

Attachment 2 - Recommended conditions

SSDA 691-699 Pacific Highway, Chatswood

Note: This list is not definitive and other conditions may be required reflecting the Council submission, concerns of the consent authority and where appropriate referencing of plans.

General and Engineering

PRIOR TO MAKING AN APPLICATION FOR A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with before any Construction Certificate Application is made to the Certifying Authority.

1. Preparation of a Remedial Action Plan

Preparation of a suitable Remedial Action Plan (RAP) shall be carried out by a suitably qualified and certified contaminated land consultant to demonstrate that remediation can be carried out in an environmentally sustainable and practical way to render the site suitable for the proposed mixed use. The RAP shall be submitted with the Construction Development Application.

(a) Notes:

(i) Contaminated land reports submitted to Council must be prepared, or reviewed and approved by, a certified contaminated land consultant certified under the Environment Institute of Australia and New Zealand – Certified Environmental Practitioner (Site Contamination) (CEnvP (SC)) or the Soil DPG Project 38 Pty Ltd v Willoughby City Council LEC No: 2024/00046467 Page 17 of 57 Science Australia – Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) schemes.

(ii) Contaminated land reports shall be prepared in accordance with:

- State Environmental Planning Policy - (Resilience and Hazards) 2021
- Contaminated Land Planning Guidelines (Department of Urban Affairs and Planning and EPA 1998) or updates
- Consultants reporting on contaminated land – Contaminated Land Guidelines (NSW EPA 2020)

(Reason: Protection of environment and public health)

2. Submit the Following Information to Willoughby City Council

Prior to the lodgement of an application for a construction certificate, the applicant shall submit plans and specifications satisfying the following requirements to Willoughby City Council for approval. Documentation confirming approval by Willoughby City Council shall then be submitted to the Certifier for the application of a construction certificate.

- (a) Flood Impact Assessment, based on the “For Construction Drawings”, that is to confirm that afflux outside the boundaries of the site is less than 10mm for the 1%AEP event and that the development complies with the requirements of Technical Standard 2. The report is to include the following”

- Proposed and existing flood levels for the 1%AEP event.
- Extent of overland flow in the 1%AEP event for existing and proposed conditions.
- Afflux diagram for the 1%AEP event. The diagram is to clearly show the site boundaries and is to clearly demonstrate that any increase in flood levels external to the site does not exceed 10mm
- Detailed plans of the mitigation works required, including the channel along the southern boundary and the landscaped area to be lowered.
- Details of the blockage factor applied to the flow path / channel along the southern boundary.
- Details of the Flood Planning Level and confirmation that all floor levels in the building and access points to the basement comply with the requirements of Technical Standard 2.

(Reason: Ensure compliance)

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate.

3. Damage Deposit

Prior to the issue of the Construction Certificate, the applicant shall lodge a Damage Deposit of **\$200,000** (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. The deposit will be refundable, following issue of the Final / Whole Occupation Certificate, subject to inspection by Council after the completion of all works relating to the proposed development. 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 = \$200,000 + Damage Deposit Release Inspection Fee

(Reason: Protection of public asset)

4. Temporary Ground Anchors

Obtain written permission from all private property owners affected by any encroachment either below ground or the air space above as a result of any proposed temporary ground anchors prior to issue of the Construction Certificate. Permits are to be obtained from Council for any temporary ground anchors to be installed within the road reserve. Copies of the permission shall be sent to Council. A Temporary Ground Anchor Permit is to be obtained from Council for any ground anchors proposed to be installed in Council's Road Reserve. Permits will not be issued for ground anchors beneath a State Road. All works associated with the drilling and stressing of the ground anchors shall be installed in accordance with approved drawings.

(Reason: Encroachment of works)

5. Stormwater Conveyed to Street Drainage

Stormwater runoff from the site shall be collected and conveyed to the street drainage system in accordance with TfNSW and Council's specifications. A grated drainage pit of minimum 600mm x 600mm provided within the property and adjacent to the boundary prior to discharging to the street drainage system. All drainage works shall comply with the requirements described in Part I of Council's DCP, Technical Standards and AS 3500.3. In this regard, full design and construction details showing

the method of disposal of surface and roof water from the site shall be shown on the Construction Certificate plans. Approval is to be obtained from TfNSW for the connection to the street drainage pit.
(Reason: Stormwater control)

6. 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 Certifier for approval prior to the issue of the Construction Certificate.

(Reason: Prevent property damage)

7. 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 and be in accordance with SGC Engineers drawings S03-SW301/P01, S03-SW302/P02, S03-SW303/P01, S03-SW304/P01, S03-SW401/P01, S03-SW402/P01, S03-SW501/P01, S03-SW502/P01 and S03-SW601/P01. Access from the loading dock area to the area above the OSD tank shall be via an access stair and not a ladder. All drawings shall comply with Part I of Council's Development Control Plan and Technical Standard 1, AS/NSZ3500.3 – *Plumbing and Drainage Code* and National Construction Code.

(Reason: Ensure compliance)

8. Basement Pumpout Drainage System

Prior to the issue of the Construction Certificate, the applicant shall submit, for approval by the Certifier, detailed stormwater management plans in relation to the pump-out drainage system. The construction drawings and specifications shall be generally in accordance with the approved stormwater management plans with the following requirements:

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

All drawings shall be prepared by a suitably qualified and experienced civil engineer and shall comply with Part I of Council's Development Control Plan, Technical

Standard 1, AS/NZS 3500.3 – *Plumbing and Drainage Code* and the National Construction Code.

(Reason: Prevent nuisance flooding)

9. Overland Flow/Flood Level

A suitably qualified and experienced civil engineer must certify that:

- (a) The finished floor levels of the proposed building have a minimum freeboard of 500mm above the 1% AEP flood event, which is conveyed through the site.
- (b) All access points to the basement have a minimum level of 500mm above the 1% AEP flood event or the PMF level, whichever is higher.
- (c) In the 1%AEP flood event, any increase in flood levels external to the site are less than 10mm.
- (d) The existing boundary fences within the extent of the overland flow path will be replaced with open type fencing to allow unimpeded passage of overland flow
- (e) No structures, walls, fill or other items will be constructed to impede the 1% AEP overland flow path within the identified flood zone, other than works detailed in the approved flood report.
- (f) The proposed works comply with the requirements of Technical Standard 2 Floodplain Management.

The engineer must undertake an assessment of the critical flows as determined necessary to satisfy this condition. Where floor levels need to be raised or other flood protection measures are deemed necessary, details must be submitted and approved by the Certifying Authority prior to the issue of the Construction Certificate.

(Reason: Prevent property damage)

10. Construction Management Plan (CMP)

Prior to the issue of the Construction Certificate, submit, for approval by the Certifier, detailed Construction Management Plan (CMP). The CMP shall address:

- (a) Construction vehicles access to and egress from the site
- (b) Parking for construction vehicles
- (c) Locations of site office, accommodation and the storage of major materials related to the project
- (d) Protection of adjoining properties, pedestrians, vehicles and public assets
- (e) Location and extent of proposed builder's hoarding and Work Zones
- (f) Tree protection management measures for all protected and retained trees.

(Reason: Compliance)

11. 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 2.0 metres wide footpath (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 long section and cross sections at 5 metres interval shall be provided.

- (b) Reconstruction of existing kerb and gutter for the full frontage of the development site in Pacific Highway in accordance with TfNSW requirements.
- (c) Construction of a new vehicular crossing in accordance with TfNSW and Council's requirements. The crossing is to have a separate entry and exit and be angled to provide left in and left out. The width is to be minimised, while providing access for the design vehicle to the site (minimum Council's 10.5m waste vehicle)
- (d) Connection of the site drainage system to the stormwater drainage pit in Pacific Highway.
- (e) Any other works in the road reserve required for the development or as required to satisfy the conditions of consent.

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

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

Prior to final approval from Council for the plans, concurrence is to be obtained from TfNSW for the public domain works.
(Reason: Ensure compliance)

12. Driveway Long section

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 Council along each side of the proposed vehicular access path drawn at 1:20 Scale. The longitudinal sections shall include the following: -

- (a) Horizontal distance from the centreline of the road to 12m within the site, including provision of TfNSW standard layback.
- (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. All driveway grades and transitions shall comply with AS/NZS 2890.1, AS 2890.2, and TfNSW 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) At back of layback – 100 mm above and parallel to the gutter invert.
- (b) At property boundary – 170mm above and parallel to the gutter invert.

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

(Reason: Safe vehicular access)

13. Flood Risk Management Plan

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

(Reason: Managing Flood Risk)

14. OSD/Rainwater Tank Design

The design of all rainwater/OSD tanks shall comply with the requirements of the NSW Work Health and Safety Regulation 2017, to minimise risks associated with confined spaces. The design shall also consider "Safety in Design" requirements. Prior to issue of a Construction Certificate, a suitably qualified person shall certify that the design meets these requirements.

(Reason: Safe access to tanks)

15. Vehicle Access and Manoeuvring – Engineer's Certification

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

- (a) That finished driveway gradients and transitions comply with AS/NZS 2890.1 and AS 2890.2 and will not result in scraping to the underside of cars.
- (b) That the proposed vehicular path and parking arrangements comply in full with AS/NZS 2890.1, AS 2890.2 and AS 2890.6 in terms of minimum dimensions provided and grades on parking spaces.
- (c) That 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.
- (d) 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.
- (e) That the headroom clearance required in AS 2890.2 for the largest vehicle using the site (minimum 4.5m) has been provided for the loading area and the path to and from the loading area.
- (f) That accessible parking spaces, including those for adaptable units, are provided with shared zones and bollards as per the requirements of AS 2890.6 and that column locations in the shared zone comply with the requirements of AS 2890.6
- (g) 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.

- (h) 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 site entry and the loading dock.
 - (i) That sight triangles in accordance with Figure 3.3 of AS/NZS 2890.1 will be provided at the vehicle exit from the site and that landscaping within the sight triangles will not impact sight lines.
- (Reason: Ensure compliance)

16. Finish Surface Levels Along the Street Boundary

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

(Reason: Ensure compliance)

17. Undergrounding

All existing aerial cables which may include for electricity, communications and other cables connecting to street poles and buildings around the site shall be removed and installed underground in accordance with the requirements of the relevant service authorities. Ausgrid lighting poles are to be provided to the requirements of Ausgrid for street lighting and shall be positioned compatible to the landscaping design around the site.

(Reason: Compliance)

18. Shared Path and Right-of-Way

Shared Path and Right-of-Way Prior to the issue of the Construction Certificate the Architectural and Landscape Plans are to be amended to show a 3m wide shared path along the Pacific Highway frontage, commencing at a point 1.5m from the kerb, in accordance with Council's Shared Path Policy. Planting within the verge setback (from the kerb to a point 1.5m from the kerb) must be planting that achieves approximately 1m in height at maturity, so as to preserve sightlines for vehicles. The plans shall also notate that a right-of-way for public use is to be registered over all that part of the site within 4m of the front boundary (fronting Pacific Highway) including the shared path, and that this right-of-way will be registered prior to the issue of the Occupation Certificate. The wording of the right-of-way must be provided to Council and written approval obtained from Council prior to the issue of the Construction Certificate.

(Reason: Compliance and Public Amenity)

19. Services and Fire Hydrant Enclosure

Prior to the issue of a Construction Certificate for works above Ground/Podium slab level, the Certifying Authority is to be provided with plans indicating that all Services (Gas meter, water meter & fire hydrant and sprinkler booster valves and the like) are enclosed in a manner that complements the building and in accordance with the requirements of EP1.3 & EP1.4 of the BCA.

(Reason: To ensure essential services are appropriately screened)

20. External Finishes – Solar Absorptance

The external roofing, glazing and walls of the proposed dwelling 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. Details demonstrating compliance are to be submitted with the Construction Certificate application.
(Reason: Visual amenity)

21. Certification of Gross Floor Area

Prior to the issue of a Construction Certificate, a Registered Surveyor shall submit to the Certifier for approval, a floor space ratio (FSR) calculation plan demonstrating that the proposed gross floor area of all buildings on the site is in accordance with the approved plans listed in Condition 1 of this Consent. The calculation must be undertaken in accordance with the definition for gross floor area under Willoughby Local Environmental Plan.
(Reason: Bulk and scale control/compliance)

22. Access, Mobility and Adaptable Housing

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

23. Sydney Water ‘Tap In’

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

24. 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).

25. 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 section 5 of Noise Impact Assessment (PWNA, Report No. 220120-42 Archer St, Chatswood-Noise Impact Assessment-R1, 17 June 2022) and any addendum reports and the

following criteria with windows and doors closed: Internal Space Time Period Criteria LAeq (period) Living Areas Any time 40 dB(A) Sleeping Areas Day (7am – 10pm) 40 dB(A) Night (10pm – 7am) 35 dB(A) Note: 1. The above criteria do not apply to kitchens, bathrooms, laundries, foyers, hallways, balconies or outdoor areas. 2. The above criteria define the minimum acceptable levels. Buildings may be built to a better than average standard by applying more stringent criteria.

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.

(Reason: Amenity, environmental compliance and health)

26. Building Ventilation

To ensure that adequate provision is made for ventilation of the building, mechanical and/or natural ventilation shall be provided. These shall be designed in accordance with the provisions of: (a) The National Construction Code: (i) AS1668.1, AS1668.2 and AS3666.1 as applicable; and/or (ii) Alternative solution using an appropriate assessment method Details of all mechanical ventilation and exhaust systems, and certification provided by an appropriately qualified person verifying compliance with these requirements, shall be submitted to the Certifier prior to the issue of the Construction Certificate.

(Reason: Health and compliance)

27. 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.

(Reason: Amenity, environmental compliance and health)

28. Construction Traffic Management Plan

Prior to issue of the Construction Certificate, a detailed Construction Traffic Management Plan shall be prepared for pedestrian and traffic management and be submitted to the relevant road authority for approval. The plan shall: -

- (a) Be prepared by a TfNSW accredited consultant.
- (b) Be in accordance with the current version of AS1742.3 and its associated handbook; and the TfNSW's Traffic Control at work site manual.
- (c) Implement a public information campaign to inform any road changes well in advance of each change. The campaign shall be approved by the Traffic Committee.
- (d) Nominate a contact person who is to have authority without reference to other persons to comply with instructions issued by Council's Traffic Engineer or the Police.
- (e) Confine temporary road closures to weekends and off-peak hour times and shall be the subject of approval from Council. Prior to implementation of any road closure during construction, Council shall be advised of these changes and a Traffic Guidance Scheme shall be submitted to Council for approval. This Plan shall include times and dates of changes, measures, signage, road markings and any temporary traffic control measures.

(Reason: Public safety and amenity)

29. Traffic Work

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

30. Public domain and through site links

Prior to issue of the construction certificate, a public domain plan involving through site links and public rights of way is to be prepared in consultation with Council, identifying paving, landscaping and way faring signage, and is to be submitted to Council for approval.
(Reason: Public safety and amenity)

PRIOR TO COMMENCEMENT

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. All of these conditions are to be complied with prior to the commencement of any works on site.

31. Spoil Route Plan

Submit a "to and from" spoil removal route plan to Council prior to the commencement of excavation on the site. Such a route plan should show entry and exit locations of all truck movements.
(Reason: Public amenity)

32. Dilapidation Report of Council's Property

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

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

This dilapidation report shall be submitted to Council and the Certifier advised of the submission prior to commencement of work.
(Reason: Protection of Council's infrastructure)

33. Dilapidation Report of Adjoining Properties

Prior to commencement of work, submit a photographic survey and report of each of the adjoining properties (including each strata lot): 689 Pacific Highway legally known as 2/DP187216, 701-705 Pacific Highway legally known as SP39536, 655A Pacific Highway legally known as SP57067 and Chatswood Bowling Club greens legally known as 2/DP861346 to the Certifier and all owners of these adjoining properties.

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

(Reason: Protection of adjoining owners)

34. Permits and Approvals Required

Application is to be made to Council's Infrastructure Services Division for the following approvals and permits as appropriate:

- (a) Permit to erect Builder's hoarding where buildings are to be erected or demolished within 3.50m of the street alignment. Applications are to include current fees and are to be received at least 21 days before commencement of the construction.
- (b) Permit to stand mobile cranes and/or other major plant on public roads. Applications are to include current fees and security deposits and are to be received at least seven days before the proposed use. It should be noted that the issue of such permits may also involve approval from the NSW Police Force and TfNSW. A separate written application to work outside normal hours must be submitted for approval.
It should also be noted that, in some cases, the above Permits may be refused and temporary road closures required instead which may lead to longer delays due to statutory advertisement requirements.
- (c) Permit to open public roads, including footpaths, nature strip, vehicular crossing or for any purpose whatsoever. All applications are to include current fees. (Minimum one (1) weeks' notice required.)
- (d) Permit to place skip/waste bin on footpath and/or nature strip. (Maximum three (3) days).
- (e) Permit to work and/or place building materials on footpath and/or nature strip. (Maximum two (2) weeks).
- (f) Permit to establish Works Zone on Public Roads adjacent to the Development including use of footpath area. Applications must be received by Council at least twenty-one days prior to the zone being required. The application will then be referred to the Council's Local Traffic Committee for approval, which may include special conditions.
- (g) Permit to construct vehicular crossings over Council's footpath, road or nature strip.
- (h) Permit to install ground anchors beneath the road reserve.

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

(Reason: Legal requirements)

35. Application for Vehicle Crossing

Submit an application with fees to Council for the construction of a plain concrete vehicular crossing.

(Reason: Protection of public asset)

36. Adjustment to Street Lighting

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

(Reason: Public amenity)

37. Underground Utility Services

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

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

(Reason: Protection of utilities)

38. Removal of Trees in Public Areas

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

(Reason: Management of Public Land)

39. 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;
- (d) The Project Arborist is to certify that all tree protection measures have been installed prior to commencement of works.

(Reason: Safety, environmental protection, landscape amenity)

40. Hazardous Building Material Assessment

A hazardous building material assessment shall be undertaken by an appropriate qualified person and is to be submitted to the Certifier for approval prior to the issue of the Construction Certificate. The assessment shall identify any likely hazardous materials within any structure to be demolished and provide procedures on how to handle and dispose of such materials.

(Reason: Environmental protection/public health and safety)

DURING DEMOLITION, EXCAVATION AND CONSTRUCTION

The following conditions are to be complied with throughout the course of site works including demolition, excavation and construction.

41. Hours of work

All construction/demolition work relating to this Development Consent within the City, unless varied by an Out of Hours Work Permit, must be carried out only between the hours of 7 am to 5 pm Mondays to Fridays and 7 am to 12 noon on Saturdays. No work is permitted on Sundays or Public Holidays.

An application for an Out of Hours Work Permit to allow variation to these approved hours must be lodged with Council at least 48 hours prior to the proposed commencement of the work. The application must include a statement regarding the reasons for the variation sought, the type of work/s to be carried out, the additional time required, the anticipated impact upon the local amenity and how this will be minimized, and must be accompanied by the required fee. One (1) permit is required for each variation to the approved working hours within any 24 hour period.

If a variation to these approved hours for multiple or extended periods is sought, an application under Section 4.55 of the Environmental Planning and Assessment Act 1979 must be lodged with Council at least twenty-one (21) days in advance of the proposed changes to the hours of work. The application must include a statement regarding the reasons for the variation sought, the type of work/s to be carried out, the additional time required, the anticipated impact upon the local amenity and how this will be minimized, and be accompanied by the required fee. Note: This Section 4.55 application may require re-notification in some circumstances.
(Reason: Ensure compliance and amenity)

42. Building 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.

A temporary safety fence is to be provided 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.

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.
(Reason: Safety)

43. Provide Erosion and Sediment Control

Where work involves excavation or stockpiling of raw or loose materials, erosion and sediment control devices shall be provided wholly within the site whilst work is being carried out in order to prevent sediment and silt from site works (including demolition and/or excavation) being conveyed by stormwater into Council's stormwater system natural watercourses, bushland and neighbouring properties. In this regard, all stormwater discharge from the site shall meet the requirements of the Protection of Environment Operations Act 1997 and the Department of Environment, Climate

Change and Water guidelines. The control devices are to be maintained in a serviceable condition AT ALL TIMES.
(Reason: Environmental protection)

44. Demolition Work AS 2601-2001

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

45. Temporary Toilet Facilities

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

46. Temporary Ground Anchors – Supervision

A professional Geotechnical Engineer shall be on site to supervise the piling, excavation and finally the installation and stressing of any ground anchors. On completion of these works, a report from the Geotechnical Engineer shall be submitted to Council for record purposes.

A Chartered Professional Engineer shall monitor adjoining public infrastructures to detect any ground heaving or settlement during and after the installation of the piling and ground anchors. A rectification report shall be submitted to Council should unacceptable displacements occur within the zone of influence.
(Reason: Protection of public assets)

47. Tree Trunk, Branch and Root Protection

- (a) Retain and protect the following trees and vegetation throughout the demolition and construction period: All trees not approved for removal.
 - (b) The above protected trees must be clearly marked and protection devices in place to prevent soil compaction and machinery damage.
 - (c) Tree protection measures must comply with the approved Tree Protection Plan and AS 4970-2009 Protection of trees on development sites with particular reference to Section 4 Tree Protection Measures.
 - (d) Tree protection measures in accordance with (c) above are to be certified by the Project Arborist prior to commencement of works.
 - (e) Tree roots greater than 25mm diameter are not to be removed unless approved by The Project Arborist on site.
 - (f) All structures are to bridge over or tunnel bore under roots unless directed by The Project Arborist on site.
- (Reason: Tree management)

48. No Access through Public Open Space

Site access is not approved for construction of the development through adjacent public reserve land.
(Reason: Safety, landscape amenity, tree protection)

49. Storage of Materials on Council Land Prohibited

The dumping or storage of building materials, spoil, vegetation, green waste, or any other material in the Council reserve is prohibited, unless written consent of Council is obtained.

(Reason: Safety, environmental protection)

50. Sweep & Clean Pavement

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

(Reason: Legal requirement)

51. 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.

(Reason: Protection of public assets)

52. Maintenance of Nature Strip

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

(Reason: Public amenity and safety)

53. Hazardous Materials – Clearance Certificate

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

(Reason: Health and safety)

54. Dust Control

The following measures must be taken to control the emission of dust:

(a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work.

(b) Any existing accumulation of dust (e.g. in ceiling voids and wall cavities) must be removed using an industrial vacuum cleaner fitted with a high efficiency particulate air (HEPA) filter.

(c) All dusty surfaces and activities must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the street or stormwater system. Activities could include, but

are not limited to, rock-breaking, excavation, earth moving, drilling, and angle grinding, cutting, jack hammering and chiselling of concrete or masonry.

(d) All stockpiles of materials that are likely to generate dust must be kept damp or covered.

(e) Demolition work must not be carried out during high winds, which may cause dust to spread beyond the boundaries of the site.

(Reason: Amenity and environmental protection)

55. Loading and Unloading During Construction

The following requirements apply:

(a) All loading and unloading associated with construction must be accommodated on site.

(b) The structural design of the building must permit the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.

(c) If, during excavation, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.

(d) In addition to any approved Works Zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.

(e) If a Works Zone is warranted an application must be made to Council prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need of the site for such facility at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

(f) Application for a Works Zone must be submitted to Council a minimum 8 weeks prior to being required. Works application form is available on the City's Website.

(Reason: Public safety and amenity)

56. Noise Monitoring Plan

Construction noise shall be controlled to comply with the requirements as set out in the EPA Draft Construction Noise Guideline. Noise levels shall not exceed the rated background level by more than 10dB(A) at the most sensitive receiver during the standard construction hours. A noise monitoring plan shall be implemented during construction. Where noise levels may be exceeded appropriate measures to control excessive noise shall be implemented immediately.

(Reason: Amenity)

57. Construction Noise & Vibration

Construction noise and vibration shall be controlled to comply with the requirements as set out in the EPA Interim Construction Noise Guideline (ICNG) and the criteria stated below. Noise levels shall not exceed the following noise criteria during the standard construction hours:

(a) Affected residential properties (during ICNG recommended standard hours) – Noise affected level of RBL + 10dB and Highly noise affected level (i.e. noise level above which there may be strong community reaction) $\leq 75\text{dB(A)Leq}(15\text{mins})$.

(b) Affected commercial premises (i.e. office, retail outlets etc.) – $70\text{dB(A)Leq}(15\text{mins})$.

A noise and vibration monitoring plan shall be implemented and testing carried out by a suitably qualified acoustic engineer during construction. Where noise or vibration levels exceed criteria, appropriate measures to control excessive noise shall be implemented immediately. Copies of the plan and any testing shall be submitted to Council on the request of an Authorised Officer under the Protection of the Environment Operations Act 1997.

(Reason: Amenity)

PRIOR TO OCCUPATION OF THE DEVELOPMENT

The following conditions of consent must be complied with prior to the issue of an occupation certificate.

58. Public Art

a) Detailed Public Art Plan

The detailed public art plan must be developed and implemented in accordance with Council's Public Art Policy and Procedures and Guidelines. 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.

It 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 Public Art Advisory Panel for comment and any recommendations will be recorded and passed on to the developer.

b) Final Public Art Report to be submitted at Occupation Certificate Stage

Prior to the release of the 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. 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.

(Reason: Ensure compliance with Council's Public Art Policy)

59. Street Numbering

Prior to the issue of any Occupation Certificate, written application shall be made to the Geospatial Services Section of Council for the allocation of street numbering for each of the newly created strata lots and/or allotments. Documentary evidence of the allocated numbering issued by Council is to be lodged with the Subdivision Certificate Application and Linen Plans.

(Reason: Ensure compliance with Council's House-Property Numbering Policy)

60. Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of a Final Occupation Certificate. An application must be made either directly to Sydney Water or through a Sydney Water accredited Water

Service Coordinator. For details go to www.sydneywater.com.au/section73 or call 1300 082 746. The Section 73 Certificate must be submitted to the Certifier.
(Reason: Ensure statutory compliance)

61. Public Tree Maintenance

Prior to the issue of any relevant Occupation Certificate, the Project Arborist is to certify that: (a) All trees required to be retained 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

62. Planting as per Landscape Plans

Prior to the issue of a Whole Occupation Certificate, trees (including street trees), shrubs and ground-covers are to be planted in accordance with Landscape Plans.
(Reason: Landscape amenity)

63. Project Arborist Certification

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

64. Completion of Landscape Works

Prior to the issue of a Whole Occupation Certificate, any approved landscape works shall 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.
(Reason: Landscape amenity)

65. Access for people with a disability - Disability Discrimination Act

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

66. Fire Safety Certificate Forwarded to NSW Fire and Rescue

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

67. State Survey Marks

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

(Reason: Public amenity)

68. Temporary Ground Anchors – Destressing

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

(Reason: Destressing of ground anchors)

69. 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 street drainage system via an approved OSD system with a minimum volume of 83m³, which restricts peak flow from the site in the 1%AEP event to 33L/s and a water quality improvement system. The system shall be in accordance with AS/NZS3500.3, Part I of Council's DCP and Technical Standards 1 and 2. The construction of the stormwater drainage system of the proposed development shall be in accordance with the approved detailed stormwater drawings required under this development consent and Council's specification (AUS-SPEC).

(Reason: Prevent nuisance flooding)

70. Sign for On-site Stormwater Detention System

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

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

(Reason: Prevent unlawful alteration)

71. Confined Space Sign

Prior to the issue of any Occupation Certificate, securely install standard confined space danger signs in a prominent location within the immediate vicinity of access

points to on site stormwater detention systems, rainwater tanks and confined spaces in accordance with the requirements of NSW Work Health and Safety Regulation 2017. (Reason: Safe access to tank)

72. Certification of OSD

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

73. Certification of the Basement Pumpout Drainage System

Prior to the issue of any Occupation Certificate and upon completion of the pump-out system, the following shall be submitted to the Certifier.

- (a) A suitably qualified and experienced civil engineer (generally CP Eng. Qualification) shall certify that the as-built pumpout system complies with Part I of Council's DCP Technical Standard 1, all relevant codes and standards and the approved stormwater management plans.
- (b) Work-as-executed plans based on the approved pump-out system plans from a registered surveyor to verify that the volume of storage and pump capacity are in accordance with design requirements. Any minor changes or variations to the approved plans should be highlighted in red on the approved pump-out system plans.
- (c) Certification from a licensed plumber to ensure that the constructed pump-out system complies with the current plumbing requirements of Sydney Water and AS/NZS3500.3.

(Reason: Ensure compliance)

74. Works-As-Executed Plans - OSD

Prior to the issue of any Occupation Certificate and upon completion of the OSD System, the following shall be submitted to the Certifier:

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

(Reason: Record of works)

75. S88B/S88E(3) Instrument

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

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

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

(Reason: Maintenance requirement)

76. Documentary Evidence of Positive Covenant, Engineers Certificate

Prior to the issue of any Occupation Certificate, the following documentary evidence of the completed drainage works shall be submitted to Certifier and Council: -

- (a) Registered Positive Covenant and Restriction on the Use of Land by way of the Title Deed.
- (b) Certification from a suitably qualified and experienced civil engineer (generally CP Eng. Qualification) for the as-built OSD system.
- (c) Work-as-Executed plans highlighting in red any variations based on the approved stormwater management plans from a registered surveyor for the as-built OSD system.

(Reason: Public record)

77. Creation of a Floodway Restriction

Prior to the issue of any Occupation Certificate, create a Restriction on the Use of the Land on the title of the subject property under Section 88E(3) of the *Conveyancing Act 1919* by using Form 13RPA obtainable from the NSW Department of Lands. The restriction is to be placed over the 1%AEP flood path identified in the approved flood report. The extent of the identified overland floodpath within the subject site, shall be shown on a scale sketch, attached as an annexure to the request forms.

The wording for the restriction shall state "*No placement of any structures, walls, fences, fill or other items which may impede the 1% Annual Exceedance Probability flood path within the identified flood zone shall be permitted*".

Willoughby City Council shall be the authority empowered to release, carry or modify the restriction. Documentary evidence of registration of the instrument with the NSW Land Registry Services shall be submitted to Council and the Certifier. Council's costs, including legal fees associated with reviewing, approving and executing the 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.

(Reason: Ensure unimpeded floodwater conveyance)

78. Construction of Kerb & Gutter

Prior to the issue of any Occupation Certificate, construct a new kerb and gutter together with any necessary associated pavement restoration in accordance with Council's specification for the full frontage of the development site in Pacific Highway with associated pavement restoration as required by TfNSW.

(Reason: Public amenity)

79. Concrete Footpath

Prior to the issue of any Occupation Certificate, construct a 2.0m wide concrete footpath for the full frontage of the development site in Pacific Highway

All works shall be carried out in accordance with Council's standard specifications and drawings.

(Reason: Public amenity)

80. 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).

Reason: Public amenity)

81. 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 TfNSW requirements, 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 as per the approved public domain drawings and is to be constructed 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) At back of layback – 100 mm above and parallel to the gutter invert.
- (b) At property boundary – 170 mm above and parallel to the gutter invert.

The footpath which forms part of the proposed crossing shall have a maximum crossfall of 2.5% towards the kerb.

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

All adjustments to the nature strip, footpath and/or public utilities' mains and services as a consequence of the development and any associated construction works shall be

carried out at the full cost to the Applicant. All driveway grades and transitions must comply with AS/NZS 2890.1.

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

82. Removal of Redundant Crossings

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

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

83. Inspection of Civil Works on Road Reserves

All required road pavement, footpath, kerb and gutter, drainage works and/or any necessary associated works on the road reserve shall be completed in accordance with the Council approved drawings, conditions and specification (AUS-SPEC).

Pursuant to Section 138 of the *Roads Act 1993*, all works carried out on the road reserve shall be inspected and approved by Council's Engineer. Upon completion, Work-as-Executed drawings prepared by a registered surveyor shall be submitted to Council for record purposes. 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. Concurrence from TfNSW will be required prior to issue of the Completion Certificate.
(Reason: Ensure compliance)

84. Performance Bond

Prior to the issue of any Occupation Certificate, the Applicant shall lodge with the Council a performance bond of \$80,000 against defective public civil works undertaken by the main Contractor for a period of twelve (12) months from the date of the completion certificate issued by Council as the road authority under the *Roads Act 1993*. The bond shall be lodged in the form of a cash deposit, cheque or unconditional bank guarantee which will be refundable subject to the approval of Council's Engineers at the end of the maintenance period. In this period, the Applicant is liable for any part of the work which fails to achieve the design specifications. Council shall be given full authority to make use of the bond for such restoration works within the maintenance period as deemed necessary.
(Reason: Ensure compliance and specification)

85. Turfing of Nature Strip

Prior to the issue of a Whole Occupation Certificate and in the event of damages to the grass verge during works, trim the strip of land between the property boundary and the road, spread topsoil on top of the trimmed surface and lay approved turfing on the

prepared surfaces. The turf shall be protected from vehicular traffic and kept watered until established.

(Reason: Public amenity)

86. 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.

(Reason: Protection of public assets)

87. Vehicle Access and Manoeuvring – Construction & Certification

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

- (a) That the as-constructed carpark complies with the approved Construction Certificate plans.
- (b) That finished driveway gradients and transitions comply with AS/NZS 2890.1 and AS 2890.2 and will not result in scraping to the underside of cars.
- (c) Aisle widths throughout basements comply with AS/NZS 2890.1.
- (d) That the constructed vehicular path and parking arrangements comply in full with AS/NZS 2890.1, AS 2890.2 and AS 2890.6 in terms of minimum dimensions provided and grades on parking spaces.
- (e) That 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 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) has been provided for the loading area and the path to and from the loading area.
- (h) That accessible parking spaces, including those for adaptable units, are provided with shared zones and bollards as per the requirements of AS 2890.6 and that all columns located in the shared zone are in positions that comply with AS 2890.6
- (i) Simultaneous manoeuvring of B99 and B85 at all access aisle, ramps and ramp ends including clearances for each vehicle as per AS/NZS 2890.1 is achieved.
- (j) Access and manoeuvrability of the largest vehicle accessing the site 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.
- (k) That sight triangles in accordance with Figure 3.3 of AS/NZS 2890.1 have been provided at the vehicle exit from the site and that landscaping within the sight triangles will not impact sight lines.

(Reason: Ensure compliance)

88. Stormwater Maintenance Plan

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

(Reason: Ensure operation of system complies)

89. 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.

(Reason: Legal requirement)

90. 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 building have a minimum freeboard of 500mm above the 1% AEP flood event, which is conveyed through the site.
- (b) All access points to the basement have a minimum level of 500mm above the 1% AEP flood event or the PMF level, whichever is higher.
- (c) The existing boundary fences within the extent of the overland flow path have been replaced with open type fencing to allow unimpeded passage of overland flow
- (d) No structures, walls, fill or other items have been constructed to impede the 1% AEP overland flow path within the identified flood zone, other than works detailed in the flood report approved under this consent.
- (e) All mitigation works detailed in the approved Flood Impact Report have been constructed / implemented.
- (f) The as-constructed works comply with the requirements of Technical Standard 2.

(Reason: Ensure compliance)

91. Overland Flow Path – Work As Executed Plans

Upon completion of the development, work-as-executed (WAE) plans, based on the approved plans, shall be prepared by a registered surveyor and submitted to Council. The plans shall show the extent of works and finished ground levels within the overland flow path. Any minor changes or variations to the approved plans shall be highlighted in red.

(Reason: Record of works)

92. Flood Evacuation Plan

Prior to the issue of any Occupation Certificate, submit a Flood Evacuation Plan to the Certifying Authority for approval. The plan shall be prepared by a qualified civil engineering (typically CPEng) experienced in flood management. It shall include

- (a) The areas of the site affected by flooding.

- (b) Details of measures to be undertaken at the site to protect inhabitants and visitors from flooding, including any measures provided to prevent / limit access to H4-H6 areas.
 - (c) The evacuation route from the site.
 - (d) When evacuation is to occur.
 - (e) Emergency contact numbers, such as Police and SES.
- (Reason: Protection from floodwaters)

93. Overland Flow Path – Boundary Fencing

Open type fencing shall be provided within the extent of the 1%AEP flood zone to allow for passage of floodwaters. The open style fencing shall extend from ground level to a minimum of the 1%AEP flood level, and shall consist of fencing such as palisade or mesh.

(Reason: Passage of overland flow)

94. Noise Emission – Equipment

Prior to the issue of any relevant Occupation Certificate, certification shall be provided from a suitably qualified acoustic engineer certifying that the development complies with the acoustic report prepared Resonate N (Ref: S220617RP1 Rev A, dated 28 April 2023)) and any addendum reports. This shall include all sound producing plant, equipment, machinery and/or mechanical ventilation system complies with the relevant noise criteria.

(Reason: Amenity, environmental compliance and health)

95. Certification – Ventilation

Prior to the issue of any relevant Occupation Certificate, certification shall 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.

(Reason: Amenity, environmental compliance and health)

96. Development Application for Communal Use

A Development Applications is required for the separate fitout use of the areas notated as “communal” at basement level, ground level and Levels 1 and 2.

(Reason: Ensure compliance)

97. Through-site link to be registered as Right of Way

Prior to the issue of any Occupation Certificate, a right-of-way must be registered for the purposes of a publicly accessible through-site link, with Land Registry Services over:

- 1 metre from the front boundary and parallel with the front boundary, from the northern boundary to the southern end of the substation
- All that part of the site located between the northern boundary and the north-facing glassline of the building at ground floor level.
- for all that part of the site located between the eastern boundary for a distance of 3m into the site parallel to this boundary.
- The right-of-way is to allow public pedestrian and cycle use of these portions of the land.

(Reason: Compliance, urban design)

PRIOR TO THE RELEASE OF LINEN PLANS/SUBDIVISION CERTIFICATE/STRATA APPROVAL

The following are to be complied with prior to the issue of the Subdivision Certificate / Strata Approval and the release of the Linen Plans for registration at the Land and Property Information Office.

98. Location of On-Site Detention System

The locations of the as-built on-site stormwater detention system(s) shall be shown on the final plan of subdivision/strata plan. Access to the system, including access points to any underground tank, shall be located in common areas.

(Reason: Ensure compliance)

ONGOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land, and relevant legislation.

99. Stormwater Treatment System – Ongoing Maintenance

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

(Reason: Ensure compliance)

100. Vehicle Access

All vehicles shall enter and exit the site in a forward direction. No vehicle shall reverse over the boundary.

All vehicles access to the site shall be left turn in and left turn out onto Pacific Highway.

(Reason: Public protection)

Affordable Housing

101. Affordable Housing Conditions pursuant to clause 6.8 of the Willoughby Local Environmental Plan

In accordance with clause 6.8 of the Willoughby Local Environmental Plan (WLEP) 4% of the residential gross floor area in the development (being the residential component of the development related to this SSDA consent **i.e. XXXm²**) is to provide for affordable housing. Such provision of affordable housing in accordance with clause 6.8 of the WLEP is satisfied by either (or a combination) of the following:

Monetary Contribution

- (a) The applicant shall pay to Council a monetary contribution for the purpose of providing affordable housing that is calculated at 4% of the residential gross floor area of the development (which in this case is XXXm^2 i.e. $4\% \times \text{XXX} = \text{XXXm}^2$). 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 dwellings of a similar size to dwellings in the development by reference to the recent sales prices of such new dwellings of similar size and, 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.
 - (ii) Council will consider the valuation report and, acting reasonably, determine the amount of the contribution to be paid.
 - (iii) 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.
 - (iv) The applicant is to submit to Council's Director of Planning & Infrastructure the valuation report and 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 any application being made for an Occupation Certificate, and before any payment of contribution is made. If this valuation report option is taken, payment shall be made **within three (3) months of Council's written acceptance of the valuation report**.
 - (v) Alternatively to (i) to (iv) inclusive above, a figure (mean) for the market value of dwelling sales in Willoughby is obtained from the most recent (recent at the time of payment) Rent and Sales Report issued by the Department of Communities and Justice. In the event this option is chosen, a date stamped screenshot of the relevant figure within the Rent and Sales Report must be provided, and the payment made within three (3) months of the date displayed in the screenshot. A unit size of 95m^2 may be assumed for the purpose of the calculation.

Evidence of payment of the monetary contribution (by electronic transfer pursuant to s210 Environmental Planning and Assessment Regulation 2021) is to accompany the application for any Occupation Certificate.

Dedication of Affordable Housing units to Council

- (b) The dedication of complete residential dwelling units within the development (being the residential component of the development related to this SSDA consent **i.e. unit numbers and levels to be specified**; each having a gross floor area of at least 50m^2 , and equivalent to the mapped percentage of 4% of the

residential component of the development related to this consent (**residential component is XXXm² i.e 4% x XXX = XXXm²**). Each affordable dwelling must have an appurtenant car space. The affordable housing unit(s) and appurtenant car spaces to be dedicated to Council must be clearly shown on the Construction Certificate plans. A **Housing Transfer Deed** that identifies all affordable housing units for dedication to Council **must be executed prior to issue of the first Occupation Certificate**.

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 is to be completed within two months of the registration of any subdivision of the development creating the areas to be dedicated, or within two months of the issue of an 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.

(Reason: Increase affordable housing supply, Ensure compliance)

102. NSW Affordable Housing Ministerial Guidelines 2023/24

The NSW Affordable Housing Ministerial Guidelines 2023/24 (or subsequent updates) must be complied with. The Community Housing Provider must be notified to Council, and must provide Council on an annual basis occupancy levels for affordable housing and tenant sector employment data.

(Reason: Compliance, Housing affordability)

103. 88E Restriction – Affordable Housing

Pursuant to s 82 Environmental Planning and Assessment Regulation 2021, a restriction must be registered, in accordance with the *Conveyancing Act 1919*, section 88E, against the title of the property relating to the development, which will ensure the affordable housing component must be used for affordable housing, and the affordable housing component must be managed by a registered community housing provider. Further, that written evidence of an agreement with a registered community housing provider for the management of the affordable housing component is given to the Registrar of Community Housing, including the name of the registered community housing provider.

(Reason: Compliance)

104. Affordable Housing Fittings and Finishes

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

(Reason: Amenity)

The following waste (and construction) related conditions from the Court approval DA-2023/166, are to be included if an approval is to be provided (amended by any comments in this submission related to the subject SSDA)

105. Grease Arrestor for Potential Food Businesses

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

106. Residential waste storage areas

The developer must provide following residential waste storage areas:

- Basement bin storage area for residents of at least 68m²
- HRV accessible bin collection holding area of at least 65m²,
- Bulky waste storage area for residents of at least 22 m²
- HRV accessible collection holding area of at least 20 m².
- Residential on-floor chute room incorporating a recycling bin or with a recycling bin in an adjacent room to the chute room on every residential level.

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

107. Site Management

A Site Management Plan shall be submitted to and approved by the Certifier prior to commencement of work. The Site Management Plan shall include the following measures as applicable.

- (a) Details and contact telephone numbers of the owner, builder and developer;
- (b) Location and construction details of protective fencing to the perimeter of the site;
- (c) Location of site storage areas, sheds and equipment;
- (d) Location of stored building materials for construction;
- (e) Provisions for public safety;
- (f) Dust control measures;
- (g) Site access location and construction;
- (h) Details of methods of disposal of demolition materials;
- (i) Protective measures for tree preservation;
- (j) Provisions for temporary sanitary facilities;
- (k) Location and size of waste containers and bulk bins;
- (l) Soil and Water Management Plans (SWMP); comprising a site plan indicating the slope of land, access controls, location and type of sediment controls and storage/control methods for material stockpiles;
- (m) Construction noise and vibration management.

The site management measures shall be implemented prior to the commencement of any site works and maintained during the construction period. A copy of the approved Site Management Plan shall be conspicuously displayed, maintained on site and be made available to the Certifier/Council officers upon request.

(Reason: Environment protection, public health and safety)

108. Asbestos Sign to be Erected

On sites involving demolition or alterations and additions to building where asbestos cement is being repaired, removed or disposed of a standard commercially manufactured sign not less than 400mm x 300mm containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" is to be erected in a prominent visible position on the site. The sign is to be erected prior to the commencement of works and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility.

(Reason: Public Health and safety/Ensure compliance)

109. Neighbour Notification of Asbestos Removal

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

(Reason: Public health)

110. Storage of Materials on Council Land Prohibited

The dumping or storage of building materials, spoil, vegetation, green waste, or any other material in the Council reserve is prohibited, unless written consent of Council is obtained.

(Reason: Safety, environmental protection)

111. 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.

(Reason: Legal Requirement)

112. General Easement/ROW Provision and Certification

The creation of drainage easements, service easements and/or rights-of carriageway shall be carried out as required (including rights-of-way that benefit 689 Pacific Highway, Chatswood for access and waste management purposes). A registered surveyor is to certify prior to the release of the subdivision certificate that all inter-allotment drainage lines, services or driveways are fully contained within the proposed allotment and/or that future provisions of such are fully covered by the proposed burdens. Alternatively if the surveyor is of the opinion that no easements and/or rights-of-carriageway are required then certification to this effect from the surveyor is to be submitted.

(Reason: Ensure compliance)

113. Strata Plan

The draft strata plan (Ref: 230770, dated 31/1/24 by Barker Ryan Stewart) is not approved and does not form part of this development consent. An updated strata plan is required to be submitted that accurately reflects the approved architectural plans, including:

- common property free from obstruction associated with “potential future connection to 689 Pacific Highway”,
- nomination of storage spaces consistent with the approved architectural plans
- nomination of landscaped areas located throughout the residential tower as common property
- waste management areas accurately nominated to align with the approved architectural plans.

The strata plan is to accurately reflect the approved architectural plans prior to its registration with Land Registry Services.

(Reason: Ensure compliance)

114. Ongoing Compliance with the Waste Management Plan

The Applicant is required to maintain compliance with the submitted Waste Management Plan (EC Sustainable Waste Plan Demolition, Construction and Operational Phases, Revision B v251024b, 25 October 2024) unless otherwise conditioned.

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

115. 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 bins and frequencies:

- Garbage:
 - 3 x 1,100L bins compacted and collected twice per week; or
 - 6 x 1,100L bins uncompacted and collected twice per week.
- Recycling: 10 x 1,100L bins collected once per week, and
- Garden organics: 45 x 240L bins collected once per week, which also provides contingency space for other bins.
- Bulky waste: booked or scheduled service

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

Infrastructure contributions

116. S7.11 Contribution

Prior to the issue of the Construction Certificate, a monetary contribution is to be paid **to in accordance with section 7.11 of Environmental Planning and Assessment Act, 1979** in the amount of \$ [insert amount] for the purposes of the Local Infrastructure identified in the *Willoughby Local Infrastructure Contributions Plan*.

Active transport and public domain facilities	\$ [insert amount]
Open space and recreation facilities	\$ [insert amount]
Plan administration	\$ [insert amount]
Recoupment - community facilities	\$ [insert amount]
Recoupment - open space and recreation	\$ [insert amount]
Total	\$ [insert amount]

Indexation

The monetary contribution must be indexed between the date of this Development Consent and the date of payment in accordance with the following formula:

$$\frac{\$C_o \times CPI_P}{CPI_C}$$

Where:

$\$C_o$ = the contribution amount shown in this Development Consent expressed in dollars

CPI_P = the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics (ABS) at the quarter immediately prior to the date of payment

CPI_C = the Consumer Price Index (All Groups Index) for Sydney as published by the ABS at the quarter ending immediately prior to the date of imposition of the condition requiring payment of a contribution

Deferred payments of contributions will not be accepted.

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

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

117. S7.12 Contribution

Prior to the issue of the Construction Certificate, a monetary contribution is to be paid in accordance with section 7.12 of *Environmental Planning and Assessment Act, 1979* in the amount of \$ [insert amount] for the purposes of the Local Infrastructure identified in the *Willoughby Local Infrastructure Contributions Plan*.

This contribution is based on X% of the estimated cost of development, being \$ [insert amount] at XX/XX/20XX and the adopted *Willoughby Local Infrastructure Contributions Plan*.

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:

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

Where:

\$C_o = the original development contribution determined by the Council based on a percentage of the cost of development as set out in the Contributions Plan

Current CPI = the Consumer Price Index (All Groups Index), Sydney, as published by the ABS at the quarter immediately prior to the date of payment

Base CPI = the Consumer Price Index (All Groups Index), Sydney, as published by the ABS at the quarter ending immediately prior to the date of imposition of the condition requiring payment of a contribution

Deferred payments of contributions will not be accepted.

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

Copies of the *Willoughby Local Infrastructure Contributions Plan* are available for inspection online at www.willoughby.nsw.gov.au

(Reason: Statutory requirement)