

21 July 2026

Attachment 2 –

Recommended draft conditions for any approval

SSD-87033962

815 Pacific Highway, Chatswood

Note: These draft conditions may be subject to change, dependent on progression of the SSDA, amendments and required further conditions.

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 applicant's planning report, Applicant's response to submissions, and the Applicant's response to requests for further information;
 - (c) in accordance with the approved plans in the table below, as modified by the conditions of this consent:

XXXXXX

- To the extent of any inconsistency:
 - (a) the more recent document in Condition XXX prevails over an earlier document in that section; and
 - (b) the conditions of consent prevail over a document listed in Condition XXX.
- 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) first-use, fit-out or operation of the commercial and retail premises

INFRASTRUCTURE CONTRIBUTIONS

LOCAL DEVELOPER CONTRIBUTIONS

- 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 **\$18,101,176.50** 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 **\$603,372,550** provided by QS report dated 14 May 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:

$$\$Co \times \frac{\text{Current CPI} - \text{Base CPI}}{\text{Base CPI}}$$

Where:

- $\$Co$ = 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

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)	XXX

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.

COMPLIANCE WITH PLANNING AGREEMENT

- Prior to the issue of **first** Construction Certificate, the obligations under the Planning Agreement executed on 12 Jan 2023 relating to this development, that is, the 2nd instalment has been satisfied at the timing and at the indexed contribution amount required under Schedules 1 & 2 of the Planning Agreement. Contact Council for an indexation (CPI) adjustment at the time of payment.

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 / drawing number: **XXXXX, dated XXXX, Rev X**, in the area equating to **10% x 48,830m² = 4,883m²**. 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.

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.

AFFORDABLE HOUSING MONETARY CONTRIBUTION

- 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 **4,883m²** (i.e. 10% x 48,830m²). 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 REIMBURSEMENT

- 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.

DAMAGE DEPOSIT

- Prior to the issue of the Construction Certificate, the applicant shall lodge a Damage Deposit of **\$990,000** (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 = \$990,000 + Damage Deposit Release Inspection Fee

WATER ACCESS LICENCE

- The Applicant must ensure a water access licence (WAL) is obtained to account for the maximum predicted water take for construction and operation activities, unless an exemption applies under the Water Management (General) Regulation 2018.

ABORIGINAL HERITAGE

- All reasonable steps must be taken to avoid harm, modification, or other impact to Aboriginal objects except as authorised by this approval.
- The Registered Aboriginal Parties must be kept informed about the SSD. The Registered Aboriginal Parties must continue to be provided with the opportunity to be

consulted about the Aboriginal cultural heritage management requirements of the SSD.

- Prior to the issue of any Construction Certificate, the Applicant must ensure Aboriginal cultural heritage management procedures for the development are included in the project's Construction Environmental Management Plan (CEMP). The Aboriginal cultural heritage management procedures must:
 - (a) be prepared by suitably qualified and experienced persons
 - (b) be prepared in consultation with Registered Aboriginal Parties and be reviewed by Heritage NSW
 - (c) 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 Codes of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (2010). The Unexpected Heritage Finds and Human Remains Procedure must be implemented for the duration of construction
 - (iii) ensuring workers on site receive suitable heritage inductions prior to commencing any works on site, and that records are kept of these inductions.

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 detailing the following revisions have been submitted to and approved by the Planning Secretary. The amended plans must include/ demonstrate:
 - a) Accessible car spaces are to be consistent with AS.NZ 2890.1 and AS 2890.6.
 - b) Provision of electric vehicle (EV) charging infrastructure.
 - c) Provision of a minimum of four residential visitor car spaces.
 - d) Provision of a minimum of two car share spaces.

PHOTOGRAPHIC ARCHIVAL RECORDING

- Prior to the commencement of any Demolition Works, a photographic archival record of the external and internal areas of 815 Pacific Highway Chatswood must be prepared in accordance with the NSW Heritage Branch guidelines titled Photographic Recording of Heritage Items using Film or Digital Capture. A digital copy must be submitted to Council and the Planning Secretary prior to the commencement of Demolition Works.

AIR QUALITY

- Prior to the issue of the first Construction Certificate, the Applicant must submit to the satisfaction of the Planning Secretary:
 - a) an Ambient Air Quality report undertaken in accordance with the National Environmental Protection (Ambient Air Quality) Measure 2001.

Any conclusions of this report to mitigate air quality impacts regarding on-site residential units are to be included in amended plans prior to issue of any construction certificate.

DESIGN EXCELLENCE AND INTEGRITY

- To ensure that the development is consistent with assessed and approved design excellence requirements, the Applicant must:
 - a) commission **XXX** 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 Design Integrity Panel.

MATERIALS AND FINISHES

- Prior to the issue of the first Construction Certificate for above ground works, 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

SITE STABILITY

- Prior to the issue of the first Construction Certificate, the Applicant must submit to the Certifier a Report from a Professional 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; f) 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
 - e) 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 first Construction Certificate, the Applicant must submit to the Certifier a Report demonstrating the development achieves a minimum 6 Star Green Star or the equivalent rating.

STRUCTURAL DETAILS

- Prior to the issue of the first Construction Certificate for above ground works, 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; and
 - (b) this development consent

SYDNEY WATER ASSETS

- Prior to the issue of the first Construction Certificate, the plans approved under this consent must be submitted to the Sydney Water Tap in™ online service, to determine

whether the development will affect Sydney Water's wastewater and water mains, stormwater drains and/or easements, and if any further requirements need to be met. All building, plumbing and drainage work must be carried out in accordance with the requirements of the Sydney Water Corporation.

Note: Sydney Water's Tap in™ in online service is available at:
<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

LANDSCAPING

- Prior to the issue of the first Construction Certificate for above ground works, the Applicant must submit to the Certifier a detailed Landscape Plan which:
 - (a) is consistent with the landscape plans prepared by XXX;
 - (b) includes details of tree planting;
 - (c) includes details of the location, species, maturity and height at maturity of plants to be planted on-site;
 - (d) demonstrates the following minimum soil depth provisions:
 - (i) turf: 200mm;
 - (ii) grass and ground cover: 300-450 mm;
 - (iii) shrubs: 500 – 600 mm;
 - (iv) small trees: 800 mm;
 - (v) medium trees: 1000 mm; and
 - (vi) large trees: 1200 mm.
 - (e) demonstrates adequate drainage and watering systems;
 - (f) demonstrates that landscaping, including structures, will not obstruct driver sight lines;
 - (g) includes details of plant maintenance and watering for the first 12 months; and
 - (h) includes a commitment to replace plants with the same species if any plant loss occurs within the maintenance period.

CAR AND BICYCLE PARKING

- Prior to the issue of the first Construction Certificate, the Applicant must submit to the Certifier a Report demonstrating that the development will provide for the following traffic flow and car parking requirements:
 - (a) all vehicles must enter and leave the subject site in a forward direction;
 - (b) all vehicles are to be wholly contained on site before being required to stop;
 - (c) parking associated with the development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) must be in accordance with the applicable Australian Standards;
 - (d) appropriate pedestrian advisory signs must be provided at the egress from parking areas;
 - (e) all works/regulatory signposting associated with the development must be at no cost to the relevant roads authority;
 - (f) the swept path of the longest vehicle (including garbage trucks) entering and exiting the site, as well as manoeuvrability through the site, must be in accordance with AUSTROADS; and
 - (g) submit to the Certifier a Report demonstrating compliance with the following:
 - (i) compliance of car parking and bicycle parking spaces with Australian Standards for the layout, design and security of bicycle facilities;

- (ii) end-of-trip facilities identified in accordance with the approved plans in Condition XXX;
- (iii) provision of electric vehicle charging infrastructure in accordance with the NCC and requirements of Willoughby Development Control Plan;
- (iv) provision of XXX motorcycle parking spaces as specified in the planning report and transport report;
- (v) provision of XXX residential visitor and non-residential bicycle parking spaces as specified in the planning report and transport report; and
- (vi) the design of the basement car park complies with AS2890.1-2004.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

- Prior to the issue of the first Construction Certificate, the Applicant must submit to the Certifier a Report demonstrating that the design of the development has incorporated the Crime Prevention Through Environmental Design Assessment (CPTED) management and mitigation measures included within the CPTED report prepared by XXX.

WIND MITIGATION MEASURES

- Prior to the issue of the Construction Certificate for above ground works, the Applicant must submit a Report to the Certifier demonstrating that the design of the development has incorporated the wind mitigation measures contained within the document titled XXX, prepared by XXX and dated XXX.

COMPLIANCE WITH ACOUSTIC ASSESSMENTS

- Prior to the issue of the Construction Certificate for above ground works, the Applicant must submit a Report to the Certifier from a Professional Engineer demonstrating that the design of the development has incorporated all performance parameters, requirements, engineering assumptions and recommendations contained in the Noise and Vibration Impact Assessment, prepared by XXX.

ADAPTABLE UNITS

- Prior to the issue of the Construction Certificate for above ground works, the Applicant must submit to the Certifier a Report demonstrating that any adaptable dwellings (if proposed and/or specified in the approved plans or supporting documentation) comply with the applicable Australian Standards.

BASIX CERTIFICATION

- Prior to the issue of the Construction Certificate for above ground works, BASIX No. XXX Certificate must be submitted to the Certifier with all commitments clearly shown on the Construction Certificate plans.

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.
 - Prior to the issue of the Construction Certificate for above ground works, a copy of the final detailed Public Art Plan required by Condition XXX shall be provided to the Planning Secretary.

HOARDING REQUIREMENTS

- 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 on Council's website and approval provided prior to any installations works are undertaken.

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.

EXTERNAL FINISHES – SOLAR ABSORPTANCE

- Prior to issue of the first Construction Certificate for above ground works, the Applicant must submit to the Certifier plans and details demonstrating that external roofing, glazing and walls of the Development are 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.

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 1.5 metres wide footpath (max. 2.5% crossfall) towards the kerb for the full frontage of the development site in McIntosh and Help Streets in accordance with Council's specification, Public Domain Manual and Standard Drawings SD105 and SD100. 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) Construction of a shared path (max. 2.5% crossfall) towards the kerb for the full frontage of the development site in Pacific Highway in accordance with Council's specification and Standard Drawings SD105 and SD100. 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 longitudinal section and cross sections at 5 metres interval shall be provided.
 - c) Reconstruction of existing kerb and gutter for the full frontage of the development site in McIntosh Street and Help Street in accordance with Council's specifications, Public Domain Manual and Standard Drawing SD105.
 - d) Installation of smart poles.
 - e) Reconstruction of the existing road pavement for full roadway width for the full frontage of the development site in McIntosh and Help Streets in accordance with Council's specifications.
 - f) Construction of an 8.5 metre wide vehicular crossing in Help Street in accordance with Council's specification and Standard Drawings SD105.
 - g) Connection of the site drainage system to Council's stormwater system in McIntosh Street.
 - h) 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
 - i) 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). 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 roads authority under the *Roads Act 1993* for any proposed works in the public road prior to the issue of any Construction Certificate. The concurrence of Transport for NSW under Section 138(2) of the *Roads Act* must be provided with any application for works in the classified road reserve.

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 1:50 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 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.

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 for Below Ground Works. 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.

STORMWATER CONVEYED TO STREET DRAINAGE

- Stormwater runoff from the site shall be collected and conveyed to the underground drainage system in McIntosh Street 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 under Section 138 of the *Roads Act 1993* prior to the issue of the Construction Certificate.

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.

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. The construction drawings and specifications shall be prepared by a suitably qualified and experienced civil engineer. All drawings shall comply with Part I of Council's Development Control Plan and Technical Standards, AS/NZS3500.3 – *Plumbing and Drainage Code* and the National Construction Code. The system shall include:
 - An on-site stormwater detention (OSD) system with a minimum volume of 60m³ that limits the peak flow from the site in the 1%AEP event to 28L/s.
 - An overflow from the OSD tank that discharges to the ground, either through the side or top of the tank. Piped overflows or overflows to an overflow pit are not permitted.
 - A minimum of 300mm of freeboard between the overflow from the tank and the adjacent internal floor level.
 - A water quality improvement system for the site, which achieves the targets in Table 12 of Technical Standard 1.

BASEMENT PUMPOUT DRAINAGE SYSTEM

- Prior to the issue of the Construction Certificate for Below Ground Works, the applicant shall submit, for approval by the Certifier, detailed stormwater management plans in relation to the pump-out drainage system.
 - (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.

PUBLIC DOMAIN PLAN

- Prior to the issue of the Construction Certificate for public domain works, the Applicant must submit to the satisfaction of Council, and provide evidence of Council's satisfaction to the Certifier, detailed construction plans and specifications for public domain works demonstrating the works are broadly consistent with the Pacific Highway Shared Path Concept – Chatswood to Roseville (as amended) including provision of the shared path, any footpath, landscaping, general signage and wayfinding signage, and smart poles, and the replacement and integration of all services, falls and grades to drain for the full Pacific Highway frontage of the site between the front boundary and the kerb line:

Note

- *Approval must be obtained for roadworks under section 138 of the Roads Act 1993 as required*
- *A copy of the Pacific Highway Shared Path Concept – Chatswood to Roseville (as amended) document can be obtained from Council.*
- *All costs associated with the proposed road upgrade works must be borne by the Applicant*
- *Specific attention must be given to integration with the footpath and Pacific Highway shared path works inside and outside the property boundary, ensuring a seamless transition and consistent typology.*

CONSTRUCTION MANAGEMENT PLAN

- Prior to the issue of the Construction Certificate, submit, for approval by the Certifier, detailed Construction Management Plan (CMP). The CMP shall address:
 - a) construction vehicle access and egress routes;
 - b) parking for construction vehicles
 - c) haulage routes;
 - d) truck sizes and vehicle types;
 - e) spoil removal arrangements;
 - f) construction staging;

- g) worker parking arrangements;
- h) traffic control measures;
- i) adjoining properties, pedestrian, cyclist and public assets protection management measures;
- j) temporary occupation of public roads, footpaths or road reserves;
- k) crane operations;
- l) Location and extent of proposed builder's hoarding and work zones
- m) Tree protection management measures for all protected and retained trees
- n) management of vehicle queueing on public roads; and
- o) coordination with nearby approved developments and public infrastructure works within the Chatswood CBD.

All works shall be undertaken in accordance with the approved CTMP.

- 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.

OSD/RAINWATER TANK DESIGN

- The design of all rainwater/OSD tanks shall comply with the requirements of the NSW Work Health and Safety Regulation 2025, 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.

VEHICLE ACCESS AND MANOEUVRING – ENGINEER'S CERTIFICATION

- Prior to the issue of a Construction Certificate for Below Ground Works, 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 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.
 - (d) 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.
 - (e) 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.

- (f) 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.
- (g) 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.
- (h) 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, and where this is not proposed, that the plans show the required traffic signals, waiting bay and signage,
- (i) 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.
- (j) 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.
- (k) 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.
- (l) That sight triangles required by Figure 3.3 of AS/NZS 2890.1 have been provided at the vehicle exit.
- (m) That all vehicle movements into and out of the site will be in a forward direction.

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).

FINISH SURFACE LEVELS ALONG 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 Act.

INTERNAL NOISE LEVELS RESIDENTIAL

- To minimise the noise intrusion from any external noise source, all new building work shall be designed and constructed to comply with recommendation of the Noise Impact Assessment and any addendum reports.

Certification from an appropriately qualified acoustic consultant that the building has been designed to meet these criteria shall be submitted to the Certifier prior to issue of the Construction Certificate.

NOISE MECHANICAL SERVICES

- To minimise the impact of noise onto receivers on surrounding land, all mechanical services shall be designed to comply with the noise emission criteria contained in the EPA's Noise Policy for Industry 2017. Details of the proposed equipment, siting, appropriate noise criteria and any attenuation required shall be prepared by an appropriately qualified acoustic consultant and accompany the application for a Construction Certificate.

BUILDING VENTILATION

- Prior to issue of the first Construction Certificate other than a Construction Certificate for excavation and shoring, details of all mechanical ventilation and exhaust systems and certification from a suitability qualified person must be provided to the Certifier for the following:
 - (a) that all ventilation of the building, including mechanical and/or natural ventilation provided is designed in accordance with the provisions of The National Construction Code; AS1668.1, AS1668.2, AS3666.1 and AS2918 as applicable (and/or any alternative solution using an appropriate assessment method);
 - (b) all tenancies with potential to be occupied by a food business or beauty salon (including studios at Ground Level) are be provided with connection to mechanical ventilation ducting with vertical external discharge only (ie without any horizontal ventilation discharge) in such a way as to avoid offensive odours to nearby residential and commercial tenants;
 - (c) emission control equipment for all tenancies with potential to be occupied by a food business 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;
 - (d) the location of components of heating and cooling (Air Conditioning) systems are shown on construction certificate plans and are located in such a way so as to not give rise to offensive noise or vibrations; and
 - (e) No cooling water system (cooling tower) has been shown on the plans.

DEWATER OF SITE

- Prior to the commencement of any work, a Construction Site Dewatering Plan (CSDP) shall be prepared by a suitably qualified environmental consultant and submitted to Council for approval. The CSDP can be incorporated into any Construction Management Plan covering the entirety of siteworks to be carried out on the site or can be a stand-alone document. It shall contain details on the water treatment method, equipment to be used, water testing regime and a written statement that the water to be discharged will meet the Council-approved design water quality criteria. Where a discrepancy exists between Council's criteria and that from the Australian and New Zealand Environment and Conservation Council: 2000: Guidelines for Fresh and Marine Water Quality, National Water Quality Management Strategy, the lower value shall prevail.

TREE OFFSET PLANTING SCHEME

- Prior to the issue of any Construction Certificate and before any trees are removed, the Applicant must pay a fee for the off-site planting of **XXX** trees in accordance with Willoughby DCP Part G Vegetation Management clause 6 Replacement Trees and Part 7.3 Tree Offset Scheme of the Vegetation Management Guidelines. The applicable fee must be based on the 'Offset fee for replacement planting' schedule as published in the Willoughby Council Fees and Charges at the time of payment. Receipt of payment must be provided to the Certifying Authority prior to the removal of any trees and prior to the release of the Construction Certificate.

Note: When you are ready to pay, please contact Council's Customer Service Centre on 9777 1000 to organise your payment

WASTE COLLECTION

- A design certificate and detailed plans are to accompany the Construction Certificate application to the satisfaction of the Certifier 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, 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
 - (d) Clearance height of 4.5 metres throughout the vehicle swept paths.
- Prior to issue of the Construction Certificate for fitout of the basement, 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.
- Where the development incorporates a Waste Chute as part of the waste management system, a design certificate and detailed plans are to accompany the 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) Manufacture's technical specifications and operational limitations.
- 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 are at least 2.500mm wide (unless otherwise specified on the approved basement plans).

PART C

PRIOR TO COMMENCEMENT OF WORKS

MANAGEMENT PLANS

CONSTRUCTION ENVIRONMENTAL MANAGEMENT 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) remediation 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; and
 - (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) an unexpected finds protocol for remediation in accordance with Condition **XXX**;
 - (h) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure, including but not limited to ensuring compliance with Condition **XXX**;
 - (i) 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 Transport for New South Wales (TfNSW) for review and endorsement a 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.

Note: the CTPMP must be sent to TfNSW via email to development.ctmp.cjp@transport.nsw.gov.au.

- Prior to the commencement of any work, the CTPMP endorsed by TfNSW must be submitted to the Certifier.

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.

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 prepared by a Professional Engineer 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) quantification of the rating background noise level (RBL) for Sensitive Receivers;
 - (c) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009) (ICNG) (as may be updated or replaced from time to time);
 - (d) 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, EPA's Assessing Vibration: Technical Guideline and relevant standards;
 - (e) 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;
 - (f) 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;
 - (g) measures to identify non-conformances with the requirements of the CNVMP, and procedures to implement corrective and preventative action and to respond to complaints;

- (h) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise and vibration amenity;
- (i) 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;
- (j) 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; and
 - (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.

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.

PRE-CONSTRUCTION DILAPIDATION REPORTS

- Prior to the commencement of any work, the Applicant must submit to the Certifier a Pre-Construction Dilapidation Report, prepared by a Professional Engineer, which details the structural condition of all adjoining land, buildings, infrastructure and roads (including the public domain site frontages, the footpath, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings,

parking restrictions and traffic signs, and all other existing infrastructure along the street) within the 'zone of influence', prior to construction.

- Where only part of a building on privately affected land may fall within the 'zone of influence', any Pre-Construction Dilapidation Report for that building must include details of the whole building.
- In the event that access for undertaking a Pre-Construction Dilapidation Report is denied by an adjoining owner, the Applicant must demonstrate, in writing, to the Certifier that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the report and that these steps have failed.
- A copy of the Pre-Construction Dilapidation Report is to be forwarded to the Planning Secretary and each of the affected property owners including Council.
- 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.
- The damage must be fully rectified by the Applicant in accordance with the Council's standards prior to a Certificate of Completion being issued for Public Domain Works or before the final Occupation Certificate is issued for the development, whichever is the sooner.

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.

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.
- (i) Permit for dewatering (this requires a Road Opening Permit and approval under Section 68 of the Local Government Act 1993 as a minimum).

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.

APPLICATION FOR VEHICLE CROSSING

- Prior to the issue of a Construction Certificate, the Certifier shall be satisfied that an online application has been submitted via Council's website, with fees paid to Council, for the construction of an 8.5 metre wide plain concrete vehicular crossing, and that the application has been approved.

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.
- Prior to the commencement of any works, Street Tree Protection Fencing must be installed for all Council Street trees adjoining the site and meet the following requirements:
 - (a) the fencing must consist of a 1.8 m high chain mesh fence held in place with concrete block footings and fastened together in accordance with Australian Standard 4970-2009 The Protection of Trees on Development Sites;

- (b) the fenced area shall not be used for any activities outlined in section 4.2 of the of Australian Standard 4970-2009 The Protection of Trees on Development Sites;
 - (c) a waterproof sign must be placed on every second panel stating, 'NO ENTRY TREE PROTECTION AREA – this fence and sign are not to be removed or relocated for the work duration.' Minimum size of the sign is to be A3 portrait with NO ENTRY TREE PROTECTION ZONE in capital Arial Font size 100, and the rest of the text in Arial font size 65;
 - (d) such fencing and signage must be erected Prior to Demolition including site preparation and remain in place for the duration of the construction work;
 - (e) tree protection fencing may only be moved under the direct supervision of the Project Arborist and must be reinstated immediately after the approved works have been conducted.
- Prior to the commencement of any works, 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.

REMEDATION 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.

REMEDIAL ACTION PLAN

- The Applicant must remediate the site in accordance with the specifications and requirements detailed in the approved Remedial Action Plan and relevant guidelines produced or approved under the Contaminated Land Management Act 1997. Remediation works must be undertaken by a suitably qualified and experienced consultant(s).

SITE AUDITOR

- Prior to the commencement of any earthwork or remediation works, the Applicant must submit evidence to the Planning Secretary that a Site Auditor, accredited under the Contaminated Land Management Act 1997, has been appointed to independently review the implementation and validation of the remediation works.
- The Applicant must ensure the remediation works for the development are undertaken by a suitably qualified and experienced consultant(s) in accordance with the approved Remedial Action Plan and relevant guidelines produced or approved under the Contaminated Land Management Act 1997.

SITE AUDIT REPORT AND SITE AUDIT STATEMENT

- Upon completion of the remediation works and prior to the commencement of construction of the development, a Site Audit Report and a Site Audit Statement, prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site is suitable for its approved land use, must be submitted to the Planning Secretary for information.

VALIDATION REPORT

- Within one month following the completion of the remediation works for the development, a Remediation Validation Report (RVR) must be submitted to the Planning Secretary for information. The RVR must be prepared by a suitably qualified and experienced consultant(s) and in accordance with the approved remedial action plan and relevant guidelines produced or approved under the Contaminated Land Management Act 1997.

NOTIFICATIONS AND COMMENCEMENT OF WORKS NOTIFICATION OF COMMENCEMENT

- The Applicant must notify the Department and Council 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 at Pacific Highway as necessary for the proposed development. Such street lighting is to involve smart poles and shall also conform to Council's standard specifications.

BEFORE YOU DIG AUSTRALIA

- Prior to the commencement of any excavation on or near the site, the Applicant must submit to the Certifier written confirmation from Before You Dig Australia that the proposed excavation will not conflict with any underground utility services.

ROAD OCCUPANCY LICENCE

- A Road Occupancy Licence (ROL) shall be obtained from the Transport Management Centre (TMC) for any works that may impact on traffic flows on the Pacific Highway

during construction activities. An ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

ADJUSTMENT TO STREET LIGHTING / SMART POLES

- 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.

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.

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 works detailed in the approved Tree Protection Plan, AS4970-2009 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.

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.

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 Professional 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
 - (b) 8am to 1pm, Saturday
- No work may be carried out on Sundays or public holidays.
- Activities may be undertaken outside of these hours if required:
 - (a) by the Police or a public authority for the delivery of vehicles, plant or materials to and from the site; or
 - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm.
- Notification of activities undertaken in the circumstances in Condition **XXX** must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- 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.

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 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 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.

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.

SWEEP AND 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.

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.

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.

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.

DISPOSAL OF 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 relevant authority 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.

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'.

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.

TEMPORAY 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.

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.

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.

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.

Note: A non-compliance which has been notified as an Incident does not need to also be notified as a non-compliance.

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.

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.

STREET SIGNS

- 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.

PUBLIC TREE PROTECTION

- Unless identified by the development consent, no public tree:
 - (a) roots over 25mm diameter are to be damaged or cut and all structures are to be bridged over such roots; and
 - (b) branch pruning or tree removal is to be undertaken.
- Should any problems arise with regard to the existing or proposed trees on public land during the construction or bond period, the applicant is to immediately Contact Council's Public Trees section and resolve the matter to Council's satisfaction.

COUNCIL INSPECTION – WASTE MANAGEMENT FACILITIES

- At completion of basement level, an authorised Council waste officer is to inspect and approve all waste management facilities to ensure they comply with the development approval, Waste Management Plan. Specifically, the path of travel for all waste, from unit to point of waste collection, waste storage room sizing, access to water and sewer connections, finished materials, access and door way dimensions, and that all waste facilities are fit for purpose.

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.

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.

DILAPIDATION AND REPAIRS

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).

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.
- Prior to the release of the 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.

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.

COMPLIANCE REPORTING

WORKS-AS-EXECUTED PLANS AND ANY OTHER DOCUMENTARY EVIDENCE

- Prior to the issue of any 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

- 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 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 required under Condition **XXX**.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- Prior to the issue of any Occupation Certificate, the Applicant must prepare and submit to the Certifier a Report demonstrating the development, operating in accordance with this consent, achieves a minimum 6 Star Green Star As-Built rating.

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.

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 generally 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 a maintenance program under the Landscape Plan required under Condition **XXX** has been commenced;
 - (c) includes details of plant maintenance and watering for the first 12 months; and

- (d) includes details of plant maintenance and watering for the life of the development.

PUBLIC TREE PLANTING

- Prior to the issue of a Whole Occupation Certificate, plant the following trees on Council land forward of the property:
 - (a) XXX
- The street trees required by Condition XXX shall:
 - (a) have a minimum container size of 200 litres and grown to AS 2303:2018 Tree stock for landscape use.
 - (b) be planted in accordance with WCC Vegetation Management Guidelines.
 - (c) be planted at least 2m from driveways, and generally in alignment with other street trees.

PUBLIC TREE MAINTENANCE

- Prior to the issue of any relevant Occupation Certificate, the Applicant submit evidence to the Certifier confirming 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 4970-2009 "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.

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.

AFFORDABLE HOUSING – FITTINGS AND FINISHES

- 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.

COMPLIANCE WITH PLANNING AGREEMENT

- Prior to the issue of **first** Occupation Certificate or registration of the **first** Strata Plan for the development, whichever is earlier, the obligations under the Planning Agreement executed on 12 Jan 2023 relating to this development, that is, the 3rd instalment has been satisfied at the timing and at the indexed contribution amount required under Schedules 1 & 2 of the Planning Agreement. Contact Council for an indexation (CPI) adjustment at the time of payment.

AFFORDABLE HOUSING DWELLINGS

- 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** on plan / drawing number: **XXXXX, dated XXXX, Rev X**, in the area equating to **10% x 48,830m² = 4,883m²** 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...

OUTDOOR LIGHTING / SMART POLES

- 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.
 - (d) involves smart poles.

SYDNEY WATER COMPLIANCE

- Prior to the issue of any Occupation Certificate, the Applicant must submit to the Certifier a Section 73 Compliance Certificate under the Sydney Water Act 1994, obtained from Sydney Water Corporation.

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.
- 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.

UNDERGROUNDING OF UTILITY SERVICES

- Prior to issue of the 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.

TEMPORARY GROUND ACHORS – 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.

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 McIntosh Street via a water quality improvement system and an approved OSD system with a minimum volume of 60m³ that restricts the peak discharge from the site to 28L/s in the 1%AEP storm event and a water quality system which achieves Council's targets. 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).

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"*.

The required plaques are available for purchase through Council's Customer Service Centre on **(02) 9777 1000**.

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.

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.

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.

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.

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.

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.
 - (c) The as constructed works comply with the requirements of Technical Standard 2 Floodplain Management.
 - (d) That the as constructed works comply with the Xavier Knight report “Integrated water Cycle Management Plan” dated April 2026.

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.

CCTV REPORT OF COUNCIL PIPE SYSTEM AFTER WORK

- Prior to the issue of any Occupation Certificate, a qualified practitioner, with qualifications/training in accordance with Water Services Association of Australia WSA05-2013 Conduit Inspection Reporting Code of Australia Version 3.1, must undertake a closed circuit television (CCTV) inspection and then report on the condition of the new Council drainage pipeline constructed in McIntosh Street after the completion of all works. No person is to enter any Council stormwater conduit without written approval from Council. The camera and its operation must comply with the following:
 - (a) The internal surface of the drainage pipe must be viewed and recorded in a clear and concise manner.
 - (b) The CCTV camera used must be capable to pan, tilt and turning at right angle to the pipe axis over an entire vertical circle to view the conduit joints.
 - (c) Distance from the manholes must be accurately measured and displayed on the video.
 - (d) All pipe joints and defects are to be inspected by stopping movement and panning the camera to fully inspect the joint and/or defect.
 - (e) The inspection survey must be conducted from manhole to manhole.
 - (f) Recorded CCTV footage & reports are to use Council asset pit numbers to identify the start and finish location of the CCTV. A plan can be obtained from Council with these asset numbers at request.

The written report, together with a copy of the digital video footage of the pipeline must be submitted to Council. Any damage that has occurred to the section of the pipeline since the commencement of any works on the site must be repaired in full to the satisfaction of Council at no cost to Council, which may include full reconstruction. A written acknowledgment must be obtained from Council (attesting to this condition being appropriately satisfied) and submitted to the Certifier.

INSPECTION OF DRAINAGE CONNECTION TO COUNCIL'S DRAINAGE LINE

- Prior to the issue of any Occupation Certificate, inspection of drainage connection works to the existing Council's pit must be carried out by Council's Engineer. Written confirmation must be obtained from Council (attesting to this condition being appropriately satisfied) and submitted to the Certifier.

Note - 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.

STORMWATER MAINTENANCE PLAN

- Prior to the issue of any Occupation Certificate, the Applicant must submit to the Certifier a **Stormwater Operational and Maintenance Plan (SOMP)** that:
 - (a) is designed to ensure the proposed stormwater quality measures remain effective; and
 - (b) specifies, but is not limited to:
 - (i) a maintenance schedule of all stormwater quality treatment devices;
 - (ii) record and reporting details;
 - (iii) relevant contact information; and
 - (iv) Work Health and Safety requirements.

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.

CERTIFICATION OF WATER QUALITY IMPROVEMENT SYSTEM

- Prior to the issue of an Occupation Certificate, a suitably qualified and experienced civil engineer registered on the National Engineering Register shall certify that the as built stormwater treatment/ water quality improvement system is in accordance with the approved plans and complies with the requirements of Technical Standard 1.

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.
- Prior to issue of the Occupation Certificate, easements for public rights of way are to be established over the ground level building setbacks to the Pacific Highway, Help Street, and McIntosh Street, as well as the internal north / south and east / west through site links.

PUBLIC DOMAIN WORKS FOR PACIFIC HIGHWAY

- Public Domain upgrades in Pacific Highway are to be constructed in accordance with the Public Domain Plan and to Council's satisfaction, subject to Transport for NSW, 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 HELP STREET

- Public Domain upgrades to Help Street are to be constructed in accordance with the Public Domain Plan and 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 MCINTOSH STREET

- Public Domain upgrades to McIntosh Street are to be constructed in accordance with the Public Domain Plan and 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 AND GUTTER

- Prior to the issue of any Occupation Certificate, construct a new kerb and gutter together with any necessary associated pavement construction in accordance with Council's specification for the McIntosh Street and Help Street frontage of the development site. For the Pacific Highway frontage of the site, kerb and gutter replacement is to be in accordance with any requirements of Transport for NSW and may be restricted to replacement of sections which have been damaged during the course of works.

RECONSTRUCT PAVEMENT

- Prior to the issue of any Occupation Certificate, reconstruct the following pavement areas:
 - (a) full width for the site frontage in McIntosh Street
 - (b) full width of the site frontage in Help Street
- 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 bas course meets the required design life.

FOOTPATH

- Prior to the issue of any Occupation Certificate, construct the approved type of footpath/ shared path for the full frontage of the development site in Help Street, Pacific Highway and McIntosh 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.

STREET LIGHTING AND FURNITURE

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

VEHICULAR CROSSING

- Construct a new 8.5 metre wide 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 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.

BICYCLE PARKING AND END-OF-TRIP FACILITIES

- Prior to the occupation or commencement of use of the development, the Applicant must submit to the Certifier evidence the secure bicycle parking and end-of-trip facilities have been provided in accordance with Condition **XXX**.
- Prior to the operation or commencement of use of the development, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.

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.
- 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.

REDUNDANT DRIVEWAYS

- 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.

- Prior to the issue of any occupation certificate, the Applicant must demonstrate to the Certifier that:
 - (a) all redundant driveways and stormwater pipes have been removed;
 - (b) the redundant driveways and pipes (as applicable) have been replaced as per the Public Domain Plans approved by Condition **XXX** and **XXX**.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

- Prior to the issue of any Occupation Certificate, the Applicant must submit to the Certifier evidence that the design of the Development has implemented all the CPTED measures set out in Condition **XXX**.

WIND MITIGATION MEASURES

- Prior to the issue of any Occupation Certificate, the Applicant must submit to the Certifier evidence demonstrating that the design of the development has incorporated the wind mitigation measures set out in Condition **XXX**.

PUBLIC ART STRATEGY

- Prior to the issue of any relevant Occupation Certificate, the Applicant must submit evidence to the Certifier that the Public Art Plan prepared in accordance with Condition **XXX** has been implemented.
- 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

- 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)

PUBLIC DOMAIN AND ROADWORKS

- 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).
- Prior to the issue of any Occupation Certificate, all approved traffic management infrastructure associated with the Pacific Highway / Help Street intersection, including any median treatments, signage, line marking, pedestrian facilities and associated road safety measures, shall be constructed and operational to the satisfaction of Council and Transport for NSW.
- 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. 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.

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.

COMPLETION OF LANDSCAPE WORKS

- Prior to the issue of a Whole Occupation Certificate, any approved landscape works must be consistent with the approved design, completed to a professional standard, consistent with industry best practice and published standards, and certified in writing by a qualified horticulturalist, landscape architect or landscape designer.

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.

ACCESS, PARKING AND SERVICING

VEHICLE ACCESS AND MANOEUVRING – CONSTRUCTION & CERTIFICATION

- Prior to the issue of any Occupation Certificate, the Applicant shall submit, for approval by the 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) That the maximum gradient for the first 6 metres from the property's front boundary to the basement complies with Clause 3.3.a of AS/NZS 2890.1 and that all driveway grades comply AS/NZS 2890.1 and AS 2890.2.
 - (d) Aisle widths throughout basements comply with AS/NZS 2890.1.
 - (e) 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.
 - (f) That visitor parking spaces comply with the requirements for Class 2 medium term parking in AS/NZS 2890.1.
 - (g) That courier parking spaces comply with the requirements for Class 3 short term parking in AS/NZS 2890.1.
 - (h) 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.
 - (i) 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.
 - (j) 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.

- (k) 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
- (l) Simultaneous manoeuvring of B99 and B85 at all ramps and ramp ends including clearances for each vehicle as per AS/NZS 2890.1 is achieved.
- (m) 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.
- (n) 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.
- (o) 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.

VISITOR PARKING SPACES

- Prior to the issue of a Whole Occupation Certificate, the visitor car parking spaces must be physically identified on site, and maintained free of obstruction for the exclusive use of visitors to the premises at all times.

ELECTRIC VEHICLE CHARGING

- Electric vehicle charging infrastructure is to be provided in accordance with the requirements outlined in the Willoughby DCP (Part F, Section 5.6) and the mandatory EV charging requirements of J9D4 of NCC 2022.

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's engineer during the formwork inspection (attesting to this condition being appropriately satisfied) and it is the applicant's responsibility to submit to the Certifier prior to issue of any Occupation Certificate.

PERFORMANCE BOND

- Prior to the issue of any Occupation Certificate, the Applicant shall lodge with the Council a performance bond of \$495,000 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.

PUBLIC INFRASTRUCTURE RESTORATION

- Prior to the release of the Damage Deposit, 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, 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.

MANAGEMENT PLANS, GUIDES AND MISCELLANEOUS

OPERATIONAL PLAN OF MANAGEMENT

- Prior to the occupation or commencement of use, whichever is earlier, the Applicant must prepare an Operational Plan of Management for the development and submit it to the Certifier, which includes (but not be limited to):
 - (a) details of the managing agent;
 - (b) management of communal areas and open spaces, including the through-site link;
 - (c) loading and unloading;
 - (d) security and staff management;
 - (e) emergency management/ evacuation and incident response protocols;
 - (f) waste management (including the Operational Waste Management Plan required by Condition **XXX**);
 - (g) tenant induction and behaviour/ house rules;
 - (h) noise management of communal open space areas, loading docks, and commercial and retail uses;

- (i) noise management measures for communal open spaces;
 - (j) plant room and plant area maintenance management procedures including (but not limited to) measures to ensure restricted access to plant during high wind conditions; and
 - (k) community consultation and complaint procedures.
- The Operational Plan of Management approved under this consent shall be implemented following occupation of the development. The Operational Plan of Management is to be reviewed and updated annually.

OPERATIONAL WASTE MANAGEMENT

- Prior to the occupation or commencement of use of the development, the Applicant must prepare an Operational Waste Management Plan for the development and submit it to the Certifier. The Operational Waste Management Plan must:
 - (a) be prepared in consultation with Council;
 - (b) set out adequate provisions within the premises for the storage, collection and disposal of waste and recyclable materials;
 - (c) confirm the location of waste collection and establish appropriate routes to the collection point;
 - (d) provide confirmation that appropriate arrangements have been made for the collection of waste;
 - (e) detail the type and quantity of waste to be generated during operation of the development;
 - (f) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (EPA).

Note: Conditions in Part F require the Applicant to implement the Operational Waste Management Plan for the life of the development.

CAR PARKING, LOADING AND SERVICING MANAGEMENT PLAN

- Prior to the issue of any Occupation Certificate, the Applicant must submit to the Certifier a Car Parking, Loading and Servicing Management Plan that:
 - (a) is designed to ensure that any potential traffic and safety impacts associated with the car park and loading dock operation are mitigated;
 - (b) specifies, but is not limited to, details of:
 - (i) the development's loading and servicing profile, including the forecast loading and servicing traffic volumes by vehicle size, frequency, time of day and duration of stay;
 - (ii) measures to manage any potential traffic and safety impacts of the car parking and loading dock operation; and
 - (iii) how vehicles larger than a 6.4m SRV delivering to the site must be managed.

MARKED PARKING SPACES

- Prior to the issue of any relevant Occupation Certificate, all parking bays and/or truck docks and the direction of traffic movement must be permanently marked on the pavement surface in accordance with the approved parking and driveway layout to the satisfaction of the Certifier. Where it is proposed that a building or site be used for multiple occupations, all parking bays must be identified by corresponding consecutive numbers.

COUNCIL INSPECTION – WASTE VEHICLE ACCESS AND MANOEUVERING

- 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.

GREEN TRAVEL PLAN

- A Green Travel Plan shall be submitted to the satisfaction of Council prior to the issue of any Occupation Certificate. The Plan shall include:
 - a) mode share targets;
 - b) measures to reduce private vehicle dependency;
 - c) car-share initiatives;
 - d) bicycle and end-of-trip facilities;
 - e) monitoring and review procedures; and
 - f) implementation responsibilities.

The Plan shall remain operational for the life of the development.

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.

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 utilization of Council's 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 servant/contractors against claims for loss or damage or wear and tear of access roads or 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.

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.

CERTIFICATION - VENTILATION

- Prior to the issue of any relevant Occupation Certificate, certification must be provided from a suitably qualified mechanical engineer certifying that all work associated with the installation of the mechanical and/or natural ventilation systems has been carried out in accordance with the relevant Australian Standards and or alternative solution.

ACCOUSTIC TREATMENT - CERTIFICATION

- Prior to the issue of any relevant Occupation Certificate, certification must be provided from a suitably qualified acoustic engineer certifying that the acoustic treatment of the building complies with the approved construction details and the recommendations of the acoustic report.

NOISE EMISSION - EQUIPMENT

- Prior to the issue of any relevant Occupation Certificate, certification must be provided from a suitably qualified acoustic engineer certifying that the noise from all sound producing plant, equipment, machinery and/or mechanical ventilation system complies with the relevant noise criteria contained in the Final Mechanical Plant Noise Assessment Report required elsewhere in this consent.

SERVICES - MAILBOXES

- Prior to the issue of any Occupation Certificate, all mail boxes provided on site must comply with the requirements of 'Australia Post' in terms of size, location, numbering and clearing. Details of the requirements can be obtained from Australia Post or from their web site. Letter boxes for adaptable dwellings must comply with AS 4299 Cl 3.8.

SWIMMING POOL REGISTRATION

- The Swimming Pool must be registered on the NSW Swimming Pool Register when it is capable of holding water and before the issue of an Occupation Certificate. The swimming pool is to be registered at

www.swimmingpoolregister.nsw.gov.au or in person at Willoughby City Council (Fee applies when registering at Council)

COUNCIL INSPECTION – WASTE VEHICLE ACCESS AND MANOEUEVERING

- 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.

PART F OCCUPATION AND ONGOING USE

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.

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.

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.

GREEN TRAVEL PLAN

- Following commencement of operation, the Green Travel Plan required by Condition **XXX** of this consent, must be updated annually and implemented unless otherwise agreed by the Planning Secretary.

LANDSCAPING

- Landscaping for the development must be carried out and maintained in accordance with the approved Landscape Plan, as amended by any condition of this consent.
- All landscaping within the development, including but not limited to:
 - landscaping located within private strata lots,
 - communal open space,
 - podium and roof garden areas, and

- all vertical garden and green wall elements of the building,

is to be maintained in perpetuity by the Owners Corporation to a standard consistent with the approved landscape plans. Maintenance is to ensure the long-term health, vigour, and visual quality of all plantings and the preservation of the original design intent. This includes replacement of any failed or damaged planting, irrigation system upkeep, and the continued performance and presentation of all green wall and building-integrated landscaping elements.

OUTDOOR LIGHTING

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

USE OF SWIMMING POOL

- The swimming pool/spa must not be used for hire or for the purpose of any trade, industry, business or commercial gain.

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 6:00am on any day.

NOISE LEVELS FROM COMMON OPEN SPACES / NOISE MANAGEMENT PLAN

- To minimise the noise intrusion from Common Open Spaces on the amenity of the residential occupants, a Common Open Spaces Management Plan is to be drawn up, establishing controls such as: Limiting times of use to 7am to 10pm; No high noise generating activities, large gatherings, playing of loud music, parties; No amplified music or use of electrically amplified electronic sound equipment allowed; prominent notices on display to remind residents of these requirements and minimise noise.

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. Each 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;

- (c) Include a safe unobstructed rear clearance of two (2) metres behind the truck for loading of bin contents and bulky waste.

LICENSED NON-RESIDENTIAL WASTE COLLECTION

- All businesses must have written evidence on site of a valid and current contract with a licenced waste collection provider for lawful waste collection and disposal whether disposal is for landfill, treatment, recycling, reuse or any other purpose.

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.

WASTE STORAGE CONTAINERS

- No waste storage containers are to be located or placed outside the approved waste storage area 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.

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.

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.

WASTE MANAGEMENT COLLECTION POLICY

- The development must operate in full compliance with Council's Waste Management collection requirements for Council's onsite residential waste service. This includes collection by Council HRV rear-loader, currently on the following frequencies and capacities:
 - (a) Garbage: collected twice per week, a minimum of 140L/unit/week capacity required.
 - (b) Recycling: collected once per week, a minimum of 120L/unit/week capacity required.
 - (c) Organics: collected once per week, a minimum of 25L/unit/week capacity required for studios, 1-bedroom and 2-bedroom units and a minimum of 50L/unit/week capacity required for 3 or more-bedroom units.
 - (d) Bulky waste: a weekly service on a day that is not a residential bin collection day, currently intended to be a Friday but may be subject to change. The weekly service is provided in place of any other booked or scheduled service.

CHUTE ACCESS AND WASTE SERVICES CUPBOARD AT EVERY RESIDENTIAL LEVEL

- Each residential level must contain signed chute entry access and a signed waste services cupboard that contains a recycling bin of at least 240L capacity. Signage must be legible to all potential users.

OPERATIONAL WASTE MANAGEMENT PLAN IMPLEMENTATION

- The approved Operational Waste Management Plan (WMP) is to be implemented throughout the ongoing use of the development.

ANNUAL FIRE SAFETY STATEMENT

- Attention is directed to Clause 177 of the Environmental Planning and Assessment Regulation 2000 regarding the submission of an Annual Fire Safety Statement in relation to each essential fire safety measure implemented in the building or on the land on which the building is situated.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- Within 24 months of commencement of operation, Green Star certification or the equivalent must be obtained demonstrating the development, operating in accordance with this consent, achieves a minimum 6 Star Green Star As-Built rating. Evidence of the certification must be provided to the Certifier and the Planning Secretary.