

Conditions – Exhibition stage (13/4/2026)

SSDA 61A - 65 Albert Avenue, Chatswood (Mandarin Centre)

PART A – GENERAL CONDITIONS

ADMINISTRATIVE CONDITIONS

Terms of consent

- The Development must be carried out:
 - (a) in compliance with the conditions of this consent;
 - (b) in accordance with the EIS, the Applicant's response to submissions, and the Applicant's response to requests for further information; and
 - (c) in accordance with the approved plans in the table below, as modified by the conditions of this consent:

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

- To the extent of any inconsistency:
 - (a) the more recent document in Condition A1(b) prevails over an earlier document in that section;
 - (b) the conditions of consent prevail over a document listed in Condition A1(c).
- The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities that employees, contractors (and their sub-contractors) carry out in respect of the Development.

Limits on consent

- This consent will lapse two years from the date the consent is published on the NSW Planning Portal unless the works associated with the Development have physically commenced.
- Where required, separate approvals must be obtained from the relevant landowner or authority (except where exempt and/or complying development applies).
- This consent does not approve the following:
 - (a) demolition of existing buildings and structures;
 - (b) signage including business identification signs (excluding wayfinding signs if approved by this consent);
 - (c) fitout or operation of any of the commercial, retail or food and drink premises;
 - (d) any outdoor dining areas;
 - (e) any portion of the stormwater culvert in the public domain; and (f) the removal or pruning of trees on adjoining properties.

INFRASTRUCTURE CONTRIBUTIONS

Developer contributions

s7.12 Contribution

- Prior to the issue of the Construction Certificate, a monetary contribution is to be paid in accordance with section 7.12 of *Environmental Planning and Assessment Act, 1979* in the amount of **\$14,105,017.83 (based on AH provided at 10%)** for the purposes of the Local Infrastructure identified in the *Willoughby Local Infrastructure Contributions Plan*.

In accordance with the *Willoughby Local Infrastructure Contributions Plan*, this contribution is based on **3%** of the estimated cost of development, being **\$470,167,261.08 83 (AH at 10%)** provided on **9/2/2026**.

Indexation

To calculate the monetary contribution that is payable, the proposed cost of development is to be indexed to reflect quantity variations in the Consumer Price Index, All Groups, Sydney, as published by the Australian Bureau of Statistics (ABS) between the date the proposed cost of development was agreed by the Council and the date the levy is to be paid as required by this Plan.

To calculate the indexed levy, the formula used to determine the monetary contribution is set out below:

$$\$C_o \times \text{Current CPI} \div \text{Base CPI}$$

Where:

$\$C_o$ =	the original development contribution determined by the Council based on a percentage of the cost of development as set out in the Contributions Plan
Current CPI =	the Consumer Price Index (All Groups Index), Sydney, as published by the ABS at the month immediately prior to the date of payment
Base CPI =	the Consumer Price Index (All Groups Index), Sydney, as published by the ABS at the month ending immediately prior to the date of imposition of the condition requiring payment of a contribution

Deferred payments of contributions will not be accepted.

Prior to payment, Council can provide the value of the indexed levy.

Copies of the *Willoughby Local Infrastructure Contributions Plan* are available for inspection online at www.willoughby.nsw.gov.au
(Reason: Statutory requirement)

Housing and productivity contributions

- Prior to the issue of the first Construction Certificate, the Housing and Productivity Contribution (HPC) set out in the table below is required to be made:

Housing and Productivity Contribution	Amount
Housing and productivity contribution (base component)	XXXXXXXX

Note: The contribution amount is subject to indexation in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 at the time of payment. A request for assessment of the adjusted amount and instructions on how to make a payment can be made by contacting hpc.enquiry@planning.nsw.gov.au.

Note: The contribution amount is subject to indexation in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* at the time of payment. A request for assessment of the adjusted amount and instructions on how to make a payment can be made by contacting hpc.enquiry@planning.nsw.gov.au.

Local affordable housing contributions

Agreement to Transfer Affordable Housing Dwellings

- The applicant must enter into a Housing Transfer Deed with the Council, for transferring to the Council, free of charge, the title of the affordable housing identified as units: **1.XXX, 2.XXX etc** on Plan A95.20, titled "Affordable Housing Units", dated 20/02/2026, Rev 2, in the area equating to $10\% \times 39,016\text{m}^2 = 3,901.6\text{m}^2$. Each affordable dwelling unit must have an appurtenant car space and these must be clearly shown on the Construction Certificate plans to prepare ahead for incorporation of such documentation for the Housing Transfer Deed.

Prior to the issue of Construction Certificate, the applicant is to commence drafting the Housing Transfer Deed generally in accordance with Council's Housing Transfer Deed template, identifying all affordable housing units for dedication to Council. The Construction Certificate plans must demonstrate that the physical requirements specified in the Housing Transfer Deed are satisfied.

The terms of this Housing Transfer Deed must be to the satisfaction of the Council and must include a provision to the effect that the transfer of the dwellings and appurtenant car spaces to Council's ownership will be completed within two (2) months of the registration of any subdivision of the development creating the dedicated areas or within two (2) months of the issue of the first Occupation Certificate, whichever comes first.

The applicant must agree to pay the Council's reasonable legal costs in satisfying itself that the agreement is appropriate, and a provision to this effect is to be included in the agreement.

The Housing Transfer Deed must be executed prior to issue of the first Occupation Certificate.

(Reason: Increase affordable housing supply, Ensure compliance)

Affordable Housing Fittings and Finishes

- Prior to the issue of the Construction Certificate, the applicant is to submit to the Council details of all internal fittings and finishes of the affordable housing dwellings. The applicant is responsible for obtaining written confirmation from Council that it is satisfied that the internal fittings and finishes are at the same standard as other dwellings within the development.
(Reason: Amenity)

Affordable Housing Monetary Contribution

- - (a) The applicant shall pay to Council a monetary contribution for the purpose of providing affordable housing that is calculated at 10% of the residential gross floor area of the development, being 3,901.6m² (i.e. 10% x 39,016m²). The amount of the monetary contribution is determined by reference to the market value of dwellings of a similar size to the dwellings in the proposed development, and as set out below:
 - (i) Within three (3) months of the issue of the Construction Certificate, the applicant is to submit to Council a valuation report (prepared by a registered valuer) identifying the market value of the dwellings by reference to the recent sales prices of such new dwellings of similar size within the development. In the absence of recent sales prices at the subject development, recent sales price of similar sized dwelling(s) in comparable development(s) within the Willoughby Local Government Area (LGA) can be submitted to Council for consideration.
 - (ii) Alternatively, the applicant can submit a report that aligns with Council's current market valuation approach which is based on the current research and valuation data obtained from the most recent Rent and Sales Report issued by the *Department of Communities and Justice*; and the average unit size taken from Council's recently approved and similar dwellings within the LGA.

In summary, a cost per m² rate can be derived from:

- The (mean) sale price of the most recent (ie. recent = at the time of payment) Rent and Sales Report issued by the *Department of Communities and Justice*, divided by;
- The most recent average unit size which is, 95m² (note: this average in m² is reviewed periodically)

(The above approach ensures that the valuation figure reflects the current market values for the LGA which is reviewed quarterly to ensure that the monetary contribution is sufficient to enable Council to purchase a comparable dwelling satisfying Council's Affordable Housing principles).

- (iii) In the event that the "Rent and Sales Report" option is chosen, the report must include a date stamped screenshot of the relevant figure within the Rent and Sales Report. And that the payment is to be made within three (3) months of the date displayed in that screenshot.
- (iv) Council will consider the valuation report and, acting reasonably, determine the amount of the contribution to be paid.
- (v) If it considers it desirable to do so, Council may appoint an independent registered valuer to undertake a separate valuation. The applicant / developer

- is to pay Council all reasonable costs associated with the service provided by Council's appointed valuer for this valuation.
- (vi) The applicant is to submit to Council's Director of Planning, the valuation report and/or other documentation to demonstrate how the applicant has calculated the contribution, including identifying the residential gross floor areas used in the calculation. The evidence is to be provided prior to the issue of the first Occupation Certificate, and before any payment of contribution is made before the issue of the first Occupation Certificate. If the valuation report option is taken, payment is to be made within three (3) months of Council's written acceptance of the valuation report.

Design excellence

- Within 6 days of the issue of a Development Approval, Willoughby Council is to be reimbursed all fees and charges associated with the administration and consideration of design excellence in relation to this application.
(Reason: To align with Willoughby Council LEP Clause 6.23, Design Excellence Policy and Guidelines (Procedures) and Willoughby City Council Fees and Charges)

PART B PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

DETAILED DESIGN

Amendments

- Prior to the issue of the Construction certificate, the Applicant must provide evidence to the Certifier that revised plans relating to 65 Albert Ave Chatswood detailing the following revisions have been submitted to and approved by the Planning Secretary.
 - (a) Aisle width is to be modified at the corners, at the turn leading to the entry ramp to Basement 01, and at all basement levels, to ensure that two passenger vehicles can pass at the same time.
 - (b) A minimum of five (5) car share spaces (out of the approved car parking) are to be provided on Basement Level 1, within close proximity of a lift. The car share spaces are to be used for the express purposes of car share.
 - (c) Visitor parking spaces associated with both residential and commercial uses are to be clearly identified, grouped and appropriately marked on the plans. These spaces are conveniently located relative to their associated uses and are designed in accordance with Class 2 (medium term) parking requirements under AS/NZS 2890.1.
 - (d) Provision of EV charging infrastructure is required to be demonstrated on the plans
 - (e) Storage capacity for bicycles is to be provided for each unit.

Design excellence and integrity

- To ensure that the Development is consistent with assessed and approved design excellence requirements, the Applicant must:
 - (a) commission the architect involved in the design excellence process as part of the architectural design team engaged to prepare the design documentation, contract documentation and construction stages of the Development;
 - (b) prior to the issue of the first Construction Certificate, provide the Certifier with evidence that this architectural design team has been so commissioned; and
 - (c) if the Applicant proposes changes to the approved architectural drawings, seek the Planning Secretary's advice as to whether such changes are likely to require review by the State Design and Review Panel.

Materials and finishes

- Prior to the issue of the Construction Certificate for the facade, the Applicant must submit to the satisfaction of the Planning Secretary details of final materials and finishes including:
 - (a) final specifications of colour, material and, where relevant, manufacturer; and
 - (b) specifications and sample boards for all external finishes, colours and glazing including annotated drawings and computer-generated imagery of their application.

PRE-CONSTRUCTION REQUIREMENTS

Damage Deposit

- Prior to the issue of the Construction Certificate, the applicant shall lodge a Damage Deposit of **\$650,000** (GST Exempt) to Council against possible damage to Council's assets and any infrastructure within the road reserve/footway during the course of the building works.

Subject to inspection by Council after the completion of all works relating to the proposed development and the issue of the Whole/Part/Final Occupation Certificate. The deposit will be refundable via submitting "Damage deposit refund" request on Council's webpage.

For the purpose of inspections carried out by Council Engineers, an inspection fee as per Council's current fees and charges is payable to Council. Any damages identified by Council shall be restored by the applicant prior to release of the Damage Deposit.

Total Payable = \$650,000 + Damage Deposit Release Inspection Fee

(Reason: Protection of public asset)

Site stability

- Prior to the issue of the Construction Certificate for excavation and the basement structure, the Applicant must submit to the Certifier a Report from an Engineer, which includes the following:
 - (a) geotechnical details which confirm the suitability and stability of the site for the Development;
 - (b) design and construction requirements to be implemented to ensure the stability and adequacy of the Development and adjacent land;
 - (c) details of the proposed methods of excavation and support for the adjoining land (including any public place) and buildings;
 - (d) details to demonstrate that the proposed methods of support and construction are suitable for the site and will not result in any damage to the adjoining premises, buildings or any public place, as a result of the works and any associated vibration;
 - (e) details of how adequate support will be provided for the adjoining land and buildings located upon the adjoining land at all times throughout building work; and
 - (f) details of written approvals that have been obtained from the owners of the adjoining land to install any ground or rock anchors underneath the adjoining premises (including any public roadway or public place).

Ecologically sustainable development

- Prior to the issue of the Construction Certificate, the Applicant must submit to the Certifier a Report demonstrating the development incorporates all design, construction and operation measures, or equivalent, as identified in the BASIX Certificate and application documentation.
- Prior to the issue of a Construction Certificate, a compliance statement, prepared by a suitably qualified person, must be submitted to Council to verify a Green Star rating of minimum 6 stars (to achieve 'Australian Excellence') can be achieved.
(Reason: Sustainability)

- Prior to issue of a Construction Certificate, a Green Travel Plan is to be submitted to Council for approval.

Structural details

- Prior to the issue of the Construction Certificate for excavation and the basement structure, the Applicant must submit to the Certifier detailed structural drawings and a Report demonstrating that structural drawings comply with:
 - (a) relevant clauses of the NCC;
 - (b) this development consent.

Temporary Ground Anchors

- Obtain written permission from all private property owners affected by any encroachment either below ground or the air space above as a result of any proposed temporary ground anchors prior to issue of the Construction Certificate. Permits are to be obtained from Council for any temporary ground anchors to be installed within the road reserve. Copies of the permission shall be sent to Council.

A Temporary Ground Anchor Permit application is to be obtained from Council's website for any ground anchors proposed to be installed in Council's Road Reserve. All works associated with the drilling and stressing of the ground anchors shall be installed in accordance with approved drawings.
(Reason: Encroachment of works)

Stormwater Conveyed to Street Drainage

- Stormwater runoff from the site shall be collected and conveyed to the underground drainage system from Orchard Road to Albert Avenue via a 375 mm Class 4 RCP in accordance with Council's specification. A grated drainage pit (min. 600mm x 600mm) shall be provided within the property and adjacent to the boundary prior to discharging to the Council's drainage system and a kerb inlet pit at the kerb line in front of the property. In this regard, full design and construction details showing the method of disposal of surface and roof water from the site are to be submitted to Council for approval prior to the issue of the Construction Certificate.
(Reason: Prevent nuisance flooding)

Analysis of Outlet Condition

- The capacity of the outlet pipe to the Council system shall be hydraulically evaluated using the Hydraulic Grade Line method to ensure that the outlet from the OSD system is above the downstream water level for the 1%AEP storm event. Full engineering details of the hydraulic evaluations prepared and signed by a practising Civil Engineer shall be submitted to the certifying authority for approval prior to the issue of the Construction Certificate.
(Reason: Prevent property damage)

Detailed Stormwater Management Plan (SWMP)

- Prior to the issue of the Construction Certificate, submit to the Certifier for approval, detailed stormwater management plans in relation to the on-site stormwater management and disposal system for the development, which shall include an on-site

stormwater detention system with a minimum volume of 127m³ that limits the peak flow from the site in the 1%AEP event to 59.7L/s. The construction drawings and specifications shall be prepared by a suitably qualified and experienced civil engineer and in accordance with the concept stormwater management plans, prepared by Enscape Studio drawings C-20/A, C-21/A, C22/A, C-25/A. All drawings shall comply with Part I of Council's Development Control Plan and Technical Standard 1, AS/NSZ3500.3 – *Plumbing and Drainage Code* and National Construction Code. (Reason: Ensure compliance)

Basement Pumpout Drainage System

- Prior to the issue of the Construction Certificate, the applicant shall submit, for approval by the Certifier, detailed stormwater management plans in relation to the pump-out drainage system. The construction drawings and specifications shall be generally in accordance with the approved stormwater management plans with the following requirements:
 - (a) The pumpout drainage system shall comprise with two (2) submersible type pumps. The two pumps shall be designed to work on an alternative basis to ensure both pumps receive equal use and neither remains continuously idle.
 - (b) Each pump shall have a minimum capacity of 10L/s or shall be based on the flow rate generated from the 1% Annual Exceedance Probability storm event 5-minutes duration of the area draining into the system, whichever is greater.
 - (c) An alarm warning device (including signage and flashing strobe light) shall be provided for the pump-out system to advise the occupant of pump failure. The location of the signage and flashing strobe light shall be shown on the stormwater management plans.
 - (d) The volume of the pump-out tank shall be designed with a minimum storage capacity equivalent to the runoff volume generated from of the area draining into the tank for the 1% Annual Exceedance Probability storm event for 2-hours duration.

All drawings shall be prepared by a suitably qualified and experienced civil engineer and shall comply with Part I of Council's Development Control Plan, Technical Standard 1, AS/NZS 3500.3 – *Plumbing and Drainage Code* and the National Construction Code.

(Reason: Prevent nuisance flooding)

Overland Flow/Flood Level Certification

- A suitably qualified and experienced civil engineer must certify that:
 - (a) The finished floor levels of the development comply with the requirements of Technical Standard 2.
 - (b) All access points to the basement are at or above the 1%AEP water level + 300mm or the PMF, whichever is higher.
 - (c) The proposed works comply with the requirements of Technical Standard 2 Floodplain Management.
 - (d) The proposed works comply with the Enscape Studio's report "Integrated Water Cycle Management Plan" dated Nov 2025

The engineer must undertake an assessment of the critical flows as determined necessary to satisfy this condition. Where floor levels need to be raised or other flood

protection measures are deemed necessary, details must be submitted and approved by the Certifying Authority prior to the issue of the Construction Certificate.
(Reason: Prevent property damage)

Construction Management Plan (CMP)

- Prior to the issue of the Construction Certificate, submit, for approval by the Certifier, detailed Construction Management Plan (CMP). The CMP shall address:
 - (a) Locations of site office, accommodation and the storage of major materials related to the project
 - (b) Protection of adjoining properties, pedestrians, vehicles and public assets
 - (c) Location and extent of proposed builder's hoarding and Work Zones
 - (d) Tree protection management measures for all protected and retained trees.
 - (e) Construction vehicles access to and egress from the site
 - (f) Parking for construction vehicles

(Reason: Compliance)

Construction Traffic Management Plan

- Prior to issue of the Construction Certificate, a detailed Construction Traffic Management Plan shall be prepared for pedestrian and traffic management and be submitted to the relevant road authority for approval. The plan shall:
 - (a) Be prepared by a TfNSW accredited consultant.
 - (b) Be in accordance with the current version of AS1742.3 and its associated handbook; and the TfNSW's Traffic Control at work site manual.
 - (c) Include detail on parking arrangements for construction workers / tradesmen,
 - (d) Include any potential modifications to access (including for pedestrians) on Albert Ave and Victor St.
 - (e) Implement a public information campaign to inform any road changes well in advance of each change. The campaign shall be approved by the Traffic Committee.
 - (f) Nominate a contact person who is to have authority without reference to other persons to comply with instructions issued by Council's Traffic Engineer or the Police.
 - (g) Confine temporary road closures to weekends and off-peak hour times and shall be the subject of approval from Council. Prior to implementation of any road closure during construction, Council shall be advised of these changes and a Traffic Guidance Scheme shall be submitted to Council for approval. This Plan shall include times and dates of changes, measures, signage, road markings and any temporary traffic control measures.

(Reason: Public safety and amenity)

Loading Dock Management Plan

- Prior to issue of the Construction Certificate, a detailed Loading Dock Management Plan shall be prepared and submitted to Council for approval. The plan is to provide full details on the following required arrangements:
 - a) Mandatory loading and unloading booking system
 - b) Waste collection scheduling outside peak hours
 - c) Dock supervision by building manager

Design of Works in Public Road (Roads Act Approval)

- Prior to issue of any Construction Certificate, the applicant must submit, for approval by Council as a road authority, full design engineering plans and specifications prepared by a suitably qualified and experienced civil engineer for the following infrastructure works:
 - a) Construction of minimum 2.5 metres wide footpath (max. 2.5% crossfall) towards the kerb for the full frontage of the development site in Orchard Road, Albert Avenue and Victor Street in accordance with Council's specification and Standard Drawings SD105 and SD100, and the Chatswood CBD Public Domain Plan and Technical Manual. All adjustments to public utility services and associated construction works in the nature strip are to be at the full cost to the applicant. Detailed long section and cross sections at 5 metres interval shall be provided.
 - b) Reconstruction of existing kerb and gutter for the full frontage of the development site in Orchard Road, Albert Avenue and Victor Street in accordance with Council's specifications and Standard Drawing SD105, and the Chatswood CBD Public Domain Plan and Technical Manual.
 - c) Reconstruction of the existing road pavement 4m wide for the full frontage of the development site in Orchard Road, in accordance with Council's specifications;
 - d) Reconstruction of the existing road pavement for the full width of Victor Street and Albert Avenue, adjacent the development site, in accordance with Council's specifications.
 - e) Construction of a vehicular crossing in Victor Street and Orchard Road in accordance with Council's specification and Standard Drawings SD105. The crossing width shall be as required for vehicle access.
 - f) Connection of the site drainage system to Council's stormwater system in Orchard Road and Albert Avenue
 - g) During the course of construction, the Applicant must provide temporary road restoration works as required and as directed by Council, and ensure all public areas affected by the works are maintained in a safe condition and free of pedestrian trip hazards at all times.
 - h) Any other works in the road reserve required for the development, and any signage or traffic control measures required by the conditions of consent.

Submit an application for **Public Domain Works on Council Infrastructure** provided on Council's website. The required plans must be designed in accordance with Council's specifications (AUS-SPEC) and the Chatswood CBD Public Domain Plan and Technical Manual. A minimum of three (3) weeks will be required for Council to assess the *Roads Act* submissions.

All sections must include the location of existing and proposed services. Early submission is recommended to avoid delays in obtaining a Construction Certificate. For the purpose of inspections carried out by Council Engineers, the corresponding fees set out in Council's current Fees and Charges Schedule are payable to Council prior to issue of the approved plans.

Approval must be obtained from Willoughby City Council as the road authority under the *Roads Act 1993* for any proposed works in the public road prior to the issue of any Construction Certificate.
(Reason: Ensure compliance)

Driveway Longsection

- Prior to issue of the Construction Certificate and in order to assess the susceptibility of vehicles to scraping as they pass over the proposed access driveway the applicant shall submit longitudinal sections for approval by the Certifying Authority along each side of the proposed vehicular access path drawn at 1:20 Scale. The longitudinal sections shall include the following:
 - (a) Horizontal distance from the centreline of the road to a minimum of 10m within the site, including provision of Council's standard layback as per Council's standard drawing SD105 which is available from Council's website. Council's standard layback is 500mm wide and back of layback is 100mm above the gutter invert.
 - (b) Both existing and proposed levels (in AHD) and gradients represented in percentage (%) of the vehicular crossing and driveway.
 - (c) Crossfall on road pavement shall be shown on long sections.

The design shall be prepared by a suitably qualified civil engineer using the B99 vehicle template from AS/NZS 2890.1. All driveway grades and transitions shall comply with AS/NZS 2890.1 -2004 and Council's specifications.

The new crossing is to be a width suitable for the required vehicle access with no splays and be constructed at right angle to street kerb. The footpath/footpath zone which forms part of the proposed crossing shall have a maximum crossfall of 2.5% towards the kerb. For the design levels of the vehicular crossing at the property boundary, the following shall be complied with, unless written approval is gained from Council for alternate levels:

- (a) As per drawings approved by Council

The suitability of the grade of driveway inside the property is the sole responsibility of the applicant and the required alignment levels fixed by Council may impact upon these levels.

(Reason: Safe vehicular access)

Flood Risk Management Plan

- A Flood Risk Management Report prepared by a qualified civil engineer experienced in flood analysis and management and complying with the requirements in Part I of the Willoughby DCP and Technical Standard No. 2, "Floodplain Management" and the NSW Government's Flood Risk Management Manual, shall be submitted with the application for Construction Certificate. All measures contained in the report shall form part of any Construction Certificate issued.
(Reason: Managing Flood Risk)

OSD/Rainwater Tank Design

- The design of all rainwater/OSD tanks shall comply with the requirements of the NSW Work Health and Safety Regulation 2017, to minimise risks associated with confined spaces. The design shall also consider "Safety in Design" requirements.

Prior to issue of a Construction Certificate, a suitably qualified person shall certify that the design meets these requirements.

(Reason: Safe access to tanks)

Vehicle Access and Manoeuvring – Engineer’s Certification

- Prior to the issue of the Construction Certificate, the Applicant shall submit, for approval by the Principal Certifier, certification from a suitably qualified and experienced Traffic Engineer relating to the design of vehicular access and manoeuvring for the development. This certification must be based on the architectural drawings and the structural drawings, and must make specific reference to the following:

- (a) That finished driveway gradients and transitions comply with AS/NZS 2890.1 and AS 2890.2 and will not result in scraping to the underside of cars.
- (b) That the proposed vehicular path and parking arrangements comply in full with AS/NZS 2890.1, AS 2890.2 and AS 2890.6 in terms of minimum dimensions provided and grades on parking spaces.
- (c) That visitor and retail parking spaces comply with the requirements for Class 2 Medium term parking in AS/NZS 2890.1.
- (d) That accessible parking spaces, including those required for adaptable units, comply with the requirements of AS 2890.6, including provision of the required shared areas and bollard.
- (e) That the loading bay and access to and from the loading bay complies with the requirements of AS 2890.2 for the service vehicle required for the site, including Council’s waste vehicle.
- (f) That the headroom clearance of minimum 2.2 metres between the basement floor and any overhead obstruction (including overhead services) is provided for compliance with Section 5.3.1 of AS/NZS 2890.1 and Section 2.7 of AS 2890.6.
- (g) That the headroom clearance of minimum 2.5 metres is provided to all parking spaces for people with disabilities for compliance with Section 2.7 of AS 2890.6.
- (h) That the headroom clearance required in AS 2890.2 for the largest vehicle using the site (minimum 4.5m headroom) has been provided for the loading area and the path to and from the loading area.
- (i) Simultaneous manoeuvring of B99 and B85 vehicles at all circulation aisles, ramps and ramp ends including the clearance lines for each vehicle, in accordance with AS2890.1, is complied with.
- (j) Simultaneous manoeuvrability of the largest vehicle using the site (minimum Council’s 10.5m waste vehicle) and a passenger vehicle including clearance in accordance with AS2890.1 and AS2890.2, is provided between the frontage road and the loading bay or that suitable traffic control measures are provided.
- (k) Simultaneous manoeuvrability of a small rigid vehicle (SRV) and a passenger vehicle including clearance in accordance with AS2890.1 and AS2890.2, is provided between the frontage road and the loading bay or that suitable traffic control measures are provided.
- (l) That the loading bay size is sufficient for Council’s 10.5m long waste vehicle with 2m loading area behind the vehicle and the vehicle and loading area clear of the main vehicle access aisle to the basement.
- (m) That sight triangles required by Figure 3.3 of AS/NZS 2890.1 have been provided at the vehicle exit.

(Reason: Ensure compliance)

Finish Surface Levels Along the Street Boundary

- Prior to the issue of a Construction Certificate, finished surface levels for all internal works along the street boundary, including finish floor levels, driveways, car spaces, landscaping, drainage structures etc., must be shown on the plans issued for construction. The development's internal surface levels along the street boundary must be consistent with the public domain civil works plans approved by Council under the *Roads Act (1993)*. Any changes required to the finish floor levels approved under this development consent may require an application under S4.55 of the EP&A

PUBLIC DOMAIN – Non Engineering Work

- Prior to the issue of a Construction Certificate, the proponent shall prepare a Public Domain Plan to fully describe and address the proposed treatment to areas immediately adjacent the site frontages external to the site boundary for the following areas:
 - a) Victor St
 - b) Albert Avenue
 - c) Orchard Road.

The proposed public domain treatment shall be consistent with the Chatswood CBD Public Domain Plan and Technical Manual

The Plan shall include:

- A raised threshold (continuous footpath) within Victor St at the intersection of Victor St and Albert Avenue.
- Street tree planting to Victor St and Albert Avenue (in consultation with Council)
- A minimum footpath width of 2 metres that is clear of obstructions.

AUSGRID CONNECTIONS and REQUIREMENTS

- The development shall integrate suitable cabinets and conduiting to ensure that any existing, proposed and future electrical connections may be facilitated without requiring any AUSGRID or other Authority above ground infrastructure within the Public Domain, ensuring that a minimum footpath width of 2 metres (clear of obstructions) shall be fully maintained.

External Finishes – Solar Absorptance

- The external roofing, glazing and walls of the proposed building is to be of minimal reflectance so as to avoid nuisance in the form of glare or reflections to the occupants of nearby buildings, pedestrians and/or motorists. Details demonstrating compliance are to be submitted with the Construction Certificate application.
(Reason: Visual amenity)

Certification of Gross Floor Area

- Prior to the issue of a Construction Certificate, a Registered Surveyor shall submit to the Certifier for approval, a floor space ratio (FSR) calculation plan demonstrating that the proposed gross floor area of all buildings on the site is in accordance with the approved plans listed in this Consent. The calculation must be undertaken in

accordance with the definition for gross floor area under Willoughby Local Environmental Plan.

(Reason: Bulk and scale control/compliance)

Adaptable Units

- Adaptable residential units for disabled persons are to be provided at a rate of 50% of units. Each adaptable unit is to be nominated on the Construction Certificate drawings. Accessible car parking spaces are to be provided for the adaptable units in accordance with WDCP. (Reason: Amenity)

Access, Mobility and Adaptable Housing

- Prior to the issue of a Construction Certificate, to provide suitable access for people with disabilities, the development shall comply with Disability (Access to Premises – Buildings) Standards 2010. Details demonstrating compliance must be submitted with the Construction Certificate application.
(Reason: Access and Compliance)

Sydney Water ‘Tap In’

- Prior to the issue of the Construction Certificate, the approved plans must be submitted online to “Sydney Water Tap In” to determine whether the development will affect Sydney Water’s sewer and water mains and to see if further requirements need to be met. An approval receipt will need to be obtained prior to release of the Construction Certificate.
(Reason: Ensure compliance)

Fibre-Ready Facilities and Telecoms Infrastructure

- Prior to the issue of a Construction Certificate, the developer (whether or not a constitutional corporation) is to provide evidence satisfactory to the Certifier that arrangements have been made for:
 - (a) The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose. and
 - (b) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots/or premises in a real estate development project demonstrated through an agreement with a carrier.

(Note: Real estate development project has the meanings given in section 372Q of the Telecommunications Act).

(Reason: Amenity)

Internal Noise Levels Residential

- Certification from an appropriately qualified acoustic consultant that the building has been designed to meet minimum noise criteria requirements shall be submitted to the Certifier prior to issue of the Construction Certificate.
(Reason: Amenity, environmental compliance and health)

Mechanical Ventilation

- Prior to the issue of the Construction Certificate for above ground structure and services, detailed plans of the mechanical exhaust ventilation system must be submitted to the Certifier. The plans must:
 - (a) be prepared by a suitably qualified person;
 - (b) be in accordance with Australian Standard AS1668.1, AS1668.2 and AS366.1 as applicable and/or an alternative solution using an appropriate assessment method;
 - (c) ensure all generated heated air, smoke, fumes, steam or grease vapours do not cause a nuisance to persons within or nearby to the premises, or cause air pollution as defined under the NSW *Protection of the Environment Operations Act 1997*; and
 - (d) demonstrate all mechanical services shall be designed to comply with the noise emission criteria contained in the EPA's Noise Policy for Industry 2017
- Prior to the issue of the Construction Certificate for above ground works, the mechanical exhaust systems and/or shafts for the non-residential units must:
 - (a) be designed to allow for the treatment and removal of offensive odours and particulates, and the discharge of effluent air at a height and velocity that prevents discomfort and nuisance to the public;
 - (b) be incorporated internally within the building (i.e. not be affixed to the external elevations), designed with capacity to accommodate exhaust ducts and mechanical ventilation systems for all commercial tenancies proposed with the potential to become a food premises in future; and
 - (c) systems must be designed in accordance with *AS1668.2 – The Use of Ventilation and Air-conditioning in Buildings – Mechanical Ventilation in Buildings*, and *AS1668.1 – The Use of Ventilation and Air-conditioning in Buildings – Fire and Smoke Control in Buildings* and *AS2918:2001 – Domestic solid fuel burning appliances – Installation*.

Traffic Work

- Prior to issue of the Construction Certificate, any proposals for changes to the carriageway of a public road including shared paths, involving traffic arrangements shall be referred to the Local Traffic Committee for approval. All work shall be designed in accordance with RMS Technical Directives and Guidelines.
(Reason: Public safety and amenity)

Provide a Public Art Plan and Strategy

- Prior to the issue of the Construction Certificate for above ground works, the Applicant must submit to the satisfaction of the Certifier a detailed Public Art Plan prepared in consultation Council. The detailed public art plan must be developed and implemented in accordance with Council's Public Art Policy and Procedures and Guidelines and include:
 - a) Composition of the Public Art Panel comprising, noting WCC representation:
 - Developer representative
 - Willoughby City Council representative (Urban Design Specialist and Arts and Culture Manager)
 - Independent Art Specialist (TBA)
 - b) Project budget including breakdown:

- Project (building) CIV
- c) Public Art budget - nominally 1% of the project CIV

- The Detailed Public Art Plan should include the public art concept/s illustrated in such a way that the form, dimensions, materials and location of the proposed artwork are clearly communicated. It should include a brief statement explaining the rationale behind the artwork and should demonstrate how the proposed work will relate to the proposed development and site. The plan should provide a program for documentation, fabrication and installation and integration with the construction program for the development. It should also provide engineer's drawings, expected maintenance requirements and deaccessioning agreements.
- The Public Art Plan will be reviewed by the Willoughby Public Art Advisory Panel for comment, and any recommendations will be recorded and passed on to the developer clearly outlining the following
 - a) Demonstration of Excellence
 - b) Public Art Ownership:
 - c) Dedication of the Public Art to the people of Willoughby
 - d) Agreement between Developer/Body Corporate and WCC regarding ownership
 - e) Artist Rights
 - f) Deaccession Plan/Agreement as noted in The Public Art Strategy Document
 - g) Maintenance regimen and responsibilities Expected annual maintenance budget
 - h) Insurances
 - i) Where the art piece is to be located on private property, the insurance shall be in the name of the owner of that property.

Crime prevention through environmental design

- Prior to the issue of the Construction Certificate for fitout, the Applicant must submit to the Certifier a Report demonstrating that the design of the Development has incorporated the management and mitigation measures contained within the application.

Wind mitigation measures

- Prior to the issue of the Construction Certificate for the facade or the public domain and ground level landscaping (whichever is earlier), the Applicant must submit a Report to the Certifier demonstrating that the design of the Development has incorporated the mitigation measures contained within the application.

Acoustic measures

- Prior to the issue of the Construction Certificate for the facade, the Applicant must submit a Report to the Certifier from an acoustic Engineer demonstrating that the design of the Development has incorporated all performance parameters, requirements, engineering assumptions and recommendations contained in the

Hazardous Building Material Assessment

- A hazardous building material assessment shall be undertaken by an appropriate qualified person and is to be submitted to the Certifier for approval prior to the issue of the Construction Certificate. The assessment shall identify any likely hazardous

materials within any structure to be demolished and provide procedures on how to handle and dispose of such materials.

(Reason: Environmental protection/public health and safety)

Bicycle facilities

- Bicycle wayfinding, storage and end of trip facilities must be provided on-site to the satisfaction of Council's DCP. The storage and end of trip facilities must be located in a convenient and secure location in as close proximity to the retail areas as possible. Separate facilities must be provided for use by employees and visitors to the development. All spaces must be clearly and visibly marked on site for their intended use. The design of the bicycle wayfinding (such as signposting), storage (including bicycle racks, bicycle rails and lockers) and end of trip facilities must be to the satisfaction of Council and meet Australian Standards, Austroads guidelines and TfNSW technical directions and guidelines.

Evidence showing satisfaction of this condition is to be provided in a report to Council for review prior to issue of any construction certificate.

(Reason: Support active transport use)

Electric vehicle charging

- Prior to the issue of any Construction Certificate, details must be provided to the satisfaction of the Certifier, the basement carpark must be provided with electrical distribution boards dedicated to electric vehicle charging with the following minimum capacity:
 - (a) For the non-residential car parking component of the development the minimum requirements under the National Construction Code.
 - (b) For residential car parking component of the development, 100% of the car parking must satisfy the requirements under the National Construction Code (Part J9D4).

Services and Fire Hydrant Enclosure

- Prior to the issue of the relevant Construction Certificate for works above ground slab level, the Certifying Authority is to be provided with plans demonstrating that all Services (Gas meter, water meter & fire hydrant and sprinkler booster valves and the like) are enclosed in a manner that complements the building and in accordance with the requirements of the BCA. (Reason: To ensure essential services are appropriately screened)

WASTE

Waste Storage Room Construction

- A design certificate and detailed plans are to accompany any Construction Certificate application which demonstrates that the waste storage has been designed to be constructed in accordance with the Waste Management Guide and including the following requirements:
 - (a) The floor is to be constructed of concrete at least 75mm thick and adequately graded to drain to a Sydney Water approved drainage fitting;

- (b) The floor must be finished so that it is non-slip and has a smooth and even surface covered at all intersections;
- (c) The ceilings and walls must be finished with smooth faced non-absorbent material capable of being cleaned;
- (d) The room is to be provided with artificial light controllable within the room and adequate ventilation;
- (e) The room is to be provided with an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock.
- (f) Doorways for the collection holding rooms and bulky waste storage rooms are a minimum of 2,500mm wide.

(Reason: Environmental protection/waste reduction/public health and safety)

Waste Chute Design

- Where the development incorporates a Waste Chute as part of the waste management system, a design certificate and detailed plans are to accompany any Construction Certificate application which confirms that the Waste Chute can be constructed to satisfy the Waste Management Guide and specifically the following requirements:
 - (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) Manufacturers technical specifications and operational limitations.

(Reason: Environmental protection/ waste reduction/ public health and safety)

Access for Waste Collection Vehicles and Turntable

- A design certificate and detailed plans are to accompany the Construction Certificate application that confirms that the development can be accessed and serviced by the nominated waste collection vehicle in accordance with the Waste Management Guide. The plans are to specifically demonstrate that the path of travel for the waste collection vehicle to the nominated collection area (which includes all entrance/exit, internal driveways, turntable, vehicle ramps, loading docks and basement) has been designed in accordance with AS2890.2:2018.

The design certificate is also to confirm that the internal driveway, cross over, entry/egress points have been designed to meet the following loading requirements:

- (a) 25 tonne waste collection vehicles.
- (b) Turning circle of 23 metres.
- (c) Truck length of 10.5 metres with at least an 11m diameter turntable and at least a 12m diameter overall clearance based on 500mm all around the turntable.
- (d) Clearance height of 4.5 metres throughout the vehicle swept path.

(Reason: Compliance/ environmental protection/ waste reduction/ public health and safety)

On-Site Collection Point(s) Design

- Prior to issue of any Construction Certificate, it must be demonstrated that the nominated on-site collection point(s) can be safely and efficiently used to facilitate the collection of waste for the development, including any bin contents, bulky waste and any other waste. Any on-site collection point is:
 - (a) to be designed without obstructions so not to restrict the collection of waste;
 - (b) to be located within two (2) metres of the applicable collection holding room and without any need to cross any active traffic area during the collection of waste; and
 - (c) include a safe unobstructed rear clearance of two (2) metres behind the truck for loading of bin contents and bulky waste.
 (Reason: Environmental protection/ waste reduction/ public health and safety/ work health and safety)

Updated Operational Waste Management Plan

- Prior to issue of any Construction Certificate, the developer is required to submit an updated Operational Waste Management Plan for Council approval that demonstrates:
 - a) Consistency in the areas proposed for non-residential use and waste generation rates with sufficient collection frequency that meet the following as required by NSROC (2018, Section 3.6, Table 3: Commercial generation rate) and NSW EPA 2019 Better practice guide for resource recovery in residential development (Table F3), along with an evidence-based assessment of commercial organics bins for food-related businesses:
 - Food-related businesses:
 - Restaurants: waste 660L/100m²/day and recycling 120L/100m²/day,
 - Supermarkets: 240L/100m²/day and recycling 300L/100m²/day
 - Non-food related businesses:
 - Retail non-food sales (>100m²): waste 50L/100m²/day and recycling 50L/100m²/day.
 - Retail non-food sales (<100m²): waste 50L/100m²/day and recycling 25L/100m²/day.
 - Offices: waste 10L/100m²/day and recycling 15L/100m²/day.
 - Gym: waste 20L/100m²/day and recycling 15L/100m²/day.
 - b) Meets Council's requirement for a recycling bin on each residential level in a room that contains the residential chute access points. Residential chute access points must be located within a residential waste cupboard on each residential level (NSROC 2018, Section 5.5 – Recycling Cupboard on each floor).
 - c) Collection of residential waste by Council in accordance with the Willoughby DCP 2023 (e.g., NSROC, 2018, Section 3.13.4 Onsite Collection and Section 3.14 Designing for waste collection vehicle access) including HRV access.
 - d) An 11m turntable diameter and 12m diameter turntable zone.
 - e) Temporary collection holding rooms in accordance with the Willoughby DCP 2023 (NSROC, 2018, Section 3.15 Temporary Bin Storage Areas) with residential garbage and recycling collected from bulk bins (660L or 1,100L) with matching size for each of garbage and recycling.
 - f) Capacity under the chutes for at least three days generation (NSROC 2018, Table 13, Chute service / bin storage rooms).
 - g) Clearly demonstrated bin washing areas.

Updated Construction and Demolition Waste Management Plan

- Prior to issue of any Construction Certificate, the developer is required to submit an updated Construction and Demolition Waste Management Plan for Council approval that demonstrates:
 - i. Adequate truck access and vehicle movements.
 - ii. Recovery model whether source separation or offsite sorting.
 - iii. Specific site procedures applicable to this development.
- The construction and demolition waste management plan should be complied with during all demolition and construction stages of the proposed development. When implementing the WMP the developer is to ensure:
 - (a) The disposal of any demolition and construction waste must be undertaken in accordance with the requirements of the *Protection of Environment Operations Act 1997*.
 - (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 Protection of Environment Operations Act 1997.
 - (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.
 - (d) All waste generated (including excavated materials) which cannot be reused or recycled must be transported to a facility which can lawfully accept it.
 - (e) Records are retained regarding the details and location of the disposal of all demolition and construction waste (including excavated material) 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 and confirmation of the waste disposal facility.
 - (f) All materials and resources that are to be stored on site during construction works are contained on the site. The provisions of the Protection of Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposal of concrete waste or activities which have potential to pollute drains and water courses.

(Reason: Environmental protection/waste reduction/public health and safety)

Grease Arrestor for Potential Food Businesses

- Provision shall be made in the design of the development in the Construction Development Application for a grease arrestor room of adequate dimensions to house the necessary tanks and plant equipment to pre-treat oil, grease and fats prior to discharge to Sydney Water's sewer in accordance with that authority's requirements. The grease arrestor room shall be located somewhere in the development that facilitates easy access by waste contractor vehicles.
- (Reason: Environmental protection/public health and safety)

Mechanical Ventilation – Food Premises

- Emission control equipment shall be provided in the mechanical exhaust system serving cooking appliances at the food premises to effectively minimise the emission of odours, vapours and oils. Solid fuel cooking equipment must have a separate exhaust ventilation system/s. Exhaust hoods must be of stainless steel construction with an internal 50mm x 50mm gutter, an unscrewable drainage plug at one corner and have

removable grease filters for effective cleaning. Prior to the issue of a Construction Certificate, detailed design plans, to scale, and specifications and operational information of the proposed emission control equipment shall be submitted to the Certifier demonstrating that the ventilation system has been designed in accordance with the following Australian Standard/New Zealand Standards:

- (a) AS/NZS 1668.1:1998 – The use of ventilation and air conditioning in buildings – Fire and smoke control in multi-compartment buildings;
 - (b) AS/NZS 1668.2:2002 – The use of ventilation and air conditioning in buildings – ventilation design for indoor air contaminant control; and
 - (c) AS/NZS 2918:2001 – Domestic solid fuel burning appliances – Installation.
- (Reason: Amenity, environmental compliance and health)

PART C PRIOR TO COMMENCEMENT OF WORKS

MANAGEMENT PLANS

Construction environmental management sub-plan

- Prior to the commencement of any work, the Applicant must prepare and submit to the Certifier a Construction Environmental Management Plan (CEMP) for the Development with measures to reduce environmental impacts and harm during construction of the Development, including, at a minimum, the following information:
 - (a) details of:
 - (i) hours of construction;
 - (ii) 24 hour contact details of the site manager and complaint handling procedure;
 - (iii) construction program and construction methodology, including construction staging;
 - (iv) traffic management;
 - (v) noise and vibration management;
 - (vi) management of dust and odour;
 - (vii) stormwater control and discharge, including ensuring that vehicles leaving the site do not transfer dirt to roadways;
 - (viii) prevention and management of contamination;
 - (ix) management of stockpiles of soil or other materials;
 - (x) waste management;
 - (xi) external lighting in compliance with applicable Australian Standards;
 - (xii) site security, including fencing or hoarding;
 - (b) Construction Traffic and Pedestrian Management Sub-Plan in accordance with Condition **XXX**;
 - (c) Construction Noise and Vibration Management Sub-Plan in accordance with Condition **XXX**;
 - (d) Air Quality Management Sub-Plan in accordance with Condition **XXX**;
 - (e) Construction Waste Management Sub-Plan in accordance with Condition **XXX**;
 - (f) Construction Soil and Water Management Sub-Plan in accordance with Condition **XXX**;
 - (g) Construction flood management in accordance with Condition **XXX**;
 - (h) an unexpected finds protocol for remediation in accordance with Condition **XXX**;
 - (i) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure, including but not limited to ensuring compliance with Condition **XXX**; and
 - (j) waste classification (for materials to be removed) and validation (for materials to remain) to be undertaken to confirm the contamination status of relevant areas of the site.

Construction traffic and pedestrian management sub-plan

- Prior to the commencement of any work, the Applicant must submit to the Certifier a final Construction Traffic and Pedestrian Management Sub-Plan (CTPMP) for the Development with measures to reduce environmental impacts and harm during construction of the Development arising from construction traffic, including, at a minimum, the following information:

- (a) location of proposed work zone(s);
- (b) construction vehicle access arrangements and haulage routes;
- (c) predicted number and timing of construction vehicle movements and vehicle types;
- (d) identification of potential conflicts between vehicle movements required for construction and general traffic, cyclists, pedestrians, bus services within the vicinity of the site from construction vehicles; and
- (e) details of construction worker parking, including the potential for onsite parking within the basement levels, after completion.

Construction noise and vibration management sub-plan

- Prior to the commencement of any work, the Applicant must submit to the Certifier a Construction Noise and Vibration Management Sub-Plan (CNVMP) for the Development with measures to minimise environmental impacts and harm during construction of the Development arising from construction noise and vibration, including, at a minimum, the following information:
 - (a) identification of noise sources and Sensitive Receivers;
 - (b) hours of construction (in accordance with Conditions **XXX**;
 - (c) quantification of the rating background noise level (RBL) for Sensitive Receivers;
 - (d) the construction noise, ground-borne noise and vibration objectives derived from an application of the Interim Construction Noise Guideline (DECC, 2009) (ICNG), and how the Applicant will ensure that construction is carried out in compliance with the construction noise management levels detailed in the ICNG and so as not to exceed approved noise limits for the site;
 - (e) prediction and assessment of potential noise, ground-borne noise (as relevant) and vibration levels from the proposed construction methods expected at Sensitive Receiver premises against the objectives identified in the ICNG;
 - (f) noise mitigation measures that can be implemented to reduce construction noise and vibration impacts, including:
 - (i) installation of acoustic barriers/enclosures;
 - (ii) alternative excavation methods;
 - (g) describe the measures to be implemented to manage high noise generating works (such as piling and rock breaking) or activities that may be particularly annoying (as defined in the ICNG), in close proximity to sensitive receivers;
 - (h) measures to identify non-conformances with the requirements of the CNVMP, and procedures to implement corrective and preventative action and to respond to complaints;
 - (i) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity;
 - (j) include strategies that have been developed in consultation with the directly adjoining properties for managing vibration such as any alternative construction methods with lower source vibration levels and provision for respite periods; and
 - (k) include a complaints management system that would be implemented for the duration of the development.

Air quality management sub-plan

- Prior to the commencement of any work, the Applicant must submit to the Certifier an Air Quality Management Sub-Plan (AQMP) for the Development. The AQMP must be

prepared by a suitably qualified and experienced expert in accordance with the EPA's Approved Methods for the Modelling and Assessment of Air Pollutants in NSW and include, as a minimum, the following information:

- (a) relevant environmental criteria to be used to guide management of dust and odours;
- (b) dust and odour management practices to be implemented, including:
 - (i) watering of exposed surfaces and stockpiles;
 - (ii) covering of truck loads;
 - (iii) prevention of dirt from trucks tracking onto public roads and cleaning of any tracked dirt;
 - (iv) progressive land stabilisation works to minimise exposed surfaces;
 - (v) monitoring requirements;
 - (vi) communication strategy;
 - (vii) system and performance review for continuous improvements; and
- (c) measures to identify non-conformances with the requirements of the CNVMP, and procedures to implement corrective and preventative action and to respond to complaints.

Construction waste management sub-plan

- Prior to the commencement of any work, the Applicant must submit to the Certifier a Construction Waste Management Sub-Plan (CWMP) for the Development. The CWMP must include, as a minimum, the following information:
 - (a) requirement that all waste generated during the project is assessed, classified and managed in accordance with the EPA's "Waste Classification Guidelines Part 1: Classifying Waste";
 - (b) demonstrate that an appropriate area will be provided for the storage of bins and recycling containers and all waste and recyclable material generated by the works;
 - (c) procedures for minimising the movement of waste material around the site and double handling;
 - (d) requirement that waste (including litter, debris or other matter) is not caused or permitted to enter any waterways;
 - (e) requirements that any vehicle used to transport waste or excavation spoil from the site is covered before leaving the premises;
 - (f) requirement that the wheels of any vehicle, trailer or mobilised plant leaving the site are cleaned of debris prior to leaving the premises;
 - (g) details in relation to the transport of waste material within the site and from the site, including (at a minimum):
 - (i) a traffic plan showing transport routes within the site;
 - (ii) a commitment to retain waste transport details for the life of the project to demonstrate compliance with the *Protection of the Environment Operations Act 1997*; and
 - (iii) the name and address of each licensed facility that will receive waste from the site.

Construction soil and water management plan sub-plan

- Prior to the commencement of any work, the Applicant must submit to the Certifier a Construction Soil and Water Management Sub-Plan (CSWMP) for the Development. The CSWMP must be prepared by a suitably qualified expert, in Consultation with Council and include, at a minimum, the following information:

- (a) describe all erosion and sediment controls to be implemented during construction;
- (b) provide a plan of how all construction works will be managed in a wet-weather event (i.e. storage of equipment, stabilisation of the site);
- (c) detail all off-site flows from the site during construction; and
- (d) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI.

Construction flood management

- Prior to the commencement of any earthwork, demolition or construction, the Applicant must prepare and implement:
 - (a) for the duration of the works flood warning and notification procedures for construction works on the site and evacuation and refuge protocols; and
 - (b) awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction.

Construction parking

- Prior to the commencement of any earthwork, demolition or construction, the Applicant must submit to the Certifier evidence that sufficient off-street parking has been provided for heavy vehicles, to ensure that construction traffic associated with the development does not utilise on-street parking or public parking facilities.
- Prior to the commencement of any earthwork, demolition or construction, the Applicant must submit to the Certifier a Construction Worker Transportation Strategy. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby public and residential streets or public parking facilities.

Project Arborist

- - (a) A Project Arborist is to be appointed prior to commencement of works on site;
 - (b) The Project Arborist is to have a minimum qualification AQF Level 5;
 - (c) The Project Arborist is to oversee and authorise all tree protection measures detailed in the Arboricultural Impact Assessment dated 16/12/2025 prepared by Lee Hancock Consulting Arborist, AS4970-2025 Protection of trees on development sites and relevant conditions of consent;
 - (b) The Project Arborist is to certify that all tree protection measures have been installed prior to commencement of works.
 (Reason: Safety, environmental protection, landscape amenity)

Removal of Trees in Public Areas

- Prior to the commencement of work:
 - (a) Written notification is to be provided to Council giving a minimum of 7 days warning prior to undertaking the removal of any trees approved for removal in public areas.
 - (b) Removal of approved trees is to be undertaken by a qualified Arborist (Minimum qualification AQF Level 3) with suitable public liability insurance.

(Reason: Management of Public Land)

Temporary Toilet Facilities

- Temporary toilet facilities shall be provided to the satisfaction of the Certifier. The provision of toilet facilities must be completed before any other work is commenced on site. NOTE: Portable toilet facilities are not permitted to be placed on public areas without prior approval having been obtained from Council.
(Reason: Health and amenity)

PRE-CONSTRUCTION DOCUMENTATION AND MEASURES

Survey Certificate

- Prior to the commencement of works, the Applicant must cause the building to be set out by a Registered Surveyor to verify the correct position of all structures in relation to site boundaries and the approved alignment levels and cause the Registered Surveyor to submit a plan to the Certifier certifying that structural works are in accordance with this consent.

The Applicant must cause a Registered Surveyor to measure and mark:

- (a) prior to commencement of works – the positions of all footings/ foundations;
- b) at other stages of construction – any marks that are required by the principal Certifier, and provide information on the positions to the principal Certifier.

Dilapidation Report of Council's Property

- Submit a dilapidation report including photographic record of Council's property extending to a distance of 50m from the development, detailing the physical condition of items such as, but not exclusively to, the footpath, roadway, nature strip, and any retaining walls.

The developer may be held liable to any recent damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded under the requirements of this condition prior to the commencement of works. In this regard, the damage deposit lodged by the applicant may be used by Council to repair such damage on Council's property.

This dilapidation report shall be submitted to Council and the Certifier advised of the submission prior to commencement of work.

(Reason: Protection of Council's infrastructure)

Permits and Approvals Required

- Application is to be made to Council's Infrastructure Services Division for the following approvals and permits as appropriate:
 - (a) Permit to erect Builder's hoarding where buildings are to be erected or demolished within 3.50m of the street alignment. Applications are to include current fees and are to be received at least 21 days before commencement of the construction.

- (b) Permit to stand mobile cranes and/or other major plant on public roads. Applications are to include current fees and security deposits and are to be received at least seven days before the proposed use. It should be noted that the issue of such permits may also involve approval from the NSW Police Force and TfNSW. A separate written application to work outside normal hours must be submitted for approval.
It should also be noted that, in some cases, the above Permits may be refused and temporary road closures required instead which may lead to longer delays due to statutory advertisement requirements.
- (c) Permit to open public roads, including footpaths, nature strip, vehicular crossing or for any purpose whatsoever. All applications are to include current fees. (Minimum one (1) weeks' notice required.)
- (d) Permit to place skip/waste bin on footpath and/or nature strip. (Maximum three (3) days).
- (e) Permit to work and/or place building materials on footpath and/or nature strip. (Maximum two (2) weeks).
- (f) Permit to establish Works Zone on Public Roads adjacent to the Development including use of footpath area. Applications must be received by Council at least twenty-one days prior to the zone being required. The application will then be referred to the Council's Local Traffic Committee for approval, which may include special conditions.
- (g) Permit to construct vehicular crossings over Council's footpath, road or nature strip.
- (h) Permit to install ground anchors beneath the road reserve.

The public footway must not be obstructed at any time unless written approval has been granted by Council. Council's footpath and footway shall be maintained in a safe condition for pedestrians and the general public at all times.
(Reason: Legal requirements)

Application for Vehicle Crossing

- Submit an application with fees to Council for the construction of a plain concrete vehicular crossing.
(Reason: Protection of public asset)

Adjustment to Street Lighting

- Prior to commencement of work, consult with utility authorities to determine the requirements of relocation/adjustment of electricity supply and street lighting services fronting the property at Pacific Highway as necessary for the proposed development. Such street lighting shall also conform to Council's standard specifications.
(Reason: Public amenity)

Underground Utility Services

- Where excavation is proposed, locate and establish the size and levels of all utility services in the footpath and road reserve. Contact "Dial Before You Dig" Service" prior to commencement of any works.

All adjustments to public utilities' mains and services as a consequence of the development and associated construction works shall be at the full cost to the applicant.

(Reason: Protection of utilities)

Dilapidation Report of Adjoining Properties

- Prior to commencement of work, submit a photographic survey and report of each of the adjoining properties to the Certifier and all owners of these adjoining properties. Such photographic survey and report shall be prepared by a suitably qualified person, detailing the physical condition of these properties, both internal and external including items as walls, ceilings, roof, structural members and other items as necessary. In the event of a property owner refusing to allow access to carry out the photographic survey, the proponent must demonstrate in writing to the Certifier, and provide a copy to Council, that the purpose of the survey was made clear to the property owner and that reasonable attempts to obtain access were made.
(Reason: Protection of adjoining owners)

Protection of public infrastructure and street trees

- Prior to the commencement of works, the Applicant must:
 - (a) undertake Consultation with the relevant owner and provider of services that will be affected by the Development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
 - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths) and submit a copy of the dilapidation report to the Certifier, Planning Secretary and Council; and
 - (c) ensure all street trees directly outside the site not approved for removal are retained and protected in accordance with the applicable Australian Standards.

Tree Trunk, Branch and Root Protection

- (a) Retain and protect the following trees and vegetation throughout the demolition and construction period: All trees not approved for removal unless exempt under relevant planning instruments or legislation.
- (b) The above trees must be clearly marked and protection devices in place to prevent soil compaction and machinery damage.
- (c) Tree protection measures must comply with the approved Tree Protection Plan, and AS 4970-2025 Protection of trees on development sites with particular reference to Section 4 Tree Protection Measures.
- (d) Tree protection measures in accordance with (c) above are to be certified by the Project Arborist prior to commencement of any works, including **prior to demolition**.
- (e) All excavation works within the structural root zone (SRZ) of trees to be retained must be carried out by hand using manual hand tools only under the supervision of the Project Arborist.
- (f) Tree roots greater than 25mm diameter are not to be removed unless approved by The Project Arborist on site. Any roots permitted to be removed are to be cleanly cut.
- (f) All structures are to bridge roots unless directed by The Project Arborist on site.
- (h) Installation of stormwater or other services within the tree protection zone (TPZ) are to dug by hand under supervision of the Project Arborist and shall be routed under or over roots greater than 25mm.

(Reason: Tree management)

Public Tree Protection

- (a) In relation to all public trees:
 - (i) no tree roots over 25mm diameter are to be damaged or cut and all structures are to be bridged over or tunnel bored under such roots.
 - (ii) No branch pruning or tree removal is to be undertaken.
 - (iii) Tree protection is to be undertaken in accordance with AS4970-2025 'Protection of trees on development sites' including Trunk and Branch Protection and Tree Protection Fencing.
- (b) If any interference is anticipated with adjacent tree roots and/or branches, or the removal of any tree is sought as a result of the approved works, approval to undertake works on public trees must be sought from Council's Streetscapes Co-ordinator on 9777 7793 prior to such works being undertaken. Approval from Council must be granted in writing detailing works that are allowed. A copy of the written approval must be kept on site at the time of the works and must be presented immediately to any Council officer upon request.
- (c) Any approved tree works are to be undertaken to the satisfaction of Council's Streetscapes Co-ordinator or their delegated representative, and at the cost of the applicant/owner of this consent.

(Reason: Tree management)

Street Tree Trunk and Branch Protection

- Street tree trunk and branch protection must be installed for all Council Street trees adjoining the site.
 - (a) Timber Planks (50mmx100mm) shall be placed at 100mm intervals and must be fixed by wire ties or strapping to a height of 2m.
 - (b) Hessian cloth is to be placed between the trunk and the planks to minimise damage. The timber planks are not to be fixed directly to the tree in any way.

Note: An example of suitable trunk protection can be found in figure 4 of the Australian Standard 4970-2025 The Protection of Trees on Development Sites.

(Reason: Tree protection)

Creative Hoardings

- Prior to the lodgement of an application for a Construction Certificate, provide a submission in accordance with the Willoughby Creative Hoarding Guidelines for the treatment to all site construction hoardings.

Hoarding applications must be applied for on Council's website, and approval provided, prior to any installation works are undertaken.

Groundwater and dewatering assessment and management

- Prior to the commencement of any demolition, earthworks or construction works or the take of water, the following Groundwater Assessment Reports (GAR) must be submitted to and approved by the Planning Secretary. The GARs must:
 - (a) quantify the maximum annual groundwater intake due to aquifer interference activities during construction and operation;
 - (b) prepare an assessment in accordance with the NSW Aquifer Interference Policy and a Dewatering Management Plan (if deemed necessary), should groundwater take be predicted to exceed 3ML/year; and
 - (c) prepare the above reports in accordance with the Groundwater Assessment Toolbox (DPE 2022) and the Minimum Requirements for Building Site Groundwater Investigations and Reporting (DPE 2022).

The Applicant must obtain a Water Access Licence (WAL), unless an exemption under the Water Management (General) Regulation 2018 applies (i.e. if water take is less than or equal to 3ML/year).

Contamination unexpected finds protocol

- Prior to the commencement of any earthwork or remediation works, the Applicant must submit to the Certifier an unexpected finds protocol which has been reviewed and endorsed by a suitably qualified and experienced consultant. The protocol must outline contingency measures and the procedures to be followed in the event unexpected finds of contaminated material are encountered during works.

Aboriginal heritage management procedures

- Prior to the commencement of any works (including demolition, excavation and construction works), the Applicant must ensure Aboriginal heritage management procedures are prepared for the development and included within the CEMP (Condition C1). The management procedures must:
 - (a) be generally consistent with the recommendations of the '*Aboriginal Cultural Heritage Assessment Report Revision 7*', prepared by Artefact and dated 23 September 2023;
 - (b) be prepared by a suitably qualified and experienced professional(s);
 - (c) be prepared in consultation with Registered Aboriginal Parties and be reviewed by Heritage NSW;
 - (d) include a description of the measures that would be implemented for:
 - (i) ongoing consultation with Registered Aboriginal Parties including consultation regarding changes to the management of Aboriginal cultural heritage;
 - (ii) a contingency plan and reporting procedure for the management of Unexpected Heritage Finds and Human Remains that is prepared by a suitably qualified and experienced heritage specialist in relation to Aboriginal cultural heritage, in consultation with the Registered Aboriginal Parties and in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010. The Unexpected Heritage Finds and Human Remains Procedure, as submitted to the Planning Secretary, must be implemented for the duration of the works; and

- (iii) ensuring workers on site receive suitable heritage induction(s) prior to carrying out any development on site and that records are kept of these inductions.
- All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects except as authorised by this approval.
- The Registered Aboriginal Parties must be kept informed about the SSD and must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the SSD.
- The Applicant is to ensure workers on site receive suitable heritage inductions prior to carrying out any development on the site, and that records are kept of these inductions.

NOTIFICATIONS AND COMMENCEMENT OF WORKS

Notification of commencement

- The Applicant must notify the Department in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.
- If the construction or operation of the Development is to be staged, the Applicant must notify the Department in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

Utilities and services

- Prior to the commencement of works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services.
- Prior to commencement of work, consult with utility authorities to determine the requirements of relocation/adjustment of electricity supply and street lighting services fronting the property to suit the new Development. Such street lighting shall also conform to Council's standard specifications and Ausgrid requirements.
- All adjustments to public utilities' mains and services because of the development and associated construction works shall be at the full cost to the applicant.

PART D DURING CONSTRUCTION

Site notice

- The Applicant must erect site notices in prominent positions on the site informing the public of project details including, but not limited to:
 - (a) the name, address and telephone number of the builder, Certifier and structural Engineer;
 - (b) the name of the principal contractor (if any), its address and 24-hour contact phone number for any inquiries, including construction/noise complaints;
 - (c) stating the approved hours of work;
 - (d) stating that unauthorised entry to the work site is prohibited.

The site notices must:

- (a) be positioned prominently at the site informing the public of key project details;
- (b) have dimensions of at least A1 size with large writing
- (c) be durable and weatherproof.

Hours of construction

- Construction, including the delivery of materials or machinery to and from the site, may only be carried out between the following hours:
 - (a) 7am to 6pm, Monday to Friday; and
 - (b) 8am to 1pm, Saturday.

No work may be carried out on Sundays or public holidays.

Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:

- (a) 9am to 12pm, Monday to Friday;
- (b) 2pm to 5pm Monday to Friday; and
- (c) 9am to 12pm, Saturday.

Demolition Work AS 2601-2001

- Any demolition must be carried out in accordance with AS 2601 – 2001, The demolition of structures.
(Reason: Safety)

Implementation of management plans

- The Applicant must implement and comply with the requirements of any management plan or sub-plan required under this consent. To the extent of any inconsistency between a condition of consent and a management plan or sub-plan, the condition of consent prevails.

Construction noise limits and vibration criteria

- The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved CNVMP.
- The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the subject site or surrounding residential precincts outside of the construction hours of work outlined under this consent.
- * The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, audible movement alarms of a type that would minimise noise impacts on surrounding Sensitive Receivers.
- The immediately adjoining neighbours must be given a minimum of 48 hours of notice that excavation, shoring or underpinning works or use of high noise emission appliances / plant are about to commence.
- The Applicant must ensure that idle plant, machinery and vehicles are switched off when not in use and that plant and machinery is located as far away from sensitive receivers as is practical.
- The Applicant must ensure that any work generating high noise impact (i.e. work exceeding a NML of LAeq 75dBA) as measured at any Sensitive Receiver is only undertaken in continuous blocks of no more than 3 hours, with at least a 1 hour respite between each block of work generating high noise impact, where the location of the work is likely to impact the same receivers. For the purposes of this condition 'continuous' includes any period during which there is less than 1 hour respite between ceasing and recommencing any of the work the subject of this condition.
- Vibration at any residence or structure outside the site caused by construction must be limited to:
 - (a) for structural damage, the latest version of DIN 4150-3 (2016) Vibration in Buildings - Effects on Structures, English Translation (German Institute for Standardisation, 2016);
 - (b) for human exposure to vibration, the evaluation criteria set out in the *Environmental Noise Management Assessing Vibration: a Technical Guideline* (Department of Environment and Conservation, 2006) (as may be updated or replaced from time to time).
- Vibratory compactors must not be used within 30 metres of residential or heritage buildings unless vibration monitoring confirms compliance with the vibration criteria specified above. These limits apply unless otherwise outlined in the project specific CNVMP required by this consent.

Air quality

- The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

Shoring and adequacy of adjoining property

- 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 Applicant must:
 - (a) protect and support the building, structure or work from possible damage from the excavation; and
 - (b) where necessary, underpin the building, structure or work to prevent any such damage, unless the Applicant owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.
- Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must be made safe and functional by the Applicant to the satisfaction of the public authority responsible for the public way.
- A professional Geotechnical Engineer shall be on site to supervise the piling, excavation and finally the installation and stressing of any ground anchors. On completion of these works, a report from the Geotechnical Engineer shall be submitted to Council for record purposes.
- A Chartered Professional Engineer shall monitor adjoining public infrastructures to detect any ground heaving or settlement during and after the installation of the piling and ground anchors. A rectification report shall be submitted to Council should unacceptable displacements occur within the zone of influence.

Temporary Ground Anchors – Supervision

- A professional Geotechnical Engineer shall be on site to supervise the piling, excavation and finally the installation and stressing of any ground anchors. On completion of these works, a report from the Geotechnical Engineer shall be submitted to Council for record purposes.
- A Chartered Professional Engineer shall monitor adjoining public infrastructures to detect any ground heaving or settlement during and after the installation of the piling and ground anchors. A rectification report shall be submitted to Council should unacceptable displacements occur within the zone of influence.
(Reason: Protection of public assets)

Sweep & Clean Pavement

- Sweep and clean pavement surface adjacent to the ingress and egress points of earth, mud and other materials at all times and in particular at the end of each working day or as directed by Council.
(Reason: Legal requirement)

Tree protection

- While site or building work is being carried out, the Applicant must maintain all tree protection measures required under this consent, in accordance with relevant requirements of applicable Australian Standards and any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

- Street tree trunk, branch and root protection and the installation of street tree protection fencing for all Council Street trees adjoining the site must be undertaken in accordance with *Australian Standard 4970-2009 The Protection of Trees on Development Sites*.

Trees on Adjoining Properties

- No approval is given for the removal or pruning of trees on neighbouring private land. (Reason: Environmental protection)

Tree Removal

- Approval is given for the removal of the following trees as identified in the Arboricultural Impact Assessment dated 16/12/2025 prepared by Lee Hancock Consulting Arborist:

Tree T15.

- Removal of approved trees is to be undertaken by a qualified Arborist (Minimum qualification AQF Level 3) with suitable public liability insurance. (Reason: Site development)

Erosion and sediment control

- All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment. Erosion and sediment control techniques are, as a minimum, to be in accordance with the publication *Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004)* commonly referred to as the 'Blue Book' and must comply with the CSWMSP.
- Sweep and clean pavement surface adjacent to the ingress and egress points of earth, mud and other materials at all times and in particular at the end of each working day or as directed by Council.

Site fencing

- Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied, including:
 - (a) provision of a temporary safety fence to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5m). Temporary fences are to have a minimum height of 1.8m and be constructed of cyclone wire or similar with fabric attached to the inside of the fence to provide dust control; and
 - (b) fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor-quality materials or steel reinforcement mesh as fencing is not permissible. All parts of the fence, including the fencing blocks shall be located wholly within the property boundaries.

The public safety provisions and temporary fences must be in place and be maintained throughout construction.

Signs and maintenance

- The Applicant is responsible for the protection of all regulatory / parking / street signs fronting the property. Any damaged or missing street signs as a consequence of the development and associated construction works are to be replaced at full cost to the applicant.

Cut and fill

- While building work is being carried out, the Certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:
 - (a) all excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility; and
 - (b) the classification and the volume of material removed must be reported to the Certifier.
- All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material identified as being subject to a resource recovery exemption by the EPA.

Seepage and stormwater

- Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the EPA in accordance with the *Protection of the Environment Operations Act 1997*. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the Development. Prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.
- A separate written approval from Council is required to be obtained in relation to any proposed discharge of groundwater into Council's drainage system external to the site, in accordance with the requirements of section 138 of the *Roads Act 1993*.
- The connection of the site stormwater drainage system to the existing Council pit shall be inspected by Council's Engineer when the pipes are exposed, prior to backfill. The inspection must be booked via Council's website with Council's Engineer and a minimum of 2 working days' notice provided. For the purpose of inspections carried out by Council Engineer, the corresponding fees set out in Council's current Fees and Charges Schedule are payable to Council.

Storage of Materials on Council Land Prohibited

- The dumping or storage of building materials, spoil, vegetation, green waste, or any other material in the Council reserve is prohibited, unless written consent of Council is obtained.
(Reason: Safety, environmental protection)

Storage of Materials on Council Land Prohibited

- The dumping or storage of building materials, spoil, vegetation, green waste, or any other material in the Council reserve is prohibited, unless written consent of Council is obtained.
(Reason: Safety, environmental protection)

Maintenance of Nature Strip

- Where a nature strip and/or footpath is located directly adjacent to the property, the nature strip must be maintained during the construction period to ensure the turf/vegetation is no higher than 75mm in height and the public footpath is kept free of all rubbish, weeds and debris to ensure safe public access.
(Reason: Public amenity and safety)

Access for people with a disability - Disability Discrimination Act

- The building/development must comply with the requirements of the Disability Discrimination Act. It should be noted that this approval does not guarantee compliance with this Act and the applicant/owner should investigate their liability under this Act.
(Reason: Access and egress)

Contamination management and mitigation

- The development must be undertaken in accordance with the:
 - (a) contamination unexpected find protocol requirements;
 - (b) the contamination management and mitigation measures.

Asbestos

- The Applicant must ensure that any asbestos encountered on site is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in consultation with SafeWork NSW and in accordance with any requirements of SafeWork NSW and any relevant guidelines, including:
 - (a) Work Health and Safety Regulation 2017;
 - (b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace September 2016;
 - (c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016; and
 - (d) *Protection of the Environment Operations (Waste) Regulation 2014*, including Part 7 – ‘Transportation and management of asbestos waste’.
- Following completion of the removal of any identified hazardous material associated with demolition works, a clearance certificate shall be issued by an appropriately qualified occupational hygienist and submitted to the Certifier. The clearance certificate shall verify that the site is free from any hazardous materials from the demolished buildings.

Asbestos Sign to be Erected

- On sites involving demolition or alterations and additions to building where asbestos cement is being repaired, removed or disposed of a standard commercially

manufactured sign not less than 400mm x 300mm containing the words “DANGER ASBESTOS REMOVAL IN PROGRESS” is to be erected in a prominent visible position on the site. The sign is to be erected prior to the commencement of works and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility.

(Reason: Public Health and safety/Ensure compliance)

Neighbour Notification of Asbestos Removal

- The applicant/builder is to notify anyone occupying premises in the immediate vicinity of the site, five working days prior to demolition works involving removal of asbestos. Such notification is to be clearly written, giving the date work will commence. As a minimum, this notification is to be placed in the letterbox of every property (including every residential flat or unit) either side and immediately at the rear of the site. (Reason: Public health)

Contact telephone number

- The Applicant must ensure that the 24-hour contact telephone number is continually attended by a person with authority over the works for the duration of the construction.

Uncovering relics or aboriginal objects

- If a Relic (as defined in the Heritage Act 1977) or Aboriginal object (as defined in the *National Parks and Wildlife Act 1974*) is unexpectedly discovered:
 - (a) all works must cease immediately;
 - (b) the Applicant must notify the Heritage Council of NSW in respect of a Relic and notify the Planning Secretary and the Heritage Council of NSW in respect of an Aboriginal object; and
 - (c) the Applicant must otherwise comply with the unexpected finds protocol required as part of the CEMP.
- Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Planning Secretary.

Incident notification, reporting and response

- The Applicant must notify the Department within 24 hours of becoming aware of an Incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the Incident including:
 - (a) date, time and location;
 - (b) a brief description of what occurred and why it has been classified as an Incident;
 - (c) a description of what immediate steps were taken in relation to the Incident; and
 - (d) identifying a contact person for further communication regarding the Incident.

The Applicant must provide the Department with a subsequent Incident report in accordance with Appendix 1 (Incident Notification and Reporting Requirements).

Non-compliance notification

- Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the noncompliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

PART E PRIOR TO OCCUPATION

GENERAL REQUIREMENTS

Occupation certificates

- In accordance with the EP&A Act, the Applicant must obtain an Occupation Certificate from the Certifier prior to commencement of occupation or use of the whole or any part of a new building or, an altered portion of, an extension to an existing building.

Affordable housing

- The Housing Transfer Deed specifying the affordable housing units and their respective appurtenant car spaces, must be executed prior to issue of the first Occupation Certificate.

The affordable housing dwellings identified as unit(s) **1.XXX, 2.XXX etc** shown on Plan A95.20, titled "*Affordable Housing Units*", dated 20/02/2026, Rev 2, in the area equating to $10\% \times 39,016\text{m}^2 = 3,901.6\text{m}^2$ are to be dedicated to Willoughby City Council within two (2) months of the registration of any subdivision of the development creating the areas to be dedicated and within two (2) months of the issue of an Occupation Certificate, whichever comes first. In accordance with Clause 6.8 of *Willoughby Local Environmental Plan 2012*, the following as outlined below will be dedicated:

- (a) list units & respective car spaces; and
 - (b) (if applicable) adaptable unit
- etc...

- Prior to the issue of any Occupation Certificate, the Certifier must be satisfied that the affordable housing dwellings have the internal fittings and finishes at the same standard as the other dwellings within the development and in accordance with the schedule endorsed by Council.

Any costs associated with bringing the affordable housing dwellings to the standards required are to be borne by the applicant.

- An Occupation Certificate for the dedicated affordable housing units must be issued concurrently or before and Occupation Certificate for the residential component of the development.

Notification of occupation

- The Applicant must notify the Department in writing at least one month prior to the proposed occupation or use of the development.
- If the occupation or use of the development is to be staged, the Applicant must notify the Department in writing of the date of commencement of the occupation or use of the relevant stage at least one month before that date.

Environmental performance

- Prior to the occupation or commencement of use, the Applicant is to provide documentation to the Certifier demonstrating the development has incorporated, and

would operate in accordance with, the environmental sustainability objectives, measures and initiatives required under this consent.

Post construction dilapidation report

- Before the issue of any Occupation Certificate, the Applicant is to provide a Report (Post-Construction Dilapidation Report) to the Certifier:
 - (a) stating whether, based on a comparison of the Pre-Construction Dilapidation Report and Post-Construction Dilapidation Report, there has been any structural damage to any adjoining buildings, infrastructure or roads;
 - (b) if there has been structural damage to any adjoining buildings, infrastructure or roads, the structural damage that is the result of the carrying out of development;
 - (c) whether relevant authorities have confirmed that there is no adverse structural damage to their infrastructure and roads.
- The Applicant is to provide a copy of the Post-Construction Dilapidation Report to the Planning Secretary and to the relevant adjoining property owner(s).

Public Infrastructure Restoration

- Prior to the release of any Occupation Certificate, the Certifier shall be satisfied that any damaged public infrastructure caused as a result of the construction and development works on the subject site (including damage caused by, but not limited to, delivery vehicles, construction vehicles, waste collection, contractors, sub-contractors, concrete delivery vehicles) must be fully repaired in accordance with Council's specification and AUS-SPEC at no cost to Council. The release of the damage deposit shall not occur until after issue of the Final/Whole Occupation Certificate and Council's inspection of the area to confirm that no damage has occurred. Any damage that represents a safety risk or trip hazard shall be rectified as a matter of urgency as soon as possible after the issue has been identified. A
(Reason: Protection of public assets)

Road damage

- Prior to the occupation or commencement of the use, the cost of repairing any damage caused to Council or other public authority's assets in the vicinity of the site as a result of construction works associated with the approved development is to be paid in full by the Applicant.

Protection of public infrastructure and other repairs

- Unless the Applicant and the applicable public authority agree otherwise, the Applicant must:
 - (a) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the Development; and
 - (b) repair/reconstruct, or pay the full costs associated with repairing/reconstructing, any public infrastructure (including but not limited to ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) in the vicinity of the Development that is damaged by carrying out the Development.

- (c) promptly rectify, as a matter of urgency, any damage identified by Council that represents a safety risk or trip hazard; and
- (d) Arrange an inspection via Council's website for Council's engineers.

Works-as-executed plans and any other documentary evidence

- Prior to the issue of an Occupation Certificate, the Applicant must submit to the Certifier:
 - (a) works-as-executed plans for the Development; and
 - (b) any compliance certificates and any other evidence confirming conditions of this consent have been satisfied.
- Prior to the issue of an Occupation Certificate, the Applicant must submit to the principal Certifier a Report from a Registered Surveyor demonstrating that:
 - (a) no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced; or
 - (b) the Applicant has re-established any survey mark(s) that were damaged, destroyed, obliterated or defaced in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure.

Compliance with Basix certificate and 5 star green star rating (or equivalent)

- Prior to the issue of any Occupation Certificate, the Applicant must submit to the Certifier evidence that all the commitments contained in the BASIX Certificate, and 5 star green star rating (or equivalent), approved under this consent have been implemented.

GFA and Building height certification

- Prior to the issue of an Occupation Certificate, the Applicant must submit to the Certifier a Report from a Registered Surveyor demonstrating compliance that the Development does not exceed the approved gross floor area and building height.

Acoustic compliance

- Prior to the issue of any Occupation Certificate, the Applicant must prepare and submit to the Certifier a Report demonstrating compliance with all noise mitigation measures.

Sustainable building rating

- Prior to issue of any occupation certificate, a sustainable building report is to be provided by a suitably qualified person confirming that the constructed building involves a minimum of 6 stars GBCA building rating (or the equivalent).
(Reason: Sustainability)

Green Travel Plan

- Prior to issue of any occupation certificate, a report is to be provided by a suitably qualified person confirming that the Green Travel Plan approved by Council has been incorporated into the building design where relevant.

Structural inspection certificate

- Prior to the occupation or commencement of use of the relevant parts of any new or refurbished buildings as part of the development, the Applicant must submit a Structural Inspection Certificate or a Compliance Certificate to the Certifier.
- The Applicant must submit a copy of the Structural Inspection Certificate or a Compliance Certificate with an electronic set of final drawings to the Planning Secretary and the Council after:
 - (a) the site has been periodically inspected and the Certifier is satisfied that the structural works are deemed to comply with the final design drawings; and
 - (b) the drawings listed on the Structural Inspection Certificate or have been checked with those listed on the final Design Certificate/s.

Tree Planting

- Prior to the issue of a Whole Occupation Certificate, trees are to be planted in accordance with the following table:

No. Required	Species & location	Min Pot Size
All trees	As indicated on Landscape Plan Dwg No. 0002, 4003 and 4004 dated 15/12/2025 prepared by Arcadia.	200L

(Reason: Landscape amenity)

Landscape practical completion report

- Prior to the issue of any Occupation Certificate, the Applicant must submit to the Certifier a Landscape Practical Completion Report prepared by the consultant responsible for the landscape design plan which:
 - (a) verifies that all landscape works have been carried out in accordance with the comprehensive landscape design plan and specifications that were required to be included in documentation for a Construction Certificate application;
 - (b) verifies that paving in setbacks areas does not extend into soft landscaping areas shown on the approved Landscaping plans;
 - (c) verifies that deep soil planting is achieved as shown on the approved Landscape plans and as amended by this determination;
 - (d) verifies that a maintenance program under the Landscape Plan has been commenced;
 - (e) includes details of plant maintenance and watering for the first 12 months; and
 - (f) includes details of plant maintenance and watering for the life of the Development.
- (Reason: Landscape amenity)

Project Arborist Certification

- Prior to the issue of any Occupation Certificate, the Project Arborist is to certify in writing that all tree protection measures and remediation works have been complied with as per conditions of consent.
(Reason: Tree management)

Public Tree Maintenance

- Prior to the issue of any relevant Occupation Certificate, the Project Arborist is to certify that:
 - (a) All trees on public land have been adequately maintained, that there has been no net deterioration in health and condition, and that any remedial work complies with AS 4970-2025 "Protection of trees on development sites" and AS 4373 - 2007 "Pruning of Amenity Trees".
 - (b) All new and replacement public trees are of the required species, container size, planting locations, planting standards, and have been grown and supplied from a recognised nursery complying to AS 2303:2018 Tree stock for landscape use.
(Reason: Tree management, public asset management)

Fire safety certification

- Prior to the issue of any Occupation Certificate, a Fire Safety Certificate must be obtained for all the relevant Essential Fire or Other Safety Measures forming part of the development.
- The Applicant must submit a copy of the Fire Safety Certificate to the relevant authority and Certifier and display the Fire Safety Certificate prominently in the building.

Outdoor lighting

- Prior to the occupation or commencement of use of the development, the Applicant must submit to the Certifier a Report demonstrating that installed lighting associated with the development:
 - (a) achieves the objective of minimising light spillage:
 - (i) beyond the property boundary; and
 - (ii) to any adjoining or adjacent Sensitive Receivers;
 - (b) complies with the latest version of AS 4282-2023 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 2023); and (c) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Street Numbering

- Prior to the issue of any Occupation Certificate, written application shall be made to the Geospatial Services Section of Council for the allocation of street numbering for each of the newly created strata lots and/or allotments. Documentary evidence of the allocated numbering issued by Council is to be lodged with the Subdivision Certificate Application and Linen Plans.
(Reason: Ensure compliance with Council's House-Property Numbering Policy)

- Prior to the issue of any Occupation Certificate, the Applicant must provide to the Certifier evidence that street numbers are clearly displayed at the ground level frontage of the building.

Section 73 Compliance Certificate

- A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of a Final Occupation Certificate. An application must be made either directly to Sydney Water or through a Sydney Water accredited Water Service Coordinator. For details go to www.sydneywater.com.au/section73 or call 1300 082 746. The Section 73 Certificate must be submitted to the Certifier. (Reason: Ensure statutory compliance)

Utility providers

- Prior to the issue of any Occupation Certificate, the Applicant must ensure 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, is completed to the satisfaction of the relevant authority.
- Prior to the issue of any Occupation Certificate, the Applicant must provide or cause to be provided written confirmation to the Certifier from the relevant authority that the relevant services have been completed.

State survey marks

- Prior to the issue of a Whole Occupation Certificate, the Applicant shall reinstate any existing State/Permanent Survey Marks damaged by the works to requirements of the Surveying and Spatial Information Regulation 2024. A copy of the Location Sketch Plan of PM/SSM including reduced level (AHD) shall be submitted by a registered Surveyor. The degree of horizontal and vertical accuracy shall be acceptable to the NSW Land Registry Services.

Temporary Ground Anchors – Destressing

- Prior to the issue of any Occupation Certificate, all damages to Council's infrastructures due to the works associated with the piling and installation of any ground anchors shall be restored to the requirements of Willoughby City Council at no cost to Council. All ground anchors shall be de-stressed by the removal of the anchor heads and protruding tendons on completion of the works. A certificate issued by a professional Geotechnical Engineer verifying that all ground anchors have been decommissioned shall be submitted to Council.
(Reason: Destressing of ground anchors)

Undergrounding

- Prior to the issue of any occupation certificate, all existing aerial cables which may include for electricity, communications and other cables connecting to street poles and buildings around the site shall be removed and installed underground in accordance with the requirements of the relevant service authorities.

Ausgrid lighting poles are to be provided to the requirements of Ausgrid for street lighting and shall be positioned compatible to the landscaping design around the site.

On-site Water Management System

- Prior to the issue of any Occupation Certificate, the stormwater runoff from the site shall be collected and disposed of to the Council drainage system in Bertram Street via a water quality improvement system and an approved OSD system with a minimum volume of 127m³ that restricts the peak discharge from the site to 59.7L/s in the 1%AEP storm event. The stormwater system shall be in accordance with Sydney Water's requirements AS/NZS3500.3, Part I of Council's DCP and Technical Standards 1 and 2. The construction of the stormwater drainage system of the proposed development shall be in accordance with the approved detailed stormwater drawings required under this development consent and Council's specification (AUS-SPEC).
(Reason: Prevent nuisance flooding)

Sign for On-site Stormwater Detention System

- Prior to the issue of any Occupation Certificate pertaining to any works requiring an On-Site Detention System (OSD), an aluminium plaque measuring no less than 400mm x 200mm is to be permanently attached and displayed within the immediate vicinity of the OSD tank or basin.

The wording for the plaque shall state *"This is the on-site stormwater detention system required by Willoughby City Council. It is an offence to alter any part of the system without written consent from Council. The registered proprietor shall keep the system in good working order by regular maintenance including removal of debris"*.

(Reason: Prevent unlawful alteration)

Confined Space Sign

- Prior to the issue of any Occupation Certificate, securely install standard confined space danger signs in a prominent location within the immediate vicinity of access points to on site stormwater detention systems, rainwater tanks and confined spaces in accordance with the requirements of NSW Work Health and Safety Regulation 2017.
(Reason: Safe access to tank)

Certification of OSD

- Prior to the issue of any Occupation Certificate, a suitably qualified and experienced civil engineer (generally CP Eng. Qualification) shall certify on Council's standard certification form that the as-built OSD system is in accordance with the approved plans and complies with Council's DCP and Technical Standards. Council's standard certification form is available in Appendix 2 of Council's Technical Standard No. 1.
(Reason: Legal requirement)

Certification of the Basement Pumpout Drainage System

- Prior to the issue of any Occupation Certificate and upon completion of the pump-out system, the following shall be submitted to the Certifier.
 - (a) A suitably qualified and experienced civil engineer (generally CP Eng. Qualification) shall certify that the as-built pumpout system complies with Part I of Council's DCP Technical Standard 1, all relevant codes and standards and the approved stormwater management plans.

- (b) Work-as-executed plans based on the approved pump-out system plans from a registered surveyor to verify that the volume of storage and pump capacity are in accordance with design requirements. Any minor changes or variations to the approved plans should be highlighted in red on the approved pump-out system plans.
- (c) Certification from a licensed plumber to ensure that the constructed pump-out system complies with the current plumbing requirements of Sydney Water and AS/NZS3500.3.

(Reason: Ensure compliance)

Works-As-Executed Plans - OSD

- Prior to the issue of any Occupation Certificate and upon completion of the OSD System, the following shall be submitted to the Certifier:
 - (a) Work-as-Executed plans based on the approved stormwater management plans from a registered surveyor to verify that the volume of storage, PSD, water and floor levels are constructed in accordance with design requirements. Any minor changes or variations to the approved plans should be highlighted in red on the approved stormwater plans.
 - (b) Engineer's certification of the OSD system together with the completed Council's standard form for On-Site Detention Record of Installation.

(Reason: Record of works)

Stormwater Maintenance Plan

- Prior to the issue of an Occupation Certificate, submit to the certifying authority approval a Maintenance Plan for the stormwater management system. The plan is to be in accordance with recommendations of "Guidelines for the Maintenance of Stormwater Treatment Measures" published by Stormwater NSW or other relevant guidelines or publications.

(Reason: Ensure operation of system complies)

Certification of Water Quality Improvement System

- Prior to the issue of an Occupation Certificate, a suitably qualified and experienced civil engineer (generally CPEng. Qualification) shall certify that the as built water quality improvement system is in accordance with the approved plans and complies with the requirements of Technical Standard 1.

(Reason: Legal requirement)

Overland Flow Path – Engineers Certification

- Prior to the issue of any Occupation Certificate, submit to Council written certification, prepared by a suitably qualified and experienced civil engineer (generally CPEng), that:
 - (a) The finished floor levels of the development comply with the requirements of Technical Standard 2.
 - (b) All access points to the basement are constructed at or above the 1%AEP water level + 300mm of the PMF, whichever is higher.
 - (c) The as constructed works comply with the requirements of Technical Standard 2 Floodplain Management.

- (d) That the as constructed works comply with the Enscape Studio's report "Integrated water Cycle Management Plan" dated Nov 2025.
(Reason: Ensure compliance)

S88B/S88E(3) Instrument

- Create Positive Covenant and Restriction on the Use of Land on the Title in favour of Council as the benefiting authority for the as-built on-site stormwater detention (OSD) system and stormwater treatment system. The standard wording of the terms of the Positive Covenant and Restriction on the Use of Land are available in Council's Technical Standards.

The above instruments shall be created under Section 88B of the *Conveyancing Act 1919* for newly created lots. For an existing lot, the instruments can be created under Section 88E(3) of the *Conveyancing Act 1919* using Form 13PC and 13RPA respectively. The size and relative location of the OSD system and stormwater treatment system, in relation to the building footprint and property boundary, must be shown on the final plan of subdivision/strata plan or must be shown on the scale sketch, attached as an annexure to the request 13PC and 13RPA forms. The S88B instrument or 13PC/13RPA forms shall be lodged with Council's Standard S88B/S88E Lodgement Form with all supporting documentations listed in the Form. Council's Standard Form is available from Council upon requested. Council's costs, including legal fees associated with reviewing, approving and executing the Positive Covenant and Restriction of Use together with associated PEXA fees must be paid by the Applicant. The Applicant is responsible for any stamp duty payable in respect of the dealing.

Documentary evidence of registration of these instruments with the NSW Land Registry Services shall be submitted to the Certifier and Council prior to issue of any Occupation Certificate.

(Reason: Maintenance requirement)

Documentary Evidence of Positive Covenant, Engineers Certificate

- Prior to the issue of any Occupation Certificate, the following documentary evidence of the completed drainage works shall be submitted to Certifier and Council:
 - (a) Registered Positive Covenant and Restriction on the Use of Land by way of the Title Deed.
 - (b) Certification from a suitably qualified and experienced civil engineer (generally CP Eng. Qualification) for the as-built OSD system.
 - (c) Work-as-Executed plans highlighting in red any variations based on the approved stormwater management plans from a registered surveyor for the as built OSD system.

(Reason: Public record)

Certification of water quality improvement system

- Prior to the issue of an Occupation Certificate, a suitably qualified and experienced civil engineer (generally CP Eng. Qualification) shall certify that the as built water quality improvement system is in accordance with the approved plans and complies with the requirements of Technical Standard 1.

Excavation Materials

- All materials excavated and removed from the site (fill or natural) shall be classified as complying with a Resource Recovery Order and associated exemptions made under the Protection of the Environment Waste Regulation 2014, or as waste classified in accordance with the Environment Protection Authority (EPA) Waste Classification Guidelines prior to being removed to a recipient site or to a suitable EPA approved waste disposal facility.
(Reason: Environment and health protection)

Hazardous Materials – Clearance Certificate

- Following completion of the removal of any identified hazardous material associated with demolition works, a clearance certificate shall be issued by an appropriately qualified occupational hygienist and submitted to the Certifier. The clearance certificate shall verify that the site is free from any hazardous materials from the demolished buildings.
(Reason: Health and safety)

Importation of Fill

- Any fill material to be imported onto the site for levelling, construction or engineering purposes must be certified by a suitably qualified consultant as virgin excavated natural material (VENM) or excavated natural material (ENM), or compliant with a Resource Recovery Order and associated exemptions made under the Protection of the Environment Waste Regulation 2014.
(Reason: Environment and health protection)

Fire Safety Certificate Forwarded to NSW Fire and Rescue

- Prior to the issue of any Occupation Certificate and upon completion of the building work, a Fire Safety Certificate shall be furnished by the owner to Council, and the owner must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be forwarded to the Commissioner of New South Wales Fire and Rescue, and must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building in accordance with Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 in respect to each essential fire safety measure included in the Schedule attached to the Construction Certificate.
(Reason: Safety)

ROAD WORKS

Public domain works for Victor Street

- A shared zone in Victor Street is to be constructed to Council's satisfaction prior to the issue of any occupation certificate.

Note: Should completion of works be affected by concurrent construction on adjacent sites, a deed will need to be entered into with Council confirming the schedule for completion of works, the provision of any interim arrangements for access and public amenity, and the provision of an appropriate bond equal to the cost's Council would incur to complete the works based on a Quantity Surveyors report to be provided to Council which is to include material, labour, and project management costs.

Public domain works for Albert Ave

- Public Domain upgrades to Albert Avenue are to be constructed to Council's satisfaction prior to the issue of any Occupation Certificate.

Note: Should completion of works be affected by concurrent construction on adjacent sites, a deed will need to be entered into with Council confirming the schedule for completion of works, the provision of any interim arrangements for access and public amenity, and the provision of an appropriate bond equal to the cost's Council would incur to complete the works based on a Quantity Surveyors report to be provided to Council which is to include material, labour, and project management costs.

Public domain works for Orchard Road

- Public Domain upgrades to Orchard Road are to be constructed to Council's satisfaction prior to the issue of any Occupation Certificate.

Note: Should completion of works be affected by concurrent construction on adjacent sites, a deed will need to be entered into with Council confirming the schedule for completion of works, the provision of any interim arrangements for access and public amenity, and the provision of an appropriate bond equal to the cost's Council would incur to complete the works based on a Quantity Surveyors report to be provided to Council which is to include material, labour, and project management costs.

Construction of Kerb & Gutter

- Prior to the issue of any Occupation Certificate, construct a new kerb and gutter together with any necessary associated pavement restoration in accordance with Council's specification for the full frontage of the development site in Orchard Road, Albert Avenue and Victor Street.
(Reason: Public amenity)

Reconstruct pavement

- Prior to the issue of any Occupation Certificate, reconstruct the following pavement areas:
 - (a) 4.0m wide for the site frontage in Albert Avenue
 - (b) Full width of the site frontage in Victor Street
 - (c) Full width of site frontage in Orchard Road
- The pavement shall be reconstructed in accordance with Council's approved drawings, conditions and specification (AUS-SPEC). Council's standard design traffic for this pavement is 6x10⁴ ESA.
- In lieu of reconstruction, Council may approve a mill and resheet of the pavement with 50mm thick minimum asphalt AC10, subject to:
 - Provision of a geotechnical report details that the existing basecourse is able to meet the design traffic loading
 - Proof rolling demonstrating that there are no soft spots or sport requiring further works.
 - There is no evidence that construction works have resulted in damage to the existing pavement.

Council engineers will determine if a mill and resheet will be permitted in lieu of reconstruction following the pre-construction meeting for the public domain works and provision of documentation to confirm that the existing base course meets the required design life.

(Reason: Ensure compliance)

Footpath

- Prior to the issue of any Occupation Certificate, construct a minimum 2.5m wide footpath for the full frontage of the development site in Orchard Road, Albert Avenue and Victor Street.
- All works shall be carried out in accordance with Council's standard specifications and drawings. The pavement material shall be in accordance with Council's requirements for the CBD.

(Reason: Public amenity)

Vehicular Crossing

- Construct a new vehicular crossing including the replacement of the existing layback and/or gutter and any associated road restoration as directed by Council's Engineers. All works shall be carried out in accordance with Council's specification AUS-SPEC C271 and Council's Standard Drawing SD105 - Council Vehicular Footpath Crossing and Kerb and Gutter details and any approved longitudinal sections. A separate application for the crossing including current fees and charges is to be submitted for approval by Council.
- The crossing is to be a width agreed with Council and suitable for service vehicle access with no splays and is to be constructed at right angles to the street kerb in plain concrete. The new crossing shall be located no closer than 1 metre from any power pole and 2 metres from any street tree unless otherwise approved by Council.
- For the design levels of the vehicular crossing at the property boundary, the following shall be complied with unless written approval is gained from Council for alternate levels:
 - (a) As per drawings approved by Council
- The footpath which forms part of the proposed crossing shall have a maximum crossfall of 2.5% towards the kerb.
- The suitability of the grade of driveway inside the property is the sole responsibility of the applicant and the required alignment levels fixed by Council may impact upon these levels.
- All adjustments to the nature strip, footpath and/or public utilities' mains and services as a consequence of the development and any associated construction works shall be carried out at the full cost to the Applicant. All driveway grades and transitions must comply with AS/NZS 2890.1.

- Vehicular Crossing Formwork Inspection Sheet shall be obtained from Council (attesting to this condition being appropriately satisfied) and submitted to the Certifier prior to issue of any Occupation Certificate.
(Reason: Public amenity)

Removal of Redundant Crossings

- Remove all redundant crossings together with any necessary works and reinstate the footpath, nature strip and kerb and gutter accordingly. Such work shall be carried out in accordance with Council's specification.

Vehicular Crossing Formwork Inspection Sheet shall be obtained from Council (attesting to this condition being appropriately satisfied) and submitted to the Certifier prior to issue of any Occupation Certificate.
(Reason: Public amenity)

Inspection of Civil Works on Road Reserves

- All required road pavement, footpath, kerb and gutter, drainage works and/or any necessary associated works on the road reserve shall be completed in accordance with the Council approved drawings, conditions and specification (AUS-SPEC).
- Pursuant to Section 138 of the *Roads Act 1993*, all works carried out on the road reserve shall be inspected and approved by Council's Engineer. Upon completion, Work-as-Executed drawings prepared by a registered surveyor shall be submitted to Council for record purposes and review. The Work-as-Executed drawings shall be based on the Council approved drawings with all changes marked in red. A completion certificate shall be obtained from Council (attesting to this condition being appropriately satisfied) and submitted to the Certifier prior to the issue of any Occupation Certificate.
(Reason: Ensure compliance)

Performance Bond

- Prior to the issue of any Occupation Certificate, the Applicant shall lodge with the Council a performance bond of \$300,000 against defective public civil works undertaken by the main Contractor for a period of twelve (12) months from the date of the completion certificate issued by Council as the road authority under the *Roads Act 1993*. The bond shall be lodged in the form of a cash deposit, cheque or unconditional bank guarantee which will be refundable subject to the approval of Council's Engineers at the end of the maintenance period. In this period, the Applicant is liable for any part of the work which fails to achieve the design specifications. Council shall be given full authority to make use of the bond for such restoration works within the maintenance period as deemed necessary.
(Reason: Ensure compliance and specification)

Vehicle Access and Manoeuvring – Construction & Certification

- Prior to the issue of any Occupation Certificate, the Applicant shall submit, for approval by the Principal Certifier, certification from a suitably qualified and experienced Traffic Engineer relating to the construction of vehicular access and manoeuvring for the development. This certification must be based on a site inspection of the constructed vehicle access, manoeuvring and vehicle accommodation areas, with dimensions and measurements as necessary, and must make specific reference to the following:

- (a) That the as-constructed carpark complies with the approved Construction Certificate plans.
- (b) That finished driveway gradients and transitions comply with AS/NZS 2890.1 and AS 2890.2 and will not result in scraping to the underside of cars.
- (c) Aisle widths throughout basements comply with AS/NZS 2890.1.
- (d) That the constructed vehicular path and parking arrangements comply in full with AS/NZS 2890.1, AS 2890.2 and AS 2890.6 in terms of minimum dimensions provided and grades on parking spaces.
- (e) That visitor and retail parking spaces comply with the requirements for Class 2 Medium term parking in AS/NZS 2890.1.
- (f) That accessible parking spaces, including those required for adaptable units, comply with the requirements of AS 2890.6, including provision of the required shared areas and bollard.
- (g) That headroom clearance of minimum 2.2 metres between the basement floor and any overhead obstruction (including overhead services) is provided for compliance with Section 5.3.1 of AS/NZS 2890.1 and Section 2.7 of AS 2890.6.
- (h) That headroom clearance of minimum 2.5 metres is provided to all parking spaces for people with disabilities for compliance with Section 2.7 of AS 2890.6.
- (i) That the headroom clearance required in AS 2890.2 for the largest vehicle using the site (minimum 4.5m high) has been provided for the loading area and the path to and from the loading area
- (j) Simultaneous manoeuvring of B99 and B85 at all circulation aisles, ramps and ramp ends including clearances for each vehicle as per AS/NZS 2890.1 is achieved.
- (k) Access and manoeuvrability of the largest vehicle accessing the site (minimum Council's 10.5m waste vehicle) and simultaneous manoeuvrability of the largest vehicle using the site and a passenger vehicle including clearances in accordance with AS/NZS 2890.1 and AS 2890.2 is achieved between the site entry and the loading bay or that traffic management measures have been provided to prevent conflicts.
- (l) Access and manoeuvrability of a small rigid vehicle (SRV) and a passenger vehicle including clearances in accordance with AS/NZS 2890.1 and AS 2890.2 is achieved between the site entry and the loading bay or that traffic management measures have been provided to prevent conflicts.
- (m) That the loading bay size is sufficient for Council's 10.5m long waste vehicle with 2m loading area behind the vehicle and the vehicle and loading area clear of the main vehicle access aisle to the basement.
- (n) That sight triangles required by Figure 3.3 of AS/NZS 2890.1 have been provided at the vehicle exit, including provision of kerbs to direct vehicles to compliant locations.

(Reason: Ensure compliance)

Council waste vehicle and loading bay

- Prior to the issue of any Occupation Certificate, the Applicant shall obtain written confirmation from Council that the loading bay and associated manoeuvring area is suitable for Council's waste vehicle.

Car share

- On-site car share spaces are to be retained as common property by the owner or the Owners Corporation of the site and not sold or leased to an individual owner, occupier or any external entity at any time

Evidence is to be provided prior to the issue of an Occupation Certificate.

- Submission of documentary evidence that the owner or Owners Corporation has entered into a legally binding agreement for a car share scheme with a suitable car share operator.

Details to be submitted to Council prior to the issue of an Occupation Certificate.

- The use and operation of the car share spaces must be managed by the owner or the Owners Corporation or contracted to a care share operator.

Details to be submitted to Council prior to the issue of an Occupation Certificate.

- The car share spaces must be included in the land title to allow public access via covenants, building or strata management statements, by-laws or any other necessary instrument.

Details to be submitted to Council prior to the issue of an Occupation Certificate.

- The owner or Owners Corporation must have appropriate insurance, including public liability.

Details to be submitted to Council prior to the issue of an Occupation Certificate.

PUBLIC DOMAIN

Street Lighting

- Prior to the issue of any Occupation Certificate, provide approved street lighting required to suit the new development in accordance with Australian Standard AS/NZ 1158.(2005).

Reason: Public amenity)

Turfing of Nature Strip

- Prior to the issue of any Occupation Certificate and in the event of damages to the grass verge during works, trim the strip of land between the property boundary and the road, spread topsoil on top of the trimmed surface and lay approved turfing on the prepared surfaces. The turf shall be protected from vehicular traffic and kept watered until established.

(Reason: Public amenity)

Public tree maintenance

- Prior to the issue of any relevant Occupation Certificate, the Applicant submit evidence to the Certifier confirming that:

- (a) all tree protection measures and remediation works have been complied with as per conditions of consent
 - (b) all trees on public land have been adequately maintained, that there has been no net deterioration in health and condition, and that any remedial work complies with AS 4970-2025 "Protection of trees on development sites" and AS 4373 - 2007 "Pruning of Amenity Trees".
 - (c) all new and replacement public trees are of the required species, container size, planting locations, planting standards, and have been grown and supplied from a recognised nursery complying to AS 2303:2018 Tree stock for landscape use.
- (Reason: Tree management, public asset management)

Public Tree Planting

- Prior to the issue of a Whole Occupation Certificate, plant the following trees on Council land forward of the property:
 - (a) one (1) tree on the Albert Avenue frontage to be located between the existing trees T2 and T3, with spacing consistent with the existing street trees; and
 - (b) One (1) tree on the Victor Street frontage to be located between T14 and the driveway.

The trees shall:

- (a) Be of the same species as the existing street trees.
 - (b) Have a minimum container size of 200 litres and grown to AS 2303:2018 Tree stock for landscape use.
 - (c) Be planted in accordance with WCC Vegetation Management Guidelines.
 - (d) Be planted at least 2m from driveways, and generally in alignment with other street trees.
- (Reason: Landscape amenity, tree canopy recruitment)

Registration of easements

- Prior to the issue of any Occupation Certificate, all matters required to be registered on title including easements, rights-of-way required by this consent, approvals, and other consents have been lodged for registration or registered at the NSW Land Registry Services.
- Prior to the issue of any Occupation Certificate, any existing registered easements and rights or carriageways which burden the development site must be appropriately extinguished and/or modified as appropriate to ensure services and drainage is maintained for easement beneficiaries.

Public Rights of Way

- Prior to the issue of any Occupation Certificate, rights-of-way must be registered, with Land Registry Services over:
 - (a) Ground level setback to Victor Street
 - (b) Ground level setback corner of Albert Avenue and Victor Street.

Location Of On-Site Detention System

- The location of the as-built on-site stormwater detention system(s) shall be shown on the final strata plan. Access to the system, including access points to any underground tank associated with the OSD and water quality improvement system, shall be located in common areas.
(Reason: Ensure compliance)

WASTE

Residential Waste Collection Agreement with Council

- Prior to the issue of any Occupation Certificate, the developer is to enter into a formal agreement with Council for the utilisation of Council's Residential Waste Collection Service. This is to include Council being provided an easement for unimpeded access to and from the waste collection locations for council and its servants/ contractors to enter and exit for the purpose of waste recycling collection. The development is also required to indemnify Council and its servants/contractors against claims for loss or damage or wear and tear of access roads or to other parts of the building.

Note: By entering into an agreement with Council for waste collection, the development will be required to operate in full compliance with Council's Waste Management collection requirements. The provision of Council's waste collection service will not commence until formalisation of the agreement.

(Reason: Legal Requirement)

Non-Residential Waste Collection Service

- Prior to the issue of any Occupation Certificate, the developer is to enter into a formal agreement with a licenced private waste contractor to service the non-residential component.

Prior to entering into an agreement for a private waste collection service, the developer is to ensure that:

- (a) The service is functional and meets the operational needs of the development
- (b) The service minimises environmental nuisances including noise and other adverse impacts on the safety and amenity of residents and the public.
- (c) Council has been provided with indemnity against claims for loss or damage, should they take over the service at some point in the future.

A copy of the contract is to be forwarded to Council prior to the issue of any Occupation Certificate.

(Reason: Ensure compliance)

Council Inspection – Waste Vehicle Access and Manoeuvring

- Prior to the issue of any Occupation Certificate, Councils waste officer is to inspect and approve all waste vehicle access and manoeuvring/turning movements to ensure they comply with the development approval and design certificate, and that the development can be accessed and serviced by the nominated waste collection vehicle in accordance with the Waste Management Guide. Specifically, the path of travel for the waste collection vehicle to the nominated collection area (which includes all entrance/exit, internal driveways, vehicle ramps, loading docks and basement) has been designed in accordance with AS2890.2-2018.
(Reason: Ensure compliance)

Public Art Strategy

- Prior to the issue of any relevant Occupation Certificate, the written consent of Council's Planning and Infrastructure Director must be obtained that confirms the public art has been delivered in accordance with the Public Art Plan approved. The Final Public Art Report should provide information about the artworks and artist, the fabrication and installation of the work, the documentation and engineers' drawings, the maintenance requirements, any additional relevant information regarding ownership, and copyright of the work.

Public art ownership

Prior to issue of the Occupation Certificate, the public art is to be dedicated to the people of Willoughby. Documentation is to be provided, to the satisfaction of Council Director of Planning, that addresses:

- a) Agreement between Developer/Body Corporate and WCC regarding ownership
- b) Artist Rights
- c) Deaccession Plan/Agreement as noted in The Public Art Strategy Document
- d) Maintenance regimen and responsibilities Expected annual maintenance budget
- e) Insurances

(Where the art piece is to be located on private property, the insurance shall be in the name of the owner of that property)

PART F OCCUPATION AND ONGOING USE

Storage and handling of waste

- Following the issue of the Occupation Certificate or commencement of use and throughout the life of the development, the Applicant must implement the Operational Waste Management Plan.
- The Applicant must ensure that at all times during the life of the development:
 - (a) waste is not placed or left on the site;
 - (b) waste must not be placed for collection in a public place e.g. footpaths, roadways and reserves.

Vehicle Access

- All vehicle movements into and out of the site shall be in a forward direction. No vehicle is to reverse over the boundary.
(Reason: Pedestrian and vehicle safety)

Traffic and car parking

- All loading and unloading operations associated with the site must be carried out:
 - (a) in accordance with the Car Parking, Loading and Servicing Management Plan prepared under this consent;
 - (b) within the confines of the site, at all times and must not obstruct other properties or the public way; and
 - (c) in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality
- The service vehicle docks, car parking spaces and driveways must be kept clear of goods at all times and must not be used for storage purposes, including waste storage.
- The car spaces within the development are for the exclusive use of the occupants of the building. The car spaces must not be leased to any person/company that is not an occupant of the building.

Loading Dock Management Plan

- The detailed Loading Dock Management Plan, as approved by Council, is to be established and operational.

Landscaping to be Maintained by Owners Corporation

- Landscaping associated with the development, including landscaping within private strata lots, is to be implemented and thereafter **maintained in perpetuity by the Owners Corporation** in accordance with the approved Landscape Plan(s), as amended by relevant conditions of consent.

All planting must be maintained in a healthy and viable condition, and any plant material that fails, declines or is removed must be replaced with the same or a similar species and of a comparable or greater maturity, unless otherwise approved by Council.

(Reason: Landscape amenity)

Fire safety certification

- The development must operate in accordance with the Fire Safety Certificate obtained in accordance with this consent.

Outdoor lighting

- If any outdoor lighting results in any residual impacts on the amenity of surrounding Sensitive Receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.

Ecologically sustainable development

- Within 24 months of commencement of operation, Green Star certification must be obtained demonstrating the development, operating in accordance with this consent, achieves a minimum 5 Star Green Star As-Built rating. Evidence of the certification must be provided to the Certifier and the Planning Secretary.

Basix certification and GBCA building rating (or the equivalent)

- The development must be implemented and all BASIX and GBCA building rating commitments thereafter maintained and any updated certificate or report issued if amendments are made.

Green Travel Plan

- The Green Travel Plan must be implemented. Any changes are to be submitted to Council for approval.

Stormwater Treatment System – Ongoing Maintenance

- The registered proprietor of the land shall take full responsibility for the ongoing maintenance of the Stormwater Treatment System constructed on the land. The maintenance of the system is to be undertaken in accordance with the recommendations of “Guidelines for the Maintenance of Stormwater Treatment Measures” published by Stormwater NSW or other relevant guidelines or publications.
(Reason: Ensure compliance)

WASTE

Collection/Delivery Services

- To minimise the noise impact of the development on the surrounding environment and to avoid conflict between residential and non-residential waste trucks, collection and delivery services must be limited:
 - (a) The collection and delivery of goods and materials from and to the premises must not take place between the hours of 10:00pm and 7:00am on any day.
 - (b) Residential waste collection, whether any bin contents, bulky waste or other waste, must not take place between the hours of 10:00pm and 4:00am on any day.
 - (c) Non-residential waste collection, whether any bin contents or other waste, must not take place between the hours of 10:00pm and 7:00am on any day.(Reason: Amenity)
- The service vehicle dock(s), car parking spaces and driveways must be kept clear of goods at all times and must not be used for storage purposes, including waste storage.

Waste Management Collection Policy

- The development must operate in full compliance with Council's onsite Waste Management collection requirements. This includes collection by Council HRV, currently on the following frequencies:
 - Garbage: twice per week (using Council bulk bins, 660L or 1,100L).
 - Recycling: once per week (using Council bulk bins, 660L or 1,100L).
 - Organics: once per week (using Council Mobile Garbage bins, up to 240L).
 - Bulky waste booked or scheduled service.(Reason: Environmental protection/waste reduction/public health and safety)

Licensed Non-residential Waste Collection

- All businesses must have written evidence on site of a valid and current contract with a licenced waste collector for lawful waste and recycling collection disposal whether disposal is for landfill, treatment, recycling, reuse or any other purpose.
(Reason: Environmental protection/waste reduction/public health and safety)

Management of Waste

- Contracts (or agreements) with cleaners, building managers and tenants must clearly outline the waste management and collection system and must clearly identify everyone's role and responsibility. This is to include:
 - (a) Responsibility for cleaning and maintaining waste storage bins and containers.
 - (b) Responsibility for cleaning, securing and maintaining waste storage rooms.
 - (c) Responsibility for the transfer of bins to the nominated collection point.
 - (d) Responsibility for ensuring safe and unimpeded access for collection staff to and within the waste storage rooms.
 - (e) Method of communication to new tenants and residents concerning the developments waste management system.
 - (f) Cleaning up and management of bulky waste.

- (g) Responsibility for maintaining any compost bin or worm farm.

Where the development incorporates strata title subdivision, the by-laws are to clearly set out the management responsibilities for the developments waste and recycling system.

(Reason: Environmental protection/waste reduction/public health and safety)

Waste and Recycling 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.

(Reason: Environmental protection/waste reduction/public health and safety)

Waste Chute Contingency

- Where the waste management system incorporates the use of a waste chute system, a contingency plan should be in place for the development to allow for the continual disposal and collection of waste if the chute cannot be operated.

(Reason: Environmental protection/waste reduction/public health and safety)

Waste Equipment

- The building manager must ensure suitable waste equipment is maintained and operated in addition to Waste Storage Containers and chute systems:
 - (a) A bin lifter, to decant any on-floor residential Waste Services Cupboard bins into the bulk bins for collection.
 - (b) A bin tug, to transfer the bins and bulky waste from generation (e.g., chute rooms or resident use rooms) to the collection holding rooms, where the distances exceed three (3) metres for 1,100L bins (and bulky waste) and five (5) metres for smaller bins (NSROC 2018, Section 3.16.2).
 - (c) Turntable.

(Reason: Waste reduction/ work health and safety)

Wheeling of Bins: Gradient and Surface

- The development must provide a maximum bin wheeling grade for caretakers and Council's waste collection staff of 1:33; the requirement for 660L bins (3%) that is at least 2m wide, non-slip and free of obstructions and steps. A bin tug may be used for any gradient when complying with the technical specification of that equipment.

(Reason: compliance/ operational efficiency/ work health and safety)

Chute Access and Waste Services Cupboard at Every Residential Level

- Every residential level must contain signed chute entry access and a signed Waste Services Cupboard that contains a recycling bin of at least 240L capacity.

(Reason: Environmental protection/ waste reduction)

On-Site Collection Point(s) Operation

- The nominated on-site collection point(s) are to be utilised to facilitate the collection of waste for the development, including any bin contents, bulky waste and any other waste. Any on-site collection point is:

- (a) to be kept clear of obstructions at all times so not to restrict the collection of waste;
- (b) to be located within two (2) metres of the applicable collection holding room and without any need to cross any active traffic area during the collection of waste; and
- (c) ensure separation of residential and non-residential waste at all times;
- (d) to be maintained with safe unobstructed rear clearance of two (2) metres behind the truck for loading of bin contents and bulky waste.

(Reason: Environmental protection/ waste reduction/ public health and safety/ work health and safety)

Waste Storage Containers

- Waste storage containers must not be located or placed outside the approved waste storage areas at any time except for collection purposes. Waste storage containers must be adequately maintained in full working order without damage (without splits, with all components in-tact and with all wheels operational). Bin lids must be able to be closed shut at all times.

(Reason: Environmental protection/ waste reduction/ public health and safety)