

DA-122/2015, Demolition of existing structures and construction of mixed use development with basement parking at 892-906 Canterbury Road, Roselands.

PART A DEFERRED COMMENCEMENT CONDITIONS

DEFERRED COMMENCEMENT

This is a "Deferred Commencement" consent that is granted subject to conditions under Section 80(3) of the Environmental Planning and Assessment Act 1979 that the consent is not to operate until the person with the benefit of this consent satisfies Canterbury-Bankstown Council ("Council") as to the matters set out in this Part (PART A) below. The period within which the applicant must produce evidence to the Council sufficient enough to enable it to be satisfied as to the matters in PART A is twelve (12) months.

If the person with the benefit of this consent produces evidence to the Council within the period specified sufficient to enable the Council to be satisfied as to the matters set out in Schedule A below and the Council notifies the person in writing that it is satisfied as to the relevant matters, the development consent shall become operative subject to compliance with conditions outlined in PART B.

Should the required information not be provided in the time period nominated above, the deferred commencement consent shall lapse.

Deferred Commencement Conditions

1. An updated landscape plan consistent with the plans referred to in Condition 5 of Part B of this consent is to be provided to the Council for approval. The landscape plan is to include details of the following:
 - a) The protection of the existing street tree 1 x Lophostemon Confertus (Common name: Brush Box) located in the grass verge to Flora Street.
 - b) One street tree is to be provided on the nature strip to Flora Street adjoining the development. This tree is to be of a Lophostemon confertus (common name Brushbox) species and be provided in 75ltr size (container size).
 - c) Details of the surface finish including detail to the children's play area within the common open space to the first floor.

- d) Details of selected materials to the seating, shelters, barbecues and outdoor gym shown to communal areas.
 - e) The top of wall heights to ALL raised planter beds to indicate the appropriate soil depth has been provided for the proposed planting.
 - f) An increase in the scheduled density of planting. The landscape designer is advised to utilise a strategy of mass planting of individual species in groups to achieve a more amenable design outcome rather than a scattering of different species across the site.
 - g) A greater variety of tree species is to be included in the design to provide variation in height colour and texture to landscaped areas.
 - h) A Maintenance Schedule is to be provided including:
 - i. A Replacement strategy for failures in plant materials and built works,
 - ii. Maintenance schedule for watering, weeding and fertilizing during the establishment period,
 - iii. A maintenance period of a minimum of six (6) months.
2. A schedule of materials and finishes consistent with the plans referred to in Condition 5 of Part B of this consent is to be submitted to the Council for approval.
3. Amended stormwater concept plans and details consistent with the plans referred to in Condition 5 of Part B of this consent are to be submitted to the Council for approval. The stormwater concept plans must show the location of the required on-site detention facility. Calculations in support of this facility and in particular, bypass flows must be submitted. The amended stormwater concept plans and design must demonstrate compliance with the requirements of Part 6.4 - Development Engineering, Flooding and Stormwater of Canterbury Development Control Plan 2012 (prior to its amendment on 30 January 2017).
4. Details of privacy screening to the windows of the bedrooms of units 01-04, 01-05, 01-09, 01-10, 01-13, and to the balconies and south easterly facing windows of units 02-12, 02-13, 03-12, 03-13, 04-12 and 04-13 shown on the plans referred to in Condition 5 of Part B are to be provided to the Council for approval.
5. Amended plans demonstrating the widening of the narrow areas of the terraces for units 01-08, 02-08 and 03-08 are to be provided. Amended plans must also show an increase in the area to the terraces on the boundary with Flora Street for units 01-10, 02-10 and 03-10 to be compliant with the 12sqm area requirement of clause 3.3.3 of Canterbury

Development Control Plan 2012 (prior to its amendment on 30 January 2017).

6. A Statement of Consistency with the access provisions of Part 6.1 of the Canterbury Development Control Plan 2012 (prior to its amendment on 30 January 2017) is required to be provided to Council for approval.
7. A waste management plan is required to be provided to Council for approval demonstrating compliance with the requirements of Part 6.9 - Waste Management of Canterbury Development Control Plan 2012 (prior to its amendment on 30 January 2017).

PART B CONDITIONS OF CONSENT

If the development consent becomes operative, the conditions in this part will apply to the development.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

1. The following must be submitted to either Council or an Accredited Certifier prior to the issuing of a Construction Certificate:
 - 1.1. Details of:
 - Structural Engineering Plan including method of shoring during excavation
 - Building Specifications
 - Fire Safety Schedule
 - Landscape Plan
 - Hydraulic Plan
 - Soil and Waste Management Plan
 - BASIX Certification
 - Ventilation of basement carpark
 - 1.2. Payment of the Long Service Leave Levy to the Long Service Leave Corporation or to Council.

Note 1: Long Service Leave is payable where the value is \$25,000 or more under Part 5 Section 36 of the Building and Construction Industry Long Service Payments Act 1986.

Note 2: If you appoint a Principal Certifying Authority other than Council, the fees shown in this item do not apply, however other fees will apply.

Note 3: When the items in this condition are provided and have been assessed as satisfactory, your Construction Certificate will be posted to you.

Note 4: Section 94 contribution payments are payable by cash, bank cheque, or EFTPOS.

Note 5: All Council fees referred to above are subject to change. You need to refer to our website or contact our Customer Service Centre for a current schedule of fees prior to payment.

BEFORE COMMENCING THE DEVELOPMENT

2. Before the erection of any building in accordance with this Development Consent;
 - 2.1. detailed plans and specifications of the building must be endorsed with a Construction Certificate by the Council or an Accredited Certifier, and
 - 2.2. you must appoint a Principal Certifying Authority (either Canterbury City Council, or an Accredited Certifier) and notify the Council of the appointment (see Attachment - Notice of Commencement copy), and
 - 2.3. you must give the Council at least 2 days notice of your intention to commence erection of the building (see Attachment - Notice of Commencement copy).

SITE SIGNAGE

3. A sign shall be erected at all times on your building site in a prominent position stating the following:
 - 3.1. The name, address and telephone number(s) of the principal certifying authority for the work, and
 - 3.2. The name of the person in charge of the work site and a telephone number at which that person may be contacted during and outside working hours, and
 - 3.3. That unauthorised entry to the work site is prohibited

DEMOLITION

4. Demolition must be carried out in accordance with the following:
 - a) Demolition of the building is to be carried out in accordance with applicable provisions of Australian Standard AS 2601-2001: The Demolition of Structures and the Construction Safety Act Regulations.
 - b) The demolition of a structure or building involving the removal of dangerous or hazardous materials, including asbestos or materials containing asbestos must be carried out in accordance with the requirements of the Workcover Authority of New South Wales.
 - c) Demolition being carried out in accordance with the requirements of the Work Health and Safety Regulation 2011.
 - d) A hoarding or fence must be erected between the building or site of the building and the public place, if the public place or pedestrian or vehicular traffic is likely to be obstructed or rendered inconvenient because of the carrying out of the demolition work.
 - e) Demolition of buildings is only permitted during the following hours:

1. 7.00 a.m. - 5.00 p.m. Mondays to Fridays
2. 7.00 a.m.-12.00 noon Saturdays

No demolition is to be carried out on Sundays or Public Holidays.

- f) Burning of demolished building materials is prohibited.
- g) Adequate care is to be taken during demolition to ensure that no damage is caused to adjoining properties.
- h) Soil and water management facilities must be installed and maintained during demolition in accordance with Council's Stormwater Management Manual. If you do not provide adequate erosion and sediment control measures and/or soil or other debris from the site enters Council's street gutter or road you may receive a \$1500 on-the-spot fine.
- i) Council's Soil and Water Management warning sign must be displayed on the most prominent point on the demolition site, visible to both the street and site workers. The sign must be displayed throughout demolition.
- j) The capacity and effectiveness of soil and water management devices must be maintained at all times.
- k) During the demolition or erection of a building, a sign must be provided in a prominent position stating that unauthorised entry to the premises is prohibited and contain all relevant details of the responsible person/company including a contact number outside working hours.
- l) A sign is not required where work is being carried out inside, or where the premises are occupied during the works (both during and outside working hours).
- m) Toilet facilities must be provided to the work site in accordance with WorkCover's NSW "CODE OF PRACTICE" for Amenities for construction work and any relevant requirements of the NCC.
- n) Removal, cleaning and disposal of lead-based paint conforming to the current NSW Environment Protection Authority's guidelines. Demolition of materials incorporating lead being conducted in strict accordance with sections 1.5, 1.6, 1.7, 3.1 and 3.9 of Australian Standard AS2601-2001: Demolition of Structure. Note: For further advice you may wish to contact the Global Lead Advice and Support Service on 9716 0132 or 1800 626 086 (freecall), or at www.lead.org.au.
- o) Hazardous dust not being allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended.
- p) Any existing accumulations of dust (eg. ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter. All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to

be performed during adverse winds, which may cause dust to spread beyond the site boundaries.

General

5. The development is to be carried out in accordance with the plans, specifications and details prepared by Architecture Design Studio Pty Ltd, dated 3 November 2013, including:

Drawing 1001 Revision L, Site Plan;
Drawing 1101 Revision M, Lower Basement Plan;
Drawing 1102 Revision M, Upper Basement Plan;
Drawing 1201 Revision M, Ground Floor Plan;
Drawing 1301 Revision N, First Floor Plan;
Drawing 1302 Revision M, Second Floor Plan;
Drawing 1303 Revision M, Third Floor Plan;
Drawing 1304 Revision N, Fourth Floor Plan;
Drawing 1305 Revision N, Fifth Floor Plan;
Drawing 1401 Revision L, Roof Plan;
Drawing 1501 Revision M, North Elevation;
Drawing 1502 Revision M, East Elevation;
Drawing 1503 Revision M, West Elevation;
Drawing 1504 Revision M, South Elevation;
Drawing 1601 Revision L, Section 01;

Drawing 1602 Revision K, Section 02;
Drawing 1603 Revision K, Driveway Ramp Profile.

except where amended by the conditions specified in this consent including the following specific condition:

- 5.1 The wall between the kitchen and the study of unit 509 being removed and the kitchen being re-designed so as to include the study area with a walk-in pantry,
- 5.2 The loading dock shown on Ground Floor Plan 1201 is to be removed and Commercial Parking Space No. 12 shown on the same plan is to be used for the purpose of a loading bay. Commercial Parking Space No. 1 is to be removed and details of the swept path for loading vehicles are to be provided.

6. The floor to ceiling height in living areas must be a minimum of 2.7m for all levels as indicated on the approved plans. A survey certificate must be lodged with the principle certifying authority confirming a minimum clearance of 2.7m is achieved between finished floor level (after completion of all floor finishes) and the finished ceiling level of all units prior to the issue of an Occupation Certificate.
7. Slab Level Certification - The person with the benefit of this consent is to provide a registered surveyors certificate to the Council confirming that the level at the slab does not exceed the RL shown on the approved plans on each level prior to commencing construction of the slab for the next level.
8. A works as executed plan must show the highest RL on the site and confirm that the highest of the building does not exceed an RL of 73.2 (18.45m) from existing ground to the top of the overrun of Lift 2. Certification must be provided prior to the issue of an Occupation Certificate.
9. Finishes and materials including the treatment of external walls, windows, doors and balustrades are to be completed in accordance with the document approved by the Council under Deferred Commencement Condition 2 in Part A of this consent. The approved design (including an element or detail of that design) or materials finish or colours of the building must not be changed so as to affect the external appearance of the building without the approval of Council.
10. All service and utility elements such as air conditioning, communal antennas and clothes drying area must be integrated into the design and screened from public view.
11. The location of hot water systems are to be decided prior to the issuing of a Construction Certificate. The systems are to be integrated within the design of the building and are to be screened from public view. Details of the location of hot water systems are to be presented to the Principle Certifying Authority prior to the issuing of a Construction Certificate.
12. Intercom, code or card locks or similar must be installed at main entries to the building to control access, including the car parks.
13. A minimum of 109 off street car parking spaces must be provided. The allocation of car parking must be as follows:
 - 23 x retail spaces
 - 1 x common loading bay for retail component
 - 72 residential spaces, 9 spaces of which is to remain as common residential spaces then allocated 1 space/1 bedroom unit, 1 space/2 bedroom unit,

2spaces/3 bedroom unit and 2 spaces/2 bedroom + study units.

- 12 residential visitor spaces
- 1 residential car wash bay

If the development is to be strata subdivided, the car park layout must respect the above minimum allocation

14. All car spaces must be line marked and numbered.
15. An intercom system is to be provided at an appropriate location to allow access to visitor parking spaces which are located behind any security grille or controlled access door.
16. Resident, commercial and visitor car parking shall be clearly signposted at the entry to the car parking area.
17. Signage is to be erected for visitor/common car spaces to notify and allow people to use the designated spaces.
18. The car space allotments on any strata plan are to be made a part of the relevant dwelling section allotment and the visitor/common parking spaces are to remain as common property.
19. A separate application is to be lodged for the future use of the ground floor retail shop for permissible retail type use only.
20. Adequate lighting (to AS 1158.3.1:1999 standards) is to be installed and maintained in the car parks.
21. All development is to be contained wholly within the boundaries of the site.
22. All disabled parking space dimensions, cross-falls, vertical clearances for access paths and spaces are to be provided and maintained in accordance with the requirements of AS2890.6.
23. The bathroom and ensuite window(s) must have translucent glass.
24. No pedestrian access is permitted along the driveway ramps. A sign stating "No Pedestrian Access" must be displayed at the top and bottom of the ramp from ground level to B1 and B2.
25. A communal rooftop antenna is to be installed and linked to all units.
26. Each unit in the development must be provided with sufficient storage to comply with a minimum 4m³/studio, 6m³/1 bedroom unit, 8 m³/2 bedroom unit and 10 m³/3 bedroom unit.
27. The consolidation of allotments that are the subject of this approval (Lot X DP4184844, Lot 1 DP 5115598 and Lot 2 DP 5115598) is required prior to the issue of a Construction Certificate.
28. Parking facilities/storage for 21 bicycles is to be provided and maintained on-site for the residential component and 3 spaces for the commercial/retail component. These details

must be shown on amended plans and submitted to Council or the Principal Certifying Authority prior to the issue of the Construction Certificate.

29. All bicycle spaces are to be provided in accordance with AS2890.3.
30. All materials must be stored wholly within the property boundaries and must not be placed on the footway or roadway.
31. Renewal or the provision of fencing, attributable to the proposed development is the responsibility of the developer.
32. This condition has been levied on the development in accordance with Section 94 of the Environmental Planning and Assessment Act 1979 and in accordance with Canterbury City Council's Section 94 Contributions Plan 2013, after identifying the likelihood that this development will require or increase the demand on public amenities, public services and public facilities in the area. The amount of the contribution (as at the date of this consent) has been assessed as \$743,591.03. The amount payable is based on the following components:

| Contribution Element | Contribution |
|---------------------------|--------------|
| Open Space and Recreation | \$657,402.06 |
| Plan Administration | \$18,930.50 |
| Community Facilities | \$67,258.47 |

Note: The contributions payable will be adjusted, at the time of payment, to reflect Consumer Price Index increases which have taken place since the development application was determined.

The contribution is to be paid to Council in full prior to the release of the Construction Certificate, (or for a development not involving building work, the contribution is to be paid to Council in full before the commencement of the activity on the site) in accordance with the requirements of the Contributions Plan.

33. All building operations for the erection or alteration of new buildings must be restricted to the hours of 7.00 a.m. - 5.00 p.m. Monday to Saturday, except that on Saturday no mechanical building equipment can be used after 12.00 noon. No work is allowed on Sundays or Public Holidays.
34. All building construction work must comply with the National Construction Code.
35. A Surveyor's Certificate is to be provided to the Principal Certifying Authority prior to walls being erected more than 300mm above adjacent ground surfaces to indicate the exact location of all external walls in relation to allotment boundaries.
36. A Surveyor's Certificate is to be provided to the Principal Certifying Authority indicating the finished floor levels and roof to a referenced benchmark. These levels must relate to the levels indicated on the approved architectural plans and/or the hydraulic details.
37. Under clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in

each relevant BASIX Certificate for the development are fulfilled.

In this condition:

a) relevant BASIX Certificate means:

i) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 96 of the Act, A BASIX Certificate that is applicable to the development when this development consent is modified); or

ii) if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and

b) BASIX Certificate has the meaning given to that term in the Environmental Planning and Assessment Regulation 2000."

38. Council's warning sign for Soil and Water Management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction.
39. Council's warning sign for Soil and Water Management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction.
40. The capacity and effectiveness of erosion and sediment control devices must be maintained at all times.
41. A copy of the Soil and Water Management Plan must be kept on site at all times and made available to Council officers on request.
42. Concrete pumping contractors must not allow the discharge of waste concrete to the stormwater system. Waste concrete must be collected and disposed of on-site.
43. Materials must not be deposited on Council's roadways as a result of vehicles leaving the building site.
44. Drains, gutters, roadways and accessways must be maintained free of soil, clay and sediment. Where required, gutters and roadways must be swept regularly to maintain them free from sediment. Do not hose down.
45. The site must be provided with a vehicle washdown area at the exit point of the site. The area must drain to an approved silt trap prior to disposal to the stormwater drainage system in accordance with the requirements of Specification S2 of Council's Stormwater Management Manual. Vehicle tyres must be clean before leaving the site.

46. A single entry/exit point must be provided to the site which will be constructed of a minimum of 40mm aggregate of blue metal or recycled concrete. The depth of the entry/exit point must be 150mm. The length will be no less than 15m and the width no less than 3m. Water from the area above the entry/exit point shall be diverted to an approved sediment filter or trap by a bund or drain located above.

PRIOR TO THE COMMENCEMENT OF WORKS

47. As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the Roads Act 1993 and/or Section 68 of the Local Government Act 1993, Council requires that prior to any Construction Certificate for this development being issued, a Works Permit and or a Roadway/Footpath Building Occupation Permit shall be obtained where one or more of the following will occur, within, on or over the public footway or public road:

A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS

WORKS REQUIRING A 'WORKS PERMIT'

- a) Dig up, disturb, or clear the surface of a public footway or public road,
- b) Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road,
- c) Connect a road (whether public or private) to a classified road,
- d) Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road,
- e) Install utilities in, under or over a public road,
- f) Pump water into a public footway or public road from any land adjoining the public road,
- g) Erect a structure or carry out a work in, on or over a public road
- h) Require a work zone on the public road for the unloading and or loading of vehicles
- i) Pump concrete from within a public road,
- j) Stand a mobile crane within a public road
- k) Store waste and recycling containers, skips, bins and/or building materials on any part of the public road.
- l) The work is greater than \$25,000.
- m) Demolition is proposed,

- n) Subdivision is proposed,
- o) A Swimming pool is proposed.

Assessment of Works Permits (a to e) includes the preparation of footway design levels, vehicular crossing plans, dilapidation reports and issue of a Road Opening Permit.

All proposed works within the public road and footway shall be constructed under the supervision and to the satisfaction of Council. The applicant/developer shall arrange for necessary inspections by Council whilst the work is in progress.

For commercial or multi-unit residential developments within the designated CBD or an urban village area, footway design and construction and street tree supply, installation and tree hole detailing shall be as per the Council master plan for that area. Full width footways are to be supplied and installed at full cost to the developer to specification as supplied by Council. Layout plan of pavement to be submitted to Council for approval prior to the issue of the Works Permit.

All Council fees applicable, minimum restoration charges and inspection fees shall be paid prior to the assessment of the Work Permit in accordance with Council's adopted fees and charges. Note: Additional fees after approval will be charged where the Work Permit requires occupation of the Road or Footpath ie Hoardings, Work Zones etc.

In determining a Works Permit, Council can impose conditions and require inspections by Council Officers.

Forms can be obtained from Council's Customer Service counter located on the ground floor of Council's administration building at 66 - 72 Rickard Road, Bankstown or Council's website www.cbcity.nsw.gov.au Part of any approval will require the person or company carrying out the work to carry public liability insurance to a minimum value of ten million dollars. Proof of the policy is to be provided to Council prior to commencing any work approved by the Work Permit including the Road Opening Permit and must remain valid for the duration of the works.

The commencement of any works on public land, including the footway or public road, may incur an on the spot fine of not less than \$1100 per day that work continues without a Works Permit and/or a Roadway/Footpath Building Occupation Permit.

All conditions attached to the permit shall be strictly complied with prior to occupation of the development. Works non-conforming to Council's specification (includes quality of workmanship to Council's satisfaction) shall be rectified by the Council at the applicant's expense.

1. Prior to the commencement of work, a fence must be erected around the area of the works, except where an existing 1.8m high boundary fence is in good condition and is capable of securing the area. Any new fencing shall be

temporary (such as cyclone wire) and at least 1.8m high. All fencing is to be maintained for the duration of construction to ensure that the work area is secured.

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 works proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval prior to the commencement of work.

2. Prior to the commencement of work, the builder shall prepare a photographic record of the road reserve which clearly shows its condition prior to works occurring on site. For the entirety of demolition, subdivision or construction works, there shall be no stockpiling of building spoil, materials, or storage of equipment on the public road, including the footway and the road reserve shall be maintained in a safe condition at all times. No work shall be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.

SYDNEY WATER REQUIREMENTS

48. Prior to the commencement of any works on site, including demolition or excavation, the plans approved as part of the Construction Certificate must also be approved by Sydney Water. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Customers will receive an approval receipt which must be included in the Construction Certificate documentation. Please refer to the web site www.sydnevwater.com.au. Prior to the issue of an Occupation Certificate (or if relevant, a Subdivision Certificate) a Compliance Certificate under Section 73 of the Sydney Water Act, 1994, must be submitted to Council by the Principal Certifying Authority. Sydney Water may require the construction of works and/or the payment of developer charges. This assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to the mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water Accredited Water Servicing Coordinator. Please make early contact with the Coordinator, since building of water / sewer extensions can be time- consuming and may impact on other services as well as building, driveway or landscaping design. Go to www.svdnevwater.com.au/section73 or call ,1300082 746 to learn more about applying through an authorised WSC or SydneyWater.

AUSGRID REQUIREMENTS

49. A formal email with approved plans is to be sent by the Applicant to Ausgrid at **contestability@ausgrid.com.au** requesting the asset relocation. The email needs to include a clear description and site sketch of the required works. Ausgrid will respond within 5 working days with a request for a fee and a request for any additional information required. Refer to Ausgrid Network Asset Relocation and Undergrounding Policy Guidelines document for further information, [www.ausgrid.com.au/Common/Our-network/Standards-and-Guidelines/~media/Files/Network/Documents/ES/Ausgrid network undergrounding policy](http://www.ausgrid.com.au/Common/Our-network/Standards-and-Guidelines/~media/Files/Network/Documents/ES/Ausgrid_network_undergrounding_policy)

ACOUSTIC

50. An updated Acoustic Assessment Report to correspond with the approved plans is to be provided to the Council for approval prior to the issue of a construction certificate. Any recommendations made by the updated Acoustic Report must be shown on the plans submitted with an application for a construction certificate.
51. Prior to the occupation of the development an acoustic assessment shall be undertaken to ensure that the recommended treatments and controls contained in the Acoustic Assessment Report referred to in the above condition have been incorporated in the final design of the building.

WASTE SERVICES

52. It is the responsibility of the property manager to present any provided garden waste bins to the kerbside for collection by Council the evening before the designated collection day.
53. The access doors for collection from the bin storage area are to be minimum 1.2 m wide
54. The area must be of sufficient size to fit and manoeuvre 660L bins side-by-side (not stacked) with equal and convenient access to all bins by users.
55. The bin storage area must be signposted 'Waste & Recycling' on the entrance doors.
56. Where the retail waste storage area is located more than 15 metres from street access, and council collection service cannot be undertaken. The Statement of Environment Effects for the development notes that the collection of commercial waste is to be provided from the loading dock area. Such collection must be undertaken by privately engaged waste contractor on behalf of the commercial tenants. Any waste and recycling bins for the retail units must be provided by private collection contractor.

57. There is no rear access opening for shops 05-09. This means there is no clear access path provided for these shops to the retail waste area. This access is to be provided on amended plans prior to the issue of a Construction Certificate. Access doors for retail waste storage area are to be minimum 1.2 m wide and suit largest bin size stored.
58. Inspection by Council is required before the Occupation Certificate is issued.

DILAPIDATION & EXCAVATION

25. A photographic survey must be prepared of the adjoining properties at 908-916 Canterbury Road, Roselands and 1 Flora Street, Roselands detailing the physical condition of those properties, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items, shall be submitted to the Principal Certifying Authority and Canterbury Bankstown Council if Council is not the Principal Certifying Authority, prior to the issue of the Construction Certificate. On completion of the excavation and building works and prior to the occupation of the building, a certificate stating to the effect that no damage has resulted to adjoining premises is to be provided to the Principal Certifying Authority and Canterbury Bankstown Council if Council is not the Principal Certifying Authority. If damage is identified which is considered to require rectification, the damage shall be rectified or a satisfactory agreement for rectification of the damage is to be made with the affected person(s) as soon as possible and prior to the occupation of the development. All costs incurred in achieving compliance with this condition shall be borne by the persons entitled to act on this Consent.
26. A dilapidation report prepared by an Accredited Engineer, detailing the structural adequacy of the adjoining properties at 908-916 Canterbury Road, Roselands and 1 Flora Street, Roselands and their ability to withstand the proposed excavation, and any measures required to be incorporated into the work to ensure that no damage will occur during the course of the works, shall be submitted to Council, or the Principal Certifying Authority prior to the issue of a Construction Certificate. All costs to be borne by the person with the benefit of this consent.

COMMUNITY SAFETY

59. Residential parking must be separated from customer parking. Access to residential parking must be controlled by a roller shutter with swipe card access.

60. Storage units must be co-located with residential parking. This will reduce the opportunity for excuse making or loitering of potential offenders that would result from storage units being located throughout the entire car park.
61. All access points into the residential lobby area must be restricted to residents only through a security system. Visitors to the residential complex must be provided with access via an intercom.
62. Landscaping must be designed and maintained to increase surveillance and reduce concealment opportunities.
63. Additional lighting must be installed in places of high pedestrian traffic.
64. The street number must be prominently displayed at the front of the complex to comply with Local Government Act, 1973, Section 124, Order 8.
65. Walls or planter boxes must not be located close to the perimeter railing of the roof terrace to ensure that users cannot climb over the railing.
66. Due to the increase in Fraud offences (i.e. identity theft) in Canterbury, all letterboxes must be provided with a lock and located under an awning or be made accessible only from a secure foyer area. This area must be under Closed Circuit Television surveillance.
67. The site must be treated with anti-graffiti paint in order to prevent graffiti vandalism.

LANDSCAPE

68. The person with the benefit of this consent is to complete landscape works in accordance with the landscape plan and details approved by the Council under Condition 1 in Part A of this consent (the deferred commencement condition). A copy of the landscape plan and details approved by Council under Condition 1 in Part A is to be submitted with an application for a construction certificate, Landscape work is to be completed prior to the issue of an occupation certificate.
69. The existing street tree 1 x *Lophostemon Confertus* (Common name: Brush Box) located in the grass verge to Flora Street is to be protected and retained during construction. A tree protection zone (TPZ) of 4m radius (measured from the edge of the tree trunk) must be observed. A tree protection barrier is to be erected around the perimeter of the TPZ prior to the commencement of any site works. This barrier must be a minimum 1800mm high chain link fabric (with standard 50mm pitch) on 2400mm star pickets driven 600mm into the ground so that the fencing cannot be breached. A 600mm x 450mm prohibition sign complying with AS1319, and stating TREE PROTECTION ZONE - KEEP OUT' must be attached to the barrier. The barrier is to be well maintained during construction. No building material storage or construction activity shall be allowed to encroach within this TPZ.

70. One street tree is to be provided and maintained on the nature strip to Flora Street adjoining the development. This tree is to be of a *Lophostemon confertus* (common name Brushbox) species and be provided in 75ltr size (container size). The planting of this tree is to be carried out upon the completion of construction by contractors in accordance with AUS-SPEC Specification 0257-Landscape - Roadways and Street Trees. This document is available for purchase from Council.
71. The public domain surrounding the development is to be improved in coordination with Canterbury City Council. Public domain improvements will include footpaths kerbs and gutters to redundant driveways and tree planting as identified in the above conditions.
72. All the tree supply stocks shall comply with the guidance given in the publication *Specifying Trees: a guide to assessment of tree quality* by Ross Clark (NATSPEC, 2003).
73. 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 (Contact no: 9789 9438), prior to issue of any Construction Certificate. The order confirmation shall include name, address and contact details of supplier; and expected supply date.
74. An automatic watering system is to be installed in common areas at the cost of the person with the benefit of this consent. Details including backflow prevention device, location of irrigation lines and sprinklers, and control details are to be communicated to Council or certifier prior to the issue of the Construction Certificate. The system is to be installed in accordance with the manufacturer's specification and current Sydney Water guidelines.

ROADS AND MARITIME SERVICES (RMS)

75. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001. The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime. The report and any enquiries should be forwarded to:
- Project Engineer, External Works
Sydney Asset Management
Roads and Maritime Services
PO Box 973
Parramatta CBD 2124.

Telephone 8849 2114

Fax 8849 2766

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

76. All demolition and construction vehicles are to be contained wholly within the site. A construction zone will not be permitted on Canterbury Road.
77. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works. Details should be forwarded to:

The Sydney Asset Management

Roads and Maritime Services

PO Box 973 Parramatta CBD 2124.

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Fax: 88492766.

SYDNEY WATER REQUIREMENTS

78. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Co-ordinator. For help either visit Sydney Water's web site at www.sydnevwater.com.au/BuildingDeveloping/DevelopingYourLand, Water Servicing Coordinators, or telephone 13 20 92. Following application, a "Notice of Requirements" will be forwarded detailing water and sewage extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the final plan of subdivision.

DEVELOPMENT ENGINEER

79. A stormwater drainage design prepared by a qualified practicing Civil Engineer must be provided prior to the issue of a Construction Certificate. The submitted design must be amended to make provision for the following:
- a) The design must be generally in accordance with the plans, specifications and details approved by the Council under Deferred Commencement Condition 3 in Part A of this consent.
 - b) Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, pits and pipelines and be discharged together with overflow pipelines from any tank(s) to the kerb and gutter of the Street.
 - c) The overflow pit located at the boundary shall have sufficient fall to the street so that overflow does not inundate internal paved areas.
 - d) All stormwater must pass through a silt arrestor pit prior to discharge to kerb and gutter. Silt arrestor pit is to be sized in accordance with Canterbury Councils DCP 2012. Sump depth is to be a minimum of 300mm deep.
 - e) The rising main from the basement pump out tank must discharge to the OSD.
80. All redundant pipelines within footpath area must be removed and footpath/kerb reinstated.
81. All downpipes, pits and drainage pipes shall be installed to ensure that stormwater is conveyed from the site and into Council's stormwater system in accordance with AUS-SPEC Specification D5 "Stormwater Drainage Design", AS/NZS3500.3 and Part 6.4 of Canterbury Council's Development Control Plan 2012 (prior to its amendment on 30 January 2017).
82. The person with the benefit of this consent is to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the cost of the person with the benefit of this consent.
83. If Groundwater is encountered, it must not be captured by the drainage system of the basement. In this regard the basement must be tanked to at least 1000 mm above measured groundwater levels.
84. The stormwater system must be constructed in accordance with the plans, specifications and details submitted with the Construction Certificate and as amended by the conditions of this consent. Certification from an accredited engineer must be provided to certify that all works has been carried out in accordance with the approved plan(s), relevant codes

and standards.

85. A Works-as-Executed plan must be submitted to Canterbury Bankstown Council at the completion of the works, the plan must clearly illustrated dimensions and details of the site drainage and the OSD system. The plan shall be prepared by a registered surveyor or an engineer. A construction compliance certification must be provided prior to the issuing of the Occupation Certificate to verify, that the constructed stormwater system and associate works has been carried out in accordance with the approved plan(s), relevant codes and standards. An appropriate instrument must be registered on the title of the property, concerning the presence and ongoing operation of the OSD system as specified in Councils DCP 2012.
86. Prior to the issue of an Occupation Certificate, the Principle Certifying Authority must ensure that Operation and Management Plans have been prepared and implemented for the OSD and basement pump out facilities. The Plan must set out the following at a minimum:
- The proposed maintenance regime, specifying that the system is to be regularly inspected and checked by qualified practitioners.
 - The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc.

The Plan must be prepared by a suitably qualified professional and provided to the Principle Certifying Authority prior to the issue of an Occupation Certificate.

87. The Operation and Management Plan for the OSD and basement pump out facilities, approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.
88. The street alignment levels are to be obtained by payment of the appropriate fee to Council. These levels are to be incorporated into the designs of the internal pavements, carparks, landscaping and stormwater drainage. Evidence must be provided that these levels have been adopted in the design. As a site inspection and survey by Council is required to obtain the necessary information, payment is required at least 14 days prior to the levels being required.
89. If any neighbouring properties or roadway are to be utilised for support , the legal rights of any adjoining properties must be respected including for temporary supports. In this regard the written permission of the affected property owners must be obtained and a copy of the owner's consent for temporary rock anchors or other material in adjacent lands must be lodged Canterbury Bankstown Council prior to the issue of a Construction Certificate.

Temporary rock anchors are rock anchors that will be de-stressed and removed during construction. All other rock anchors are permanent rock anchors for the purposes of this Consent.

Council will not permit permanent rock anchors in adjacent private lands unless they are specifically permitted in a Development Consent. Where temporary anchors are proposed to be used in Street frontage an Application must be made to Canterbury Bankstown Council for approval under Section 138 of the Roads Act 1993, via a Road Works Permit application. The submission would need to be supported by an engineering report prepared by a suitably qualified Structural Engineer, with supporting details addressing the following issues:

- a) Demonstrate that any structures within the road reserve are of adequate depth to ensure no adverse impact on existing or potential future service utilities in the road reserve. All existing services must be shown on a plan and included on cross sectional details where appropriate.
- b) Demonstrate how the temporary anchors will be removed and replaced by full support from structures within the subject site by completion of the works.
- c) The report must be supported by suitable geotechnical investigations to demonstrate the efficacy of all design assumptions.

90. Where rock anchors or other temporary retaining measures are to encroach on adjoining properties, including the roadway, the Principal Certifying Authority must ensure that the permission of the relevant landowner has been obtained. In this regard a copy of the owner's consent for private property and Section 138 Approval pursuant to the Roads Act for roads must be provided to the Principal Certifying Authority prior to the issue of a Construction Certificate.

91. The vehicular access and parking facilities shall be in accordance with Australian Standard AS 2890.1 "Off-street Parking Part 1 - Carparking Facilities". In this regard, the submitted plans must be amended to address the following issues:

- a) The finished levels within the property must be adjusted to ensure that the levels at the boundary comply with those issued by Council for the full width of the vehicle crossing. The longitudinal profile must comply with the Ground Clearance requirements of *AS/NZS 2890.1-2004*.
- b) The driveway grades shall be in accordance with Australian Standard AS 2890.1 "Off-street Parking Part 1 - Carparking Facilities".
- c) A minimum of 2200mm Headroom must be provided throughout the access and

parking facilities. Note that Headroom must be measured to the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors.

- d) The car parking facilities must be appropriately line marked and signposted in accordance with the requirements of Section 4 of AS/NZS 2890.1-2004.
- e) The intersection of ramps with parking aisles and other intersection areas have been designed for use by one vehicle at a time. Appropriate traffic management measures, including redesign if needed, is required to prioritise one-way traffic movement at these intersection areas.
- f) Minimum lines of sight for pedestrian safety must be provided in accordance Figure 3.3 of AS/NZS 2890.1:2004.
- g) A loading bay must be provided to comply with AS2890.2-2002. The loading bay together with the associated aisles must have sufficient clearance in accordance with the standard. The loading bay must not be located in a way that would obstruct other parking spaces.
- h) A longitudinal section along the worst case outer edge of the access and parking facilities, extending to the centerline of the road carriageway must be provided, demonstrating compliance with the above requirements.
- i) Suitably qualified engineer must certify that the access and parking complies with current Australian Standards including AS/NZS 2890.1-2004 Parking Facilities - Off-Street Car Parking, AS 2890.2-2002 Parking Facilities - Off-Street commercial vehicles facilities, AS/NZS 2890.6-2009 Off-street parking for people with disabilities and AS 2890.3-1993 Parking Facilities - Bicycle parking facilities.

92. Details of the proposed street awning, including plans and sections, must be provided to the Principal Certifying Authority. The details must include:

- a) The street awning(s) must be setback 600mm from the kerb line.
- b) The awnings must be entirely self-supporting; posts are not permitted.
- c) The person or company carrying out the works will be required to carry public liability insurance to a value of ten million dollars. In this regard a Certificate of Currency must be submitted to the Principal Certifying Authority.
- d) All stormwater is to be collected and connected to Council's street gutter. In this regard awning downpipes for drainage are to be fully concealed within or recessed into the ground floor frontage of the building. Awning gutters are to be constructed so that they are not visible from the footpath or are integral to the awning structure.
- e) The awning(s) must be approved by the relevant Road Authority pursuant to Section 138 of the Roads Act. Note that this Consent does not give approval to construct an awning in the road.

- f) The applicant must indicate the extent of any service adjustments necessary, and submit with the design, proof of approval by the relevant service authorities. The applicant shall bear all responsibility and costs associated with the proposed relocation of services.
- g) The awning(s) must be designed by a Structural Engineer for Roof Category R1 in accordance with AS/NZS 1170.1: 2002, AS/NZS 1170.0: 2002, and AS/NZS 1170.3: 2011. The design must incorporate all loads including dead loads, live loads, wind load (lateral, uplift, and downward pressure), and potential impact load.
- h) If the awning(s) is to be built over an exit that would be utilised in an emergency it must be constructed of non-combustible material, i) Lighting is required and must comply with AS/NZS 1158.3.1: 2005 and AS/NZS 1158.0: 2005. Lighting must be recessed into the awning and be integral to its structure with all wiring and conduits concealed, j) A maintenance plan must be provided in respect of the awing(s) to address the following issues at a minimum:
 - i. Inspection schedule of structural members, connections, and supports covering the life of the awing(s).
 - ii. Inspection schedule of non-structural components.
 - iii. Schedule of maintenance actions and maintenance frequency including cleaning, replacement of lighting based on expected operational life, replacement of protective coatings, and cleaning/maintenance of guttering and downpipes.

The plans and details of the awing(s) must be certified by a Structural Engineer and must be provided prior to the issue of a Construction Certificate.

- 93. The Principal Certifying Authority must ensure that the awing(s) have been constructed in accordance with this Consent and the relevant standards. Prior to the issue of an Occupation Certificate certification must be provided by a Structural Engineer that the awing(s) have been constructed in accordance with the design submitted with the Construction Certificate and National Construction Code.
- 94. The awning maintenance plan approved with the Construction Certificate must be retained on site and implemented at all times.
- 95. A full width heavy duty vehicular crossing shall be provided at the vehicular entrance to the site, with a maximum width of 5.5 metres at the boundary line. This work is to be carried out by Council or an approved contractor, at the cost of the person with the benefit of this consent. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c)

Concrete Kerb & Gutter".

96. Driveways, parking and service areas are to be constructed or repaired in accordance with the appropriate AUS-SPEC #1 Specifications: C242-Flexible Pavements; C245-Asphaltic Concrete; C247-Mass Concrete Subbase; C248-Plain or Reinforced Concrete Base; C254-Segmental Paving; C255-Bituminous Microsurfacing.
97. All redundant vehicular crossings shall be replaced with kerb and the footpath reserve made good by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
98. The reconstruction of the kerb along all areas of the site fronting Canterbury Road is required. Work to be carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with RMS design guidelines and regulations.
99. The reconstruction of the kerb and gutter along all areas of the site fronting Flora Street is required. Work to be carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
100. The reconstruction of paving material and associated ramps fronting the subject site Canterbury Road and Flora Street is required. The applicant shall prepare a civil construction plan detailing the pavement type and construction methodology and all other relevant information to the satisfaction of Council. The plan must be **approved by Council** prior to works commencing on the public land.
101. Service easements are to be created within the site boundary to the satisfaction of Council or a private certifier. Costs associated with preparation and registration of easements are to be borne by the person with the benefit of this consent.

SUBDIVISION/CONSOLIDATION

102. (Delete)
103. All easements required for the subdivision or consolidation are to be shown on, and registered in conjunction with, the associated plan.

CRITICAL INSPECTIONS

104. Critical inspections are to be undertaken at the following times.

Class 2, 3 or 4 Buildings

- 104.1. prior to covering of waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within the building, and
- 104.2. prior to covering any stormwater drainage connections, and
- 104.3. after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Class 5, 6, 7, 8 or 9 Buildings

- 104.4. prior to covering any stormwater drainage connections, and
 - 104.5. after the building work has been completed and prior to any occupation certificate being issued in relation to the building.
105. Section 81(A) of the EP&A Act 1979 requires that a person having the benefit of a development consent, if not carrying out the work as an owner-builder, **must notify the principal contractor for the building work of any critical stage inspections and other inspections that are to be carried out in respect of the building work**, as nominated in this development consent.
- To arrange an inspection by Council please phone 9789-9300 during normal office hours.

COMPLETION OF DEVELOPMENT

- 106. An Occupation Certificate/Interim Occupation Certificate must be issued by the Principal Certifying Authority before partial/entire occupation of the development.
- 107. A final Occupation Certificate shall not be issued until all conditions relating to demolition, construction and site works of this development consent are satisfied and Council has issued a Work Permit Compliance Certificate.
- 108. The privacy screens approved by Council under Deferred Commencement Condition 4 in Part A of this consent must be constructed and kept in place for the life of the development.
- 109. The requirements of the Waste Management Plan approved by Council under Deferred Commencement Condition 7 in Part A of this consent must be complied with for the life of the development.
- 110. The communal open space areas provided at 1st floor (2nd storey) and 5th floor level (6th storey) are not to be used between the hours of 8pm and 7am seven (7) days per week.

WE ALSO ADVISE:

111. If you appoint a Principal Certifying Authority other than Council, any certificate provided to us must be accompanied by a \$36 registration fee.
112. This application has been assessed in accordance with the National Construction Code.
113. You should contact Sydney Water prior to carrying out any work to ascertain if infrastructure works need to be carried out as part of your development.
114. Where Council is appointed as the Principal Certifying Authority, you will be required to submit Compliance Certificates in respect of the following:
 - Structural engineering work
 - Air handling systems
 - Final fire safety certificate
 - Glazing
 - Waterproofing
 - BASIX completion
115. Any works to be carried out by Council at the applicant's cost need to be applied for in advance.
116. Before you dig, call "Dial before you Dig" on 1100 (listen to the prompts) or facsimile 1300 652 077 (with your street no ./name, side of street and distance from the nearest cross street) for underground utility services information for any excavation areas.
117. In granting this approval, we have considered the statutory requirements, design, materials and architectural features of the building. No variation to the approved design and external appearance of the building (including colour of materials) will be permitted without our approval.
118. Compliance with the National Construction Code does not guarantee protection from prosecution under "The Disability Discrimination Act". Further information is available from the Human Rights and Equal Opportunity Commission on 1800 021 199.
119. The applicant is advised to contact Council's Mapping & GIS Services to confirm Street Addressing prior to the issue of an Occupation Certificate, and supply a schedule of Lots & Addresses for the Strata Units. Please contact Council's Customer Services on 9707 9700 (or email Council@canterburv.nsw.gov.au) to do so.
120. All sub-property numbering must be unique. Sub-property numbering is advised as follows (the first digit represents the floor level and the next two digits represent

the unit number):

- Ground Floor Unit/Office Numbers: G01, G02, G03, G04, G05, G06, G07, G08, G09.
1st Floor Units Numbers: 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113.
2nd Floor Unit Numbers: 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213.
3rd Floor Unit Numbers: 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313;
4th Floor Unit Numbers: 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413;
• 5th Floor Unit Numbers: 501, 502.