

Annexure A

DETERMINATION OF DEVELOPMENT APPLICATION BY GRANT OF CONSENT

Development Application No: DA-91/2023

Development: Concept Development Application encompassing Stages 1 and 2 including public roads, public domain layout, building envelopes (retail, residential and childcare centre) and parking, and a detailed Development Application for Stage 1 including redevelopment of the southern part of the existing shopping centre, construction of basement parking, childcare centre, mixed use residential development, demolition of existing dwelling and construction of a new road, associated landscaping and civil works.

Site: Lot 100 DP 1306157 - 353 and 355 Waterloo Road, Greenacre; and Lot 24 in DP 10945 – 87 Norfolk Road, Greenacre.

The above development application has been determined by the granting of consent subject to the conditions specified in this consent.

Date of determination: 18 November 2024

Date from which consent takes effect: 18 November 2024

TERMINOLOGY

In this consent:

- (a) Any reference to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to such a certificate as defined in the *Environmental Planning and Assessment Act 1979*.
- (b) Any reference to the “applicant” means a reference to the applicant for development consent or any person who may be carrying out development from time to time pursuant to this consent.
- (c) Any reference to the “site”, means the land known as Lot 100 DP 1306157 - 353 and 355 Waterloo Road, Greenacre; and Lot 24 in DP 10945 – 87 Norfolk Road, Greenacre.

The conditions of consent are as follows:

GENERAL CONDITIONS

	Condition
1.	Approved Plans and supporting documentation

Approved plans and supporting documentation Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans				
Plan number	Revision number	Plan title	Drawn by	Date of plan
ARCHITECTURAL PLANS				
DA-001-001	Rev M	General Cover Sheet	Turner	6 June 2024
DA-001-010	Rev P	General Drawing List	Turner	6 June 2024
DA-001-020	Rev P	General Site Plan	Turner	6 June 2024
DA-010-010	Rev N	Siteworks Site Analysis	Turner	6 June 2024
DA-030-001	Rev W	Concept Development GA Plans Roof Level	Turner	6 June 2024
DA-030-002	Rev ZD	Concept Development GA Plans Basement 02	Turner	6 June 2024
DA-030-003	Rev ZC	Concept Development GA Plans Basement 01	Turner	6 June 2024
DA-030-004	Rev ZH	Concept Development GA Plans Ground Level	Turner	6 June 2024
DA-030-005	Rev W	Concept Development GA Plans Level 01	Turner	6 June 2024
DA-030-006	Rev Y	Concept Development GA Plans Level 02	Turner	6 June 2024
DA-030-007	Rev X	Concept Development GA Plans Level 03	Turner	6 June 2024
DA-030-008	Rev Y	Concept Development GA Plans Level 04	Turner	6 June 2024
DA-030-009	Rev W	Concept Development GA Plans Level 05	Turner	6 June 2024
DA-030-020	Rev L	Concept Development GA Plans Ground Level Overall	Turner	6 June 2024

	DA-035-001	Rev N	Stage 2 GA Sections Section AA	Turner	6 June 2024
	DA-035-002	Rev P	Stage 2 GA Sections Section BB	Turner	6 June 2024
	DA-035-003	Rev L	Stage 2 GA Sections Section CC	Turner	6 June 2024
	DA-051-001	Rev M	Existing/Demolition Plans Basement 01	Turner	6 June 2024
	DA-051-002	Rev M	Existing/Demolition Plans Ground Level	Turner	6 June 2024
	DA-110-001	Rev Z	Stage 1 GA Plans Roof Level	Turner	6 June 2024
	DA-110-002	Rev ZE	Stage 1 GA Plans Basement 02	Turner	3 June 2024
	DA-110-003	Rev ZD	Stage 1 GA Plans Basement 01	Turner	6 June 2024
	DA-110-004	Rev ZO	Stage 1 GA Plans Ground Level	Turner	6 June 2024
	DA-110-005	Rev ZA	Stage 1 GA Plans Level 01	Turner	6 June 2024
	DA-110-006	Rev ZD	Stage 1 GA Plans Level 02	Turner	6 June 2024
	DA-110-007	Rev ZA	Stage 1 GA Plans Level 03	Turner	6 June 2024
	DA-110-008	Rev ZC	Stage 1 GA Plans Level 04	Turner	6 June 2024
	DA-110-009	Rev Z	Stage 1 GA Plans Level 05	Turner	6 June 2024
	DA-210-101	Rev P	Stage 1 GA Elevations North Elevation	Turner	6 June 2024
	DA-210-201	Rev P	Stage 1 GA Elevations East Elevation	Turner	6 June 2024
	DA-210-301	Rev Q	Stage 1 GA Elevations South Elevation	Turner	6 June 2024

	DA-210-401	Rev P	Stage 1 GA Elevations West Elevation	Turner	6 June 2024
	DA-310-101	Rev S	Stage 1 GA Sections Section AA	Turner	6 June 2024
	DA-310-201	Rev U	Stage 1 GA Sections Section BB	Turner	6 June 2024
	DA-310-301	Rev V	Stage 1 GA Sections Section CC & DD	Turner	6 June 2024
	DA-310-401	Rev R	Stage 1 GA Sections Section EE & FF	Turner	6 June 2024
	DA-310-501	Rev R	Stage 1 GA Sections Section GG & HH	Turner	6 June 2024
	DA-310-601	Rev R	Stage 1 GA Sections Section II & JJ	Turner	6 June 2024
	DA-320-001	Rev G	Detail Sections – Building A1 Lobby Detail Section	Turner	6 June 2024
	DA-320-002	Rev G	Detail Sections – Building A2 Lobby Detail Section	Turner	6 June 2024
	DA-320-003	Rev G	Detail Sections – Building B Detail Section	Turner	6 June 2024
	DA-320-010	Rev G	Detail Sections – Childcare Centre Section	Turner	6 June 2024
	DA-721-008	Rev G	Stage 1 ADG Storage Diagrams – Ground Level	Turner	6 June 2024
	DA-721-010	Rev G	Stage 1 ADG Storage Diagrams – Level 01	Turner	6 June 2024
	DA-721-020	Rev G	Stage 1 ADG Storage Diagrams – Level 2 – Building A	Turner	6 June 2024
	DA-721-021	Rev G	Stage 1 ADG Storage Diagrams – Level 2 – Building B	Turner	6 June 2024
	DA-721-030	Rev G	Stage 1 ADG Storage Diagrams – Level 03-05 – Building A	Turner	6 June 2024

	DA-721-031	Rev G	Stage 1 ADG Storage Diagrams – Level 03 – Building B	Turner	6 June 2024
	DA-721-041	Rev G	Stage 1 ADG Storage Diagrams – Level 04-05 – Building B	Turner	6 June 2024
	DA-730-010	Rev V	Deep Soil and Communal Open Space Diagrams (ADG) Communal Open Space (Stage 1)	Turner	6 June 2024
	DA-730-020	Rev M	Deep Soil and Communal Open Space Diagrams (ADG) Communal Open Space (Stage 2)	Turner	6 June 2024
	DA-730-040	Rev H	Deep Soil and Communal Open Space Diagrams (ADG) Deep Soil (Stage 1 and 2)	Turner	6 June 2024
	DA-810-001	Rev N	Stage 1 Adaptable Plan Layouts Adaptable & Livable Apartments – Sheet 01	Turner	6 June 2024
	DA-810-002	Rev N	Stage 1 Adaptable Plan Layouts Adaptable & Liveable Apartments – Sheet 02	Turner	6 June 2024
	DA-890-001	Rev N	Stage 1 Materials & Finishes Board Materials and Finishes	Turner	6 June 2024
	PLANS SHOWING PROPOSED DESIGN AMENDMENTS – SEE CONDITION 2				
	DA-030-004	Rev ZJ	Concept Development Stage 1 & 2 GA Plans Ground Level	Turner	11 November 2024
	DA-030-020	Rev N	Concept Development Stage 1 & 2 GA Plans Ground Level Overall	Turner	11 November 2024
	DA-110-004	Rev ZQ	Stage 1 GA Plans Ground Level	Turner	11 November 2024
	LANDSCAPE PLANS				

	2022030-LD-DA000	Rev 4	Cover Sheet & Design Statement	Land and Form	4 June 2022
	2022030-LD-DA001	Rev 4	Planting Schedule and Legends	Land and Form	4 June 2022
	2022030-LD-DA010	Rev 2	Concept Landscape DA Plan Sheet 1	Land and Form	20 December 2023
	2022030-LD-DA020	Rev 4	Concept Landscape DA Plan Sheet 2	Land and Form	4 June 2024
	2022030-LD-DA100	Rev 4	Stage 1 Ground Floor Landscape Plan	Land and Form	4 June 2024
	2022030-LD-DA110	Rev 1	Stage 1 Level 1 Landscape Plan	Land and Form	20 December 2023
	2022030-LD-DA120	Rev 2	Stage 1 Level 2 Landscape Plan	Land and Form	20 December 2023
	2022030-LD-DA130	Rev 3	Stage 1 Level 4 Landscape Plan	Land and Form	4 June 2024
	2022030-LD-DA200	Rev 4	Stage 1 Ground Floor Planting Plan	Land and Form	4 June 2024
	2022030-LD-DA210	Rev 1	Stage 1 Level 1 Planting Plan	Land and Form	20 December 2023
	2022030-LD-DA220	Rev 2	Stage 1 Level 2 Planting Plan	Land and Form	20 December 2023
	2022030-LD-DA230	Rev 3	Stage 1 Level 4 Planting Plan	Land and Form	4 June 2024
	2022030-LD-DA400	Rev 1	Typical Site Section B – Future Park	Land and Form	26 September 2023

	2022030-LD-DA410	Rev 2	Stage 1 Site Section AA	Land and Form	20 December 2023
	2022030-LD-DA411	Rev 3	Stage 1 Site Section BB	Land and Form	4 June 2024
	2022030-LD-DA900	Rev 2	Typical Details & Outline Specification	Land and Form	20 December 2023
	2022030-LD-PP100	Rev 4	Concept Master Plan	Land and Form	4 June 2024
	2022030-LD-PP400	Rev 2	Typical Site Section A – Chullora Place	Land and Form	20 December 2023
	CIVIL PLANS - STAGE 1				
	22J17_DA_C00	Rev 5	Cover Sheet, Drawing Schedule & Locality Sketch	Henry & Hymas	24 May 2024
	22J17_DA_C010	Rev 4	Notes	Henry & Hymas	26 September 2023
	22J17_DA_C100	Rev 5	General Arrangement Plan	Henry & Hymas	6 May 2024
	22J17_DA_C101	Rev 7	Ground Floor Detail Plan Sheet 1 of 3	Henry & Hymas	24 May 2024
	22J17_DA_C102	Rev 7	Ground Floor Detail Plan Sheet 2 of 3	Henry & Hymas	24 May 2024
	22J17_DA_C103	Rev 7	Ground Floor Detail Plan Sheet 3 of 3	Henry & Hymas	24 May 2024
	22J17_DA_C110	Rev 6	Basement 1 Detail Plan	Henry & Hymas	24 May 2024
	22J17_DA_C120	Rev 6	Basement 2 Detail Plan	Henry & Hymas	24 May 2024

	22J17_DA_C150	Rev 2	Kerbing Details	Henry & Hymas	26 September 2023
	22J17_DA_C200	Rev 6	Stormwater Miscellaneous Details and Pit Lid Schedule	Henry & Hymas	24 May 2024
	22J17_DA_C201	Rev 5	Stormwater Miscellaneous Details	Henry & Hymas	24 May 2024
	22J17_DA_C202	Rev 4	OSD Plan and Sections	Henry & Hymas	24 May 2024
	22J17_DA_C203	Rev 6	Pump Out Pit Plan, Section and Details	Henry & Hymas	24 May 2024
	22J17_DA_C204	Rev 1	Storm Filter Unit SF-1	Henry & Hymas	24 May 2024
	22J17_DA_C210	Rev 2	Stormwater Long Section	Henry & Hymas	24 May 2024
	2J17_DA_C250	Rev 5	Pre-Development Catchment Plan	Henry & Hymas	24 May 2024
	2J17_DA_C251	Rev 6	Post-Development Catchment Plan	Henry & Hymas	24 May 2024
	22J17_DA_SE01	Rev 5	Sediment and Erosion Control Plan	Henry & Hymas	26 September 2023
	22J17_DA_SE02	Rev 04	Sediment and Erosion Control Typical Details	Henry & Hymas	26 September 2023
	22J17_DA_BE01	Rev 6	Bulk Earthworks Cut and Fill Plan Bulk Contours	Henry & Hymas	24 May 2024
	22J17_DA_BE02	Rev 6	Bulk Earthworks Cut and Fill Plan Bulk Depth Contours	Henry & Hymas	24 May 2024
	CIVIL PLANS STAGE 2				
	22J17_MP_C000	Rev 3	Cover sheet, Drawing Schedule & Locality Sketch	Henry & Hymas	24 May 2024

	22J17_MP_C010	Rev 3	Notes	Henry & Hymas	24 May 2024
	22J17_MP_C100	Rev 3	General Arrangement Plan	Henry & Hymas	24 May 2024
	22J17_MP_C101	Rev 4	Stormwater Management Plan Stage 2 – Ground Floor	Henry & Hymas	24 May 2024
	22J17_MP_C120	Rev 4	Stormwater Management Plan – Stage 2 – Basement Level 2	Henry & Hymas	24 May 2024
	22J17_MP_C150	Rev 2	Vehicular Crossover Plan	Henry & Hymas	24 May 2024
	22J17_MP_C151	Rev 1	Vehicular Crossover Detail Sheet 1 of 2	Henry & Hymas	26 September 2023
	22J17_MP_C152	Rev 1	Vehicular Crossover Detail Sheet 2 of 2	Henry & Hymas	26 September 2023
	22J17_MP_C160	Rev 2	Site Sections Stage 2	Henry & Hymas	24 May 2024
	22J17_MP_C250	Rev 3	Pre-Development Stormwater Catchment Plan	Henry & Hymas	24 May 024
	22J17_MP_C251	Rev 3	Post-Development Stormwater Catchment Plan	Henry & Hymas	24 May 2024
	22J17_MP_BE01	Rev 4	Bulk Earthworks Cut and Fill Plan Stage 2 – Bulk Contours	Henry & Hymas	24 May 024
	22J17_MP_BE02	Rev 4	Bulk Earthworks Cut and Fill Plan Stage 2+ Entrance – Bulk Contours	Henry & Hymas	24 May 2024

Approved documents			
Document title	Version number	Prepared by	Date of document
Civil Engineering Design Report	Rev 3	Henry & Hymas	23 May 2024
Construction Traffic Management Plan		Ason Group	14 May 2024

	Vegetation Management Plan		Travers Bushfire & Ecology	26 April 2024	
	Biodiversity Assessment Report		Travers Bushfire & Ecology	22 April 2024	
	Further Acoustic Assessment		Acoustic Logic	11 April 2024	
	Noise Impact Assessment		Acoustic Logic	21 November 2022	
	Addendum Acoustic Report – Noise Emission Prediction Mapping		Acoustic Logic	29 November 2023	
	Addendum Acoustic Report – Stage 1		Acoustic Logic	29 November 2023	
	Amended Development Schedule Stage 1	Rev D	Turner	4 June 2024	
	Design Verification Statement		Turner	7 June 2024	
	Remediation Action Plan		Douglas Partners	22 May 2024	
	Contamination Investigation		Douglas partners	20 September 2023	
	Preliminary Site Investigation (Contamination)		Douglas Partners	2 December 2022	
	Geotechnical Assessment Report		Douglas Partners	6 December 2022	
	Arboricultural Impact Appraisal and Method Statement		Naturally Trees	3 October 2023	
	Heritage Impact Statement & Archaeological Assessment Report		City Plan	26 September 2023	
	Traffic Statement in		Colston Budd Rogers &	27 November 2023	

	relation to Amended Plans		Kafes Pty Ltd	
	Waste Management Plan		MRA Consulting Group	27 November 2023
	Structural Review for Proposed Retention of Existing Ground Floor Carpark,		Henry & Hymas	14 December 2022
	Traffic Report for Stage 1 Redevelopment and Concept Development Application for Stage 2, Chullora Marketplace		Colston Budd Rogers & Kafes Pty Ltd	December 2022
	Landscape Architectural Design Report		Land and Form	16 December 2022
	Infrastructure Due Diligence Final Report		Integrated Group Services	24 November 2022
	BCA Regulatory Compliance Report		McKenzie Group	14 December 2022
	Accessibility Design Review Report		Mckenzie Group	7 December 2022
	Public Art Strategy		GYDE	15 December 2022
	Crime Risk Report		GYDE	November 2022
	BASIX Certificate	135446M_02	Ecological Design Pty Limited	27 June 2024
	NatHERS Certificate	#HR-7G00WP-01	John Caley Ecological Design	27 June 2024
	<p>In the event of any inconsistency between the approved plans and documents, the approved plans prevail. In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p> <p style="text-align: right;">1.101.S</p>			
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.			
2.	Design Amendments			

	<p>Before the issue of a construction certificate, the certifier must ensure the approved construction certificate plans (and specifications) detail the following required amendments to the approved plans (stamped by Council) and supporting documentation:</p> <ol style="list-style-type: none"> The access way from 87 Norfolk Road can only be used for residential parking and visitor parking. It cannot be used for vehicular access to the childcare centre or retail tenancies. Signage and/or appropriate security measures must be provided at the access way from 87 Norfolk Road that access and carparking is only permitted for residents and their visitors and is not to be used by retail or childcare visitors. Footpath paving shall be provided along the access roadway in 87 Norfolk Road, in accordance with Condition 35. <i>The final sediment and erosion control plan is to be submitted and approved by Council's engineer and ecologist prior to commencement of construction.</i> <p>Design Amendments: Stage 1</p> <ol style="list-style-type: none"> Prior to the issue of a construction certificate, the certifier must ensure the approved construction certificate plans detail the following requirement amendments to the approved plans and supporting documentation: <ol style="list-style-type: none"> Mirror the plan for apartments A2.02, A3.02, A4.02 and A5.02. so that the living room is adjacent the party wall of units A2.01 and above. Unit A2.13, A3.13, A4.13 and A5.13. Delete window to room labelled B2 that faces the lobby. Mirror the plan for apartments B2.01, B3.01, B4.01 and B5.01. so that the living room is adjacent to the lobby. Units B3.01, B3.02, B4.01, B4.02, B5.01, B5.02. Cut back the balcony in front of Bedroom B1 so that it is no more than 2m deep. (Similar to Units A2.03) Each apartment is provided with storage with the following volumes: <ol style="list-style-type: none"> 1 bedroom: 4m³ 2 bedroom: 6m³ 3 bedroom: 8m³ <p>At least 50% of the storage volume above must be provided within the apartment outside the bedroom or kitchen.</p> Provide 5 bike parking spaces near the entry to the child care centre or 'Iron Bark Forest Walk' for the use of persons visiting the child care centre. The recommendations contained within f the Noise Impact Assessment prepared by Acoustic Logic dated 21 November 2022 with respect to glazing are satisfied. Access to Mall from Norfolk Lane: <ol style="list-style-type: none"> Remove the access to the "Mall" from "Norfolk Lane" and replace with an apartment with similar layout to BG02 (two storey town house style apartment) BG04 is 5.24m wide and the gap is 5.6m wide) Delete Unit AG01 Provide a pathway that extends from the colonnade in front of the Post Office to Norfolk Lane. The pathway is to be at least 3m wide. Glazed shopfronts with doors as indicated in the elevations are to face and connect to this pathway. <p>Design Amendments: Concept Development – Stage 2</p> <ol style="list-style-type: none"> The design of the concept development and building envelopes must be modified as follows, and any subsequent DA for the detailed design must include the following. <ol style="list-style-type: none"> The Civic Plaza has a minimum clear width open to the sky (excluding awnings) of 25m and area open to the sky (excluding awnings) of 950m²
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| | <ul style="list-style-type: none"> b. The plaza is to be predominantly at the same level and be activated by retail frontages on the south, east and western sides. c. The retail outlet that defines the eastern edge of the Civic Plaza is to be reconfigured so that it provides an active frontage to the Plaza.. d. The pedestrian lane that connects the Plaza to Norfolk Lane is to be 12m wide (excluding any awnings) e. The open space labelled “Park” on drawing DA-030-003 is to have an area of at least 1500m² f. The northern edge of the Stage 2 development is to include the deliver of: <ul style="list-style-type: none"> i. A continuous footpath of at least 2m wide is provided from Waterloo Road to the Plaza. ii. Street like grades for footpaths iii. At the completion of the stage the development is to have a presentation that includes the partial construction of the ‘High Street’ in the form of the southern kerb, as indicated in the DCP. iv. Street tree planting is provided between the footpath and the kerb. g. The driveway labelled “access to basement” is to be designed with a more ‘street’ like presentation with h. Driveways to the ‘High Street are to be deleted. Active street frontages that maximise retail exposure are to face the ‘High Street’ are to be provided. If considered necessary by the traffic consultant a single exit closest Waterloo Road may remain. <p>3. The Stage 2 Concept Plans are to be amended in accordance with the above condition and included in any subsequent DA for the detailed design. Remove apartments, and balconies, cores and corridors from the plans leaving only the external perimeter of the building from as the envelope in which any detailed development is accommodated.</p> |
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1.102.S

	Condition reason: To ensure the orderly development of land.
3.	<p>Concept Development</p> <p>The notice of determination grants specific consent for works associated with that portion of the Concept Development Application described as "Stage 1".</p> <p>This notice of determination does not grant consent for any demolition or construction works associated with any future stages of the proposed Concept Development. Separate development applications are to be submitted for each future stage of the development and any demolition, construction, drainage, infrastructure or civil works at the site.</p> <p>The following matters are not approved and do not form part of this concept development consent:</p> <ul style="list-style-type: none"> a) The precise total quantum of floor space. b) The quantum, ratio and distribution of retail, commercial and residential floor space. c) The indicative floor layouts of buildings. d) The number, position and configuration of residential apartments and retail tenancies. e) The floor levels of each storey. f) The number and configuration of car parking spaces, levels, bicycle spaces, car share spaces, service vehicle and truck loading spaces /zones. g) <i>The roundabout – Como Road/Internal Access / Waterloo Road</i>
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
4.	<p>Future Stage(s) of Concept Development must remain consistent</p> <p>While this development consent remains in force, each future stage of the development must not be inconsistent with the concept plan approved under DA-91/2023.</p>
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
5.	<p>No approval granted for childcare centre for number of children, fit out or operations</p> <p>No approval is granted or implied for the fitout or operations of any childcare tenancies. Separate development consent is to be obtained for the fitout of these premises, unless the use qualifies as 'exempt development'.</p>
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
6.	<p>No approved granted for retail tenancies fit out or operations</p> <p>No approval is granted or implied for the fitout or operations of any retail and commercial tenancies.</p> <p>Separate development consent is to be obtained for the use of these premises, unless the use qualifies as 'exempt development'.</p>
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
7.	<p>Stage 2 Substation</p> <p>No approval is granted for the siting of any substation for Stage 2. Any change to this condition requires an application to be submitted and determined by Council. The</p>

	<p>application must demonstrate how the structure/ facility will be integrated into the design of the building without being located within the front setback area, landscaped area or in any area visible from the public domain.</p> <p style="text-align: right;">1.901</p>
	Condition reason: To improve the presentation of the development within the streetscape.
8.	<p>Acoustic Report</p> <p>The acoustic report submitted in support of this application prepared by Acoustic Logic Pty Ltd, titled 'Noise Impact Assessment', reference number 20221068.1/2111A/R1/HD, dated 21/11/2022 and all the recommendations stated within the report, form part of the development consent.</p> <p>The addendum letter titled, Chullora Marketplace, 353-355 Waterloo Road, Greenacre- Review of Noise Impacts Along 87 Norfolk Road, prepared by Acoustic Logic Pty Ltd, dated 11 April 2024 reference 20221068.2/1904A/R2/HD and all the recommendations stated within the report, form part of the development consent.</p>
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
9.	<p>Vegetation management plan</p> <p>Any regeneration works in Norfolk Reserve would not be supported without prior approval of an amended Vegetation Management Plan, target threatened species searches, delineation of the agreed works area, consultation with Council, and an approved works methodology. These works are to be undertaken by appropriately qualified bush regeneration contractors with threatened species restoration experience.</p>
	Condition reason: To protect the natural environment of the development site and adjoining lands.
10.	<p>Landscaping</p> <p>All aspects of the landscaping must be completed according to the submitted landscape plan, prepared by LAND AND FORM, Amended DA Revision 3, submitted to council on the 2nd of May 2024, except where amended by the conditions of consent. The landscaping and deep soil areas are to be maintained at all times to the Council's satisfaction.</p>
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.

AUSGRID CONDITIONS

	Condition
11.	<p>Ausgrid Underground Cables are in the vicinity of the development</p> <p>The applicant/developer should note the following comments below regarding any proposal within the proximity of existing electrical network assets:</p> <p style="margin-left: 40px;">a. Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways.</p>

	<ul style="list-style-type: none"> b. It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Dial Before You Dig (DBYD). c. In addition to DBYD the proponent should refer to the following documents to support safety in design and construction: <ul style="list-style-type: none"> i. SafeWork Australia – Excavation Code of Practice. ii. Ausgrid’s Network Standard NS156 which outlines the minimum requirements for working around Ausgrid’s underground cables. d. The following points should also be taken into consideration: <ul style="list-style-type: none"> i. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. ii. Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.
	Condition reason: To ensure compliance with Ausgrid requirements
12.	<p>Ausgrid Overhead Powerlines are in the vicinity of the development</p> <p>The applicant/developer should note the following comments below regarding any proposal within the proximity of existing electrical network assets:</p> <ul style="list-style-type: none"> a. The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase. b. Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site. c. The “as constructed” minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website at www.ausgrid.com.au. d. It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer’s cost. e. Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances “Working Near Ausgrid Assets - Clearances”. This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries f. For new connections or to alter the existing electrical connection to the property from the Ausgrid network, the proponent should engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details: https://www.ausgrid.com.au/Connections/Get-connected

	Condition reason: To ensure compliance with Ausgrid requirements

DEMOLITION WORK

	Condition
13.	<p>Demolition Conditions</p> <p>The demolition of those structures so proposed to be removed from the property must be undertaken in accordance with all the following:</p> <ol style="list-style-type: none"> a. the Stage 1 works area (includes any structures) is to be assessed for hazardous materials, especially asbestos. A Hazardous Materials (HAZMAT) Report is to be prepared by a Type “A” inspection body accredited by NATA. b. All recommendations in the above-mentioned report are to be implemented and a clearance certificate issued by an appropriately qualified occupational hygienist is to be submitted to Council prior to the issue of a construction certificate. c. Written notice must be issued to adjoining residents a minimum of seven (7) days before the commencement of demolition advising of the commencement date, d. Written notice must be issued to Council for inspection a minimum of (7) days before the commencement of demolition. Written notice must include the date when demolition work will commence and details of the name, address, contact telephone number and licence number of the demolition contractor, e. Inspections being undertaken by Council including: <ol style="list-style-type: none"> i. A pre-commencement demolition inspection when all site works required as part of this Determination Notice are installed on the site and before demolition work commencing, and ii. A final demolition inspection when the demolition work has been completed to ensure that the site is left in a satisfactory manner, in accordance with the conditions of this Determination Notice, f. Payment of an inspection fee at Council’s current rate must be paid before inspection. Council requires 48 hours’ notice to carry out an inspection, g. A sign must be erected at the front of the property showing the name of the licenced demolition contractor, the licence number and a telephone number on which that person can be contact outside of working hours, h. All demolition work must be carried out in accordance with Australian Standard 2601 – ‘The Demolition of Structures’, i. Where asbestos containing materials are to be removed, demolition must be carried out by contractors who have a current SafeWork NSW licence in asbestos removal, j. An asbestos clearance certificate issued under the Work Health and Safety Act 2011 must be submitted to Council after the completion of demolition work, k. Hazardous and intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of SafeWork NSW and the NSW Environment Protection Authority,

	<p>l. Demolition procedures must maximise the reuse and recycling of demolished materials to reduce the environmental impacts of waste disposal,</p> <p>m. Adhere to the requirements stipulated in the approved Waste Management Plan, and</p> <p>n. Demolition may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no building work/s is to be carried out at any time on a Sunday or a public holiday.</p> <p>A copy of the final demolition inspection report must be submitted to the principal certifier before the commencement of any building work.</p> <p style="text-align: right;">3.201</p>
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE – STAGE 1

	Condition												
14.	<p>Development Contributions, Section 7.11 – Amounts TBD</p> <p><u>Development Contributions of \$1,457,731.19 must be paid for this development before the issue of any construction certificate.</u> The contributions are levied under Canterbury Bankstown Local Infrastructure Contributions Plan 2022 and Section 7.11 of the <i>Environmental Planning and Assessment Act 1979</i>. The contributions will be used to provide, extend or augment public amenities or public services required due to additional demand for these facilities created by the new development. The development contribution will be allocated to the following purposes under the contributions plan:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td>Insert relevant works category from Contributions Plan, e.g. see below</td><td></td></tr> <tr> <td>Open Space and Recreation facilities</td><td>\$923,334.39</td></tr> <tr> <td>Access and Public Domain Facilities</td><td>\$260,088.81</td></tr> <tr> <td>Community and Cultural Facilities</td><td>\$252,772.35</td></tr> <tr> <td>Plan Management & Administration</td><td>\$21,535.64</td></tr> <tr> <td></td><td>\$1,457,731.19</td></tr> </table> <p><u>Indexing of the contribution amount to be paid:</u> The development contribution payable will be adjusted, at the time of payment, to reflect Consumer Price Index increases which have occurred since the “Consent to operate from date” which appears on the front page of this Determination Notice.</p> <p><u>No construction certificate is to be issued and no construction is to commence until payment of development contributions.</u> The contribution must be paid to Council before the issue of any construction certificate. Construction of the development may NOT commence until the development contributions are paid.</p>	Insert relevant works category from Contributions Plan, e.g. see below		Open Space and Recreation facilities	\$923,334.39	Access and Public Domain Facilities	\$260,088.81	Community and Cultural Facilities	\$252,772.35	Plan Management & Administration	\$21,535.64		\$1,457,731.19
Insert relevant works category from Contributions Plan, e.g. see below													
Open Space and Recreation facilities	\$923,334.39												
Access and Public Domain Facilities	\$260,088.81												
Community and Cultural Facilities	\$252,772.35												
Plan Management & Administration	\$21,535.64												
	\$1,457,731.19												

	<p>A copy of the development contributions plan is available for inspection on Council's website and at Council's Administration offices in Bankstown and Campsie.</p> <p>NOTE: <u>Development contribution amounts are non-refundable if you do not proceed with your development.</u></p> <p>2.101</p>
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
15.	NOT USED
16.	<p>Payment of Fees</p> <p>Before Issuing a construction certificate, all the following must be paid to the relevant authority/entity and written evidence of these payments must be provided to the certifier.</p> <ul style="list-style-type: none"> a. Levies b. Bonds c. Contributions d. Inspection fees <p>2.103.S</p>
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
17.	<p>Long Service Levy</p> <p>Before the issue of the relevant construction certificate, payment of the long service levy is required, under the <i>Building and Construction industry Long Service Payments Act 1986</i>, section 34. Evidence of the payment is to be provided to the Certifier. Payment can be calculated using the Levy Portal Calculator at https://longservice.force.com/bci/s/levy-calculator. Payment must be made via the Long Service Levy Portal at https://www.longservice.nsw.gov.au.</p> <p>2.104.S</p>
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
18.	<p>Construction Cranes May Require Separate Approval</p> <p>Separate approval must be sought (where required) under the relevant Regulations for any equipment (i.e. cranes) required to construct the building. Construction cranes may be required to operate at a height above the proposed development and consequently, may require separate approval under the Regulations. It is advisable that approval to operate equipment (i.e. cranes) be obtained before the issue of any construction certificate.</p> <p>2.105</p>
	Condition reason: To ensure adequate approval of crane use.
19.	<p>Open Breezeways</p> <p>The walkways between buildings are approved as open breezeways only. No glass, screening, wall or the like shall provide protection from the elements to this area</p> <p>2.109</p>

	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
20.	Car Parking Details
	Before the issue of the relevant construction certificate, a suitably qualified engineer must review the plans which relate to parking facilities and provide written evidence, to the certifier's satisfaction, that it complies with the relevant parts of AS 2890 – 'Parking Facilities - Off-Street Carparking'
	2.110.S
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
21.	Access Intercom
	Where a boom gate or barrier control is in place, the visitor spaces must be accessible to visitors by the location of an intercom (or card controller system) at the car park entry, installed at least 4 metres recessed into the site, when measured from the property boundary with the street. The intercom is to be wired to all units.
	The intercom must comply with Australian Standard AS 1428.2: Design for access and mobility - Enhance and additional requirements - Building and facilities Sections 22 and 23.
	2.111
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
22.	Bicycle Parking Spaces for Stage 1
	The minimum number of bicycle parking spaces is to be provided for the development must comply with the below.
	<ul style="list-style-type: none"> a. Eighteen (18) Residential: b. Nine (9) Residential visitor c. Ten (10) Commercial Staff d. Six (6) Commercial visitor <p>Note: The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 – 'Parking Facilities' Part 3: Bicycle Parking Facilities and 'Austroads Bicycle Parking Facilities: Guidelines for Design and Installation.'</p>
	2.11
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
23.	Submit Plans to Sydney Water

	<p>The Council approved plans, including demolition plans, must be submitted to Sydney Water for assessment. This will determine if the proposed structure(s) will affect any Sydney Water infrastructure or if there are additional requirements. Building plan approvals can be submitted online via Sydney Water Tap in™.</p> <p>Refer to www.sydneywater.com.au/tapin for Sydney Water's Guidelines for building over or next to assets, visit www.sydneywater.com.au 'Plumbing, building & developing' then 'Building Plan Approvals' or call 13000 TAPIN™.</p> <p>Sydney Water must issue either a Building Plan Assessment letter which states that the application is approved, or the appropriate plans must be stamped by a Water Servicing Coordinator.</p> <p style="text-align: right;">2.202.S</p>
	<p>Condition Reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
24.	<p>BASIX Certificate</p> <p>The development must be carried out in accordance with the commitments shown on the submitted BASIX Certificate. The BASIX commitments must be reflected in the construction certificate plans and specifications. Any proposed changes to the BASIX commitments after the construction certificate has been issued will require an updated BASIX Certificate.</p> <p style="text-align: right;">2.206</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
25.	<p>Utilities and Services</p> <p>Before the issue of the relevant construction certificate, the consent holder must submit the following written evidence of service provider requirements to the certifier:</p> <ul style="list-style-type: none"> a. a letter of consent from the relevant electricity provider demonstrating that satisfactory arrangements can be made for the installation and supply of electricity; and b. a response from the relevant water authority as to whether the plans proposed to accompany the application for a construction certificate would affect any of the relevant water authority infrastructure, and whether further requirements need to be met; and a letter of consent from the relevant telephone and broadband authority demonstrating that satisfactory arrangements can be made for the installation and supply of telephone and internet; and c. other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, what changes are required to make the development satisfactory to them. <p style="text-align: right;">2.207</p>
	<p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
26.	<p>Mobility Access</p> <p>The building must be designed and constructed to provide access and facilities for people with a physical disability in accordance with the Building Code of Australia.</p>

	<p>If, in complying with this condition, amendments to the development are required, the design changes must be submitted to and approved by Council through a modification application before a construction certificate being issued.</p> <p style="text-align: right;">2.208</p>
	<p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
27.	<p>Adaptable Units</p> <p>Before the issue of the relevant construction certificate, the consent holder must ensure a report from a suitably qualified consultant is prepared and demonstrates, to the certifier's satisfaction, that any adaptable dwellings specified in the approved plans or supporting documentation comply with the provisions of AS 4299 – 'Adaptable Housing Standards'.</p> <p style="text-align: right;">2.210.S</p>
	<p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
28.	<p>Erosion and Sediment Control Plan</p> <p>Before the issue of a construction certificate, the consent holder is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:</p> <ol style="list-style-type: none"> Council's development control plan, the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book), and the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust). <p>The consent holder must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.</p> <p style="text-align: right;">2.211.S</p>
	<p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
29.	<p>Dilapidation report</p> <p>Before the issue of a construction certificate, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the certifier for the following properties:</p> <ul style="list-style-type: none"> Properties directly adjoining the development sites in Norfolk Rd and Waterloo Rd as follows: 81-105 Norfolk Rd 343-351 Waterloo Rd <p>Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the certifier, that all reasonable steps were taken to obtain access to the adjoining properties.</p>

	<p>No less than 14 days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be made available to Council upon request.</p> <p style="text-align: right;">2.212.P</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
30.	<p>NOT USED</p>
31.	<p>NOT USED</p>
32.	<p>Structural Adequacy Report</p> <p>A certificate from a practising and suitably qualified structural engineer certifying that the existing structure is capable of supporting the new superimposed loads from the approved development shall be submitted before the issue of a construction certificate.</p> <p>Note: The obligation to comply with requirements of the certificate may require building work to be carried out even though such works do not form part of this determination notice. In this instance, a modification application is to be submitted to and approved by Council before such works commencing on site.</p> <p style="text-align: right;">2.205</p> <p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies</p>
33.	<p>Combustible Cladding</p> <p>The external walls of the building including attachments must comply with the relevant requirements of the National Construction Code (NCC). Before the issue of a construction certificate and occupation certificate the certifier must:</p> <ol style="list-style-type: none"> Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built. <p style="text-align: right;">2.216</p> <p>Condition reason: To ensure compliance with the BCA.</p>
34.	<p>Retaining Walls</p> <p>Where Council approved cut or fill exceeds 200mm and stable batter of 1 vertical to 3 horizontal maximum grade cannot be achieved, then a masonry or other proprietary material retaining wall, intended and suitable for that purpose, shall be constructed within the development site. Note, filling of the site needs specific approval from Council.</p> <ol style="list-style-type: none"> The retaining wall shall be located so that it will not impede or obstruct the natural flow of stormwater. Retaining walls exceeding 600mm in

	<p>height shall be designed by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020. Plans and details prepared and signed by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020 are to be submitted to the certifier before the issue of the construction certificate.</p> <p>b. All works associated with the construction of the wall, including backfilling and drainage, is to be located wholly within the allotment boundaries.</p> <p style="text-align: right;">2.301</p>
	<p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
35.	<p>Apply for Work Permit for Engineering Works</p> <p>The consent holder shall apply for a Work Permit and obtain approval from Council, for any of the following applicable engineering works in front of the site, at their own expense, associated with Stage 1 of the proposed development:</p> <ul style="list-style-type: none"> a. 1 x Heavy Duty VFC at the boundary fronting Norfolk Road in accordance with Council's engineering standards, b. A concrete footway paving adjacent to the roadway within 87 Norfolk Rd) c. Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs, d. Repair of any damage to the public road including the footway occurring during building works, and e. Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority. <p>Note: Council is required to prepare a site survey and design in order to determine the necessary information. The consent holder should make application and payment for the Work Permit at least twenty-one (21) days before the information being required and before the issue of the construction certificate. The Work Permit must be approved before any works commencing within the Council Road Reserve or on Council's assets.</p> <p style="text-align: right;">2.302</p> <p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
36.	<p>Basement Anchoring</p> <p>The basement of the development is located adjacent to a Council public road reserve. Separate approval and Work Permit is to be obtained from Council for any temporary or permanent anchoring works under Council's public road.</p> <p style="text-align: right;">2.303</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
37.	<p>Works Requiring a Work Permit</p> <p>As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the <i>Roads Act 1993</i> and/or Section 68 of the <i>Local Government Act 1993</i>, Council requires the</p>

	<p>consent holder to obtain a Works Permit and or a Roadway / Footpath Building Occupation Permit before the issue of any construction certificate for this development being issued where one or more of the following will occur, within, on or over the public footway or public road:</p> <p>A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS</p> <p>WORKS REQUIRING A 'WORKS PERMIT'</p> <ol style="list-style-type: none"> Dig up, disturb, or clear the surface of a public footway or public road, Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road, Connect a road (whether public or private) to a classified road, Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road, Install utilities in, under or over a public road, Pump water into a public footway or public road from any land adjoining the public road, Erect a structure or carry out a work in, on or over a public road, Require a work zone on the public road for the unloading and or loading of vehicles, Pump concrete from within a public road, Stand a mobile crane within a public road, Store waste and recycling containers, skips, bins and/or building materials on any part of the public road, The work is greater than \$25,000, and Demolition is proposed. <p>The consent holder shall construct all works approved within the public road and footway under the supervision and to the satisfaction of Council and shall arrange for necessary inspections by Council whilst the work is in progress.</p> <p>The consent holder shall ensure that the person or company carrying out the work will carry public liability insurance to a minimum value of twenty million dollars and shall provide proof of the policy to Council, before commencing any work approved by the Work Permit including the Road Opening Permit. The policy must remain valid for the duration of the works.</p> <p style="text-align: right;">2.304</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
38.	<p>Finished surface levels</p> <p>Finished surface levels of all internal works and at the street boundary, including driveways, landscaping and drainage structures, must be as shown on relevant construction certificate plans. The levels at the street boundary must be consistent with the Street Boundary Alignment Levels issued by Council.</p> <p style="text-align: right;">2.305</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
39.	<p>Stormwater Drainage</p> <p>Stormwater drainage from the proposed development shall be designed to comply with Council's Canterbury-Bankstown Development Control Plan 2023,</p>

	<p>Development Engineering Standards Guide and the BASIX Certificate requirements. A final detailed stormwater drainage system design shall be prepared by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020 in accordance with the above requirements and shall generally be in accordance with the approved concept stormwater plans as shown in the table below. The final plan shall be certified by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020 that it complies with the above stated Council DCP and guide, the BASIX Certificate requirements and the relevant Australian Standards.</p> <table><tr><th>Plan Name</th><th>Number</th><th>Date</th><th>Prepared By</th></tr><tr><td>Civil Engineering Plans – Stage 1</td><td>22J17_DA_C000 to 22J17_DA_BE02</td><td>24/05/24</td><td>Henry & Hymas</td></tr><tr><td>Civil Engineering Plans – Stage 2 (Concept)</td><td>22J17_MP_C000 to 22J17_MP_BE02</td><td>24/05/24</td><td>Henry & Hymas</td></tr></table> <p>2.306</p>	Plan Name	Number	Date	Prepared By	Civil Engineering Plans – Stage 1	22J17_DA_C000 to 22J17_DA_BE02	24/05/24	Henry & Hymas	Civil Engineering Plans – Stage 2 (Concept)	22J17_MP_C000 to 22J17_MP_BE02	24/05/24	Henry & Hymas
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Civil Engineering Plans – Stage 2 (Concept)	22J17_MP_C000 to 22J17_MP_BE02	24/05/24	Henry & Hymas										
	<p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>												
40.	<p>Pump Out System</p> <p>The pump out drainage system for the driveway/access ramp and car parking area/open space area shall be provided in accordance with Council's Canterbury-Bankstown Development Engineering Standards. The Engineer must design the Pump out drainage system to be in accordance with the Australian Standards AS 3500. Engineering details and manufacturers specifications for the pumps, switching system and sump pit shall be submitted to the certifier for approval before the issue of any construction certificate. The engineer must certify that the hydraulic design complies with the above relevant standards.</p> <p>2.308</p>												
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>												
41.	<p>Pump Plans and Details</p> <p>Engineering details and manufacturers specifications for the pumps, switching system and sump pit shall be submitted to the certifier for approval before the issue of any construction certificate.</p> <p>2.309</p>												
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>												
42.	<p>Driveway Design</p> <p>The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-street commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities. The details must be submitted to and approved by the certifier before a construction certificate being issued.</p> <p>Furthermore, for internal driveways with a gradient exceeding 10% (1 in 10), longitudinal profiles of all vehicular driveways and ramps shall be submitted for</p>												

	<p>approval by the certifier before the issue of the construction certificate. The maximum grade of the driveway/ramp shall not exceed 25% and shall comply with AS 2890 parking series. The profile shall be drawn at a reduction ratio of 1 to 25 vertical and horizontal and shall be related to the datum used for the issue of the footway design levels and shall also show the road centre line levels, Council issued footway design levels and gutter levels. Council's Car Clearance Profile in Council's Development Engineering Standards, (Plan No. S 006) shall be used to design the profile.</p> <p style="text-align: right;">2.313</p>
	<p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
43.	<p>Pavement Design</p> <p>An all-weather pavement shall be designed to withstand the anticipated wheel loads for all areas subjected to vehicular movements. Internal pavements specification prepared and certified by a qualified professional Civil Engineer to comply with the relevant Australian Standards, shall be submitted to the certifier for approval before the issue of a construction certificate.</p> <p style="text-align: right;">2.314</p>
	<p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
44.	<p>Gated Vehicle Access</p> <p>Where a car park is accessed by a security gate, that gate must be located at least 6 metres within the site from the property boundary with the street or comply with AS2890.1:2004 whatever is the greater distance</p> <p style="text-align: right;">2.316</p>
	<p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
45.	<p>Site, Pedestrian and Traffic Management Plan</p> <p>Before the issue of any construction certificate for this development, the consent holder must obtain approval from Council's Traffic Section for a Site, Pedestrian and Traffic Management Plan (SPTMP). This Plan must address the measures that will be implemented for pedestrian safety and traffic management as specified below.</p> <p>A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN</p> <p>This plan shall include details of the following:</p> <ol style="list-style-type: none"> Proposed ingress and egress points for vehicles to and from the construction site; Proposed protection of pedestrians, adjacent to the constructions site; Proposed pedestrian management whilst vehicles are entering/exiting the construction site; Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period; Proposed traffic control measures (Traffic Guidance Scheme) such as advanced warning signs, barricades, warning lights, after hours contact numbers etc. are required to be displayed and shall be in accordance with

	<p>Council's and the NSW Roads and Maritime Services requirements and AS1742.3.</p> <p>f. Proposed route for transportation of bulk and excavation materials to and from the development site.</p> <p>The route for transportation to and from the development site of bulk construction and excavation materials shall be by the shortest practical route to the nearest "State Road", with every effort to avoid school zones on public roads. Alternate longer routes will only be considered in order to bypass school zones during school zone hours. If school zones cannot be avoided no heavy construction vehicle movements are to arrive or depart the site during signposted school zone periods 8:00am - 9:30am and 2:30pm - 4:00pm on school days. The consent holder shall nominate the routes for approval by Council before commencement of any work on the site. All vehicles are to enter the on-street Works Zone adjacent to the site in a forward direction. U-turn and right-turn movements into the site, are generally not permitted.</p> <p>An Agreement to Council's satisfaction, signed by the consent holder/owner specifying the approved route and acknowledging responsibility to pay Council for damages to public property adjacent to the site and for local roads along the transportation routes shall be lodged with Council before release of any Construction Certificate. All damage must be rectified upon completion of work.</p> <p>Damage will be rectified as required by Council to remove unsafe conditions. All damage must be rectified upon completion of work to the satisfaction of Council.</p> <p>g. Anticipated number of trucks per day</p> <p>h. Anticipated number of staff per day</p> <p>i. Duration of construction</p> <p>j. Details of how the site (retail) will continue to operate during the construction period, including maintaining access to loading areas and compliance with retail parking provision.</p> <p>k. Details of where construction heavy vehicle loading / unloading will be undertaken</p> <p>l. Hours of construction</p> <p>m. Works Zone - The installation of a "Works Zone" for the site will require the approval from the Traffic Advisory Committee and/or TfNSW. As a result, the applicant will provide a formal request to Council's Traffic Section with the duration and exact location of the required "Works Zone" at least 6 weeks prior to its required installation date. All costs associated with the installation of a "Works Zone" will be at the applicant's expense.</p> <p>n. Site Safety Fencing - Site fencing will be erected in accordance with SafeWork Guidelines, to exclude public access to the site during construction. The fencing will be erected before the commencement of any work and maintained throughout any building work.</p> <p>The approved Site, Pedestrian and Traffic Management Plan is to be implemented before the commencement of any works on the construction site.</p>
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	<p>In addition, a TfNSW (formerly RMS) Approval / Road Occupancy Licence will be required for works on Regional or State Roads or within 100m of a traffic facility including roundabouts and traffic signals. Refer to Council's Development Engineering Standards for a list of Regional and State Roads.</p> <p>Note: Approval by Council of a SPTMP may take up to six (6) months. Accordingly, it is recommended the application to Council be submitted well in advance of the need for a construction certificate.</p> <p style="text-align: right;">2.318</p> <p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
46.	<p>Construction Site Management Plan</p> <p>Before the issue of a construction certificate, a Construction Site Management Plan (CSMP) must be prepared and approved by the certifier. The plan must include the following matters:</p> <ul style="list-style-type: none"> a. The location and materials for protective fencing and hoardings on the perimeter of the site; b. Provisions for public safety; c. Pedestrian and vehicular site access points and construction activity zones; d. Details of construction traffic management including: <ul style="list-style-type: none"> i. Proposed truck movements to and from the site; ii. Estimated frequency of truck movements; and iii. Measures to ensure pedestrian safety near the site; e. Details of bulk earthworks to be carried out; f. The location of site storage areas and sheds; g. The equipment used to carry out works; h. The location of a garbage container with a tight-fitting lid; i. Dust, noise and vibration control measures; j. The location of temporary toilets; k. The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: <ul style="list-style-type: none"> i. AS 4970 – Protection of trees on development sites; ii. An applicable Development Control Plan; iii. An arborist's report approved as part of this consent A copy of the construction site management plan must be kept on-site at all times while work is being carried out. <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p style="text-align: right;">2.401.</p> <p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
47.	<p>Sight Triangles on Plans</p> <p>Sight triangles are to be marked on relevant plans, being provided at the intersection of the driveway and the property boundary in accordance with AS 2890.1: 'Figure 3.3 – Minimum Sight Lines for Pedestrian Safety'. A splay extending 2 metres from the driveway edge along the front boundary and 2.5 metres from the boundary along the driveway shall be provided to give clear sight lines of pedestrians from vehicles exiting the site and is to be kept clear of any</p>

	<p>obstacles. Any structures, plantings or fencing within these triangles is to be a maximum height of 600mm to ensure sight lines are kept clear of any obstacles. This shall be illustrated on plans submitted with the construction certificate.</p> <p style="text-align: right;">2.406</p>
	<p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
48.	<p>Waste Management Plan</p> <p>Before the issue of a construction certificate, a Waste Management Plan (WMP) must be prepared and provided to the certifier. The plan must include the following matters:</p> <p>The plan must be prepared</p> <ul style="list-style-type: none"> a. in accordance with: <ul style="list-style-type: none"> i. the Environment Protection Authority's Waste Classification Guidelines as in force from time to time, and ii. a development control plan that provides for waste management that applies to the land on which the work or the clearing of vegetation is carried out, and b. include the following information— <ul style="list-style-type: none"> iii. the contact details of the person removing waste, iv. an estimate of the type and quantity of waste, v. whether waste is expected to be reused, recycled or sent to landfill, vi. the address of the disposal location for waste. <p>A copy of the waste management plan must be kept on-site at all times while work approved under the development consent is being carried out.</p> <p style="text-align: right;">2.502</p>
	<p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
49.	<p>Plans to Include Bin Storage Area</p> <p>The construction certificate plans shall include details of the waste bin storage area. The bin storage area shall not be visible from the street. The bin storage area shall be located within the building or screened from the street by dense landscaping.</p> <p style="text-align: right;">2.503</p>
	<p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
50.	<p>For All Residential Garbage Chute Rooms</p> <p>The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the communal bin storage room that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":</p> <ul style="list-style-type: none"> a. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting; b. Floors must be finished so as to be non-slip with a smooth and even surface;

	<ul style="list-style-type: none"> c. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height. A minimum 2.7m unobstructed room height is required if bin lifting equipment is required; d. Must be compatible with the overall design of the development; e. Walls must be constructed of solid impervious material; f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned; g. Walls, ceiling and floors must be finished in a light colour; h. An adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock is to service the room; i. A self-closing door openable from within the room; j. Must be constructed to prevent the entry of birds and vermin; k. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room; l. Any doorways must be 2 metres wide m. Each of the three chute rooms must be designed as shown on the plans and to fit 8 x 1100L bins and the carousel bin rotating system. n. The 1100L bins in each chute room are to be mounted on carousel system systems; o. The chute is to terminate in the bin storage area and discharge directly into a 1100L bin; p. Must be designed and constructed so it can function effectively (gravity fed) and aligns as it passes through each level of the development; q. Designed in accordance with the requirements of the Building Code of Australia including fire rating, noise reduction and ventilation
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
51.	<p>Residential Garbage Holding Room</p> <p>The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the communal bin storage room that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":</p> <ul style="list-style-type: none"> a. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting; b. Floors must be finished so as to be non-slip with a smooth and even surface; c. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height. A minimum 2.7m unobstructed room height is required if bin lifting equipment is required; d. Must be compatible with the overall design of the development; e. Walls must be constructed of solid impervious material; f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned; g. Walls, ceiling and floors must be finished in a light colour; h. An adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock is to service the room; i. A self-closing door openable from within the room; j. Must be constructed to prevent the entry of birds and vermin;

	<ul style="list-style-type: none"> k. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room; l. Any doorways must be 2 metres wide m. Must be designed as shown on the plans and to fit; bin lifter, bin tug, platform lift and to fit 42x1100L bins
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
52.	<p>Bulky Waste Storage Room</p> <p>The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the bulky waste storage room that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":</p> <ul style="list-style-type: none"> a. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting; b. Floors must be finished so as to be non-slip with a smooth and even surface; c. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height; d. Must be compatible with the overall design of the development; e. Walls must be constructed of solid impervious material; f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned; g. Walls, ceiling and floors must be finished in a light colour; h. An adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock is to service the room; i. A self-closing door openable from within the room; j. Must be constructed to prevent the entry of birds and vermin; k. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room; l. Any doorways must be 2 metres wide and open outwards; m. Must have a direct route to the service lift for collection; and n. In total a minimum size of 32m². <p style="text-align: right;">2.507</p>
	Condition reason: To ensure the orderly collection of waste from the site.
53.	<p>Temporary Bin Collection Area</p> <p>The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the temporary bin collection area that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":</p> <p>(For On-Site Collection)</p> <ul style="list-style-type: none"> a. Within 5m from the nominated loading area; b. Any doorways a minimum 2 metres; c. Be located fully within the development site; d. Be of sufficient size to accommodate all bins with additional room for manoeuvring; e. Room for bulky waste;

	<p>f. Be clearly separated from car parking bays, footpaths and landscaped areas.</p> <p>g. FOGO bins to be stored in an enclosed area</p> <p style="text-align: right;">2.508</p>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
54.	<p>Waste Cupboards</p> <p>The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the recycling cupboards that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":</p> <ul style="list-style-type: none"> a. Maximum distance of 30 metres from all dwellings; b. Access is to be in accordance with AS 1428 (Set): 'Design for access and mobility'; c. Located directly adjacent to the chute hopper and contain only recycling bins; d. Must be of adequate size to accommodate enough recycling bins, which allows for three days of recycling generated by the number of dwellings on that floor; e. Designed to fit 2x240L bins facing forward; f. Designed so the doors are of sufficient width to allow the transfer/rotation of 240L bins; and g. The floor is to be constructed of a durable and impervious material with a smooth finish. <p style="text-align: right;">2.509</p>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
55.	<p>Waste Chute</p> <p>The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the waste chutes that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":</p> <ul style="list-style-type: none"> a. Chutes, service openings and charging devices are constructed of metal or a smooth faced surface which is fire resistant and of impervious material b. Chute is cylindrical in section, vertical and without bends as it passes through the floors c. Chutes must terminate in the waste storage room and discharge into a waste bin d. Comply with manufactures technical specifications and operational limitations. <p style="text-align: right;">2.510</p>
	Condition reason: To ensure the orderly collection of waste within the site.
56.	<p>Residential On-Site Waste Collection</p> <p>Before the issue of any construction certificate, the certifier must receive written confirmation from Council, that Council has been provided to its satisfaction with the following:</p>

	<ul style="list-style-type: none"> a. Detailed plans showing that the waste storage rooms identified on stamped plans will be capable of being accessed from the designed access roadway by a Heavy Rigid Vehicle (HRV) in accordance with AS2890.2, and that a loading area is available for the vehicle when collecting waste that meets the following requirements: <ul style="list-style-type: none"> i. Within 5 metres of the all waste storage rooms or temporary holding area; ii. A separate parking area for the collection vehicle; and iii. Include an extra 2 metres at the rear of the vehicle loading area. b. Certification from a suitably qualified engineer that the route of travel, loading area and entry and exit points will be constructed so as to support the following loading requirements: <ul style="list-style-type: none"> i. Heavy Rigid Vehicle can enter and exit the site in a forward position; ii. 30 tonne waste collection vehicles; iii. Turning circle of 25 metres; iv. Length of 12 metres; v. Clearance height of 4.5 metres
	Condition reason: To ensure the orderly collection of waste from the site.
57.	Commercial On-Site Waste Collection Before the issue of any construction certificate: <ul style="list-style-type: none"> a. Detailed plans showing that the waste storage rooms identified on stamped plans will be capable of being accessed from the designed access roadway by a Medium Rigid Vehicle (MRV) in accordance with AS2890.2, and that a loading area is available for the vehicle when collecting waste that meets the following requirements: <ul style="list-style-type: none"> i. Within 5 metres of the all waste storage rooms or temporary holding area; ii. A separate parking area for the collection vehicle; and iii. Include an extra 2 metres at the rear of the vehicle loading area. b. Certification from a suitably qualified engineer that the route of travel, loading area and entry and exit points will be constructed so as to support the following loading requirements: <ul style="list-style-type: none"> i. Medium Rigid Vehicle can enter and exit the site in a forward position; ii. 30 tonne waste collection vehicles; iii. Length of 8.8 metres; iv. Clearance height of 4.5 metres
	Condition reason: To ensure the orderly collection of waste from the site.
58.	Future Childcare Waste Storage The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the communal bin storage room that comply with the following requirements as well as the requirements of Council's "Waste Management Guide for New Developments":

	<ul style="list-style-type: none">a. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting;b. Floors must be finished so as to be non-slip with a smooth and even surface;c. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height.d. Must be compatible with the overall design of the development;e. Walls must be constructed of solid impervious material;f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned;g. Walls, ceiling and floors must be finished in a light colour;h. An adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock is to service the room;i. A self-closing door openable from within the room;j. Must be constructed to prevent the entry of birds and vermin;k. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room;l. Any doorways must be 2 metres widem. To be level with loading dock or the use of a dock leveller within the bin room opening onto the loading bayn. Designed to fit the following bin allocations:o. Commercial Waste Room to be a minimum of 15m² <table><tr><th>Number</th><th>Bin Size</th><th>Bin Type</th></tr><tr><td>3</td><td>660L</td><td>Garbage (Red)</td></tr><tr><td>3</td><td>660L</td><td>Recycling (Yellow)</td></tr></table> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>	Number	Bin Size	Bin Type	3	660L	Garbage (Red)	3	660L	Recycling (Yellow)
Number	Bin Size	Bin Type								
3	660L	Garbage (Red)								
3	660L	Recycling (Yellow)								
59.	<p>Waste Storage for Future Mini-Major</p> <p>The certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the communal bin storage room that comply with the following requirements as well as the requirements of Council’s “Waste Management Guide for New Developments”:</p> <ul style="list-style-type: none">a. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting;b. Floors must be finished so as to be non-slip with a smooth and even surface;c. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height.d. Must be compatible with the overall design of the development;e. Walls must be constructed of solid impervious material;f. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned;g. Walls, ceiling and floors must be finished in a light colour;h. An adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock is to service the room;i. A self-closing door openable from within the room;j. Must be constructed to prevent the entry of birds and vermin;k. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room;									

	<p>l. Any doorways must be 2 metres roller door</p> <p>m. Designed to fit the following bin allocations:</p> <p>n. Commercial Waste Room to be located and sized as on the WMP Rev 1.1</p>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
60.	<p>Carpark Exhaust</p> <p>Before the issue of a construction certificate, the certifier is to ensure that all carpark exhaust does not directly vent into private or communal open space.</p> <p style="text-align: right;">2.611</p>
	Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.
61.	<p>Landscaping Plan</p> <p>A detailed landscape plan prepared by a qualified landscape architect or qualified landscape designer must be approved by the certifier before the issue of a construction certificate. The final landscape plan must be in accordance with the finalised Vegetation Management Plan and Drawing SK-735-001 Deep Soil and Communal Space Diagrams (ADG) Setback Deep Soil Diagram prepared by Turner (Rev C) dated 17 June 2024. Additionally, the final landscape plan must be prepared in accordance with Canterbury Bankstown DCP 2023 and must include the following features, notations and specifications:</p> <ol style="list-style-type: none"> The location of existing and proposed structures on the subject property/properties, including existing and proposed trees, impermeable areas, landscaped areas, deep soil zones, fixed furniture, shade structures, lighting, and other features, Details of earthworks and soil depths, including mounding and retaining walls and planted boxes, The location, number, pot size and type of chosen plant species. Details of planting procedures and long-term maintenance (if any), and One 75ltr (minimum) major canopy tree shall be planted within the front setback to the development, and All the tree supply stocks shall comply with the guidance given in the publication <i>Specifying Trees: a guide to assessment of tree quality</i> by Ross Clark (NATSPEC, 2003), and All scheduled plant stock shall be pre-ordered, prior to issue of Construction Certificate or 3 months prior to the commence of landscape construction works, whichever occurs sooner, for the supply to the site on time for installation. Written confirmation of the order shall be provided to Council's Landscape Architect, prior to issue of any Construction Certificate. The order confirmation shall include name, address and contact details of supplier; and expected supply date, and Existing Trees to be retained must be protected in accordance with Submitted Arborist report by Naturally Trees and all aspects and requirements for the protection of existing trees as per Australian Standard 2009, AS 4970-2009 Protection of Trees on Development Sites to allow for the healthy ongoing life of these trees, and A tree protection barrier is to be erected around the perimeter of the Tree Protection Zone as defined in the Australian Standard 2009, AS 4970-2009 Protection of Trees on Development Sites prior to the commencement of any site works. The barrier is to be well maintained during construction.

	<p>No building material storage or construction activity shall be allowed to encroach within the Tree Protection Zones, and</p> <ul style="list-style-type: none"> i. Details of drainage and watering systems (if any). j. <i>Trees required to be removed to support the development must be replaced at a minimum 3:1 ratio in accordance with Council's Tree Management Manual.</i> <p style="text-align: right;">2.701</p>
	<p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
62.	<p>Landscape Management</p> <p>A Stage 1 landscape management plan is to be submitted to and approved by the certifier before the issue of a construction certificate. The plan is to demonstrate who is responsible for and how the landscape features will be installed and detail the responsibility of ongoing maintenance of the landscaping.</p> <p style="text-align: right;">2.705</p>
	<p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
63.	<p>Council's Tree Management Order</p> <p>Approval in accordance with Council's Tree Management Order (TMO) is granted to lop or remove only those trees identified to be lopped or removed on the approved plans. If not indicated on the approved plans, separate approval must be obtained to prune or remove trees on adjoining properties or other trees located on the site. A person(s) who contravenes or causes or permits the TMO to be breached shall be guilty of an offence and liable for prosecution.</p> <p style="text-align: right;">2.703</p>
	<p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
64.	<p>Design Verification SEPP (Housing) 2021</p> <p>A construction certificate shall not be issued until design verification from a qualified designer has been received. The design verification is a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development of which development consent was granted, having regard to the design quality principles set out in Schedule 9 of SEPP (Housing) 2021.</p> <p style="text-align: right;">2.901</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
65.	<p>No Air conditioning units visible</p> <p>No air-conditioning equipment is to be visible from the public domain. Equipment and associated wiring shall:</p> <ul style="list-style-type: none"> a. Not be located on awnings or attached to the face of the building, b. Not be located on roofs in such a way that it is visible from any street, footpath or park, c. Be visually screened if located 1.8 metres above ground level in other locations, and d. Wiring shall be fully concealed. <p>All construction certificate documentation is to demonstrate compliance with these requirements.</p> <p style="text-align: right;">2.902</p>

	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
66.	Air conditioning units – BASIX requirements
	The location of any air-conditioning and hot water units and associated infrastructure must be located to ensure that they are not visible from the street, and that they do not result in a non-compliance with the relevant built form controls and private open space controls contained within the Apartment Design Guide. Confirmation from a suitably qualified architect that the BASIX commitments do not compromise the design guidance as contained within the Apartment Design Guide must be provided to the certifier before the issue of a construction certificate.
	2.903
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
67.	Hydrant boosters on plans
	All hydrant boosters and associated services and shield walls are to be contained within cabinets and / or designed to match the appearance of the main structure of the development.
	2.904
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
68.	Rooftop equipment
	All roof-top plant and associated equipment must be located within the approved building envelope and must not be visible from the public domain.
	2.905
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
69.	Site Remediation
	Prior to the issue of an occupation certificate, the entire Stage 1 site area is to be remediated in accordance with: <ul style="list-style-type: none"> a. The approved Remedial Action Plan, prepared by Douglas Partners Pty Ltd, titled Remediation Action Plan Stage 1 Development and Stage 2 Concept-Chullora Marketplace, dated 22 May 2024, reference 72807.02; b. State Environmental Planning Policy (Resilience and Hazards) 2021; c. The guidelines in force under the Contamination Land Management Act 1997; and <p>The applicant must engage an appropriately qualified and experienced environmental consultant to supervise all aspects of site remediation and validation.</p> <p>Any variations to the approved remedial action plan must be submitted to and approved in writing by an NSW EPA Accredited Site Auditor and Council prior to the continuing of such work.</p>
	Condition reason: To protect the natural environment of the development site and adjoining lands.
70.	Validation Report Required
	Prior to issue of the Occupation Certificate, the proponent must submit a detailed validation report to Council.

	<p>The validation report must be prepared in accordance with:</p> <ol style="list-style-type: none"> 'Managing Land Contamination: Planning Guidelines (Department of Urban Affairs and Planning and NSW EPA, 1998); Relevant EPA Guidelines, noting the guidelines for 'Consultants Reporting of Contaminated Land 2020 and National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013). <p>The validation report must be prepared or reviewed and approved by an appropriately qualified environmental consultant.</p> <p>The validation report must verify that the land is suitable for the proposed use(s), and that the remediation and validation of the site has been undertaken in accordance with the Remedial Action Plan, prepared by Douglas Partners Pty Ltd, titled Remediation Action Plan Stage 1 Development and Stage 2 Concept-Chullora Marketplace, dated 22 May 2024, reference 72807.02</p> <p style="text-align: right;">2.601</p>
	<p>Condition reason: To protect the natural environment of the development site and adjoining lands.</p>
71.	<p>Environmental Management Plan</p> <p>Where the validation report identifies the need for the implementation of a long-term environmental management plan, the plan must be submitted to Council and the principal certifier. The ongoing environmental management plan must be prepared in accordance with:</p> <ol style="list-style-type: none"> NSW Contaminated Land Planning Guidelines; Relevant EPA endorsed guidelines; and National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013). <p>The long-term environmental management plan must be prepared or reviewed and approved by a suitably qualified environmental consultant</p> <p>The long-term environmental management plan must be submitted to, and approved by, Council prior to the issue of an occupation certificate. .</p> <p>The long-term environmental management plan must describe the nature and location of the contamination and prescribe how the contaminants will be managed/monitored and the responsible parties for this management/monitoring in the long-term.</p> <p>The long-term environmental management plan must specifically outline the construction details, and the requirements of management and monitoring of the containment cell to ensure it is maintained appropriately, its integrity remains intact, and to avoid migration of contamination. The ongoing environmental management plan must also include a contingency plan if the systems fail.</p> <p style="text-align: right;">2.602</p>
	<p>Condition reason: To protect the natural environment of the development site and adjoining lands.</p>

72.	<p>Design Certificate</p> <p>Prior to the issue of a Construction Certificate, a detailed “design” certificate from an experienced and qualified traffic engineer with tertiary qualifications is to be submitted to and approved by the Principal Certifying Authority confirming the following:</p> <ol style="list-style-type: none"> a. The car parking layout and loading areas associated with the development (including, driveway grades, headroom clearance turn paths, aisle widths, aisle lengths and parking bay dimensions) should be in accordance with AS2890.1:2004, AS2890.2:2018 and AS2890.6:2022 b. Bicycle parking associated with the development is designed in accordance with AS2890.3 design requirements and provided at the following rate: <ol style="list-style-type: none"> i. A minimum of 18 and a maximum of 30 bicycle spaces for residents; ii. A minimum of 9 visitor bicycle spaces iii. A minimum of 16 retail bicycle spaces split (10 staff and 6 visitor). c. Driveway access complies with Figure 3.3 of AS2890.1:2004 minimum sight lines for pedestrian safety: <ol style="list-style-type: none"> i. The residential basement access provides for a minimum of 6m at 5% gradient and provides for compliant sight lines for pedestrian safety. d. All vehicles shall enter and exit the premises in a forward direction; e. Confirmation that the plans provide the following parking facilities: <ol style="list-style-type: none"> i. Residential: <ul style="list-style-type: none"> ▪ A minimum of 113 residential spaces including nine (9) accessible spaces; ▪ A minimum of 23 residential visitor spaces allocated as residential visitor spaces with 17 in the Basement 2 car park (including one accessible space) and six (6) provided in Norfolk Lane ▪ One (1) Car Wash Bay ii. Retail / Child Care Centre <ul style="list-style-type: none"> ▪ A minimum of 134 retail spaces including five (5) accessible spaces ▪ 33 x child care centre car parking spaces including one accessible space. f. A minimum of 2.5m headroom within car parking spaces or people with a disability in accordance with AS2890.6:2022 design requirements and a minimum of 2.2m in all other areas in accordance with AS2890.1:2004 design requirements. g. There are to be no parking spaces that are fully or partially enclosed such that enclosers may render adjacent parking spaces non-complaint with respect to the required dimensions. h. The internal vehicular access, pedestrian facilities and parking facilities (including resident/disabled/car share parking, motorcycle and bicycle parking) shall be designated and/or line marked in accordance with current Australian Standards (AS1742, Manual of Uniform Traffic Control Devices and relevant AS2890 series - parts .1-2004; .3-2015 and .6-2009). Appropriate traffic management measures are to be provided throughout all basement levels. i. Convex safety mirrors to be installed to improve visibility around corners j. The height clearance above the loading bay is to have a clearance of 4.5m minimum with no obstruction from utility pipes or other fixtures. k. All allocated visitor car parking spaces shall be freely available for the visitors of the proposed development.
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	<ul style="list-style-type: none"> l. No deliveries to the premises shall be made direct from a public place or street inclusive of footpaths, nature strip, roadway and car parks. m. All loading and unloading of vehicles in relation to the use of the premises shall take place wholly within the dedicated loading/unloading areas, which is wholly within the site. n. No access is permitted from the retail car park to utilise Norfolk Lane. o. No vehicular access is permitted by visitors to the child care centre to utilise Norfolk lane. p. Appropriate traffic management to be provided at the basement connection with Norfolk Lane, to safely management vehicular traffic along Norfolk Lane and into and out of the basement car park.
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation and to ensure compliance with the relevant Australian Standard.

BEFORE BUILDING WORK COMMENCES

	Condition
73.	<p>Certifier details</p> <p>A construction certificate is required for the erection of a building in accordance with this Determination Notice.</p> <p>This Determination Notice does not authorise building work until a principal certifier has been appointed as the principal certifier for the work by (or with the approval of) the consent holder.</p> <p>The following requirements apply before the commencement of building work in accordance with this Determination Notice:</p> <ul style="list-style-type: none"> a. the principal certifier has, no later than two (2) days before the building work commences, notified the Consent Authority and the Council (if the council is not the Consent Authority) of their appointment as the principal certifier, b. the principal certifier has, no later than two (2) days before the building work commences, notified the consent holder of any inspections that are required to be carried out in respect of the building work, c. the person carrying out the building work has notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case, d. the consent holder, if not carrying out the work as an owner-builder, has: <ul style="list-style-type: none"> i. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and ii. notified the principal certifier of the appointment, and iii. unless that person is the principal contractor, notified the principal contractor of any inspections that are required to be carried out in respect of the building work,

	<p>e. the consent holder has given at least a 2-day notice to the Council, and the principal certifier if not the Council, of the person's intention to commence the erection of the building.</p> <p>3.202</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
74.	<p>Section 73 Compliance Certificate</p> <p>A Section 73 Compliance Certificate under the <i>Sydney Water Act 1994</i> must be obtained from Sydney Water. It is recommended that the consent holder apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design. Application can be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Section 73 Compliance Certificates, or telephone 13 20 92.</p> <p>3.203</p>
	<p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
75.	<p>Temporary fence or hoarding</p> <p>A fence must be erected around the area of the development site, except where an existing 1.8 metres high boundary fence is in good condition and can secure the area. Any new fencing must be temporary and at least 1.8 metres high. All fencing must be maintained throughout the construction period to ensure that the work area is secured.</p> <p>Where the work is located within 3.6m of a public place, then a Type A or Type B hoarding must be constructed appropriate to the work proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval before the commencement of building work/s.</p> <p>3.204</p>
	<p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
76.	<p>Dilapidation report</p> <p>No less than 14 days before the commencement of any site or building work, the adjoining owner(s) must be provided with a copy of the dilapidation report for their property(ies).</p> <p>3.205.S</p>
	<p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
77.	<p>WC temporary toilet facilities on site</p> <p>Before the commencement of work, the consent holder must provide a temporary on-site toilet if access to existing toilets on site is not adequate/available. Temporary on-site toilet facilities must be installed and be adequately maintained throughout the construction period.</p> <p>3.206</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
78.	<p>Install Erosion control</p>

	<p>Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by the principal certifier) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).</p> <p style="text-align: right;">3.207</p>
	<p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
79.	<p>Soil and water management warning sign</p> <p>Council's warning sign for Soil and Water Management must be displayed throughout the construction period at the most prominent point of the site, visible to both the street and site.</p> <p style="text-align: right;">3.208</p>
	<p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
80.	<p>Sign with principal certifier details</p> <p>A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:</p> <ul style="list-style-type: none"> a. showing the name, address and telephone number of the principal certifier for the work, and b. showing the name of the principal contractor (if any) for any 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. <p>Any such sign is to be maintained while the building work or demolition work is being carried out and must be removed when the work has been completed.</p> <p>Note: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.</p> <p style="text-align: right;">3.209.P</p>
	<p>Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</p>
81.	<p>Contract of Insurance</p> <p>In the case of residential building work for which the <i>Home Building Act 1989</i> requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.</p> <p style="text-align: right;">3.210.P</p>
	<p>Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.</p>
82.	<p>Residential building work</p> <p>Residential building work within the meaning of the <i>Home Building Act 1989</i> must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the following information —</p>

	<p>a. In the case of work for which a principal contractor is required to be appointed—</p> <ol style="list-style-type: none"> the name and licence number of the principal contractor, and the name of the insurer by which the work is insured under Part 6 of that Act, <p>b. In the case of work to be done by an owner-builder—</p> <ol style="list-style-type: none"> the name of the owner-builder, and if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit. <p>If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.</p> <p style="text-align: right;">3.211.P</p>
	Condition reason: Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.
83.	<p>Assess for Hazardous Materials</p> <p>Before demolition, the stage 1 site area (including any structures) is to be assessed for hazardous materials, especially asbestos. A Hazardous Materials (HAZMAT) Report is to be prepared by a Type “A” inspection body accredited by NATA.</p> <p>All recommendations in the above-mentioned report are to be implemented and a clearance certificate issued by an appropriately qualified occupational hygienist is to be submitted to Council before the commencement of demolition works.</p> <p style="text-align: right;">3.601</p>
	Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.
84.	<p>Tree protection measures</p> <p>Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place.</p> <p style="text-align: right;">3.801.S</p>
	Condition reason: To protect the natural environment of the development site and adjoining lands.

DURING BUILDING WORK

	Condition
85.	<p>Procedure for Critical Stage Inspections</p> <p>While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p> <p style="text-align: right;">4.101.S</p>
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
86.	Works in accordance with Building Code of Australia (BCA)

	<p>Building work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).</p> <p style="text-align: right;">4.201.P</p>
	Condition reason: Prescribed condition - EP&A Regulation clause 98(1)(a).
87.	<p>Affixing of signage</p> <p>The construction and fixing of any signage is to be carried out in accordance with details prepared by a suitably qualified practising structural engineer, in accordance with the structural provisions of the Building Code of Australia (BCA).</p> <p style="text-align: right;">4.202</p>
	Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.
88.	<p>BASIX commitments</p> <p>While building work is being carried out, the consent holder must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.</p> <p style="text-align: right;">4.203.P</p>
	Condition reason: Prescribed condition under section 75 of the Environmental Planning and Assessment Regulation 2021.
89.	<p>Hours of Work</p> <p>Site work must only be carried out between the following times –</p> <ol style="list-style-type: none"> 7.00 am and 5.00 pm on Monday to Saturday. No construction is to be carried out at any time on a Sunday or a public holiday. <p>Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p style="text-align: right;">4.204.S</p>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
90.	<p>Noise and Vibration</p> <p>Prior to the issue of a construction certificate, a noise and vibration management plan must be prepared and approved by the certifier <i>to ensure that any noise caused by construction does not exceed an LAeq (15min) of 10dB(A) above background noise, when measured at any lot boundary of the property where the site work is being carried out</i>.</p> <p><i>While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved documentation.</i></p> <p style="text-align: right;">4.205.S</p>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites
91.	<p>Surveys by a registered surveyor</p> <p>While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier:</p> <ol style="list-style-type: none"> All footings / foundations in relation to the site boundaries and any registered and proposed easements

	<p>b. At other stages of construction – any marks that are required by the principal certifier.</p> <p>4.206.S</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
92.	<p>Civil and Hydraulic engineering works</p> <p>All civil and hydraulic engineering works on site must be carried out in accordance with Council's Canterbury-Bankstown Development Engineering Standards. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must be carried out in accordance with Council's Work Permit requirements and to Council's satisfaction.</p> <p>4.301</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
93.	<p>Stormwater drainage system</p> <p>The stormwater drainage system shall be constructed in accordance with Council's Canterbury-Bankstown Development Engineering Standards and the engineering plans and details approved by the principal certifier. Should the consent holder encounter any existing, live, underground stormwater drainage pipes, which carry flow from upstream properties, then they must maintain the stormwater flow and re-route the stormwater pipes around the subject building or structures at their own expense.</p> <p>4.302</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
94.	<p>Connection to existing water</p> <p>The existing internal stormwater drainage system, and the stormwater drainage system draining the site shall be cleaned out, tested for leaks and repaired as necessary. A licensed plumber is to certify that the work has been carried out.</p> <p>4.303</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
95.	<p>Driveway adequacy</p> <p>A suitably qualified Professional Civil or Structural Engineer shall be engaged by the developer to carry out inspections relating to construction of internal driveways and parking areas. The work shall be carried out in accordance with the approved plans and specifications and certification from the Civil or Structural Engineer is to be provided upon completion.</p> <p>4.306</p> <p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
96.	<p>Responsibility for Changes to Public Infrastructure</p> <p>While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority.</p> <p>4.307.S</p>

	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
97.	Excavated safety
	<p>All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards.</p> <p>If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the consent holder must, at their own expense:</p> <ol style="list-style-type: none"> Protect and support the building, structure or work from possible damage from the excavation, and Where necessary, underpin the building, structure or work to prevent any such damage. <p>This consent condition does not apply if the consent holder owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.</p> <p>The owner of any affected buildings is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on an adjoining allotment of land.</p> <p style="text-align: right;">4.308</p>
	Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.
98.	Shoring and adequacy of adjoining properties
	<p>If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the consent holder must, at their own expense —</p> <ol style="list-style-type: none"> Protect and support the building, structure or work from possible damage from the excavation, and Where necessary, underpin the building, structure or work to prevent any such damage. <p>This condition does not apply if the consent holder owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.</p> <p style="text-align: right;">4.309.P</p>
	Condition reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.
99.	Retaining walls
	<p>If soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions must be made for drainage. Should it be required, separate approval must be obtained for retaining walls.</p> <p style="text-align: right;">4.310</p>

	Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.
100.	Inspection by resource recovery
	No work may be carried out to construct the ground floor slab unless the principal certifier is satisfied and provides evidence to Council of that satisfaction that the waste facilities within the basement comply with the specifications of the stamped plans. Council can be contacted on 9707 9000.
	4.501
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
101.	Waste management
	While site work is being carried out: <ul style="list-style-type: none"> a. all waste management must be undertaken in accordance with the waste management plan, and b. upon disposal of waste, records of the disposal must be compiled and provided to , detailing the following: <ul style="list-style-type: none"> i. The contact details of the person(s) who removed the waste ii. The waste carrier vehicle registration iii. The date and time of waste collection iv. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill v. The address of the disposal location(s) where the waste was taken vi. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. <p>If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and council.</p>
	4.502.S
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
102.	Comply with Waste management plan
	The requirements of the submitted Waste Management Plan shall be complied with at all times that work is being carried out. Without limiting the foregoing, compliance shall include the following: <ul style="list-style-type: none"> a. The disposal of any demolition and construction waste must be undertaken in accordance with the requirements of the <i>Protection of Environment Operations Act 1997</i>; and b. All waste on site is to be stored, handled and disposed of in such a manner as to not create air pollution, offensive noise or pollution of land and water as defined by the <i>Protection of Environment Operations Act 1997</i>; and c. Generation, storage, treatment and disposal of hazardous waste is conducted in accordance with the relevant waste legislation administered by the EPA and relevant Occupational Health and Safety legislation administered by WorkCover NSW; and d. All waste generated (including excavated materials) which cannot be reused or recycled must be transported to a facility which can lawfully accept it; and

	<p>e. Records are required regarding the details and location of the disposal of all demolition and construction waste (including excavated material), description of waste and are to be kept on site as evidences of lawful disposal. Records are to include receipts and weighbridge dockets which verify material types and volumes, time and date of disposal, waste vehicle rego, and confirmation of the waste disposal facility. Records/ details are also to be kept of person removing the waste; and</p> <p>f. All materials and resources that are to be stored on site during construction works are contained on the site; and</p> <p>g. The provisions of the <i>Protection of Environment Operations Act 1997</i> must be complied with when placing/stock piling loose material, disposal of concrete waste or activities which have potential to pollute drains and water courses; and</p> <p>h. The storage of waste and recycling containers must be within the boundaries of the development site at all times. Public footways and roads must not be used for the storage of any waste and must be kept clear of obstructions during all construction works.</p> <p style="text-align: right;">4.503</p>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
103.	<p>Hazardous finds</p> <p>Any new information revealed during building work/s that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the principal certifier. Works are to cease until the new information is evaluated by an appropriately qualified and experienced environmental consultant and an appropriate response determined by the consent holder and/or owner which is agreed to by Council. Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the new contamination information.</p> <p style="text-align: right;">4.601</p>
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
104.	<p>Site audit statement</p> <p>In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental consultant appointed to further assess the site. The exposed material/excavation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the consent holder, which is agreed to by Council.</p> <p>Council may also request that an NSW EPA Accredited Site Auditor is involved to assist with the assessment of any unexpected finds, review any contamination information and prepare a Site Audit Report and Site Audit Statement. The consent holder must adhere to any additional conditions which may be imposed by the NSW EPA Accredited Site Auditor</p> <p style="text-align: right;">4.603</p>
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
105.	<p>No Stockpiling</p> <p>There must not be any stockpiling of building spoil, materials, or storage of equipment on the public road during the construction period. The footway and</p>

	<p>the road reserve must always be maintained in a safe condition. No work can be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.</p> <p>4.605</p>
	<p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
106.	<p>Soil assessment</p> <p>All soils and material, liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and experienced environmental consultant, in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and related guidelines, the 'Waste Classification Guidelines' (NSW EPA, 2014), before off-site disposal.</p> <p>The waste classification report, including the results of testing, must be compiled, or reviewed and approved by an appropriately qualified and certified consultant, and must be submitted to and approved by the Principal Certifier before off-site disposal. A copy of the waste classification report must be submitted to Council before issuing of an occupation certificate.</p> <p>All waste material must be disposed of at an appropriately licensed waste facility for the specific waste. Receipts for the disposal of the waste must be submitted to Council before issuing of an occupation certificate.</p> <p>All waste must be transported by a contractor licensed to transport the specific waste, and in vehicles capable of carting the waste without spillage and meeting relevant requirements and standards. All loads must be covered before vehicles leaving the site.</p> <p>4.607</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
107.	<p>Waste Disposal</p> <p>All waste material generated during demolition and construction must be disposed of at an appropriately licensed waste facility for the specific waste. All waste must be transported by a contractor licensed to transport the specific waste, and in vehicles capable of carting the waste without spillage and meeting relevant requirements and standards. All loads must be covered prior to vehicles leaving the site.</p>
	<p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
108.	<p>Keep free of water</p> <p>All excavations must be kept free from the accumulation of water. Before approval must be sought from Council to discharge any water into the Council's stormwater drainage system. Other options for the disposal of water include disposal to sewer with before approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.</p> <p>4.609</p>
	<p>Condition reason: To ensure works undertaken are carried out in a safe manner in accordance with relevant policies.</p>
109.	<p>Importing of fill</p>

	Any fill imported onto the site must be verified for suitability for use as part of the development under the process outlined in Remedial Action Plan, prepared by Douglas Partners Pty Ltd, titled Remediation Action Plan Stage 1 Development and Stage 2 Concept- Chullora Marketplace, dated 22 May 2024, reference 72807.02. The verification certificates must be provided to Council prior to the issue of an occupation certificate.
	Condition reason: To protect the natural environment of the development site and adjoining lands.
110.	Duty to report
	If the Duty to Report contamination to the NSW EPA under Section 60 of the Contaminated Land Management Act 1997 is triggered, Council must be notified within seven (7) days of the notification to the NSW EPA. 4.602
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
111.	Car wash bunding
	The carwash bay is to be bunded and connected to the sewer system to dispose of wastewater in accordance with the requirements contained in Council's Bankstown Development Engineering Standards. 4.612
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
112.	Implementation of the site management plans
	While site work is being carried out: <ul style="list-style-type: none"> a. the measures required by the construction site management plan (where approved) and the erosion and sediment control plan must be implemented at all times, and b. a copy of these plans must be kept on site at all times and made available to council officers upon request. 4.701.S
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
113.	Boundary fencing
	Where replacement boundary fencing is required to be installed, it must be 1.8 metres high unless otherwise shown on the approved plans or as stipulated within this Determination Notice. The materials and colours of the fence must be selected in consultation with the adjoining property owners unless the design of the fence and the type of material is specified to allow for overland flow. All costs related to fencing must be borne by the consent holder. 4.702
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
114.	Tree protection during work
	While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with:

	<ul style="list-style-type: none"> a. the construction site management plan (where approved) under this consent, b. the relevant requirements of AS 4970 Protection of trees on development sites, c. Council's relevant development control plan (in force as at the date of determination of this consent) and d)any arborist's report approved under this consent. <p>This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones</p> <p style="text-align: right;">4.807.S</p>
	Condition reason: To protect the natural environment of the development site and adjoining lands.
115.	<p>Tree protection</p> <p>All work carried out on or around protected trees during demolition, clearing and construction shall comply with Australian Standard AS 4373 – 'Pruning of amenity trees' and Australian Standard AS 4970 – 'Protection of trees on development sites'. Site specific conditions relating to tree protection shall take precedence over this requirement.</p> <p style="text-align: right;">4.806</p>
	Condition reason: To protect the natural environment of the development site and adjoining lands.
116.	<p>Threatening of trees</p> <p>If any trees to be retained and protected are threatened by demolition, building or other site works through accidental omission or unforeseen circumstances, the approving authority is to be notified immediately in writing before such work is continued so that this issue can be resolved.</p> <p style="text-align: right;">4.810</p>
	Condition reason: To protect the natural environment of the development site and adjoining lands.
117.	<p>Historic Archaeology - Unexpected Findings</p> <p>If unexpected archaeological deposits are found during the works covered by this approval, work must cease in the affected area(s) and Heritage NSW must be notified. Additional assessment and approvals pursuant to the Heritage Act 1977 may be required prior to works continuing in the affected area(s) based on the nature of the discovery.</p>
	Condition reason: To ensure the protection of objects of potential significance during works
118.	<p>Discovery of relics and Aboriginal objects</p> <p>While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <ul style="list-style-type: none"> a. the work in the area of the discovery must cease immediately; b. the following must be notified <ul style="list-style-type: none"> i. for a relic – the Heritage Council; or ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85. <p>Site work may recommence at a time confirmed in writing by:</p>

	<p>a. for a relic – the Heritage Council; or</p> <p>b. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.</p> <p>In this condition: “relic” means any deposit, artefact, object or material evidence that:</p> <ul style="list-style-type: none"> relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and is of State or local heritage significance; and <p>“Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.</p> <p style="text-align: right;">4.901.S</p>
	Condition reason: To ensure the protection of objects of potential significance during works

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE – STAGE 1

	Condition
119.	<p>Site Consolidation must be registered</p> <p>Consolidation of the existing allotments must be registered by NSW Land Registry Services before the issue of an occupation certificate.</p> <p style="text-align: right;">5.911</p> <p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
120.	<p>Occupation certificate</p> <p>The occupation or use of the building must not commence unless an occupation certificate has been issued.</p> <p style="text-align: right;">5.201</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
121.	<p>Number of car parking spaces</p> <p>301 off-street car parking spaces shall be provided and maintained for the use of residential. residential visitor, retail and child care centre to the premises in accordance with the submitted plans. Such spaces are to be sealed and line marked and maintained for the lifetime of the development.</p> <p style="text-align: right;">5.105</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
122.	<p>Allocation of car parking spaces</p> <p>304 off-street car spaces being provided in accordance with the submitted plans. This shall comprise:</p>

	<ul style="list-style-type: none"> a. 113 residential spaces b. 23 residential visitor spaces c. 134 retail spaces <p>Note: 16 of the required car parking spaces are to be provided for people with mobility impairment in accordance with AS 2890.1 as per condition 72. All car parking spaces shall be allocated and marked according to these requirements.</p> <p style="text-align: right;">5.106</p>
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
123.	<p>Accessible car allocations</p> <p>For residential development, accessible car parking spaces for people with mobility impairment are only to be allocated as visitor parking or to adaptable units. Where allocated to adaptable units, the unit(s) and car spaces must be assigned to the unit in any future strata subdivision of the building.</p> <p style="text-align: right;">5.107</p>
	<p>Condition reason: To ensure orderly development of land.</p>
124.	<p>Encroachment on Council land</p> <p>Before the issue of an occupation certificate, the principal certifier must ensure that no portion of the approved structure, including gates and doors during opening and closing operations, provides for encroachment upon Council's footpath area.</p> <p style="text-align: right;">5.202</p>
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
125.	<p>Slab certification</p> <p>A report as prepared by a registered surveyor must be submitted to the principal certifier verifying that the reduced level (RL) of the finished floor level at each level, the height of external walls, the maximum reduced level (RL) of roof structures / roof eaves overhangs and the external wall setbacks to the property boundaries all conform with the approved plans.</p> <p style="text-align: right;">5.203</p>
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
126.	<p>Preservation of survey marks</p> <p>Before the issue of an occupation certificate, a registered surveyor must submit documentation to the principal certifier which demonstrates that:</p> <ul style="list-style-type: none"> a. no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or b. any survey mark(s) that were damaged, destroyed, obliterated or defaced have been re-established in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure. <p style="text-align: right;">5.204.S</p>
	<p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
127.	<p>Post-construction dilapidation report</p>

	<p>Before the issue of an occupation certificate, a post-construction dilapidation report must be prepared by a suitably qualified engineer, to the satisfaction of the principal certifier, detailing whether:</p> <ol style="list-style-type: none"> after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and where there has been structural damage to any adjoining buildings, that it is a result of the work approved under this development consent, and a copy of the post-construction dilapidation report must be provided to council (where council is not the principal certifier or a principal certifier is not required) and to the relevant adjoining property owner(s). <p style="text-align: right;">5.205.S</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
128.	<p>Mechanical ventilation</p> <p>Before the issue of an occupation certificate, the principal certifier must ensure that the car park is ventilated in accordance with the Building Code of Australia and, where necessary, Australian Standard AS 1668, Parts 1 and 2. Ventilation must be controlled by carbon monoxide monitoring sensors to ensure compliance with occupant health requirements.</p> <p style="text-align: right;">5.206</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
129.	<p>Completion of Public Utility Services</p> <p>Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.</p> <p style="text-align: right;">5.207.S</p> <p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
130.	<p>Section 73 certificate</p> <p>The Section 73 compliance certificate under the <i>Sydney Water Act 1994</i> must be submitted to the principal certifier before the issue of an occupation certificate.</p> <p style="text-align: right;">5.208</p> <p>Condition reason: To ensure compliance with the relevant New South Wales legislation.</p>
131.	<p>Mechanical ventilation</p> <p>Before issue of an occupation certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A2.2 (a) (iii) of the Building Code of Australia, must be submitted to the principal certifier.</p> <p style="text-align: right;">5.209</p> <p>Condition reason: To ensure compliance with the relevant Australian Standard and National Construction Code.</p>
132.	Work Permit Compliance required

	<p>An occupation certificate must not be issued until all conditions relating to demolition, building and subdivision works have been satisfied and Council has issued a Work Permit Compliance Certificate (where applicable).</p> <p style="text-align: right;">5.301</p>
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
133.	<p>Repair of infrastructure</p> <p>Before the issue of an occupation certificate:</p> <ol style="list-style-type: none"> a. any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of council, and at no cost to council, or b. if the works in (a) are not carried out to council's satisfaction, council may carry out the works required and the costs of any such works must be paid as directed by council and in the first instance will be paid using the security deposit required to be paid under this consent. <p style="text-align: right;">5.302.S</p>
	<p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
134.	<p>Works-as-executed plans and any other documentary evidence</p> <p>Before the issue of the relevant occupation certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier:</p> <ol style="list-style-type: none"> a. All stormwater drainage systems and storage systems, and b. The following matters that council requires to be documented in accordance with the Councils relevant Development Control Plan. c. A copy of the plans must be provided to council with the occupation certificate. <p style="text-align: right;">5.303.S</p>
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
135.	<p>Restriction of use / covenant</p> <p>The developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of OSD on title", as outlined in Council's Canterbury-Bankstown Development Engineering Standards and in accordance with the appropriate provisions of the <i>Conveyancing Act 1919</i>.</p> <p>Where subdivision is not proposed, the surveyor shall show the location of the "On-Site Stormwater Detention System" on an A4 size site plan attached to the Section 88E Instrument to be registered, on the title of the subject property, before the issue of the Final Occupation Certificate. Alternatively, where subdivision is proposed, the developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of OSD on title", as outlined in Council's</p>

	<p>Canterbury-Bankstown Development Engineering Standards and in accordance with the appropriate provisions of the Conveyancing Act. The surveyor shall show the location of the "On-Site Stormwater Detention System" on the plan of subdivision. The developer shall submit evidence of the final registration of the Restriction and Positive Covenant on the title of the property, to Council.</p> <p>5.304</p>
	<p>Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.</p>
136.	<p>Driveways certified</p> <p>A suitably qualified professional civil engineer shall certify that the driveways, parking bays, and service areas have been constructed in accordance with the approved plans and specifications. Such Certification shall be submitted before the issue of the occupation certificate or occupation of the site.</p> <p>5.307</p>
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
137.	<p>Give way signs</p> <p>The following signs must be provided and maintained within the site at the point(s) of vehicle egress:</p> <ul style="list-style-type: none"> a. Compelling drivers to stop before proceeding onto the public way b. Compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an existing or identified shared path route. <p>5.308</p>
	<p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
138.	<p>Confirmation of waste facilities</p> <p>No occupation certificate may be issued until such time as written confirmation has been received from Council that all waste management facilities and associated access have been constructed in accordance with the requirements of this consent. The waste management facilities include the path of travel for all waste, from unit to point of waste collection, waste storage room sizing, access to water and sewer connections, finished materials, access and doorway dimensions, truck turntables, bin tugs and bin lifting equipment.</p> <p>5.501</p>
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
139.	<p>Agreement with Council</p> <p>Before the issue of any occupation certificate, an agreement must be entered into with Council on terms satisfactory to Council for the collection of residential waste.</p> <p>5.502</p>
	<p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
140.	<p>Removal of Waste Upon Completion</p> <p>Before the issue of an occupation certificate:</p>

	<p>a. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the waste management plan, and</p> <p>b. written evidence of the waste removal must be provided to the satisfaction of the principal certifier.</p> <p>5.503.S</p>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
141.	<p>Completion of Landscape and Tree Works</p> <p>Before the issue of an occupation certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.</p> <p>5.701.S</p>
	Condition reason: To protect the natural environment of the development site and adjoining lands and to ensure the development is built and remains consistent with approved plans and documentation.
142.	<p>Key card access</p> <p>Before the issue of an occupation certificate, the principal certifier must ensure that access to the residential lobby is secured through a key card, swipe card, intercom or other method to restrict access to the lobby to only residents or visitors.</p> <p>5.901</p>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
143.	<p>Master locks</p> <p>Before the issue of an occupation certificate, the principal certifier must ensure that the letterboxes installed have non-master key locks, to prevent theft and fraud.</p> <p>5.902</p>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
144.	<p>CCTV surveillance cameras</p> <p>Before the issue of an occupation certificate, the principal certifier is to ensure that on-site CCTV surveillance cameras have been strategically installed and that they will operate and be maintained throughout the development with particular coverage to:</p> <ul style="list-style-type: none"> a. principal entrance/s and exits; b. all areas within the premise occupied by the public (excluding toilets); c. staircases in multilevel premises; and d. the area within a 10m radius external to the public entrance(s) to the premise. <p>Installation of the surveillance system is to ensure suitable and clearly visible signage is displayed at the principal entrance(s) to the premise and in a prominent position on each floor accessible to the public, in lettering not less than 50mm in height with the words "Closed Circuit Television in use on these premises".</p>

	<p>All CCTV recording equipment and cameras shall be of high-grade digital quality capable of establishing the population and identification of patrons, offenders and incidents within the depth of field view of the cameras.</p> <p>CCTV recording discs or hard drive recordings shall be retained for 28 days before being re-used, destroyed or deleted. Time and date shall be auto recorded on the disc or hard drive. The CCTV recording equipment shall be capable of reproducing a CD, DVD, USB or other appropriate digital copy of recorded footage on demand of Council or Police Officers either immediately or within 12 hours of the request being made. Copy discs must be handed to Council, Police Officer or Special Inspectors as required.</p> <p>All CCTV recording devices and cameras shall be regularly checked to ensure the equipment is operating correctly. If it is discovered at any time that the equipment is not in full operating order all reasonable steps must be taken to repair the system as soon as practicable. Where the system will not be functioning in full operating order for a period of longer than 24 hours the manager/licensee is to notify the relevant Local Area Commander of the NSW Police.</p> <p>All CCTV recording devices and cameras shall be operated at all times when the premises are open to the public and, where premises do not operate 24 hours a day, continuously for at least 1 hour before opening and closing times of the premises.</p> <p>The CCTV recording device shall be secured within the premises and only be accessible to senior management personnel so as to maintain the integrity of the recorded footage.</p> <p>Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.</p> <p style="text-align: right;">5.903</p>
	<p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
145.	<p>Property numbering</p> <p>The buildings / dwellings must be readily identified from the street with the allocated house numbers. An official "property numbering" letter will be issued to the consent holder indicating the proposed numbering of the new development. House numbering without Council's written approval is not permitted.</p> <p style="text-align: right;">5.904</p>
	<p>Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.</p>
146.	<p>Lighting must be provided to entries</p> <p>Lighting must be provided to the entries of the dwellings, driveways and parking areas to promote a high level of safety and security at night and during periods of low light. All lighting must be hooded, shielded or directed away from neighbouring dwellings to minimise glare and associated nuisances to residents.</p> <p style="text-align: right;">5.906</p>
	<p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
147.	<p>Design of lighting</p>

	Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby public roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Interim Australian Standard AS 4282 – ‘The Control of the Obtrusive Effects of Outdoor Lighting’.	5.907
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites and to ensure compliance with the relevant Australian Standard and National Construction Code.	
148.	Design principles SEPP (Housing) 2021	
	Before the issue of any occupation certificate a design verification from a qualified designer shall be submitted to the principal certifier. The design verification is a statement in which the qualified designer verifies that the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in Part 2 of SEPP No. 65.	5.908
	Condition reason: To ensure compliance with the relevant New South Wales legislation.	
149.	Acoustic validation	
	Prior to the issue of any occupation certificate the principal certifier shall obtain a report from an appropriately qualified acoustic consultant, not previously involved with the development, stating that the recommendations outlined in the acoustic report prepared by Acoustic Logic Pty Ltd, titled, ‘Noise Impact Assessment’, report number 20221068.1/2111A/R1/HD, dated 21/11/2022 and addendum letter titled, Chullora Marketplace, 53-355 Waterloo Road, Greenacre- Review of Noise Impacts Along 87 Norfolk Road, prepared by Acoustic Logic Pty Ltd, dated 11 April 2024 reference 20221068.2/1904A/R2/HD have been implemented and that the relevant noise criteria have been satisfied. A copy of the report is to be submitted to Council prior to the issue of any occupation certificate.	5.605
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation	
150.	As-built certificate	
	Prior to the issue of an Occupation Certificate for Stage 1, a “as built” certificate from an experienced and qualified traffic engineer with tertiary qualifications is to be submitted to and approved by the Principal Certifying Authority confirming the as-built conditions comply with the construction plans as required by Condition 72.	
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation	
151.	Childcare centre parking	
	A minimum of 17 childcare centre car parking spaces are to be signposted and line marked as child care centre parent car parking between 7am to 9:30am and 2:30pm to 6:00pm Monday to Friday.	
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation	

OCCUPATION AND ONGOING USE

	Condition
152.	Communal facilities
	The communal facilities must be available for the use all residents of the building, and must be operated as common property on any strata subdivision of the site, with no exclusive use rights given. <div>7.104</div>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
153.	Not used
154.	Not used
155.	Parking spaces
	No part of the common property, apart from the visitor vehicle spaces which are to be used only by visitors to the building, and service vehicle spaces which are to be used only by service vehicles, is to be used for the parking or storage of vehicles or boats. <div>7.106</div>
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
156.	Use of roof
	No approval is granted or implied for the use of any roof element for any purpose, <u>other than</u> for gaining access to carry out maintenance or repairs or to use any approved communal areas. <div>7.114</div>
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.
157.	Car parking not for storage
	The approved car parking spaces, driveways and manoeuvring areas are to be used for residents, employees and visitors' vehicles only and not for the storage of new or used materials, finished goods or commercial vehicles. <div>7.301</div>
	Condition reason: To ensure the development is built and remains consistent with approved plans and documentation and to provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
158.	Waste generated on site
	All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create offensive odour, offensive noise or pollution of land and/or water as defined under the <i>Protection of the Environment Operations Act 1997</i> . All waste generated shall be removed and disposed of by an authorised waste removal contractor. A copy of the waste removal agreement and receipts shall be made available to Council on request. <div>7.504</div>
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.

159.	Stormwater Detention
	The on-site stormwater detention storage system within the site as constructed shall not be altered and shall be maintained in good working order to the satisfaction of Council. 7.302
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
160.	Maintenance of wastewater and stormwater treatment device
	During occupation and ongoing use of the building, all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) must be regularly maintained to remain effective and in accordance with any positive covenant (if applicable). 7.303.S
	Condition reason: To protect existing public and private infrastructure and building works during demolition, construction and ongoing use of the development.
161.	Enter / Exit in forward direction
	All vehicles associated with the development are to enter and exit the site in a forward direction. 7.402
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
162.	Waste Management Plan
	The requirements of the submitted Waste Management Plan shall be complied with at all times that the approved development is being carried out. 7.501
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
163.	Commercial waste contract
	The consent holder shall enter into a commercial contract for the collection of wastes and recycling. A copy of the commercial waste and recycling contract shall be lodged with Council and invoices should be available for inspection at any time. 7.502
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
164.	Commercial waste
	All commercial uses must engage and utilise the services of a private waste collection service and must have written evidence on site of a valid and current contract with a licenced waste collector for waste and recycling collection disposal. 7.503
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
165.	Bin room signage
	Adequate signage is to be provided and maintained on how to use the waste management system and what materials are acceptable for recycling within all waste storage areas of the development. Signage is also to be provided and maintained which clearly identifies which bins (and containers) are to be used for general waste and recycling and what materials can be placed in each bin.

	7.505
	Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.
166.	Waste and recycling policy
	The development must be carried out in compliance with Council's "Domestic Waste and Recycling Service Policy and Guideline".
	7.506
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
167.	Waste containers
	No waste storage containers are to be located or placed outside the approved waste storage area at any time except for collection purposes.
	7.507
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
168.	Maintenance of waste room
	Any waste facilities approved under this consent must be maintained in a proper and workmanlike state at all times and must be kept clear and accessible to Council to undertake waste collection services. The facilities must not be altered without prior Council approval.
	7.508
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
169.	On-Site Collection Point
	The nominated on-site collection point is to be utilised to facilitate the collection of waste and recycling bins for the development. The on-site collection point is always to be kept clear of obstructions so not to restrict the collection of waste and recycling bins.
	7.511
	Condition reason: To ensure compliance with the relevant Canterbury Bankstown policy.
170.	Excessive vibrations
	The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage to other premises as defined in the 'Assessing Vibration: A Technical Guideline' (NSW Department of Environment and Conservation, 2006).
	7.605
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
171.	Independent acoustic report
	Following occupation of the building/premises, should it be found that the measures recommended in the acoustic assessment are not sufficient, or have been incorrectly installed or a noise issue (relating to the development) not previously identified arises (through complaint or otherwise), the owner/ occupier must, upon request by Council, employ the services of a qualified acoustic consultant who has not previously been involved with the development to undertake a post-occupation assessment of the development and complete an acoustic report with recommendations to rectify the situation. A copy of this acoustic assessment report must be submitted to Council for approval and from

	<p>there noise attenuation works must be implemented. Submission of the acoustic report must be within 30 days from the date requested by Council.</p> <p>7.620</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
172.	<p>Internal Activities</p> <p>The applicant must ensure that all activities within the premises comply with the relevant sections of the <i>Protection of the Environment Operations Act 1997</i> and Regulations and the Noise Policy for Industry (NSW EPA, 2017).</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
173.	<p>Use of site</p> <p>Any activity carried out in accordance with this approval must not give rise to offensive odour, offensive noise or pollution of air, land or water as defined in the <i>Protection of the Environment Operations Act 1997</i> and Regulations.</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
174.	<p>Car parking not for other uses</p> <p>The car parking spaces, driveways and manoeuvring areas must be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.</p> <p>The car parking spaces, driveways and manoeuvring areas must not be used for the manufacture, storage or display of goods, materials or any other equipment (includes mobile food vending vehicles).</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation and to provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
175.	<p>Amenity Impacts</p> <p>The operation of the development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, ash, dust, wastewater, waste products, grit, oil or other harmful products.</p> <p>Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.</p>
176.	<p>Maintenance of landscaping</p> <p>The approved landscaping and external work must be maintained post occupation and must not be altered or changed without Council approval or unless the altered work is carried out in accordance with the relevant provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p> <p>7.701</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
177.	<p>No queuing</p> <p>No vehicular queuing is to occur out of the site onto Waterloo Road.</p>

	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites.
178.	Maintenance of lighting Any lighting of the premises must be installed and maintained in accordance with AS/NZS 4282-2019, 'Control of the obtrusive effects of outdoor lighting', to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads. Flashing, moving or intermittent lights or signs are prohibited. The intensity, colour or hours of illumination of the lights must be varied at Council's discretion if Council considers there to be adverse effects on the amenity of the area.
	7.902
	Condition reason: To protect and enhance the amenity of the occupants of the development site and the occupants of adjoining sites and to ensure compliance with the relevant Australian Standard and National Construction Code.

SUBDIVISION

	Condition
179.	Future subdivision needs Development consent Any proposal for subdivision will require a separate application to Council to obtain development consent and the subsequent approval of the plan of subdivision and issue of a subdivision certificate under Section 6.15 of the <i>Environmental Planning and Assessment Act 1979</i> .
	6.008
	Condition reason: To ensure compliance with the relevant New South Wales legislation.

CONDITIONS TO BE SATISFIED FOR FUTURE STAGES

	Condition
180.	Concept Development Separate development applications are to be submitted for each future stage of the development and any demolition, construction, drainage, infrastructure or civil works at the site. While this development consent remains in force, each future stage of the development must not be inconsistent with the concept plan approved under DA-91/2023.
	Condition reason: To ensure compliance with the relevant New South Wales legislation.
181.	Development Contributions Development contributions will be levied for future stages of the development in accordance with Council's <i>Development Contributions Plan</i> and the Housing Productivity Commission. The contributions will be levied on the basis of the estimated capital investment value (CIV) of each stage of the development, complete with detailed costings from a registered quantity surveyor.

182.	<p>Acoustic Report</p> <p>Unless otherwise already covered by the acoustic report submitted in support of this application prepared by Acoustic Logic Pty Ltd, titled 'Noise Impact Assessment', reference number 20221068.1/2111A/R1/HD, dated 21/11/2022 and the recommendations stated within the report, a new acoustic report shall be prepared for all future development applications for future stages of the development.</p> <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>
183.	<p>New Waterloo Access</p> <p>The Applicant shall obtain approval to install a median to restrict right turns into and out of the new vehicular access on Waterloo Road (Stage 2), alternatively:</p> <p>a. The applicant shall obtain approval to install regulatory signage to restrict right turns into and out of the new vehicular access on Waterloo Road (Stage 2).</p> <p>The detailed design is to be undertaken in accordance with the relevant Standards, guidelines and technical directions, and submitted to Council's Traffic and Transport Services for organising approval. All cost associated with the construction including relevant Council fees are to be paid by the applicant at no cost to Council.</p> <p>Condition reason: To create new road access.</p>
184.	<p>Roundabout – Como Road / Internal Access / Waterloo Road</p> <p>Prior to the issue of a construction certificate for any future stages of the development, the Applicant shall obtain approval for the upgrade of the roundabout at Como Road / Internal Access / Waterloo Road, which includes pedestrian facilities on all approaches and an outline of the extent of kerbside parking removal.</p> <p>The detailed design is to be undertaken in accordance with the relevant Standards, Austroad guidelines and technical directions, and submitted to Council's Traffic and Transport Services for organising approval. <i>The application for approval is to be supported by a road safety audit.</i> All cost associated with the construction including relevant Council fees are to be paid by the applicant at no cost to Council.</p> <p>Condition reason: To create new road access.</p>
185.	<p>Apply for Work Permit for Engineering Works</p> <p>The consent holder shall apply for a Work Permit and obtain approval from Council, for any of the following applicable engineering works in front of the site, at their own expense, for future stages of the development:</p> <p>a. 1 x Heavy Duty VFC at the property boundary fronting Waterloo road in accordance with Council's engineering standards for 2-way road-way intersection,</p> <p>b. Construction of 1 x new stormwater kerb inlet pit along with DN450mm Council's inground drainage extension pipeline within Como Road,</p> <p>c. 1 x stormwater connection to Council's new kerb inlet pit at the roundabout within Como Rd,</p>

	<ul style="list-style-type: none"> d. Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs, e. Repair of any damage to the public road including the footway occurring during building works, and f. Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority. <p>Note: Council is required to prepare a site survey and design in order to determine the necessary information. The consent holder should make application and payment for the Work Permit at least twenty-one (21) days before the information being required and before the issue of the construction certificate. The Work Permit must be approved before any works commencing within the Council Road Reserve or on Council's assets.</p> <p>2.302</p>
	<p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
186.	<p>Design Certificate</p> <p>Prior to the issue of any Construction Certificate for any future stages of the development, a detailed "design" certificate from an experienced and qualified traffic engineer with tertiary qualifications is to be submitted to and approved by the Principal Certifying Authority confirming the following:</p> <ul style="list-style-type: none"> a. The car parking layout and loading areas associated with the development (including, driveway grades, headroom clearance turn paths, aisle widths, aisle lengths and parking bay dimensions) should be in accordance with AS2890.1:2004, AS2890.2:2018 and AS2890.6:2022 <ul style="list-style-type: none"> i. . b. Driveway access complies with Figure 3.2 and 3.3 of AS2890.1:2004. c. All vehicles shall enter and exit the premises in a forward direction; d. The new vehicular access from Waterloo Road is to be restricted to left in / left out via the provision of a raised median within Waterloo Road or regulatory signage. <ul style="list-style-type: none"> i. Signage is to be provided to restrict pedestrian access to use the new access from Waterloo Road. e. A minimum of 2.5m headroom within car parking spaces or people with a disability in accordance with AS2890.6:2022 design requirements and a minimum of 2.2m in all other areas in accordance with AS2890.1:2004 design requirements. f. There are to be no parking spaces that are fully or partially enclosed such that enclosers may render adjacent parking spaces non-complaint with respect to the required dimensions. g. The internal vehicular access, pedestrian facilities and parking facilities (including resident/disabled/car share parking, motorcycle and bicycle parking) shall be designated and/or line marked in accordance with current Australian Standards (AS1742, Manual of Uniform Traffic Control Devices and relevant AS2890 series - parts .1-2004; .3-2015 and .6-2009). Appropriate traffic management measures are to be provided throughout all basement levels.

	<ul style="list-style-type: none"> h. Convex safety mirrors to be installed to improve visibility around corners i. All allocated car parking spaces shall be freely available for the visitors of the proposed development. j. No deliveries to the premises shall be made direct from a public place or street inclusive of footpaths, nature strip, roadway and car parks. k. All loading and unloading of vehicles in relation to the use of the premises shall take place wholly within the dedicated loading/unloading areas, which is wholly within the site. l. No access is permitted from the retail car park to utilise Norfolk Lane. m. No vehicular queuing is to occur out of the site onto Waterloo Road. <p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation and to ensure compliance with the relevant Australian Standard.</p>
187.	<p>Construction Traffic Management Plan</p> <p>Prior to the Issue of a Construction Certificate for any future stages of the development, a Construction Traffic Management Plan is to be provided and approved by Council detailing but not limited to the following:</p> <ul style="list-style-type: none"> a. Construction vehicle routes; b. Anticipated number of trucks per day; c. Anticipated number of staff per day d. Hours of construction; e. Duration of construction; f. Traffic Control Plans (Traffic Guidance Scheme) to manage construction vehicles; g. Access arrangements; h. Details of how the site (retail) will continue to operate during the construction period, including maintaining access to loading areas, Stage 1 retail car parking and child care centre and compliance with retail parking provision. i. Details of where construction heavy vehicle loading / unloading will be undertaken j. Construction traffic is not permitted to the site during school pick-up and drop-off periods as 8:00am to 9:30am and 2:30pm to 4:00pm school days. k. Proposed traffic measures to minimise impacts of construction vehicles must be submitted for the approval of Council's Engineers. Council's Engineers must specify in writing that they are satisfied with the Traffic Management Plan prior to the issue of the Construction Certificate. l. Hours of Construction and Building Work - Any work activity or activity associated with the development consent that requires the use of any tools (including hand tools) or any power operated plant and machinery must not be performed, or permitted to be performed, except between the hours of 7.00 am to 5.00 pm, Monday to Saturday inclusive. No work or ancillary activity is permitted on Sundays, or Public Holidays. m. Works Zone - The installation of a "Works Zone" for the site will require the approval from the Traffic Advisory Committee and/or TfNSW. As a result, the applicant will provide a formal request to Council's Traffic Section with the duration and exact location of the required "Works Zone" at least 6 weeks prior to its required installation date. All costs associated with the installation of a "Works Zone" will be at the applicant's expense.

	<p>n. Site Safety Fencing - Site fencing will be erected in accordance with SafeWork Guidelines, to exclude public access to the site during construction. The fencing will be erected before the commencement of any work and maintained throughout any building work.</p>
	<p>Condition reason: To provide and maintain orderly and safe areas for vehicular and pedestrian movement / parking.</p>
188.	<p>As-built certificate</p> <p>Prior to the issue of an Occupation Certificate for any future stages of the development, an “as built” certificate from an experienced and qualified traffic engineer with tertiary qualifications is to be submitted to and approved by the Principal Certifying Authority confirming the as-built conditions comply with the construction plans</p>
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation</p>
189.	<p>Roundabout to be completed prior to issue of Occupation Certificate</p> <p>Prior to the issue of any occupation certificate for any future stages of the development, the applicant shall construct the roundabout in Waterloo Roads approved pursuant to condition 184.</p>
	<p>Condition reason: To ensure the development is built and remains consistent with approved plans and documentation.</p>