

Conditions of consent (draft)

Proposed development	Lot 1 DP 195534 & Lot 1 DP 123754, 47 Johnson Avenue SEVEN HILLS
Property description	Demolition of minor structures, site works and construction of a single storey building for use as vocational education and training facility with related carparking and landscaping.

PART A

DEFERRED COMMENCEMENT CONDITIONS

1. Revised stormwater management plans and modelling are required from Roberts Bird Group, based on plans dated 18.02.2022 various revisions addressing the following:
 - a) Amend the OSD deem to comply tool spreadsheet to include the obvert of the outlet pipe in the proposed new gully inlet pit. Note: this will result in additional OSD volume that need to be provided onsite.
 - b) Amend the OSD tank to include additional volume as per the above requirement.
 - c) Delete Pit 14/A (v drain gully pit) as Council does not support the installation of V drain pits within public roadways.
 - d) Provide a new pit (say pit AB) within the site (parallel to the existing gully pit fronting the site). Connect the overflow from the OSD and the outlet from pit 13A to this pit.
 - e) Connect pit AB to the existing gully pit fronting the site.
 - f) The proposed new gully pit north of the site shall be connected to the existing gully inlet pit downstream via a 600 Dia RCP pipe.
 - g) Amend pit P1/A to pipe and surface flow treatment ocean guard to treat rainwater tank overflow as per the MUSIC model design.
 - h) The total landscaping area for irrigation shall be modelled as 250m² to Size the Rainwater Tank.
 - i) There are a number of areas that are modelled as areas directed to an ocean guard however the stormwater plans fail to address that. In this regard amend pit P3/A, P4/A, P2/C, pit 10/A, pit 8/A, pit 4/E, Pit P1/E, Pit P2/E, Pit P2/F, and Pit P3/F to grated pit with an ocean guard insert.
 - j) Update the OSD sections to show step iron bars to all grated pit openings.
 - k) Provide a swale along stormwater line H (from pit P1/H to Pit P4/H) to direct runoff to the stormwater harvesting pits.
 - l) In the MUSIC Model amend catchment 2B, and 2C to be connected to the receiving node. As they are currently bypassing the treatment flow.
 - m) In the MUSIC model amend the number of storm filters to 10 filters for the chamber located in the OSD tank.
 - n) Provide surveyed level and not assumptions for existing stormwater systems.

- o) In the Ocean protect cartridge discharge spreadsheet update the number of filter cartridges to 10 filters.
 - p) Amend ocean protect cartridge discharge spreadsheet for the 1% AEP discharge to reflect the head from the 1% AEP OSD level.
 - q) Amend the OSD deem to comply tool spreadsheet filter cartridge discharge for nominal flow and the 1% AEP as per the discharge from Ocean protect cartridge discharge spreadsheets.
 - r) Amend the 1% AEP orifice size on the sections in sheet number 87030 as per the updated OSD deem to comply tool spreadsheet.
 - s) Delete the 50% AEP orifice and opening as the filter cartridge discharge is sufficient. However, maintain the 50% AEP weir surrounding the 1% AEP orifice.
 - t) Provide a 150-pipe connection with non-return valve to connect the OSD area to the filters chamber refer to plan 17, detail 28, and detail 29 on sheet 23 of 25 of Council WSUD Standard Drawings.
 - u) Relocate the overflow weir for the OSD tank along the western side of the OSD tank. Relocate the filter chamber directly adjacent to the new location of the overflow weir. Adjust the location of the 50% AEP weir surrounding the 1% AEP orifice. This is to eliminate stagnant water ponding around the 50% AEP weir due to the tank fall and the removal of the 50% AEP orifice.
 - v) Provide metal mosquito proof mesh welded over the access grates located over the storm filter chamber.
 - w) Provide a long section from the existing street gully pit to the filtration chamber (P13/A). Ensure the invert of the filtration chamber (P13/A) is higher than the 20% AEP water level in the street pit.
 - x) The stormwater drainage pipe and pit system which directs runoff to the OSD basin shall be designed to cater for all events up to the 1% AEP.
2. Provide an amended landscape plan that includes 10 out of 40 replacement trees to be of Cumberland Plain Woodland species.

All of the requirements listed in the above conditions must be completed within **48 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.

Advice: Where conditions of consent are required to be amended to suit the revised plans, or changes to filter areas or detention storage requirements, or the drainage plan numbers updated, a MOD will be requested to be submitted to Council.

PART B

1 ADVISORY NOTES

1.1 Terminology

- 1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.

1.2 Scope of Consent

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

1.3 Other Approvals

- 1.3.1 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 and any tree(s) located greater than 3 metres from the building perimeter, and
 - (b) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development, 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.
- 1.3.2 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.

1.4 Services

- 1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) 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.

- 1.4.2 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- 1.4.3 Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.
- 1.4.4 Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number: 1800 810 443.
- 1.4.5 The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.

1.5 Identification Survey

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

1.6 Environmental Health Matters

1.6.1 Services

If any food or public health related commercial activities are proposed, then the approval of Environmental Health for the use and fit out of the premises is required to ensure compliance with the requirements of the;

- Food Act 2003 and Regulations there under
- Australian Standard 4674-2004 Design, construction and fit-out of food premises.

2 GENERAL

2.1 Scope of Consent

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

Drawing No.	Dated	Prepared by
DA100 Site Plan Revision B	2 September 2021	PMDL Architecture + Design
DA101 Demolition Plan Revision B	2 September 2021	PMDL Architecture + Design
DA102 Plan Revision B	2 September 2021	PMDL Architecture + Design
DA103 Roof Plan Revision B	2 September 2021	PMDL Architecture + Design
DA104 Building Program Plan Revision B	2 September 2021	PMDL Architecture + Design
DA200 Elevations – 1 Revision B	2 September 2021	PMDL Architecture + Design
DA201 Elevations – 2 Revision B	2 September 2021	PMDL Architecture + Design
DA300 Sections – 1 Revision B	2 September 2021	PMDL Architecture + Design
DA301 Sections – 2 Revision B	2 September 2021	PMDL Architecture + Design
DA302 Sections – 3 Revision B	2 September 2021	PMDL Architecture + Design
DA510 Materials Board Revision B	2 September 2021	PMDL Architecture + Design
DA601 Out of Hours Parking Arrangement Revision B	2 September 2021	PMDL Architecture + Design

**Unless modified by any conditions of this consent*

2.2 Suburb Name

- 2.2.1 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: SEVEN HILLS

2.3 Engineering Matters

2.3.1 Design and Works Specification

- 2.3.1.1 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
- (e) Blacktown City Council On Site Detention General Guidelines, S3QM online tool and standard drawing A(BS)175M
- (f) On Site Stormwater Detention Handbook - Upper Parramatta River Catchment Trust FOURTH Edition.

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

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

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

2.3.2 Other Necessary Approvals

2.3.2.1 A separate application will be required for the following approvals, under the *Local Government Act 1993* and/or the *Roads Act 1993*.

- Vehicular Crossing
- Works on or occupation of existing public roads (Not including works covered by a Roads Act Approval)

2.4 Drainage Matters

2.4.1 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 from the rainwater tank. Based on modelling it is agreed that for non-potable reuse that the rainwater tank is achieving a minimum 80% reuse with a minimum reuse supplied of 0.38 ML/yr.

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

2.4.3 The development must at all times maintain the water quality system to achieve the following minimum pollutant removal targets for the area of this development application for the duration of the development:

Required percentage reductions in post development average annual load of pollutants

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

Total Nitrogen	45
Total Hydrocarbons	90

2.5 **Recreational Planning and Design Matters**

- 2.5.1 Ensure access to the rear located sports fields would not be obstructed by the location / construction of the proposed VET building.

2.6 **Arboriculture Matters**

- 2.6.1 Trees 100, 101, 103, 109 - 134, 136, 137, 139, 141 – 143, are proposed to be removed as part of the development. They are located within 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, or are in poor condition and/or health.
- 2.6.2 Trees 94 - 99, 102, 104 - 108, 135, 138, 140, 144 - 151, 153 are to be retained in situ and are to be protected.
- 2.6.3 When undertaking excavation within the Structural Root Zone of trees 138 and 140, care should be taken not to damage roots that are 40 mm and over. Non-destructive techniques should be used such as Manual excavation, Vacuum excavation, or Air Spade.
- 2.6.4 A monetary tree preservation bond placed will be applied to Trees 138 & 140. The Applicant who has benefit of the development is to pay a tree preservation bond, as per Council's Goods and Services Pricing Schedule, to ensure the retention and protection in line with AS:4970-2009 Protection of Trees on Development Sites.
- 2.6.5 Two inspection fees as per Council's Goods and Services Pricing Schedule will be applicable for an authorised officer to inspect the tree protection measures implemented before construction commencing and following a request for the return of the tree preservation bond as noted above.
- 2.6.6 A Project Consulting Arborist must be appointed before demolition of any existing structures or earthworks and that they register with the developer before any works commence so that the builder can be inducted as to important times when the Arborist will be required on-site. Hold points, inspections and certification are to be carried out as per Section 7 of the AIA. Upon the completion of the development works, a final assessment of the trees shall be undertaken by the Project Arborist and future recommended management strategies implemented as required, along with recommendations for the tree preservation bond return.

3 **PRIOR TO CONSTRUCTION (PLANNING)**

3.1 **Aesthetics/Landscaping**

- 3.1.1 The reflectivity index of glass used in the external facade of the building is not to exceed 20 percent.
- 3.1.2 Any bathroom or w.c. window in the external wall of the school building shall be fitted with translucent glazing.

3.2 **Access/Parking**

- 3.2.1 The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1.

- 3.2.2 The design of the car parking area is to ensure that all vehicles must enter and leave the development in the forward direction.
- 3.2.3 All new internal driveways and other new paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.
- 3.2.4 Pedestrian access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 and AS1428.1 - 2009.
- 3.2.5 The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) are to be designed in accordance with Australian Standard 2890.1 – 2004 and AS 2890.2 – 2002 for heavy vehicles.

4 PRIOR TO CONSTRUCTION (BUILDING)

4.1 Building Code of Australia Compliance

- 4.1.1 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).

4.2 Site Works and Drainage

- 4.2.1 Any required retaining wall(s) and/or other effective method to retain excavated or filled ground (not being Exempt Development under an Environmental Planning Instrument), together with any associated groundwater drainage system, shall be designed by an appropriately qualified person. Details of such site works shall accompany the Construction Certificate.
- 4.2.2 Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy. Details shall accompany any Construction Certificate.
- 4.2.3 Stormwater drainage from the site shall be designed to satisfactorily drain rainfall intensities of 159 mm per hour over an average recurrence interval of 20 years. The design shall:
 - (a) be in accordance with Australian Standard 3500.3, and
 - (b) provide for drainage discharge to an existing Council drainage system, and
 - (c) ensure that the development, either during construction or upon completion, does not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties.

5 PRIOR TO CONSTRUCTION (ENGINEERING)

5.1 Roads Act Requirements

- 5.1.1 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

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

5.2 Other Engineering Requirements

- 5.2.1 If the estimated cost is \$25,000 or greater proof of long service levy payment is required.
- 5.2.2 Any ancillary works undertaken shall be at no cost to Council.
- 5.2.3 Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.

5.3 Roads

- 5.3.1 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.

5.4 Drainage

- 5.4.1 Drainage from the site must be connected into Council's existing drainage system.
- 5.4.2 Drainage from the site shall be connected into Council's existing drainage system. In this regard it is required to connect the drainage pipe into the existing Council kerb inlet pit in Johnson Avenue.
- 5.4.3 Pier and beam style construction shall be used adjacent to easements to the depth of the invert of the proposed or existing pipeline. A Registered Engineer (NER) shall certify that this condition has been satisfied.

5.5 On-Site Stormwater Detention

- 5.5.1 On-site stormwater detention system shall be designed in accordance with the parameters set out in Council's Water Sensitive Urban Design Standard Drawings A(BS)175M On-site detention requirements - Sheet 20, or an S3QM Certificate
- 5.5.2 The on-site stormwater detention system shall be generally designed to achieve the following:
- i. All systems shall use at least 2 orifice plates to control flows:
 - The 1.5 year ARI orifice shall be designed to convey a maximum of 40/L/s/ha
 - The 100 year ARI orifice shall be designed to convey a maximum of 190 L/s/ha
 - ii. Storage shall be provided as follows:
 - Volume up to 1.5 year ARI TWL = 300 m³/ha
 - Volume up to 100 year ARI TWL = 455 m³/ha
 - iii. Orifice flow rates will be adjusted for bypass with a maximum site bypass of 15% as per the following table:

Total OSD BYPASS (%)	ENVIRONMENTAL DISCHARGE (1.5 YEAR ARI ORIFICE) (L/s/ha)	ENVIRONMENTAL STORAGE (BELOW 1.5 YEAR ARI WEIR) (m³/ha)	FLOOD DISCHARGE (100 Year ARI ORIFICE) (L/s/ha)	FLOOD STORAGE (BELOW EMERGENCY WEIR) (m³/ha)
0	40.0	300	190	455
2.5	38.5	300	176	455
5	37.0	300	162	455
7.5	35.5	300	148	455
10	34.0	300	134	455
12.5	32.5	300	120	455
15	31.0	300	106	455

5.5.3 A registered engineer (NER) must certify that:

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

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

- Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
- On-site detention detailed design submission and calculation summary sheet
- S3QM Deemed to Comply On-site detention summary details

5.6 Stormwater Quality Control

5.6.1 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.

5.7 Vehicular Crossings

5.7.1 The plans shall specify that the vehicular crossings shall be constructed in accordance with Council's standard plan A(BS)103S.

6 PRIOR TO CONSTRUCTION (DRAINAGE)

6.1 Drainage

6.1.2 Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the rainwater tank and on-site stormwater detention (OSD) in accordance with Council's Engineering Guide for Development 2005.

6.1.3 Provide on-site stormwater detention (OSD) warning signs as per the Upper Parramatta River Catchment Trust guidelines.

- 6.1.4 An experienced Drainage Engineer registered with NER and supported by a DRAINS or similar electronic hydraulic drainage model is to certify that the internal drainage system is capable of carrying up to the 1% AEP flows to the detention tank through piped and/or surface flows
- 6.1.5 Provide details for permanent coloured interpretive signage minimum A2 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the major water quality device. The wording and detail are to be generally in accordance with Section 14 of Council's WSUD developer handbook and be approved by Council.
- 6.1.6 An experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply and Irrigation Plan for non-potable water uses. Such use includes landscape watering, washdown and all toilet flushing and that all Sydney Water requirements have been satisfied. The plan is to show the rainwater pipe and tank arrangement including:
- A first flush or pre-treatment system
 - A pump with isolation valves
 - A solenoid-controlled mains water bypass
 - Flow meters on the solenoid-controlled mains water bypass line and the pump outflow line, to determine non-potable usage and actual percentage reuse
 - An inline filter and preferably an automatic backwash inline filter
 - A control panel with warning light to indicate pump failure.
 - A timer and control box for landscape watering and
 - An irrigation watering plan allowing for a minimum of 240 kL/yr and accounting for seasonal variations;
 - Provide a minimum of ten (10) external taps for landscape watering or washdown. Three taps in the northern landscape areas adjacent to the northern carpark, four taps along the south west permitter land scaping, and three taps along the rear eastern permitter of the proposed building
 - Providing a minimum rainwater tank size of 30kL below overflow, servicing all toilets and landscaping/washdown.
 - Ensuring all the rainwater reuse pipes and taps are coloured purple.
 - Rainwater warning signs are fitted to all external taps using rainwater

7 PRIOR TO CONSTRUCTION (ENVIRONMENTAL HEALTH)

- 7.1 The recommendations made in the Report On Preliminary Site Investigation (Ref: 99922.02) prepared by Douglas Partners, dated February 2021, are to be implemented and include:
- Potential asbestos contamination: SINSW should refer to NSW Department of Education's Asbestos Management Plan⁴, 2015 for appropriate measures to control the risks associated with visible surface asbestos-containing materials found near or within the investigation area; and
 - Waste classification: Ex Situ waste classification to inform disposal options for surplus soils to be removed as part of the proposed construction, if required.

- 7.2 General recommendations made in Section 9.1 of the Hazardous Buildings (HAZMAT) Survey (ref: 99922.1) prepared by Douglas Partners, dated February 2021, where applicable shall be implemented.
- 7.3 The recommendations provided in the *DA Acoustic Assessment Report* (Ref: 60650180-RPNV-01_C) prepared by AECOM Australia Pty Ltd, dated 18 June 2021 should be implemented.

Recommendations made in the acoustic assessment include:

- Preparation and implementation of a CNVMP (Construction Noise and Vibration Management Plan) and should include the following:
 - Identification of nearby residences and other sensitive land uses
 - Description of approved hours of work
 - Description and identification of all construction activities, including work areas, equipment and duration
 - Description of what work practices (generic and specific) would be applied to minimise noise and vibration
 - A complaint handling process
 - Noise and vibration monitoring procedures
 - Overview of community consultation required for identified high impact works.
 - Noise and vibration mitigation measures which should be considered in the CNVMP are detailed in Table 23 of the Acoustic Assessment.
- 7.4 A certificate must be provided by a qualified acoustic engineer stating that provision has been made in the design of all sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems to ensure that it is acoustically attenuated so that the noise emitted:
- a) does not exceed an L_{Aeq} sound pressure level of 5dB (A) above the ambient background noise level when measured
 - at the most effected point on or within any residential property boundary or
 - at the external edge of any sole occupancy unit balcony within the premises itself at any time the plant or equipment operates.
 - b) cannot be heard within a habitable room in any sole occupancy unit or other residential premises (regardless of whether any door or window to that room is open) between the hours of 10pm and 7am.

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

8 PRIOR TO DEVELOPMENT WORKS (BUILDING)

8.1 Safety/Health/Amenity

- 8.1.1 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.

8.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 69 (1) of the Environmental Planning and Assessment Regulations 2021 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.

8.1.3 Should the development work:

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

8.1.4 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 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.

8.1.5 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 PRIOR TO DEMOLITION WORKS (BUILDING)

9.1 Safety/Health/Amenity

9.1.1 Security fencing shall be provided around the perimeter of the demolition site to prevent unauthorised entry to the site. Notices complying with AS 1319-1994 and displaying the words "DANGER - DEMOLITION IN PROGRESS", or similar message shall be fixed to the fencing at appropriate places to warn the public.

9.1.2 A sign shall be erected in a prominent position on the land indicating the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

9.1.3 Should the demolition work:

- (a) be likely to be a danger to pedestrians in a public place or occupants of any adjoining land or place,
- (b) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (c) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place or adjoining land or 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 or adjoining land or 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.

9.2 **Other Matters**

9.2.1 The Applicant is to advise all adjoining neighbours, and those located opposite the subject development site, by letter, of their intention to commence demolition work. The letter shall be distributed at least 2 days prior to the intended work and include the following information:

- date/s, hours and duration of the works.
- contact name and phone number of the applicant
- contact name and phone number of the licensed demolisher
- WorkCover NSW contact number 131050, and email address contact@workcover.nsw.gov.au

10 **DURING CONSTRUCTION (BUILDING)**

10.1 **Safety/Health/Amenity**

10.1.1 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 69 (1) of the Environmental Planning and Assessment Regulation 2021 indicating:

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

10.1.2 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.

- 10.1.3 All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.
- 10.1.4 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 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided.
- 10.1.5 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.
- 10.1.6 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.
- 10.1.7 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.

10.2 Nuisance Control

- 10.2.1 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.
- 10.2.2 The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays: 8.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

10.3 Waste Control

- 10.3.1 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.

10.4 Construction Inspections

- 10.4.1 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 Certifying Authority.

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

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

11 DURING CONSTRUCTION (ENGINEERING)

11.1 Notification of Works

- 11.1.1 Written notification of any works in the road reserve must be submitted to Council. This must be submitted to Council a minimum five (5) business days prior to commencement of works.

11.2 Public Safety

- 11.2.1 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 DURING CONSTRUCTION (DRAINAGE)

12.1 Water Quality

- 12.1.1 A plumber licensed with NSW Fair Trading is to undertake flow testing of the non-potable water reuse system to certify that all the toilets are capable of being supplied by rainwater and that there is no cross mixing, or cross contamination with the potable water supply.
- 12.1.2 The OceanGuards and Stormfilter cartridges supplied by Ocean Protect are not to be reduced in size or quantity, nor are they to be replaced with an alternate manufacturer's product

13 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)

- 13.1 The recommendations made in the Report On Preliminary Site Investigation (Ref: 99922.02) prepared by Douglas Partners, dated February 2021, are to be implemented and include:
 - Potential asbestos contamination: SINSW should refer to NSW Department of Education's Asbestos Management Plan⁴, 2015 for appropriate measures to

control the risks associated with visible surface asbestos-containing materials found near or within the investigation area; and

- Waste classification: Ex Situ waste classification to inform disposal options for surplus soils to be removed as part of the proposed construction, if required.

13.2 The recommendations provided in the *DA Acoustic Assessment Report* (Ref: 60650180-RPNV-01_C) prepared by AECOM Australia Pty Ltd, dated 18 June 2021 shall be implemented.

Recommendations made in the acoustic assessment include:

- Preparation and implementation of a CNVMP (Construction Noise and Vibration Management Plan) and should include the following:
 - Identification of nearby residences and other sensitive land uses
 - Description of approved hours of work
 - Description and identification of all construction activities, including work areas, equipment and duration
 - Description of what work practices (generic and specific) would be applied to minimise noise and vibration
 - A complaint handling process
 - Noise and vibration monitoring procedures
 - Overview of community consultation required for identified high impact works.
- Noise and vibration mitigation measures which should be considered in the CNVMP are detailed in Table 23 of the Acoustic Assessment.

13.3 Any materials requiring off-site disposal will need to be classified, managed and disposed of in accordance with the Protection of the Environment Operations Act (NSW) 1997 and the NSW Environment Protection Authority's Waste Classification Guidelines (2014).

13.4 All areas 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 Environmental Protection Authority's Contaminated Sites: Guidelines for NSW Site Auditor Scheme 3rd edition (2017)
- National Environment Protection Council (NEPC) 1999 *National Environment Protection (Assessment of Site Contamination Measure)* as amended 2013
- NSW Environment Protection Authority's *Waste Classification Guidelines, Part 1: Classifying Waste* (2014)

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.

- 13.5 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.

14 DURING DEMOLITION WORKS (BUILDING)

14.1 Safety/Health/Amenity

- 14.1.1 Security fencing shall be maintained around the perimeter of the demolition site to prevent unauthorised entry to the site at all times during the demolition works. Notices lettered in accordance with AS 1319-1994 and displaying the words "DANGER - DEMOLITION IN PROGRESS", or similar message shall be maintained on the fencing at appropriate places to warn the public.
- 14.1.2 A sign shall be maintained in a prominent position on the land indicating the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- 14.1.3 Any hoarding or protective barrier required to be erected between the work site and the public place on adjoining land or place shall be maintained in an effective condition.
- 14.1.4 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.
- 14.1.5 Soil erosion and sediment control measures shall be maintained in accordance with Council's Soil Erosion and Sediment Control Policy.
- 14.1.6 Any excavation and/or backfilling associated with the demolition 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.
- 14.1.7 All demolition work and handling of materials shall be in accordance with Australian Standard 2601-2001 (Demolition of Structures) and all applicable NSW WorkCover Authority requirements including the Code of Practice for the Safe Removal of Asbestos" – National Occupational Health and Safety Commission:2002 (if applicable)
- 14.1.8 The remaining portions of each structure being demolished shall be maintained in a stable and safe condition at all stages of the demolition work. Temporary bracing, shoring, bracing or guys, or any combination of these, shall be provided for stability, where necessary.
- 14.1.9 All plant and equipment used on the land shall be operated by a competent person. Cranes used for hoisting and lowering of materials shall comply with AS 1418.1 and AS 1418.5 and be fitted with a load indicator and hoist limited device.
- 14.1.10 At least one access and egress route shall be made available connecting any undemolished floor to an open space well clear of the structure being demolished. The egress route shall be clearly identified as an emergency exit and maintained clear of obstructions at all times.
- 14.1.11 A valid public liability insurance policy of at least \$10,000,000 shall be maintained throughout the demolition works.
- 14.1.12 Demolished materials, plant, equipment and the like shall not be stored or placed at any time on Council's footpath, roadway or any public place.

- 14.1.13 Should any excavation associated with the demolition works extend below the level of the base of the footings of a building on an adjoining allotment of land, including a public road or place, the person causing the excavation to be made:
- (a) must preserve and protect the building from damage, and
 - (b) if necessary, must underpin and support the building in an approved manner, and
 - (c) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

- 14.1.14 All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- 14.1.15 The demolisher has an obligation to ensure that the adjoining buildings and property are not damaged.

14.2 Nuisance Control

- 14.2.1 Any objectionable noise, dust, concussion, vibration or other emission from the demolition works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 14.2.2 Any noise generated during demolition shall not exceed those limits specified in the Protection of the Environment Operations Act 1997 and shall be limited to between 7.00am and 6.00pm, Monday to Friday, and 8.00am to 1.00pm, Saturday, with no demolition work being undertaken on Sundays or public holidays.
- 14.2.3 The waste material sorting, storing 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 the demolition works.

15 PRIOR TO OCCUPATION AND COMMENCEMENT OF USE (PLANNING)

15.1 Service Authority Approvals

- 15.1.1 The following documentary evidence shall be obtained and forwarded to the Principal Certifying Authority prior to Occupation and commencement of use:
- (a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. 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. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

- (b) A “Notification of Arrangement” Certificate from a recognised energy provider, stating that arrangements have been made with the service authority for electrical services, including the provision of street lighting, to the development.

15.2 Landscaping

- 15.2.1 All landscaping shall be completed in accordance with the approved landscape plans.
- 15.2.2 A minimum 10 out of 40 replacement trees of Cumberland Plan Woodland species shall be planted prior to occupation.

16 PRIOR TO OCCUPATION (BUILDING)

16.1 Compliance with Conditions

- 16.1.1 The occupation and use of the building shall not commence until such time as all conditions of this consent, other than “Operational” conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than “Operational” conditions, may render the applicant/developer liable to legal proceedings.

16.2 Fire Safety Certificate

- 16.2.1 An interim or 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).
- 16.2.2 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).

17 PRIOR TO OCCUPATION (ENGINEERING)

17.1 Landscaping/Car Parking

- 17.1.1 All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.
- 17.1.2 All required internal driveways and car parking spaces shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.

17.2 Engineering Matters

17.2.1 Surveys/Certificates/Works As Executed plans

- 17.2.1.1 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.
- 17.2.1.2 The Work-as-Executed (WAE) plan must confirm that the On Site Detention system identification plate has been installed in accordance with the Upper Parramatta River Catchment Trust Guidelines.
- 17.2.1.3 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the On-Site Detention System as constructed will perform to meet the on-site stormwater detention requirements in accordance with the approved design plans.

- 17.2.1.4 A certificate from a Registered Engineer (NER) must be lodged with Council verifying that the structures associated with the On-Site Detention System(s) have been constructed to withstand all loads likely to be imposed on them during their lifetime.
- 17.2.1.5 A Certificate from a Registered Engineer (NER) must be lodged with Council verifying that pier and beam style construction was used adjacent to the easement to the depth of the invert of the pipeline.
- 17.2.1.6 A Certificate shall be submitted by a Registered Surveyor indicating that all pipelines and associated structures lie wholly within any easements required by this consent.
- 17.2.1.7 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.

17.3 **CCTV Inspection of Stormwater Drainage Structures**

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

18 **PRIOR TO OCCUPATION (DRAINAGE)**

18.1 **Surveys/Certificates/Works As Executed Plans**

- 18.1.1 A Chartered Civil Engineer registered with NER, is to certify that:
 - a) All the requirements of the approved drainage plans have been undertaken;
 - b) A minimum total volume of 30 m³ below overflow rainwater tank has been provided collecting roof water from a minimum 1741 m² of roof area.
 - c) the minimum detention storage of 147 m³ has been provided below the 50% AEP weir and a total of 222 m³ has been provided below the 1% AEP emergency overflow weir.
 - d) the orifice size matches the approved construction certificate plans;
 - e) ocean guard baskets are installed to all nominated pits.
 - f) The interpretative water quality sign is correctly installed
 - g) All (other) signage and warning notices have been correctly installed.
- 18.1.2 Ocean Protect is to certify for the installation of the 200 micron OceanGuards and Stormfilters that:
 - a) They are installed in accordance with the Ocean Protect standard operational guidelines and production drawings;
 - b) The 200 micron OceanGuards and stormfilters have been installed as per the quantity that satisfies the deferred commencement condition;
 - c) The Stormfilter tank includes a baffle 200 mm below the Stormfilter weir and set 250 mm upstream from the weir to retain floatables including oils for the 690 cartridges;

- d) The Stormfilter weir length is as per the approved CC drawings;
 - e) The Stormfilters have a minimum flow rate as per manufacturers standard weir height;
 - f) Metal mosquito proof screens have been provided over all grated accesses into the Stormfilter tank;
 - g) Energy dissipaters have been provided on all the inlets to the Stormfilter chamber.
- 18.1.3 A plumber licensed with NSW Fair Trading, or experienced chartered hydraulic engineer, is to certify that:
- a) All the non-potable water uses are being supplied by rainwater;
 - b) All the requirements of the detailed Non-Potable Water Supply and Irrigation Plan have been installed to the required locations.
 - c) The pumps, alarms and all other systems are working correctly.
 - d) 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.
 - e) The initial flow meter readings are detailed in the certificate.
 - f) All toilets are supplied by a 30 kL rainwater tank.
 - g) a minimum of ten (10) external taps for landscape watering or washdown. Three taps in the northern landscape areas adjacent to the northern carpark, four taps along the south west permitter land scaping, and three taps along the rear eastern permitter of the proposed building
 - h) Rainwater warning signs are fitted to all external taps using rainwater.
 - i) A signed, works-as-executed Non-Potable Water Supply & Irrigation Plan is to be provided to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au
- 18.1.4 A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings or other requirements 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 Water efficient washing machines and dishwashers have been used
- 18.2 **Other Matters - Maintenance**
- 18.2.1 The Applicant shall enter into a Maintenance Agreement with a maintenance contractor for the WSUD system installed on the property. The Maintenance Agreement is to be in accordance with the Maintenance schedule approved by Council. The maintenance contractor is to possess the qualifications and licences, if any, required to undertake the maintenance works in accordance with Council and New South Wales policy and legislation. The Maintenance Agreement must be maintained for the life of the development. The Applicant shall submit a copy of the executed Maintenance agreement to Council for approval. The Maintenance Agreement can be replaced with an alternative Maintenance Agreement of the same or better standard. In the event that the Applicant enters into a replacement Maintenance Agreement the Applicant must, as soon as practically possible, forward a copy to Council.

19 PRIOR TO OCCUPATION (ENVIRONMENTAL HEALTH)

- 19.1 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.

20 OPERATIONAL (PLANNING)

- 20.1 All operational conditions of any previous consents applying to this land shall be continued to be complied with.

20.2 Access/Parking

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

20.3 General

- 20.3.1 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.
- 20.3.2 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.

20.4 Landscaping

- 20.4.1 All landscaping areas provided in accordance with the approved landscaping design must be maintained and trees protected at all times.

20.5 Use of Premises

- 20.5.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.
- 20.5.2 The development shall not be used or converted for use for any purpose other than that:
- (a) Granted consent by Council's Notice of Determination, or
 - (b) Which is "Exempt Development", "Complying Development" or "Development without Consent" under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other environmental planning instrument.

21 OPERATIONAL (ENVIRONMENTAL HEALTH)

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

1997.

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