1.4 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 occupation of the site, and for every subsequent lease renewal and/or change in ownership of every lot in perpetuity.
- 17.1.5 A building manager must be engaged in perpetuity and for the life of the development to:
- manage bins and bulky waste onsite
 - clean bins and the waste room(s)
 - arrange clear access to the waste loading bay on collection day (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.
 - install and maintain relevant waste management signage onsite