



Valuation Report

**12-14 Second Avenue,
Blacktown NSW 2148**

Egan National Valuers (NSW)
Melbourne • Sydney • Canberra • Brisbane
Suite 901, 275 Alfred Street
North Sydney NSW 2060
Phone 02 8344 8000
Fax 02 8920 1555
eganvaluers.com.au

Liability limited by a scheme approved under Professional Standards Legislation
Egan Australasia Pty Ltd ABN 17 102 907 906



(Proposed Building) 12-14 Second Avenue, Blacktown



(Current site) 12-14 Second Avenue, Blacktown

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EXECUTIVE SUMMARY

Property Address:	12-14 Second Avenue, Blacktown NSW 2148
Valuation Instruction From:	Bobby Goyal Universal Property Group
Liability Extended To:	Reliance upon this report for first mortgage security purposes is extended to Alceon Group P/L.
Description of Property:	<p>This development site is located in the western Sydney suburb of Blacktown in Sydney. The site comprises a near level lot with an approximate area of 2,024 square metres. The site is zoned B4 'Mixed Use' with an FSR of 6.5:1 and a maximum height limit of 56 metres.</p> <p>The site has been cleared of all improvements and currently a holding yard for the construction site opposite. For the purpose of this valuation we assume that the site will be cleared of all construction materials as part of a make good agreement.</p> <p>A Development Approval (Determination Number: JRPP-16-03340) was determined in the Land and Environment Court on the 18th July 2017 for the construction of an 18 storey mixed use development, comprising 9 retail/commercial units on the ground and first floors, 133 residential apartments (58 x 1 bedroom, 58 x 2 bedroom and 17 x 3 bedroom) above 3 basement levels containing 136 car parking spaces and associated landscaping and stormwater drainage works.</p>
Purpose of Valuation:	To assess the market value of the freehold interest "As Is" with Development Approval in the abovementioned property for first mortgage security purposes.
Date of Valuation:	Inspection Date: 16 th October 2019 Valuation Date: 16 th October 2019
Interest Valued:	Current Market Value "As Is" with Development Approval, exclusive of GST.


Market Value
 "As Is" with Development Approval
 \$10,500,000
 (Ten Million Five Hundred Thousand Dollars)

The above value is expressed exclusive of GST

Assumptions, Conditions and Limitations

1. The valuation assumes the availability of vacant possession.
2. The valuation assumes the availability of an encumbrance free fee simple Certificate of Title.
3. This valuation is current as at the date of valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of general market movements and factors specific to the particular property). We do not accept responsibility or liability for losses arising from such subsequent changes in value. Without limiting the generality of the above comment, we do not assume responsibility or accept liability where the valuation is relied upon after the expiration of 90 days from the date of the valuation or such earlier date if you become aware of any factors that have an effect on the valuation.
4. This valuation has been prepared on specific instructions from the instructing party detailed within this report for the specific purpose detailed within this report. The report is not to be relied upon by any other party or for any other purpose. We accept no liability to third parties nor do we contemplate that this report will be relied upon by third parties. Neither the whole of the report or any part of reference thereto, may be published in any document, statement or circular nor in any communication with third parties without prior written approval of the form and context in which it will appear. We reserve the right to withhold consent or to review the contents of this report in the event that our consent is sought. Egan National Valuers (NSW) and the individual valuers involved in the preparation of this valuation do not have pecuniary interests in the subject property that would conflict with the valuation of the property.
5. We have relied upon the financial information that has been provided to us by those parties instructing and have used this information in the preparation of this report. To the best of our knowledge and investigations all information provided to us regarding the financial history, licence requirements and compliance with regulations under the various acts affecting this property and business is accurate and a true record of the current situation.
6. The valuation relies upon professional advice provided by Town Planners, Real Estate Agents and Engineers.
7. The valuation has been based upon the project plans attached to the valuation report.
8. This valuation is prepared on the assumption that the lender as referred to in the valuation report (and no other) may rely on the valuation for mortgage finance purposes and the lender has complied with its own lending guidelines as well as prudent finance industry lending practices and has considered all prudent aspects of credit risks for any potential borrower, including the borrower's ability to service and repay any mortgage loan. Further, the valuation is prepared on the assumption that any such lender is providing mortgage financing at a conservative and prudent loan to value ratio. This clause (Prudent Lenders Clause) only applies if the lender is not a lender regulated by the Banking Act 1959 (Cth).
9. We advise that Egan National Valuers (NSW) are not holders of an Australian Financial Services Licence and the valuation should not be construed as specific financial product advice.
10. The valuation analysis assumes the land is purchased under the Margin Scheme for GST purposes.
11. Egan Australasia Pty Ltd grants the instructing party a royalty free, non exclusive, irrevocable licence to use, copy and reproduce the Valuation for the purposes of, or in connection with, the purpose for which the Valuation was provided.

EGAN NATIONAL VALUERS (NSW)



TONY LENORD, AAPI
Certified Practising Valuer
State Director (NSW)
Member No. 67997



PHIL MANNELL, AAPI
Certified Practising Valuer
Associate, Australian Property Institute
Member No. 66846

DATE OF SIGNING: 22nd October 2019

IMPORTANT: All data provided in this summary is wholly reliant on and must be read in conjunction with the information provided in the attached report. It is a synopsis only designed to provide a brief overview and must not be acted on in isolation.

1 INTRODUCTION

1.1 Client Details & Instructions

We have been instructed by Bobby Goyal of Universal Property Group Pty Ltd to assess the market value of the freehold interest "As Is" with Development Approval of the property situated at 12-14 Second Avenue, Blacktown NSW 2148, for first mortgage security purposes.

We also confirm this valuation has been prepared in accordance with the API's Australia and New Zealand Valuation and Property Standards.

We attach a copy of the Letter of Instruction, refer Appendices.

1.2 Liability Extended To

Reliance upon this report for first mortgage security purposes is extended to Alceon Group P/L.

1.3 Certification

We also confirm that we have personally inspected the property on the 16th October 2019 and further, we have completed appropriate investigations and enquiries, enabling us to report as follows.

We hereby certify that the valuer:

- has no interest financial or otherwise, in the property subject to appraisal or with the parties with whom the bank is dealing including the selling agent if any;
- has a minimum of five years experience in the area and type of valuation that this property comprises;
- Is an Associate Member of the Australian Property Institute with Certified Practising Valuer status;
- Has current Professional Indemnity Insurance cover to the lesser of:
 - a. 20% of the estimated value of the property, or
 - b. Ten million dollars (\$10,000,000)
- is independent to the lending transaction involved; and
- confirms the valuation has been prepared for first mortgage lending purposes.

1.4 Date of Valuation

The date of valuation is 16th October 2019 based on our inspection of the subject property as at that date.

1.5 Interest Valued

Current Market Value "As Is" with Development Approval, exclusive of GST.

1.6 Basis of Valuation

This valuation has been prepared on the following basis:

Market Value

In accordance with the definition adopted by the Australian Property Institute, market value is defined as follows:

"The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion."

2 LEGAL DESCRIPTION

2.1 Title Details

The subject property is described as being Lot 734 in Deposited Plan 1031601 at Blacktown, in the Local Government Area of Blacktown, Parish of Prospect, County of Cumberland, being the whole of the land contained and described within Folio Identifier 734/1031601.

2.2 Registered Proprietor

As at the date of Title Search (21st October 2019), the registered proprietor of the land is noted as being:

UPG 30 PTY LTD

2.3 Second Schedule Notations

As at the date of Title Search (21st October 2019), the registered proprietors interests were noted in the Second Schedule as follows:

SECOND SCHEDULE (6 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 C543717 COVENANT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM.
- 3 C906516 COVENANT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM.
- 4 AH318988 LEASE TO MACKILLOP FAMILY SERVICES LIMITED OF UNIT 3, 12-14 SECOND AVENUE, BLACKTOWN TOGETHER WITH CARS SPACES MARKED U3.1, U3.2, U3.3 AND U3.4. EXPIRES: 30/4/2015. OPTION OF RENEWAL: 3 YEARS WITH ONE FURTHER OPTION OF 3 YEARS.
- 5 AI324551 LEASE TO CRANE DISTRIBUTION LIMITED BEING UNITS 1 & 2, 12-14 SECOND AVENUE, BLACKTOWN. EXPIRES: 19/9/2018. OPTION OF RENEWAL: 5 YEARS. AJ745063 VARIATION OF LEASE AI324551
- 6 AM561059 MORTGAGE TO WIN SENIOR NO.211 PTY LTD

NOTATIONS

UNREGISTERED DEALINGS: NI

2.4 Encumbrances & Easements

As at the date of Title Search (21st October 2019), the following encumbrances and easements were noted on the Certificate of Title:

Covenant C543717 was created on the 27th May 1937 and Covenant C906516 was created in 1940. Both relate to the erection of any main building of a less value than three hundred pounds. Both covenants are considered to be a historical and not considered detrimental to the value of the subject property.

The valuation assumes that the property is not affected by any additional easements, encumbrances or covenants that have not been disclosed by a search of the Title that may otherwise detrimentally affect the value of the property.



2.5 Identification

The subject property has been identified by reference to the Certificate of Title, street address and Deposited Plan. The subject property has also been satisfactorily identified from visual observations at the time of inspection and appears to conform substantially to the identifying features shown on the Titles provided. Building structures appear to stand on or within said Title boundaries.

We attach a copy of the Computer Folio Search, refer Appendices.

3 SITE DETAILS

3.1 Location

The subject property is located within the suburb of Blacktown, situated approximately 43 kilometres west of the Sydney Central Business District (CBD) and approximately 14 kilometres to the west of Parramatta. More particularly, the subject is located on the southern side of Second Avenue some 100 metres west of its intersection with Sunnyholt Road.

Public Buses are provided nearby on Sunnyholt Road and Blacktown train station is located approximately 600 metres to the south east of the subject. Blacktown shopping precinct and Westpoint shopping centre is located approximately 600 metres to the south east and provides a Woolworths, Coles and Aldi as well as a variety of specialist retailers. A variety of schools and parks are also located within close proximity with Blacktown Boys High School, Blacktown Girls High School, North Blacktown Primary School, Seven Hills West Public School, Coreen Public School and St Bernadette's Primary School all in close proximity.

The majority of the surrounding development comprises light industrial buildings and a variety of bulky goods retail premises and commercial office buildings to the West and North of the subject. Re-developments of these sites into mixed use and high density residential have been constructed of recent times with low to medium density residential dwellings occupying land to the east of Sunnyholt Road. The location of the property is illustrated as follows:

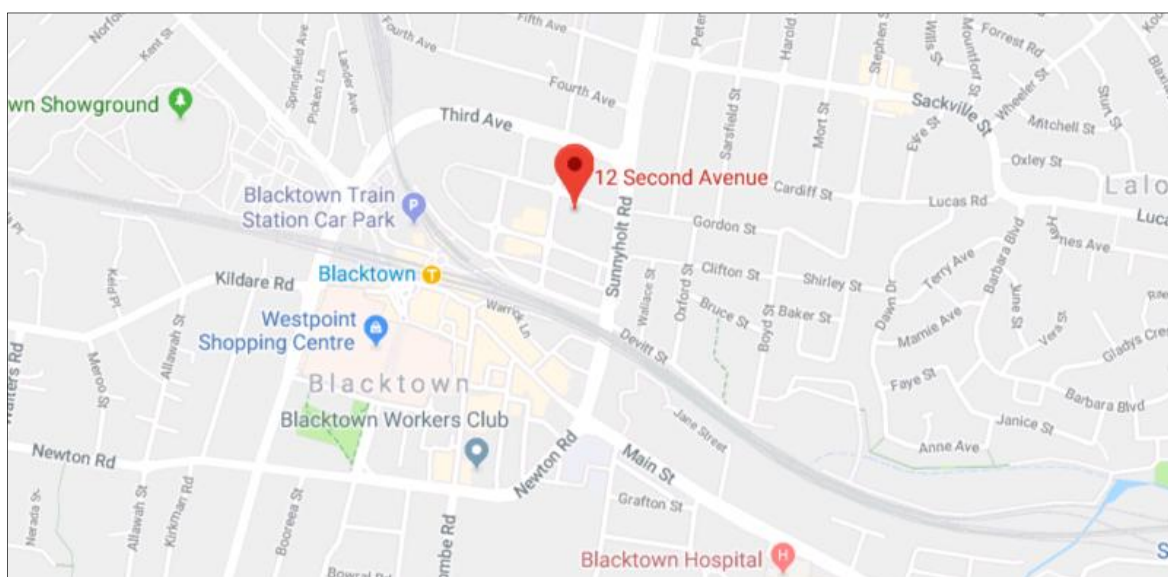


Image courtesy of Google Maps

3.1 Location (Continued)

An aerial image of the property and surrounding development is provided below:

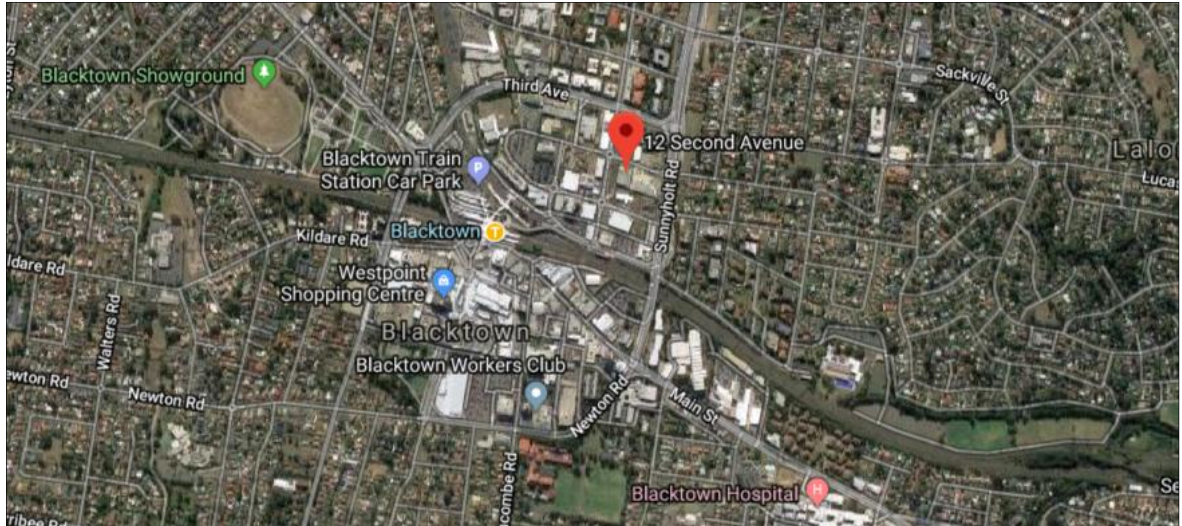


Image courtesy of Google Maps

3.2 Dimensions and Area

The subject property is generally rectangular in shape. The site features a frontage to Second Avenue of 37.67 metres and depth of 54.865 metres.

The total site area is approximately 2,024 square metres.

3.3 Topography

The site falls gently from the western boundary to the eastern boundary with a fall of approximately 0.5 - 1 metres across the site.

3.4 Roads and Access

Second Avenue is a two way carriageway carrying low to medium levels of vehicular traffic. It is bitumen sealed with concrete kerbing and gutters.

Access to the greater metropolitan area is considered to be good with easy access to the Great Western Highway, M4 Motorway and M7 Motorway.



Second Avenue – South Easterly aspect



Second Avenue – North Westerly aspect

3.4 Roads and Access (Continued)

The NSW Long Term Transport Masterplan 2012 has identified the potential upgrade to the North West Rail extension from Cudgegong Road to Marsden Park. This will then lead south towards Mount Druitt and Blacktown as illustrated in the plan on the following page;



Recent media reports indicate that the rail line may also be upgraded to Badgerys Creek Airport. However, final planning for this has not been determined as at the date of valuation.

The extension of the North-South Rail Link between Cudgegong Road and St Marys is identified as a 0 to 10 years initiative for investigation and is supported by Infrastructure Australia as a high priority initiative. Investigations into the extension of the transport corridor, as identified under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*, have been commenced by TfNSW and such work would form part of the corridor protection work for the North-South Rail Link extension. TfNSW is currently engaging in discussion with Department of Planning and Environment and Blacktown City Council with regards to the aforesaid works and the implication to the potential developments in this area.

3.5 Services

For the purpose of this valuation we have assumed that utility services available to the subject property include electricity, water, sewer, NBN, telephone and gas and that these services have capacity for the proposed redevelopment of the site. We reserve the right to review this valuation if this assumption is incorrect.

3.6 Environmental Issues

Soil Contamination

A Preliminary Site Investigation prepared by Martens Consulting Engineers dated August 2016 analysed the historical use of the subject site and conducted a site walkover. Conclusive evidence suggests a low to medium risk of contamination due to the potential contamination from heavy metals derived from pest control chemicals, lead based paints, fuels or oils.

Martens Consulting Engineers consider the site unlikely to be heavily contaminated and is likely to be able to be rendered fit for future residential land use. Martens Consulting Engineers have recommended a detailed site investigation with soil sampling following demolition and clearing of works to ascertain these assumptions.

The subject property is not listed on the Department of Environment and Climate Change NSW record of "Contaminated Sites". Although the site does not appear on the record, it may still be affected by contamination as the site has not been regulated by the Environmental Protection Authority.

This valuation has proceeded under the assumption the subject property is not adversely affected by current or previous land uses. Should any additional environmental audit reports prove otherwise, then the valuation should be returned to the Valuer for re-appraisal.

Flooding

The site is not prone to flooding under normal climatic conditions.

Bush Fires

The site is not prone to bush fires under normal climatic conditions.

4 PLANNING GUIDELINES

4.1 Zoning

By virtue of Blacktown Local Environment Plan 2015, the subject property is designated as lying with a 'B4 Mixed Use' zone. The zoning of the property is illustrated as follows:

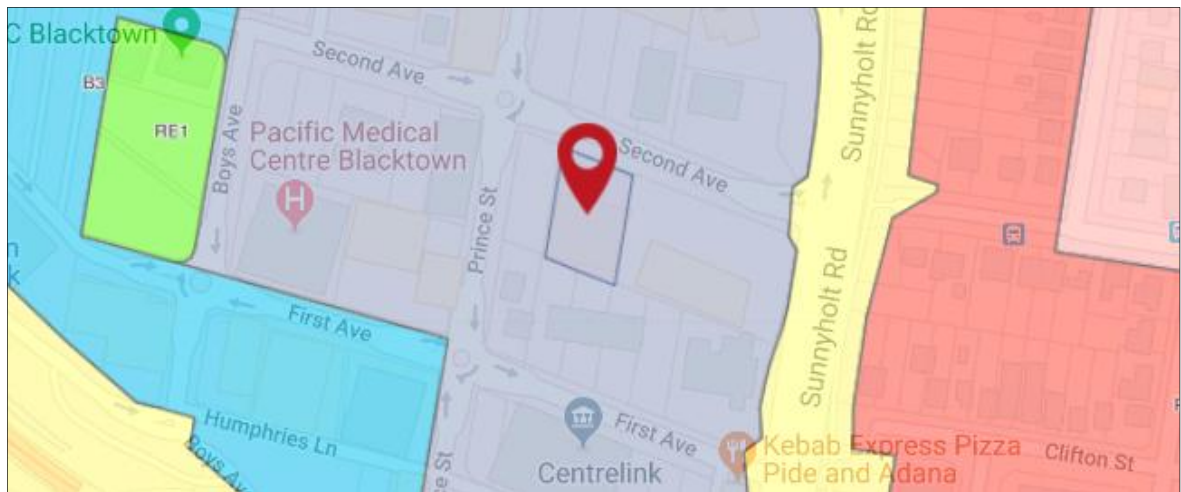


Image courtesy of planningportal.nsw.gov.au

The zoning can be verified by obtaining a Section 149 Certificate from the Blacktown City Council.

4.2 Summary of Planning Provisions

The major objective within this zone is:

B4 Mixed Use Zone

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

Nil

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Heliports; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Water reticulation systems; Any other development not specified in item 2 or 4

4.2 Summary of Planning Provisions (Continued)

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

We have made enquiries via the NSW Planning Portal website and website of Blacktown City Council. We are not aware of any proposed amendments to the zoning which may affect the subject property. We have not verified this advice in writing and accordingly this valuation is on the assumption that there is no affectation. If this assumption is not correct this valuation will require revision. We recommend that it be resubmitted to us for this purpose.

4.3 Proposed Use

The proposed use of the land being a mixed use retail and residential high density development conforms to the provisions of the Planning Scheme.

4.4 Development Approval

Development Approval (Determination Number:JRPP-16-03340) was determined in the Land and Environment Court on the 18th July 2017 for the construction of an 18 storey mixed use development, containing 9 retail/commercial units on the ground and first floors, 133 residential apartments (58 x 1 bedroom, 58 x 2 bedroom and 17 x 3 bedroom) above 3 basement levels containing 136 car parking spaces and associated landscaping and stormwater drainage works consisting of a combined Gross Floor Area of 13,534 square metres.

4.5 Construction Certificate

A Construction Certificate has not been issued.

4.6 Floor Space Ratio

The subject property has a Floor Space Ratio of 6.5: 1 under the provisions of the current Planning Scheme. We note that under the existing Development Approval the subject property has achieved a Gross Floor Area of 13,534sqm reflecting an FSR of 6.69:1.

4.7 Heritage Listing

The subject property is not noted as being an item of Heritage significance by the Local Council, State or Federal Heritage Registers.

4.8 Blacktown City Council Planning Proposal

In accordance with the LEP Amendment to Blacktown Local Environment Plan 2015, the Blacktown CBD is defined by a ring road formed by Third Avenue, Sunnyside Road, Newton Road and Balmoral Street as shown in the plan below;

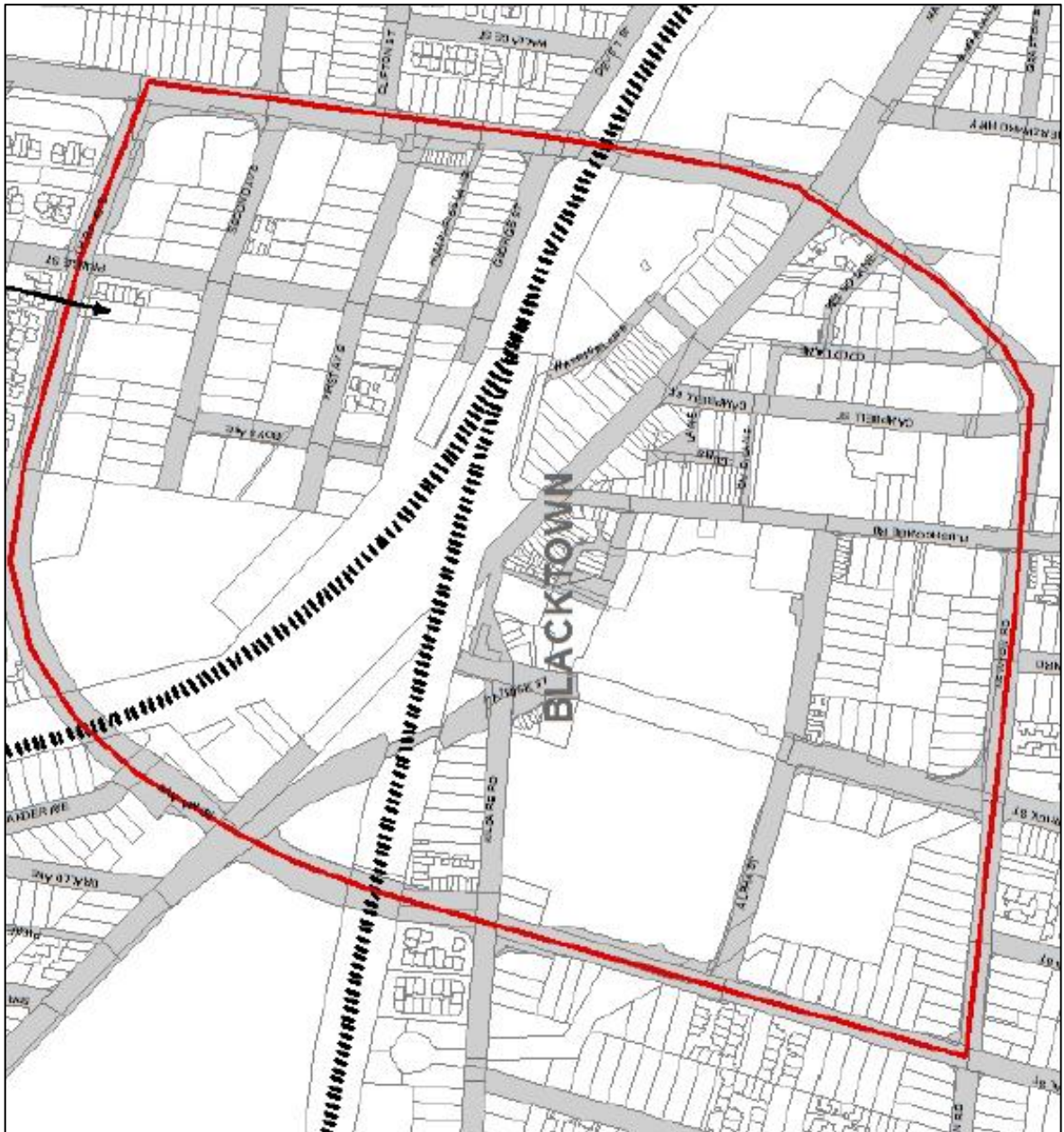


Image courtesy of LEP Amendment to Blacktown Local Environment Plan 2015

4.9 Building Height

The current maximum building height of the subject property, according to the Blacktown LEP 2015 (as amended) is 56 metres. A current planning proposal lodged with the NSW Department of Planning for a LEP Amendment to 'Blacktown Local Environment Plan 2015: Blacktown and Mount DrUITT CBD' is currently under review and has not been determined to date.

Based on this LEP the property may be rezoned to allow an 80 metre height limit (27 storeys) with no applicable FSR.

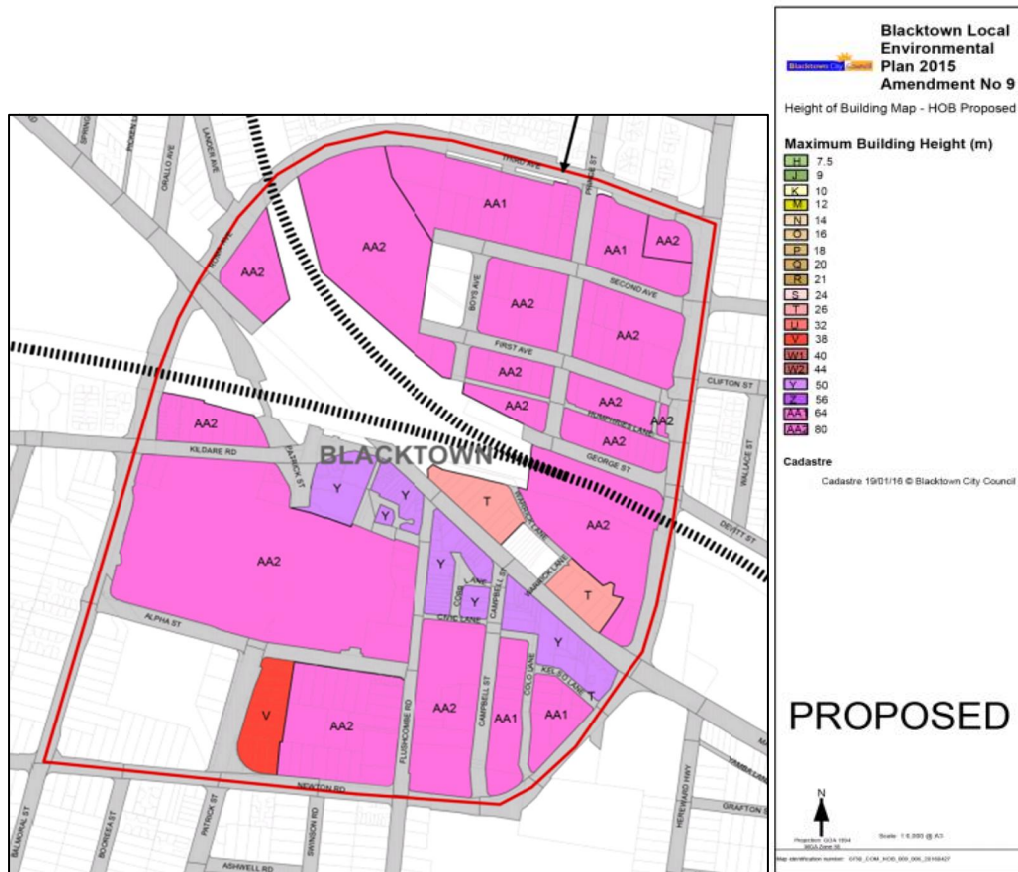


Image courtesy of LEP Amendment to Blacktown Local Environment Plan 2015

According to this proposal the amendments to the Land Use Zoning, Height of Building and FSR maps in Blacktown LEP 2015 seeks the following amendments to maps in Blacktown LEP 2015:

- remove the B3 Commercial Core zone that applies to land within the Mount DrUITT CBD and rezone that land to B4 Mixed Use
- reduce the area of land zoned B3 Commercial Core in the Blacktown CBD to the area shown on the proposed Land Zoning Map and apply the B4 Mixed Use zone
- rezone the northern side of Kildare Road, between Patrick Street, Balmoral Street and the Western Railway Line, in the Blacktown CBD from B4 Mixed Use to B3 Commercial Core
- increase the building heights in both CBDs as shown on the proposed Height of Building Maps in Figures 10 and 15 and as detailed in Table 1
- remove the FSR controls for the Blacktown and Mount DrUITT CBDs.

4.9 Building Height (Continued)

Discussions with Blacktown Council's town planners confirm that this proposal has passed exhibition, Gateway Determination and Council have adopted the proposed changes and currently this proposal is with NSW Department of Planning awaiting the Minister to sign off and for the changes to the LEP be gazetted. The approved development will not be affected by these changes to the LEP.

The subject site is located within the area proposed to increase the height limit to 80 metres as demonstrated in the plan above. We also note that FSR provisions will be removed and building design and approval will be based on setbacks, overshadowing, design and merit. We therefore cannot calculate the Gross Floor Area that this increase of building height may allow. For the purpose of this assessment based on the current planning controls, we have therefore calculated the yield based on the current Approval and FSR of 6.69:1 and a 56 metre height restriction.

5 IMPROVEMENTS

5.1 General Description

The site has been cleared of all improvements and currently a holding yard for the construction site opposite. For the purpose of this valuation we assume that the site will be cleared of all construction materials as part of a make good agreement.

5.1.1 Construction

The proposed improvements are more particularly depicted as follows:

Structure

- Footings : Concrete slab on ground.
- Walls : External walls comprise of Alucobond cladding to structural columns and rendered Hebel Panel.
- Floors : Concrete flooring throughout.
- Windows : Powder coated aluminium framed windows.

5.2 Proposed Accommodation

The proposed accommodation comprises an 18 storey mixed use development containing a total 133 residential units with a unit mix comprising 58 x one bedroom, 58 x two bedroom and 17 x three bedroom units with lift access. The three basement levels will provide a total of 136 car parking spaces. Bike storage areas (45 Bicycle) have been provided within the basement areas. There are two levels of commercial/retail space comprising a combined Gross Floor Area of 864.3 sqm.

Ground Floor Level

5 retail suites are proposed with a total GLAR of 394.9 sqm is proposed at Ground Floor with 2 suites gaining direct street exposure, 2 suites achieving internal access via a pedestrian access pathway (arcade) and the rear suite with additional external seating area. The development proposes a dedicated "Residential" (three lifts) and "Commercial" (one lift) lobby at Ground floor. Public Amenities will be available for patrons of a Café area proposed at the rear of the arcade.

First Floor Level

469.4sqm NLA of commercial floor space is proposed at this level in addition to a residential "Common Room", various plant rooms, circulation corridors and fire stairs.

5.2 Proposed Accommodation (Continued)

Level 2 to Level 17

A swimming pool and common open space terrace areas are located at Level 2 together with six apartments.

Levels 3 to 17 continue to see residential apartments in various configurations culminating in a roof terrace over Level 17 providing further common open space from the Project.

1, 2 and 3 bedroom units generally comprise:

- Open plan kitchen
- Open plan living and dining room;
- Laundry cupboard;
- Private balconies;
- 1, 2 or 3 bedrooms with built in wardrobes;
- Bathroom with bath, shower, toilet and hand basin;
- Ensuite to main with toilet, shower and hand basin;
- Single car space within the secure basement; and
- Basement level storage.

Asbestos

We have been provided with a Preliminary Site Investigation prepared by Martens Consulting Engineers dated August 2016. The report notes that there may have been potential contaminants from previous dwellings demolished prior to 2002 including asbestos but notes that the site is considered to be low risk.

We therefore recommend that if the lender is concerned about the potential for asbestos that they obtain expert advice as to any existence or extent of asbestos, the extent of any risk it may pose to occupants of the building and the extent of any costs to remediate to an acceptable standard and refer such advice to the valuer for perusal. Please note that should the building require capital works as a consequence of such advice, the valuation may require downward revision. The valuation is predicated on the assumption that the level of asbestos contained within the subject property does not have a material impact on the value determined herein. Should this assumption not be correct, we recommend that the valuer be consulted to assess any effect on the value stated in this report.

Pests and Vermin

Although our visual inspection of the property did not disclose any obvious indications of vermin infestation, we are not pest inspection experts. This valuation is made on the assumption that the property is not affected by pest infestation. This assumption is verifiable by obtaining a comprehensive pest inspection report from a qualified expert. Should this report disclose any pest infestation, we recommend that the valuer should be consulted to reassess any effect on the value stated in this report.

Occupational Health and Safety

There were no obvious matters identified that would affect Occupational Health and Safety, as at the time of inspection.

5.2.1 Accommodation and Building Areas

Based on the architectural plans provided by Bathla Group dated June 2017, the proposed improvements have the following residential accommodation as follows:

No.	Unit No.	Bedrooms	Bathrooms	Area (sqm)	POS (sqm)	Total Area (sqm)
Level 2						
1	201	2	2	79.3	32	111.3
2	202	3	2	131.1	75	206.1
3	203	1	1	64.8	18.7	83.5
4	204	1	1	58.2	15.9	74.1
5	205	2	2	112.1	50	162.1
6	206	2	2	76.8	47	123.8
Level 3						
7	301	2	2	80.6	16	96.6
8	302	1	1	55.9	10	65.9
9	303	1	1	53.6	10	63.6
10	304	2	2	97	17	114
11	305	1	1	64.7	22.6	87.3
12	306	1	1	50	18.2	68.2
13	307	2	2	93.9	52	145.9
14	308	3	2	103	23	126
15	309	2	2	82	12.9	94.9
Level 4-15						
16	401-1501	2	2	80.6	16	96.6
17	402-1502	1	1	55.9	10	65.9
18	403-1503	1	1	53.6	10	63.6
19	404-1504	2	2	97	15	112
20	405-1505	1	1	64.7	22	86.7
21	406-1506	1	1	58	18.2	76.2
22	407-1507	2	2	93.9	14	107.9
23	408-1508	3	2	103	12	115
24	409-1509	2	2	82	12.9	94.9
Level 16						
25	1601	2	2	80.6	16	96.6
26	1602	1	1	55.9	10	65.9
27	1603	1	1	53.6	10	63.6
28	1604	2	2	97	15	112
29	1605	1	1	64.7	22	86.7
30	1606	1	1	58	18.2	76.2
31	1607	2	2	93.9	14	107.9
Level 17						
32	1701	3	2	97.8	30	127.8
33	1702	3	2	118.5	55+22	196.1
34	1703	3	2	115.8	36+18.2	170

Total Unit Mix				
Total No.	1 Bedroom	2 Bedroom	3 Bedroom	Total
	58	58	17	133



Based on the architectural plans provided by Bathla Group dated June 2017, the proposed improvements comprise both ground floor retail and first floor commercial accommodation with the Net Lettable Area detailed as follows:

Lot No.	NLA (sqm)
Ground Floor Retail	
1	99.4
2	115.6
3	61.8
4	42.5
5	75.6
Level 1 Commercial	
1	101.4
2	151
3	125.2
4	91.8
Total Area	864.3

The plans as provided indicate a total Retail and Commercial Gross Floor Area of 1,591sqm which we have adopted within our calculations.

6 MARKET COMMENTARY

The Reserve Bank of Australia has decided to lower the cash rate by 25 basis points to 0.75% at the October 2019 meeting. The Board took this decision to lower interest rates further to support employment and income growth and to provide greater confidence that inflation will be consistent with the medium-term target.

Interest rates are very low around the world and further monetary easing is widely expected, as central banks respond to the persistent downside risks to the global economy and subdued inflation. Borrowing rates for both businesses and households are also at historically low levels. The Australian dollar is at its lowest level of recent times. Economic growth in Australia over the first half of this year has been lower than earlier expected, with household consumption weighed down by a protracted period of low income growth and declining housing prices.

Global economic expansion is continuing with a number of advanced economies growing at above trend rates and unemployment rates are low at 5% as at February 2019, but ticked up to 5.2 per cent in April. Growth in international trade remains weak and the increased uncertainty is affecting investment intentions in a number of countries. In China, the authorities have taken steps to support the economy, while addressing risks in the financial system. Globally, inflation rates remain low with 1.8%; although it has increased in some economies and further increases are expected, given the tight labour markets. In most advanced economies, inflation remains subdued, unemployment rates are low and wages growth has picked up.

The adjustment in established housing markets is continuing, after the earlier large run-up in prices in some cities. Conditions remain soft, although in some markets the rate of price decline has slowed and auction clearance rates have increased. Growth in housing credit has also stabilised recently. Credit conditions have been tightened and the demand for credit by investors has been subdued for some time. Mortgage rates remain low and there is strong competition for borrowers of high credit quality.

Global financial conditions remain accommodative. Long-term government bond yields have declined further and are at record lows in a number of countries, including Australia. Bank funding costs in Australia have also declined, with money-market spreads having fully reversed the increases that took place last year. Borrowing rates for both businesses and households are at historically low levels. The Australian dollar is at the low end of its narrow range of recent times.

Conditions in most housing markets remain soft, although there are some tentative signs that prices are now stabilising in Sydney and Melbourne. Growth in housing credit has also stabilised recently. Demand for credit by investors continues to be subdued and credit conditions, especially for small and medium-sized businesses, remain tight. Mortgage rates are at record lows and there is strong competition for borrowers of high credit quality. Australia's terms of trade have increased in the past couple of years due to rises in some commodity prices. While terms of trade are expected to decline over time, they are likely to stay at a relatively high level. The outlook for the labour market remains positive. Employment growth continues to be faster than growth in the working-age population. Wage growth remains low and is likely to continue, although improvement in the economy should see some lift in wage growth over time.

The recent inflation outcomes have been lower than expected and suggest subdued inflationary pressures across much of the economy. The central scenario remains for underlying inflation to be 1¾ per cent this year, 2 per cent in 2020 and a little higher after that.

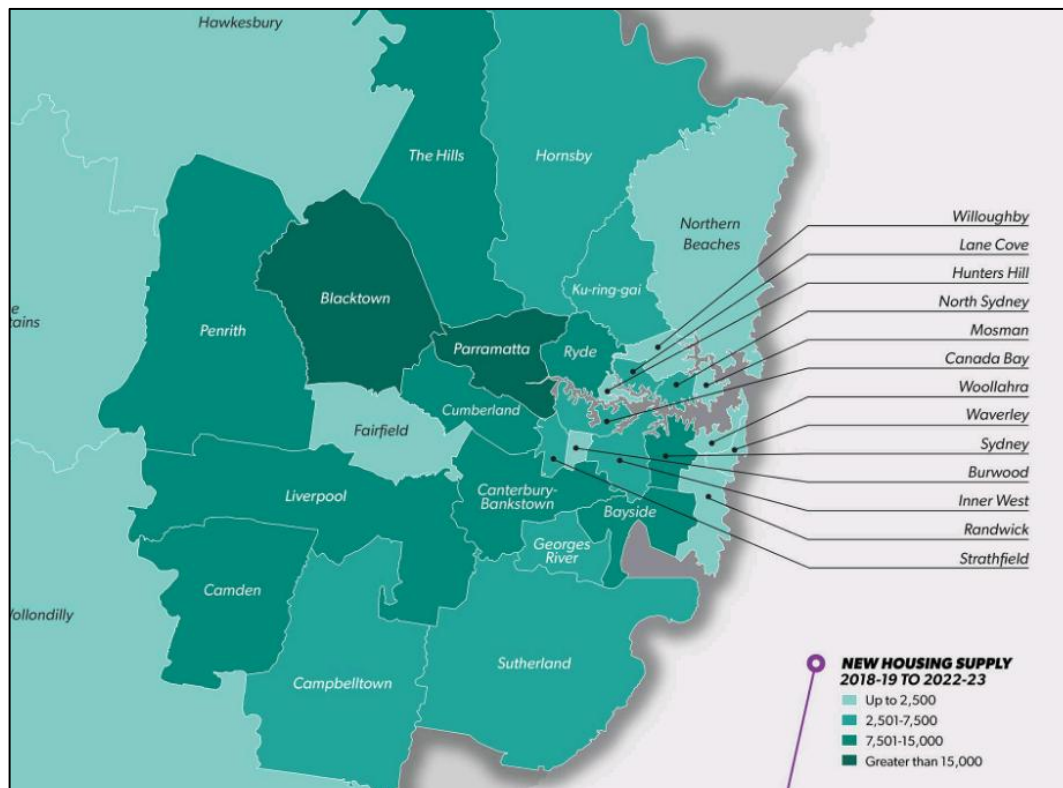
The low level of interest rates is continuing to support the Australian economy. Further progress in reducing unemployment and having inflation return to target is expected, although this progress is likely to be gradual. (*Source: RBA*)

6.1 General Market Overview

The Sydney residential market experienced strong levels of growth from 2003 through to the end of 2017 and mid 2018 in some markets. This prolonged period of price growth effectively missed the traditional down-cycle that would typically be expected during such a prolonged period. The growth in property values was seen to have been fuelled by high demand from investors and consistent population growth with Sydney and Melbourne growing from the lion's share of foreign migration and lack of job opportunities in rural areas. By 2017 fears grew that the Sydney market was over heated with justified concerns regarding loan serviceability and housing affordability taking into consideration median incomes and limited income growth in recent years. Consequently the fear of missing out has now swung to a fear of not getting out for many investors resulting in falling housing values across the Sydney market in recent years.

The Sydney metropolitan region is bound by topographical constraints that have limited development and shaped the north and south west growth corridors. It is anticipated that Sydney's population will continue to expand and by 2031 an additional 1.6 million residents will need homes meaning 664,300 new dwellings will be required. Up to 181,000 of these new homes will be provided in the growth centres of Western Sydney, where the population is growing at a rate of about 36,000 people per year (1.8%), slightly higher than the average growth rate of 1.7% for the Sydney metropolitan region.

The NSW Department of Planning forecasts the construction of 191,550 new homes in Greater Sydney in the next five years, based on current programs and initiatives. The majority of dwellings concentrated within the Parramatta and Blacktown Council areas. This is a 22 per cent increase, or an extra 34,300 new homes, compared with the last 5 years when 157,250 new homes were completed.

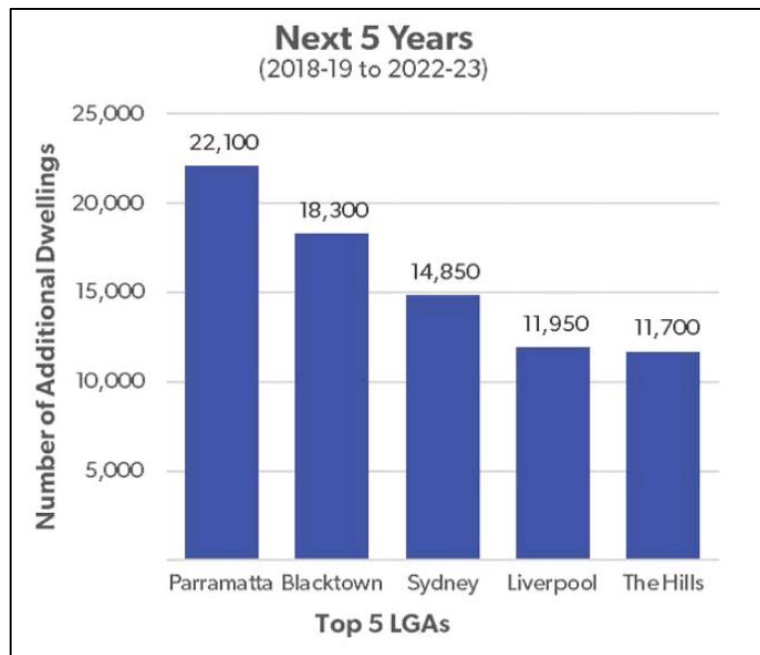


NSW Department of Planning 2019

6.2 General Market Overview (Continued)

In 2017-18 a record 42,500 homes were completed across Greater Sydney, on the back of strong housing approvals and commencements, a healthy economy and record low interest rates. However, the housing construction boom and growth in median house prices has impacted housing affordability, which has deteriorated with the past decade seeing median values rise 88.3% compared to a more moderate 41.2% increase in gross household incomes. As at December 2018, Sydney was the nation's least affordable housing market and rental affordability was only marginally lower than the most unaffordable major region in Australia.

The graph below represents the five local government areas with the highest number of additional homes forecast to be built in Sydney over the next five years from 2018/2019 to 2022/2023.



NSW Department of Planning 2019

In recent years, Chinese investors have been the biggest group of foreign buyers in the Australian real estate market with some analysts indicating they have purchased 25% of new stock comprising some 80% of foreign demand in 2017. The introduction of [capital controls in China in early 2017](#), limiting the ability for citizens to get their money out of the country, especially for property purchases, largely explained the drop off in offshore demand seen in recent years. This coincided with the Australian government increasing taxes in relation to foreign investors including stamp duty rising from 4% to 8% and land tax rising from 0.75% to 2.0% with additional penalties in relation to properties that are not occupied (\$5,500 per annum ghost tax). Australian financiers have also increased their scrutiny of foreign investors making it harder for many buyers to attain finance. According to [Australia's Foreign Investment Review Board \(FIRB\)](#), 13,198 residential real estate applications were approved for proposed investment in 2016/17, totalling \$25.2 billion, well down on the 40,149 approvals, totalling \$72.4 billion, granted in the prior financial year.

As we near the end of 2019, the two great unknowns facing residential markets at the beginning of 2019 - the final report of the Banking Royal Commission and the federal election - are behind us. The outcomes of both show signs emerging that a controlled relaxation of credit constraints is being managed. The October interest rate cuts should provide a further boost. The Coalition's election victory means proposed taxation changes impacting investment property are off the agenda, while first home buyers have received a modest additional assistance package.

6.2 General Market Overview (Continued)

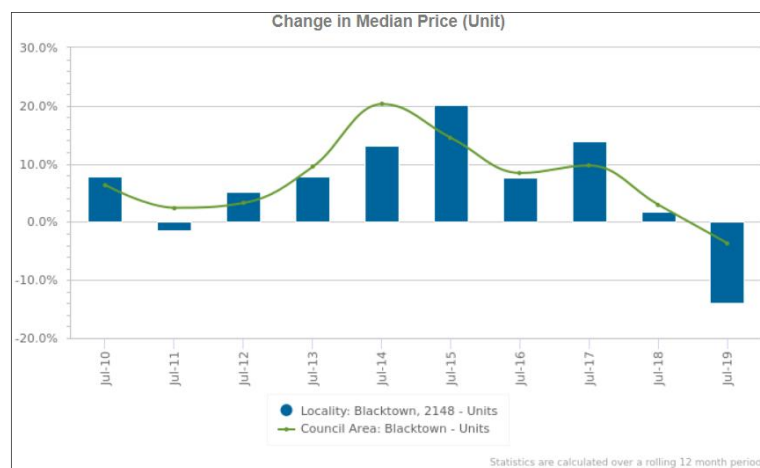
Western Sydney is also seen to benefit from the construction of Badgerys Creek Airport and associated surrounding development. This \$5.3 Billion project is anticipated to be completed by 2026 and will provide a full service international and domestic airport. Greater Western Sydney currently has a population of some 2 million people and is Australia's fourth largest city by population and is the 3rd largest economy in the country. The population is anticipated to grow by over 1 million people by late 2038.

In general, the suburban office markets continue to experience strong demand as businesses are increasingly having a preference for a metro location. This increasing demand can be attributed to the diminishing supply within the CBD and increasing rents that are driving the pool of occupiers further into the main suburban CBD's. These businesses include creative type industries, technology, property and the health and education sectors.

Currently, Parramatta maintains the record as the tightest office market in Australia with a vacancy rate of 3.0 per cent as at January 2019. Prime office space remains at a severe shortage, with the A Grade vacancy rate was sitting at 0.8 per cent with no new supply in the region over the past six months. The lack of supply is expected to continue until at least until the end of 2020, when several new office developments will complete. Nevertheless, speculative supply will be limited as most of the upcoming developments have high levels of pre-commitment. Although the current statistics for Blacktown's vacancy rates are limited, we anticipate that there will be a flow on effect, with office absorption of A Grade space readily taken up as available stock reduces in the Parramatta and Norwest central business districts.

6.2 Local Market Overview

RPData statistics indicate a -13.91% decrease in Blacktown's median unit prices over the 12 month period to July 2019, following a 1.85% increase over 2018, 13.92% increase in 2017, a 7.73% increase in 2016, 20.22% growth in 2015 following a 13.14% growth in 2014. The current median unit price as at July 2019 was \$473,500. The following graph illustrates the fluctuating growth since 2010.



The Greater Sydney Commission has anticipated that Sydney will need around 725,000 additional homes over the next 20 years to accommodate a growing and ageing population. Sydney's population is projected to grow by around 1.74 million people by 2036. The ageing of the population means that even without any population growth, Sydney would still need around 140,000 additional homes due to a fall in average household size (with proportionally more 'empty nesters' and single person households).

6.2 Local Market Overview (Continued)

The apartment market in Sydney is in a downturn with the latest data from CoreLogic showing apartment price growth in Sydney declining. This decline is holding slightly better than the housing market largely due to affordability and the ability to achieve credit to buy into the housing market. Tighter credit conditions and strong supply are also driving the decline. We also note a significant slow down in the rate of sale for newly constructed unit buildings and those under construction across the Sydney market as buyers are holding off purchase decisions due to the current market sentiment and ongoing media attention surrounding the poor building regulations surrounding Mascot and Opal Towers. In general, purchasers are more cautious of buying 'Off the Plan' units following the repercussions of the damage to these recently constructed Sydney buildings, the escalating levies that are to be paid by the owners and non habitable units whilst faults are rectified contributing to the poor market sentiment.

6.3 Sales Evidence – R4 ‘High Density Residential’ & B4 ‘Mixed Use’

In undertaking this assessment of value, the Valuer has inspected and analysed a number of recent R4 and B4 zoned site sales transactions that have occurred within this and other comparable locations and with allowances made for variations we have compared these sales directly. A summary of site sales utilised in the preparation of this assessment include the following:

Address	DOS	SPP	Zone	Site Area (SQM)	\$/SQM Site	Floor Space Ratio	Potential Gross Floor Area (M)	\$/PGFA	Potential Lot Yield On Basis Of 100m2/Unit Of PGFA	\$/Unit On Basis Of 100m2/PGFA	Lot Yield On Pre Sale DA	\$/Unit On Pre Sale DA	Comments
8-10 Allawah Street, Blacktown	Mar-19	\$ 5,900,000	R4	3,181	\$ 1,855	X	X	X	X	X	86	\$ 68,605	Two adjoining lots sold in 1 line as an approved development site for 86 apartments (20x1, 62x2 & 4x3). Existing improvements comprise single storey detached dwellings. Located between a rail line and a mosque. Site appears to have sold via an expressions of interest campaign ending 30th November 2017 and may represent a dated sales transaction with 16 month settlement.
Lot 129 Civic Way, Rouse Hill	Dec-18	\$ 30,000,000	B4	14,980	\$ 2,003	X	X	X	397	\$ 72,418	x	x	Substantial vacant site located adjacent to the Rouse Hill Shopping Centre and new north west rail link station. Sold without Development approval with advertised potential for 397 apartments and 2,500sqm of commercial floor space. Allowing \$500 per sqm for the commercial space (\$1,250,000) this would reflect \$72,481 per unit. Sold via an expressions of interest campaign. unconfirmed sale with 2 year settlement.
47 Kildare Road, Blacktown	Sep-18	\$ 3,000,000	R4	2,068	\$ 1,451	x	x	x	x	x	x	x	Irregular shaped development site purchased by the Australian Islamic College of Sydney who also already own the neighbouring property of 49 Kildare Road. The site is zoned R4 with a 20m HOB and no applicable FSR.
41 Kildare Road, Blacktown	Aug-18	\$ 4,600,000	R4	2,500	\$ 1,840	x	5,675	\$ 811	57	\$ 80,702	67	\$ 68,657	Single storey brick and tile 70's residence sold as a Development site with Approval for a 6 level RFB comprising 67 apartments with 2 basement parking levels. Sold via an expressions of interest campaign ending 28 June 2018. Located close to the Blacktown town centre, potential rail noise affectation and is located adjacent to an aged care facility and close to 2 churches.
16 Third Avenue, Blacktown	Jul-18	\$ 5,750,000	B4	1,018	\$ 5,648	6.5	6,617	\$ 869	66	\$ 87,121	97	\$ 59,278	This mixed use development site is located on a corner allotment with frontages to Third Avenue and Prince Street. The site is currently improved with a circa 1990 two storey retail/commercial building having a gross lettable area of approximately 1,041 square metres, which is currently leased to Dulux Group (Australia) Pty Ltd, with a passing net income of \$145,224 due to expire 30 April 2019. The property sold with an extended settlement due July 2021. The holding income is to be retained by the vendor. The site sold with Development Approval for demolition of existing structures and construction of a 17 storey mixed use development comprising 97 residential units (16 x studio, 31 x one bedroom and 50 x two bedroom) and 2 floors of commercial suites comprising 707 square metres of NLA and five levels of basement parking. The approved development comprises a high proportion of studios and one bedroom units indicating a poor development mix with a end product that may be slow to sell. Based on the potential GFA of 6,617 square metres we have calculated a potential 66 units based on a 100m2 unit PGFA reflecting \$87,121 per unit.

Address	DOS	\$PP	Zone	Site Area (SQM)	\$/SQM Site	Floor Space Ratio	Potential Gross Floor Area (M)	\$/PGFA	Potential Lot Yield On Basis Of 100m2/Unit Of PGFA	\$/Unit On Basis Of 100m2/PGFA	Lot Yield On Pre Sale DA	\$/Unit On Pre Sale DA	Comments
2-6 First Avenue, Blacktown	Jul-18	\$ 10,000,000	B4	2,111	\$ 4,737	6.5	13,722	\$ 729	137	\$ 72,993	160	\$ 58,536	Vacant cleared lot of 2,111sqm located close to Blacktown railway station and Sunnyholt Road. Site is affected by rail and road noise. Sold with Development Approval for an 18 storey mixed use building comprising ground floor retail, podium level commercial (total 1,057sqm) and 160 upper level units comprising 49x1 bedroom and 111x2 bedroom units with an average unit size of 70sqm. Receiver sale and is considered to represent a forced sale value. Commercial and retail component has been assessed at \$600/sqm of NLA (\$634,000) reflecting a value for the residential component of \$9,365,800 or \$58,536 per unit.
159 Queen Street, St Mary's	Jun-18	\$ 2,500,000	B4	1,249	\$ 2,002	2.5	3,123	\$ 801	32	\$ 78,125	38	\$ 65,789	This development site sold with Development Approval for 32 residential units (7 x 1, 16 x 2 and 9 x 3 units) and 6 retail shops. Currently improved with an older style single storey commercial building. The site has an FSR of 1:2.5 and a maximum building height of 24 metres. Located in an established shopping precinct of St Marys. Property sold previously in July 2017 for \$4,015,000.
Lot 82 Cudgegong Road, Rouse Hill	Jun-18	\$ 17,000,000	R3/RE1	28,800	\$ 590	1.5	25,772	\$ 478	258	\$ 47,733	201	\$ 61,269	Corner development site located in the northwest growth precinct comprising a rectangular parcel of land zoned R3 for the rear portion of the site and RE1 for the front portion of land fronting Cudgegong Road. The site has a minimum dwelling density of 25 lots/hectare, 12 metre building height limit. Category 1 bushfire prone and is located within close proximity to future Cudgegong Road south train station. The R3 portion of land is approximately 17,181.6sqm with the RE1 portion approximately 11,715sqm. The RE1 land is reserved for acquisition and for the purpose of this assessment we have assumed a compensation value of approximately \$400/sqm for the RE1 land equating to \$4,685,000. The R3 portion has therefore been assessed at \$12,315,000. This site is heavily bush affected and has a transmission line bisecting the site. There is no applicable FSR and development will be merit based. We have based our potential unit yield on the property known as 105 Cudgegong Road located two allotments to the south which has the same bushfire, electricity easement and proposed acquisition of the RE1 zoned land. This site has a proposed development comprising 201 units reflecting an FSR of 1.5:1. We have calculated this site to reflect a potential GFA of 25,772sqm that equates to a potential 258 units based on 100m2 of PGFA.

The sales evidence noted above of residential development sites reflects a value range of \$58,538 per unit for a development site located in Blacktown with a proposed unit yield of 160 units that sold in July 2018 as a receiver sale to a development site located in Rouse Hill that sold with a potential for a 397 units and 2,500m² of commercial space reflecting \$72,418 per unit that sold in December 2018.

We note the sale of 16 Third Avenue in July 2018 for the consideration of \$5,750,000 with Development Approval for demolition of existing structures and construction of a 17 storey mixed use development comprising 97 residential units (16 x studio, 31 x one bedroom and 50 x two bedroom) and 2 floors of commercial suites comprising 707 square metres of NLA and five levels of basement parking. The approved development comprises a high proportion of studios and one bedroom units indicating a poor development mix with an end product that may be slow to sell. Based on the potential GFA of 6,617 square metres we have calculated a potential 66 units based on a 100m² unit PGFA reflecting \$87,121 per unit.

2-6 First Avenue sold for \$10,000,000 and sold with DA for an 18 storey apartment building with ground and podium level retail/commercial of 1,057sqm and 150 units with an average unit size of 70sqm. This was a receiver sale and is considered reflective of a forced sale value. The rate reflected was \$59,278 per unit. Given that the subject reflects an average unit size of 77.5sqm we consider a higher rate to be applicable for the subject.

Having regard to the size of the proposed development, the overall proposed GFA for the reflecting 13,534 sqm, the proximity to schools, shopping facilities and the Blacktown train station. We are of the opinion that a suitable rate is central of the range, given the demographics of the area, the expected gross realisation upon completion and the size of the development. We have ultimately adopted a rate range of \$65,000-\$75,000 per unit for the land value component of the subject development "As Is" with Development Approval.

The sales evidence noted above reflects a value range per square metre of potential gross floor area are generally seen to vary from \$478 per sqm of GFA for a site in Rouse Hill that sold in June 2018 to \$869 per sqm of GFA for a site reflecting 6,617 square metres of potential GFA situated in Blacktown which sold in July 2018. We note that the above rates are Gross Floor areas and include the common areas required within a building structure.

On a rate per square metre of potential Gross Lettable Area Retail basis an appropriate rate is considered central of the range as disclosed by the evidence, we have ultimately adopted a rate range of \$725 to \$775 per sqm of GLAR for the purpose of this valuation.

7 VALUATION CONSIDERATIONS

7.1 General Comments

This development site is located in the western Sydney suburb of Blacktown in Sydney. The site comprises a near level lot with an approximate area of 2,024 square metres. The site is zoned B4 'Mixed Use' with an FSR of 6.5:1 and a maximum height limit of 56 metres.

A Development Approval (Determination Number: JRPP-16-03340) was determined in the Land and Environment Court on the 18th July 2017 for the construction of a 18 storey mixed use development, containing 9 retail/commercial units on the ground and first floors, 133 residential apartments (58 x 1 bedroom, 58 x 2 bedroom and 17 x 3 bedroom) above 3 basement levels containing 136 car parking spaces and associated landscaping and stormwater drainage works.

The site has been cleared of all improvements and currently a holding yard for the construction site opposite. For the purpose of this valuation we assume that the site will be cleared of all construction materials as part of a make good agreement. Development of the surrounding area is commencing with an apartment building currently under construction and nearing completion directly opposite the subject. We note that the subject development includes a high number of 1 bedroom units in comparison the sales evidence as noted, consequently we are of the opinion that a suitable rate per unit is central of the range as noted by the sales evidence.

7.2 Ownership History

We have been provided with a copy of the contract dated the 3rd March 2017 for the reported consideration of \$8,200,000 according to RP Data the property settled on the 12th July 2017.

7.3 Saleability

It is considered that the most appropriate method of sale for a property of this nature is by an expression of interest campaign.

Given the salient factors, it is also considered that a selling period in the order of 5-6 months would be appropriate for a property of this nature.

8 VALUATION APPROACH

8.1 Methodology

In arriving at our opinion of value we have considered relevant general and economic factors and in particular, have investigated recent sales of comparable properties that have occurred in the surrounding Blacktown market.

The most appropriate method of valuation for a property of this nature is by "Direct Comparison" where the subject property is compared directly with sales of other properties in similar locations and adjustments made for small points of difference.

8.2 Valuation Calculations

8.2.1 Direct Comparison Approach -Site Value "As Is" with Development Approval

The sales evidence noted above of residential development sites reflects a value range of \$58,538 per unit for a development site located in Blacktown with a proposed unit yield of 160 units that sold in July 2018 as a receiver sale to a development site located in Rouse Hill that sold with a potential for a 397 units and 2,500m² of commercial space reflecting \$72,418 per unit that sold in December 2018.

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Having regard to the size of the proposed development, the overall proposed GFA for the reflecting 13,534 sqm, the proximity to schools, shopping facilities and the Blacktown train station. We are of the opinion that a suitable rate is central of the range, given the demographics of the area, the expected gross realisation upon completion and the size of the development. We have ultimately adopted a rate range of \$65,000-\$75,000 per unit for the land value component of the subject development "As Is" with Development Approval.

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On a rate per square metre of potential Gross Lettable Area Retail basis an appropriate rate is considered central of the range as disclosed by the evidence, we have ultimately adopted a rate range of \$725 to \$775 per sqm of GLAR for the purpose of this valuation.



8.2.1 Direct Comparison Approach -Site Value "As Is" with Development Approval (Continued)

Our calculations are as follows:

Residential Component

		\$65,000 per unit	=	\$8,645,000
133 Units	@	\$70,000 per unit	=	\$9,310,000
		\$75,000 per unit	=	\$9,975,000
		Adopt		\$9,300,000

Retail/commercial component Net Floor Area Basis:

		\$725	=	\$1,153,475
1,591 sqm	@	\$750	=	\$1,193,250
		\$775	=	\$1,233,025

Adopted Value on a direct comparison approach \$1,200,000

Current Market Value "As Is" with Development Approval

Residential Use Portion	\$9,300,000
Commercial Use Portion	\$1,200,000
Total Indicated Site Value	<u>\$10,500,000</u>
Adopted Site Value	<u>\$10,500,000</u>

9 VALUATION

We are of the opinion that the current market value of the property situated at 12-14 Second Avenue, Blacktown, NSW 2148 on the basis set out herein and on the assumption that the property has clear and marketable Title, free from any onerous easements or encumbrances and subject to the comments contained within this report, as at 16th October 2019, for first mortgage security purposes, is as follows:

Market Value
"As Is" with Development Approval
\$10,500,000
(Ten Million Five Hundred Thousand Dollars)

These values are subject to the details contained within this Valuation Report. The values are provided exclusive of GST and subject to the statement of assumptions, conditions and limitations detailed within the Executive Summary of this report.

EGAN NATIONAL VALUERS (NSW)



TONY LENORD, AAPI
Certified Practising Valuer
State Director (NSW)
Member No. 67997



PHIL MANNELL, AAPI
Certified Practising Valuer
Associate, Australian Property Institute
Member No. 66846

DATE OF SIGNING: 22nd October 2019

IMPORTANT: The counter signatory who has read and signed this report, verifies that the report is genuine and is endorsed by Egan National Valuers (NSW). The opinion of value expressed has been arrived at by the prime signatory alone.

Appendices



Letter of Instructions



09 October 2019

Bobby Goyal
Universal Property Group
137 Gilba Road,
Girraween NSW 2145

Dear Bobby,

RE: QUOTE FOR THE PROVISION OF PROFESSIONAL VALUATION SERVICES
PROPERTY: 12-14 Second Avenue, Blacktown NSW 2148

Further to our email correspondence, we thank you for the opportunity to quote for the provision of professional valuation services.

Confirmation of details relevant to the services is as follows:

Subject Property:	12-14 Second Avenue, Blacktown NSW 2148
Client:	To be confirmed
Form of Valuation:	Full Valuation Report.
Purpose of Valuation:	The valuation is to be prepared for first mortgage security purposes only and should not be relied upon for any other purpose.
Basis of Valuation:	Current Market Value "As is" with Development Approval
Fees:	\$2,000.00 excluding GST \$2,200.00 including GST

Port Paula 9/10/2019

This quotation is effective for 5 days from the date of this correspondence.

Early Termination: Where the brief is terminated prior to its conclusion, you (the client) will be invoiced for the cost of work completed at \$200/hour plus disbursements exclusive of GST. A copy of partially completed work will not be provided.

Egan National Valuers (NSW)
Suite 901, 275 Alfred Street
North Sydney NSW 2060
Phone 02 8344 8000
Fax 02 8920 1555
eganvaluers.com.au

Liability limited by a scheme approved under Professional Standards Legislation
Egan Australasia Pty Ltd ABN 17 102 907 905





Computer Folio Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 734/1031601

SEARCH DATE	TIME	EDITION NO	DATE
21/10/2019	10:53 AM	13	21/7/2017

LAND

LOT 734 IN DEPOSITED PLAN 1031601
AT BLACKTOWN
LOCAL GOVERNMENT AREA BLACKTOWN
PARISH OF PROSPECT COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1031601

FIRST SCHEDULE

UPG 30 PTY LTD (T AM561058)

SECOND SCHEDULE (6 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 C543717 COVENANT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM.
- 3 C906516 COVENANT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM.
- 4 AH318988 LEASE TO MACKILLOP FAMILY SERVICES LIMITED OF UNIT 3, 12-14 SECOND AVENUE, BLACKTOWN TOGETHER WITH CARS SPACES MARKED U3.1, U3.2, U3.3 AND U3.4. EXPIRES: 30/4/2015. OPTION OF RENEWAL: 3 YEARS WITH ONE FURTHER OPTION OF 3 YEARS.
- 5 AI324551 LEASE TO CRANE DISTRIBUTION LIMITED BEING UNITS 1 & 2, 12-14 SECOND AVENUE, BLACKTOWN. EXPIRES: 19/9/2018. OPTION OF RENEWAL: 5 YEARS.
- 6 AJ745063 VARIATION OF LEASE AI324551
AM561059 MORTGAGE TO WIN SENIOR NO.211 PTY LTD

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

rpnangela

PRINTED ON 21/10/2019



Deposited Plan

PLAN FORM 1

STIPULATIONS, SALES AND STATEMENTS of intention to dedicate public roads or to create public reserves, drainage reserves, easements, reservations on the lot or public easements.



Michael Delbridge
 Mayor

Consent Lends Office Approval

PLAN APPROVED: *[Signature]*
 Approved Office: *[Signature]*
 Land Owner: *[Signature]*
 Agent No.: *[Signature]*
 Field Book: *[Signature]*

Subdivision Certificate
 - certify that contents of a lot or of the Environmental Planning and Assessment Act 1979 have been retained in relation to the proposed:
 - (a) Street widening or new road;
 - (b) and not both

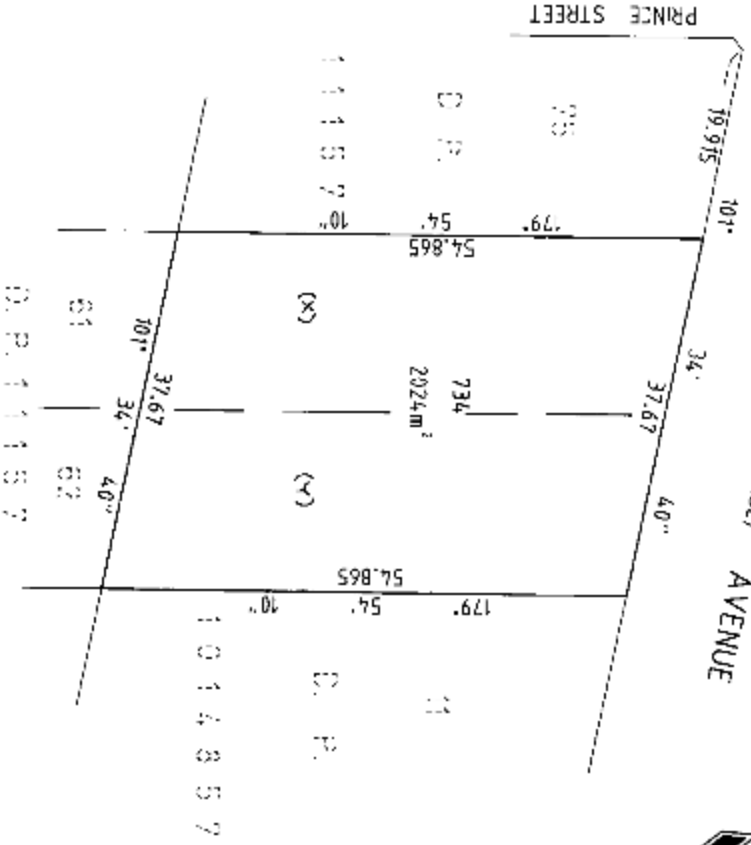
Consent authority: *[Signature]*
 Date of endorsement: *[Signature]*
 Registration no: *[Signature]*
 Subdivision Certificate no: *[Signature]*
 File no: *[Signature]*

Note:
 - Plans are not to be signed electronically in the Land Use Office.
 - Plans must include a signature of an authorised or registered surveyor.
 - Plans must be signed by the Registrar General.
 - Plans must include a signature of an authorised or registered surveyor.

SUBDIVISION REFERENCE: 34325 CHECKLIST

Plan Drawing only to appear in this space

COVENANT - (X) C543717
 (V) C906916



10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200

DP1031601

Registered: 21.13.7.2001

Title System: TORRENS

Purpose: CONSOLIDATION

Ref: Map: U9160-711#

Lot: 90: DP 11157

PLAN OF CONSOLIDATION OF LOTS 73 AND 74 D.P.11157

Lengths are in metres. Reduction Ratio 1:500

Loc: BLACKTOWN

Suburb/Localities: BLACKTOWN

Parish: PROSPECT

County: CUMBERLAND

Plans used in preparation of survey/completion: D.P.11157

MICHAEL JOHN DELBRIDGE

of: Acquith & Hewitt, DX 12610 CHASELSTON

a surveyor registered under the Surveyors Act, having made the survey represented in the plan in accordance with the Surveyors (General) Regulation 1988 and was completed on 17th June, 2011

The survey relates to: Completed

(This specifies the land, easements, or survey on land shown in the plan and is not the subject of the survey)

Signature: *[Signature]*

Surveyor: Michael John Delbridge

of: Acquith & Hewitt, DX 12610 CHASELSTON

a surveyor registered under the Surveyors Act, having made the survey represented in the plan in accordance with the Surveyors (General) Regulation 1988 and was completed on 17th June, 2011

The survey relates to: Completed

(This specifies the land, easements, or survey on land shown in the plan and is not the subject of the survey)

Signature: *[Signature]*

Surveyor: Michael John Delbridge

of: Acquith & Hewitt, DX 12610 CHASELSTON



Extract of Building Plans



Development Approval



**Land and Environment
Court**
of New South Wales

Level 4 225 Macquarie Street SYDNEY NSW 2000
Level 4 GPO Box 3565 SYDNEY NSW 2001
DX 264, Sydney

Telephone: 02 9113 8200
Facsimile: 02 9113 8222
02 91138208

Email: lccourt@justice.nsw.gov.au
Website: <http://www.lec.justice.nsw.gov.au>

ABN: 52 659 114 436

EMMA JANE FLEMING
ejf@swaab.com.au

Your Ref:



DC000VTNPU

18 July 2017

NOTICE OF ORDERS MADE

Case number 2017/00051114
Case title Universal Property Group Pty Ltd v Blacktown City Council

On 18 July 2017 the following orders (and/or directions) were made:

The final orders to give effect to the parties' agreement under s34(3) of the Land and Environment Court Act 1979 are:

(1) Leave is granted to substitute the following plans for the plans and documents that are the subject of Development Application No. JRPP-16-03340:

Drawing No., Name, Revision, Drawn By, Date

A0001, Compliance Table, D, The Bathla Group, June 2017

A0005, Site Plan, C, The Bathla Group, June 2017

A0006, Plan – Basement 3 and Basement 2, B, The Bathla Group, June 2017

A0007, Plan – Basement 1 and Ground, D, The Bathla Group, June 2017

A0008, Plan – Level 1 and Level 2, C, The Bathla Group, June 2017

A0009, Plan – Level 3 and Levels 4-9, B, The Bathla Group, June 2017

A0010, Plan – Levels 10-15 and Level 16, B, The Bathla Group, June 2017

A0011, Plan – Level 17 and Roof Terrace, D, The Bathla Group, June 2017

A0020, Sections – AA & BB, B, The Bathla Group, June 2017

A0021, Sections – Ramps, B, The Bathla Group, June 2017

A0023, Balcony Balustrade & Louvre Screen Details, A, The Bathla Group, June 2017

A0030, Elevations – West and North, C, The Bathla Group, June 2017

A0031, Elevations – West and South, B, The Bathla Group, June 2017

A0032, Street Elevation, B, The Bathla Group, June 2017

A0052, Area Calculation Floor Space Ratio, D, The Bathla Group, June 2017

A0054, Area Calculation communal open space, C, The Bathla Group, June 2017

A0055, Height Limit Diagram, A, The Bathla Group, June 2017

A0071, Photomontage, B, The Bathla Group, June 2017

A0072, Photomontage, A, The Bathla Group, June 2017

6841, Detail and Level Survey, B, SDG, 21 June 2016

C-00-001, Cover Sheet and Drawing List, 03, Arcadis, 9 June 2017

C-00-002, General Notes, 03, Arcadis, 9 June 2017

C-00-101 , Erosion and Sediment Control Plan, 03, Arcadis, 9 June 2017
C-00-201 , Civil Works and Stormwater Plan, 04, Arcadis, 9 June 2017
C-00-251 , Civil and Stormwater Works Details Sheet 1, 03, Arcadis, 9 June 2017
C-00-252, Civil and Stormwater Works Details Sheet 2, 03, Arcadis, 9 June 2017
Document No. , Document Name , Revision, Prepared By, Dated
760023M_03, BASIX Certificate, , , 14 July 2017
, Clause 4.6 Variation Request, , Boston Blyth Fleming Town Planners, 22 June 2017
610.16743-R02, Qualitative Wind Assessment , 0, SLR, 18 May 2017
(2) In accordance with section 97B of the Environmental Planning and Assessment Act 1979, the Applicant is to pay the Respondent's costs thrown away as agreed or assessed.
(3) The appeal is upheld.
(4) The Applicant's written requested pursuant to clause 4.6 of Blacktown Local Environmental Plan 2015 is upheld.
(5) Development application No. JRPP-16-03340 for the construction of an 18 storey mixed use development, containing 9 retail/commercial units on the ground and first floors, 133 residential apartments (58 x 1 bedroom, 58 x 2 bedroom and 17 x 3 bedroom) above 3 basement levels containing 136 car parking spaces and associated landscaping and stormwater drainage works on Lot 734 DP 1031601 known as 12 Second Avenue, Blacktown is approved subject to the conditions contained in Annexure "A".

For the Registrar

ANNEXURE "A"

CONDITIONS OF CONSENT

Universal Property Group Pty Ltd v Blacktown City Council
Land and Environment Court Proceedings No. 17/51114

Development Application No. JRPP-16-03340
12 Second Avenue, Blacktown

ADVISORY NOTES

Terminology

1. Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 109C of the Environmental Planning and Assessment Act 1979.
2. Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 109C of the Environmental Planning and Assessment Act 1979.

Scope of Consent

3. Separate development consent may be required from Council prior to the use of each individual unit/the approved building(s). The applicant is advised to contact Council's Development Services Unit in this regard.
4. The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

Other Approvals

5. A separate valid Construction Certificate shall be issued prior to commencement of any construction works.
6. The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary development not approved by this consent, including:
 - (a) the removal of any tree(s) not indicated on the approved plans and any tree(s) located greater than 3 metres from the building perimeter, and
 - (b) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development, and
 - (c) demolition of any existing buildings and associated structures in accordance with the requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, and
 - (d) the erection of any advertising sign, not being "Exempt Development" within the State Environmental Planning Policy (Exempt and Complying Development) 2008, and
 - (e) the use or fit-out of any shop or commercial premises not being "Exempt

- Development" within the State Environmental Planning Policy (Exempt and Complying Development) 2008, and
- (f) the installation of a vehicular footway crossing servicing the development.
 - (g) separate Council approval under the Roads Act 1993 is required for any crane used to construct this development that swings over public air space.

7. This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.

Swimming Pool Register

8. The Swimming Pool Act 1992 (as amended) requires a pool/spa, upon its completion, to be registered on the NSW Swimming Pool Register at www.swimmingpoolregister.nsw.gov.au.

Services

9. The applicant is advised to consult with:
- (a) Sydney Water Corporation Limited
 - (b) A recognised energy provider
 - (c) Natural Gas Company
 - (d) The relevant local telecommunications carrier

regarding any requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

All approved building construction plans attached to the Construction Certificate should be submitted to Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans are to be appropriately stamped and all amended plans will require re-stamping. For further information go to: www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 1300 082 746 for assistance.

Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

10. Information regarding the location of underground services may be obtained from the Sydney "Dial Before You Dig" service, telephone number 1100, fax number (02) 9806 0777. Inquirers should provide the street/road name and number, side of street/road name and the nearest cross street/road name.
11. Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant recognised service provider.
12. Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of

care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

13. Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number: 1800 810 443.

Tree Planting and Service Locations

14. Street tree and tree planting must not impact on public utilities. The applicant should liaise with the relevant service authorities on the location and use of services within the public road reserve. These authorities may be able to lay their services on the opposite side of the road, thereby providing larger areas for tree planting.

Tree planting must not interfere with street light spill. The applicant is to provide documentation to confirm there is no conflict between proposed vegetation at maturity and street lighting. This confirmation must be received before a Construction Certificate can be issued.

Identification Survey

15. The applicant is advised to obtain an identification survey from a registered surveyor to ascertain the correct location of the property boundaries, and to ensure the development does not encroach upon adjoining properties.

Engineering Notes

16. Any Construction Certificate covering Engineering Works must include and address the following:

- Design of specified Engineering Works as required by this consent.
- Any ancillary works necessary to make the construction effective

If both Building and Engineering works are required, separate construction certificates can be issued for the following works:

- Construction Certificate for Building Works
- Construction Certificate for Engineering Works (As nominated in the 'Prior to Construction Certificate (Engineering)' section of the consent)

Works which require approval under the *Roads Act 1993* or *Local Government Act 1993* CAN NOT be privately certified. Examples of these works are, but not limited to:

- Works in public areas (i.e. Road Reserve, Public Reserves)
- Inter-allotment drainage (i.e. drainage outside the boundary of the land being developed)

Engineering works (as nominated in the 'Prior to Construction Certificate (Engineering)' section of the consent) can be included within a Construction Certificate for Building works, provided that:

- All Engineering Works are specifically mentioned on the Construction Certificate
- The Certifier holds relevant qualifications to issue a Construction Certificate for the Engineering works. Appropriate accreditation qualifications must be shown on Construction Certificate.

17. All works requiring approval under the *Roads Act 1993* or *Local Government Act 1993* must be approved PRIOR to the issue of any Construction Certificate.

Payment of Engineering Fees

18. If the applicant wishes for Council to issue the Construction Certificate for Engineering Works (As nominated in the 'Prior to Construction Certificate (Engineering)') the applicant must:

- Complete application form
- Submit all relevant plans produced by a suitably qualified person and in accordance with Councils Standards.

A quote will be provided verbally generally within 6 weeks followed by confirmation in writing.

19. If the applicant wishes for Council to undertake Construction inspections and issue a Compliance Certificate for engineering works, the applicant must:

- Complete application form
- Submit all relevant plans produced by a suitably qualified person
- If plans are privately certified, applicant must supply Construction Certificate covering the required works.

A quote will be provided verbally generally within 6 weeks, followed by confirmation in writing.

GENERAL

Scope of Consent

20. The development shall be in accordance with the following plans and documents except where amended by other conditions of this consent:

Drawing No.	Name	Revision	Drawn By	Date
A0001	Compliance Table	D	The Bathla Group	June 2017
A0002	Site Location	A	The Bathla Group	September 2016
A0003	Site Analysis	A	The Bathla Group	September 2016
A0004	Site Survey Plan	A	The Bathla Group	September 2016
A0005	Site Plan	C	The Bathla Group	June 2017
A0006	Plan – Basement 3 and Basement 2	B	The Bathla Group	June 2017
A0007	Plan – Basement 1 and Ground	D	The Bathla Group	June 2017

A0008	Plan – Level 1 and Level 2	C	The Bathla Group	June 2017
A0009	Plan – Level 3 and Levels 4-9	B	The Bathla Group	June 2017
A0010	Plan – Levels 10-15 and Level 16	B	The Bathla Group	June 2017
A0011	Plan – Level 17 and Roof Terrace	D	The Bathla Group	June 2017
A0012	Plan – Roof	A	The Bathla Group	September 2016
A0020	Sections – AA & BB	B	The Bathla Group	June 2017
A0021	Sections – Ramps	B	The Bathla Group	June 2017
A0022	Sections – Waste Vehicle Path	B	The Bathla Group	January 2017
A0023	Balcony Balustrade & Louvre Screen Details	A	The Bathla Group	June 2017
A0030	Elevations – West and North	C	The Bathla Group	June 2017
A0031	Elevations – West and South	B	The Bathla Group	June 2017
A0032	Street Elevation	B	The Bathla Group	June 2017
A0033	Materials & Finishes	A	The Bathla Group	September 2016
A0040	Shadow Analysis - 1	B	The Bathla Group	January 2017
A0041	Shadow Analysis - 2	B	The Bathla Group	January 2017
A0042	Shadow Analysis - 3	A	The Bathla Group	January 2017
A0043	Shadow Analysis - 4	A	The Bathla Group	January 2017
A0050	Solar Access	A	The Bathla Group	September 2016
A0051	Cross Ventilation	A	The Bathla Group	September 2016
A0052	Area Calculation Floor Space Ratio	D	The Bathla Group	June 2017
A0053	Area Calculation Landscape	A	The Bathla Group	September 2016
A0054	Area Calculation communal open space	C	The Bathla Group	June 2017
A0055	Height Limit Diagram	A	The Bathla Group	June 2017
A0060	Adaptable Units	A	The Bathla Group	September 2016
A0070	Perspective Views	A	The Bathla Group	September 2016
A0071	Photomontage	B	The Bathla Group	June 2017
A0072	Photomontage	A	The Bathla Group	June 2017
6841	Detail and Level Survey	B	SDG	21 June 2016
WMP0001	WMP Diagram		The Bathla Group	January 2017
LP 01	Cover Sheet	A	The Bathla Group	September 2016
LP 02	Ground & Level 2	A	The Bathla Group	September 2016
LP 03	Level 3 & Level 16	A	The Bathla Group	September 2016
LP 04	Level 17 & Roof Terrace	A	The Bathla Group	September 2016

LP 05	Landscape Details 1	A	The Bathla Group	September 2016
LP 06	Landscape Details 2	A	The Bathla Group	September 2016
C-00-001	Cover Sheet and Drawing List	03	Arcadis	9 June 2017
C-00-002	General Notes	03	Arcadis	9 June 2017
C-00-101	Erosion and Sediment Control Plan	03	Arcadis	9 June 2017
C-00-201	Civil Works and Stormwater Plan	04	Arcadis	9 June 2017
C-00-251	Civil and Stormwater Works Details Sheet 1	03	Arcadis	9 June 2017
C-00-252	Civil and Stormwater Works Details Sheet 2	03	Arcadis	9 June 2017

Document No.	Document Name	Revision	Prepared By	Dated
	Preliminary Site Investigation		Martens	August 2016
	Preliminary Salinity and Geotechnical Assessment		Martens	August 2016
	Noise Impact Assessment Access Report		SLR	30 September 2016
	Traffic and Parking Assessment Report		Universal Property Group Varga Traffic Planning	21 September 2016
	Waste Management Plan		Universal Property Group	Decemeber 2016
760023M_03	BASIX Certificate			14 July 2017
	Clause 4.6 Variation Request		Boston Blyth Fleming Town Planners	22 June 2017
610.16743-R02	Qualitative Wind Assessment	0	SLR	18 May 2017

21. All habitable parts of the building must not exceed the 56 m height maximum that applies to the site under Clause 4.3 of Blacktown Local Environmental Plan 2015. The exception to this is that the approved plans allow encroachment of those non habitable items shown on the approved plans including roof top balustrades/roof parapets, lift overruns, open style roof top recreation shelters/pergolas, plant/equipment structures and a decorative unenclosed roof element .

Services

22. Low voltage electricity and telecommunications services for the approved development shall be as per the requirements of the service provider, and reticulated underground.

Suburb Name

23. The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

Suburb: Blacktown

24. Any advertising of land sales in association with the approved development shall clearly indicate that the development is located in the following suburb. No other estate names shall be used in any advertisements or other promotional information:

Suburb: Blacktown

Compliance with BASIX Certificate

25. All commitments listed in the BASIX Certificate number: 760023M_03 shall be complied with.

NSW Local Police – Requirements

26. A comprehensive Safer by Design Report is required to be prepared by a suitably qualified Security Consultant and submitted to the NSW Local Police for their written approval. This Report is to address how all CPTED measures will be met. The Security Consultant preparing this Report is also recommended to consult with Blacktown Local Area Command in relation to the recommendations sought by Police prior to submitting the Safer by Design Report. The recommendations of the report are to be included on the Construction Certificate plans and documentation.

RMS – Requirements

27. A Construction Traffic Management Plan (CTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate.
28. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Sunnyholt Road and Third Avenue during construction activities.
29. All vehicles are to enter and leave the site in a forward direction.

ENGINEERING MATTERS

Design and Works Specification

30. All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

(a) Blacktown City Council's Works Specification - Civil (Current Version)

(b) Blacktown City Council's Engineering Guide for Development (Current Version)

(c) Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management

(d) Blacktown City Council Growth Centre Precincts Development Control Plan

(e) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version

(f) Blacktown City Council On Site Detention General Guidelines and Checklist

(g) Upper Parramatta River Catchment Trust On Site Stormwater Detention Handbook
THIRD Edition December 1999.

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements MUST be submitted to Council with any application for Construction Certificate, *Road Act 1993* or *Local Government Act 1993* approval.

Any Construction Certificates issued by Private Certifiers must also be accompanied by the above documents.

NOTE: Any variations from these design requirements must be separately approved by Council.

31. The Applicant is required to submit to Council, Bonds and/or Contributions for works associated with the development in conjunction with the civil engineering works required to be constructed as part of this development. Works may include:

- Path Paving construction

These matters will be individually addressed within the consent

32. Prior to release of any bond securities held by Council for civil engineering works, the payment of a bond release inspection fee in accordance with Council's Goods and Services Pricing Schedule must be made.

33. Written notice must be provided to adjacent properties, at least 5 days prior to works commencing, where works are approved by this consent and located within Council controlled lands (i.e. Roads, drainage reserves, parks, etc)

A copy of this notice must be provided to Council's Co-ordinator of Engineering Approval.

Other Necessary Approvals

34. A separate application will be required for the following approvals, under the *Local Government Act 1993* and/or the *Roads Act 1993*.

- Vehicular Crossing
- Works on or occupation of existing public roads (Not including works covered by a Roads Act Approval)

Other Matters

35. Any future substation, temporary drainage works or other utility installation required to service the approved subdivision/development shall not be sited on future or existing Council land, including road reservations and/or public reserves.

Other Drainage Section Matters

36. The development must at all times maintain the water quality system to achieve the following minimum pollutant removal targets of Part J of DCP 2015 for the entire site in perpetuity:

Required percentage reductions in post development average annual load of pollutants

Pollutant	post development pollutant reduction targets
Gross Pollutants	90
Total Hydrocarbons	90

37. Each year by the first business day on or after 1 September the owners corporation is to provide to Council's Asset Design Services Section a report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices in accordance with the approved maintenance schedule and details of all non-potable water used. All material removed are to be disposed of in an approved manner. Copies are to be provided of all contractor's cleaning reports or certificates to Council's WSUD Compliance Officer.

PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

DA Plan Consistency

38. A Construction Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.

Blacktown Development Control Plan 2015

39. The Construction Certificate shall comply with the design criteria specified in Council's Blacktown Development Control Plan 2015.

Acoustic Attenuation

40. An Acoustic Assessment Report prepared by a suitably qualified consultant is required to be prepared based on the approved plans which verified that this residential development complies with AS2107-2000 Acoustics: Recommended Design Sound Levels and Reverberation Times for Building Interiors.

This Report is to consider the impact from the nearby main roads and rail corridor near this development. The recommendations of the Report are to be included on the Construction Certificate documentation.

Salinity

41. The recommendations and additional assessments detailed in the Preliminary Salinity and Geotechnical Assessment prepared by Martens Consulting Engineers, Report Reference P1605359JR02V01 and dated August 2016 are to be identified on the Construction Certificate plans and implemented during design and construction of the development.

Note: Final validation will be required prior to the release of an Occupation Certificate.

Contamination and Remediation

42. All works are to be in accordance with the Preliminary Site Investigation Report prepared by Martens Consulting Engineers (Ref. P1605359JR01V01 dated August 2016).
43. Prior to the issue of a Construction Certificate all areas potentially contaminated / contaminated shall be remediated. Upon completion of remediation an appropriately qualified environmental consultant shall prepare a validation report. The validation report shall be carried out in accordance with:
 - NSW Environment Protection Authority's *Guidelines for Consultants Reporting on Contaminated Sites* (1997)
 - NSW Environment Protection Authority's *Contaminated Sites Sampling Design Guidelines* (1995).
 - Australian and New Zealand Environment and Conservation Council and National Health and Medical Research Council's *Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites* (1992).

Waste Matters

44. The Construction Certificate plans and documentation are to demonstrate that the following are satisfied:
 - i. All waste and recycling collection vehicles are capable of entering and exiting the property in a forward direction.
 - ii. Access for all waste and recycling collection vehicles are designed in accordance with the approved architectural plans, CAD files submitted to Council and vertical clearances as required by the relevant Australian Standards.
 - iii. The bulky waste storage area is caged.
 - iv. The loading bay is physically treated with appropriate measures to ensure that the loading bay is not obstructed by other vehicles/items at any time.
 - v. The location of all loading bay signage and line marking to ensure that the loading bay is not obstructed by other vehicles/items at any time.
 - vi. The roads and internal driveways and ramps are rated for at least 24 tonne trucks.

Street Tree Planting and CBD Pavement Treatment

45. Prior to the issue of a Construction Certificate, full detail plans in relation to the proposed street tree planting and landscaping consistent with Council's adopted Street Tree Guidelines shall be submitted to and approved by Council's Manager Civil and Park Maintenance. The Street Tree Plan shall observe the species palette identified by Council's Street Tree Guidelines for Street Trees in the CBD and will to include the following:
 - cross-sections showing dimensions of tree pits
 - minimum of 100 litre containers or a species to be nominated by Council
 - details of root protection barriers
 - soil specifications
 - location of tree pits in relation to any awning within the street setback, services, intersections and future driveways, light poles, stormwater pits sewerage infrastructure and utilities

These shall be submitted to Council for the approval of Council's Manager Civil and Park Maintenance.

NOTE: Any tree planting to be undertaken as part of the approved development shall be available to Council for inclusion in future carbon sequestration programs.

46. Prior to the issue of a Construction Certificate relating to the approved development, full detail plans in relation to the pavement treatment along the Second Avenue pavement shall be submitted to and approved by Council's Manager Civil Maintenance. This shall be at the full cost of the Applicant.

Awnings

47. Details of the proposed awnings over Council's road reserve, including colour samples of the materials / finishes from brochures or the like are to be submitted for the separate approval of Council's Maintenance Engineers prior to the issue of any construction certificate. The height and width of the proposed footpath awning is to comply with the following requirements:
- (a) The general provisions applicable to awnings under the Local Approvals Policy 2015 Parts A, E, E1 and E2.
 - (b) It must not cover, obstruct or interfere with facilities essential to the function or occupation of any building (e.g. ventilation ducts/openings and architectural features).
 - (c) Must have a minimum horizontal distance of 600mm from the road kerb/shoulder.
 - (d) Must have a minimum height of 3.2 m to the underside of the awning (i.e. measured above the adjacent finished / proposed footway level).
 - (e) Must have a maximum height of 5 m to the upper side of the awning (excluding the overhead support components).
48. Under awning lighting is to be provided to enhance pedestrian amenity and safety.
49. Certification is to be provided by a NPER engineer as to the structural integrity of the awning and compliance with the BCA and other relevant standards.

PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)

Section 94 Contributions under Section 94E Directions

50. The following monetary contributions pursuant to Section 94 of the *Environmental Planning & Assessment Act 1979* must be paid. The amounts below are as at the date of this consent. They WILL BE INDEXED from the date of this consent to the date of payment. Payment of the indexed amounts must be made prior to the issue of a Construction Certificate (for building works) either by Council or any accredited certifier, whichever occurs first.

PLEASE NOTE: Indexed payments must be made by BANK CHEQUE IF IMMEDIATE CLEARANCE IS REQUIRED. Payments of the full amount by credit card or EFTPOS are accepted. However, payments by credit card or EFTPOS over \$10,000.00 are levied a

3% surcharge on the whole amount and cannot be split between different credit or EFTPOS cards.

Contribution Item	Base Amount	Relevant C.P.
Flood Mitigation Breakfast Creek Catchment	\$4,445.00	19
Stormwater Quality Blacktown Growth Precinct	\$ 17,562.00	19
Traffic Management – Medium to High Density Development	\$189,460.00	19
Traffic Management – All Residential Development	\$265,077.00	19
Open Space – Medium to High Density Development	\$916,607.00	19
Open Space – All Residential Development	\$253,915.00	19
Community Facilities	\$66,409.00	19
Traffic Management Residential Development	\$228,459.00	19
Traffic Management Commercial/Office Development	\$55,609.00	19
Traffic Management Retail Development	\$138,010.00	19
Local Road Construction	\$87,292.00	19
Streetscape Facilities	\$66,309.00	19

The contribution(s) will be indexed according to the Australian Bureau of Statistics' Consumer Price Index (Sydney Housing) or Consumer Price Index (All Groups Sydney).

Copies of the following relevant Contributions Plan(s) may be inspected/purchased from Council's Information Centre, or viewed/downloaded at www.blacktown.nsw.gov.au :

S.94 CP No. 19 – Blacktown Growth Precinct

The Section 94 contribution(s) have been based on the total developable area, the site's road frontage and the potential additional population nominated below. Should the final plan of survey indicate any change in the total developable area or should amendments change the potential additional population, the Section 94 contribution(s) will be adjusted accordingly.

Developable Area: 0.2024 hectares
 Additional Population: 269 persons
 Apartments: 133 apartments
 Frontage: 37.67 m
 Commercial Area: 469.4 sqm
 Retail Area: 394.9 sqm

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development and the Apartment Design Guide

51. No construction certification must be issued unless all design verifications have been provided in accordance with Clause 143A of the Environmental Planning and Assessment Regulation 2000. A certifying authority must not issue a construction certificate for residential flat development unless the certifying authority has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of [State Environmental Planning Policy No 65—Design Quality of Residential Flat Development](#).

Aesthetics and Streetscape

52. The architectural plans that are submitted with the construction certificate are required to show details of the louvre screens and balustrade glazing, as per the recommendations of the approved Qualitative Wind Assessment. The purpose of this is for the Private Certifying Authority to confirm which balconies and areas these devices are to be located.
53. The reflectivity index of glass used in the external facades of the buildings is not to exceed 20 percent and must not affect road traffic and must not cause discomfort through glare or intense heat to surrounding areas.
54. The construction certificate plans are to demonstrate that the windows in the development satisfy the following:
- (a) Any bathroom, w.c. or laundry window in the external walls of the buildings fitted with translucent glazing.
 - (b) All windows in the residential units on floor level 3 through to the top floor level are to be fitted with a child safety mechanism to prevent accidental falls out of windows by persons such as children. Details of such safety mechanisms shall be shown on the plans and provided to the principal certifying authority/principal certifier.
55. The development approved by Council is to be constructed in accordance with the approved Materials and Finishes Plan.
56. The certifier is to be satisfied that the materials for use on the external walls of this development achieve compliance with the relevant fire resistance levels that are applicable to the development. This includes compliance with the Building Code of Australia.
57. External service fixtures and conduits are to be designed so that they form part of the overall appearance of the building, or are to be screened from view.

Common Areas and Landscaping

58. All common areas and landscaping shall be of a high quality and detailed on the landscaping design plans as part of the Construction Certificate. Landscaping plans are to be consistent with the approved architectural plans. The minimum spacing and pot sizes are to be as per the planting schedule on the approved Landscape Plans (Drawing

No. LP01, Cover Sheet).

59. All landscaping, recreation features and furniture, bbq facilities, pool, gym equipment, communal rooms, pathways/corridors shall be of a high quality and detailed on the landscaping design plans as part of the Construction Certificate.

Access and Parking

60. 136 car parking spaces are required to be provided on site for the residential units, being 87 resident spaces and 19 visitor car parking spaces. 30 non-residential car parking spaces are to be provided for the use of the non-residential units. All car parking spaces are to be designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1 as follows:

Residential Flat Building (excluding width of pillar): 2.5m x 5.4m

Residential Flat Building (adjacent to solid wall): 2.7m x 5.4m

Commercial: 2.6 m x 5.4 m

Disabled Car Space: 4.8m x 5.4m (including shared zone)

61. A minimum of 45 bicycle parking spaces and 12 motorcycle parking spaces are to be provided within the basement.
62. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) are to be designed in accordance with Australian Standard 2890.1 – 2004 and AS 2890.2 – 2002 for heavy vehicles.
63. Adequate sight distance is required to be provided for both pedestrian and vehicular movement at the proposed driveway in accordance with Section 3.2.4 AS 2890.1 and Figure 3.2 of AS 2890.1 to ensure safety of pedestrians on the footpath system and motor vehicles along the new driveway.
64. Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 – 2009 and AS1428.1 - 2009.
65. All internal roads/driveways and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.

Adaptable Housing Units

66. A minimum of 10% of the units within each residential flat building are to be designed in accordance with the Australian Adaptable Housing Code (AS 4299-1995) which includes "pre-adaptation" design details.

Floor to Ceiling Heights

67. All residential habitable rooms are to have a minimum floor to ceiling height of 2.7 m. Service bulkheads are not to intrude into habitable spaces.
68. All non-residential units are to have a minimum floor to ceiling height of 3.5 m.

Services, Plant and Equipment

69. The plans are to demonstrate that all building plant, equipment and services including air conditioning systems, basement vents, and substations, etc. are appropriately located and treated so as not to be visually prominent and not to adversely impact on the streetscape presentation, apartments and communal open space areas with regard to visual, acoustic and odour impacts.
70. The garbage and recycling storage area must have a smooth impervious floor that is graded to a floor waste. A tap and hose must be provided to facilitate regular cleaning of the bins and all waste water must be discharged to the sewer in accordance with the requirements of Sydney Water. Garbage bins must be designed to prevent the escape of any liquid leachate and must be fitted with a lid to prevent the entry of vermin.
71. Written evidence is to be provided to Council from an appropriately qualified acoustic consultant stating that all plant and equipment have been selected to meet the project noise criteria.

PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

Building Code of Australia Compliance

72. All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:
 - (a) Complying with the deemed to satisfy provisions, or
 - (b) Formulating an alternative solution which:
 - (i) complies with the performance requirements, or
 - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - (iii) A combination of (a) and (b).

Site Works and Drainage

73. Any required retaining wall(s) and/or other effective method to retain excavated or filled ground (not being Exempt Development under the Blacktown Local Environmental Plan), together with any associated groundwater drainage system, shall be designed by an appropriately qualified person. Details of such site works shall accompany the Construction Certificate.
74. Stormwater drainage from the site shall be designed to satisfactorily drain rainfall intensities of 159mm per hour over an average recurrence interval of 20 years. The design shall:
 - (a) be in accordance with Australian Standard 3500.3, and
 - (b) provide for drainage discharge to an existing Council drainage system, and
 - (c) ensure that the development, either during construction or upon completion, does not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties.

75. Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy. Details shall accompany any Construction Certificate.
76. Should any proposed excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), separate details prepared by a suitably qualified person shall be prepared indicating how that building or structure is to be:
 - (a) Preserved and protected from damage, and
 - (b) Underpinned and supported.

Such details shall accompany the Construction Certificate.

Fire Services

77. Where any external on-site fire hydrant or hydrant booster assembly is to be located within any building setback from a boundary, the hydrant or booster assembly shall be located or protected in accordance with the requirements of AS 2419.1.
78. Where any external on-site water storage tank is required by AS 2118.1 or AS 2419.1, details of the location and type of any proposed tank are to be submitted to and approved by Council prior to the issue of the relevant Construction Certificate.

Internal Works

79. A separate application for development consent shall be lodged with Council for any proposed fit out of a commercial and industrial building (which includes any fixed internal partition wall/display/storage racking/machinery /equipment and the like) that was not approved by this Notice of Determination. This condition does not apply to work or development that is Exempt Development or Complying Development under the Blacktown Local Environmental Plan.

BASIX Certificate Compliance

80. The plans and specifications must indicate compliance with the commitments listed in the BASIX Certificate Number: 760023M_03.

Swimming Pools

81. The swimming pool and child-resistance barrier(s) shall comply with the design and construction requirements of Part 2 of the Swimming Pool Act 1992, Australian

Standard 1926.1-2012: "Swimming Pool Safety - Safety Barriers" (AS) and Council's Swimming Pool Guidelines booklet. Any exemption certificate required under the provisions of Section 22 of the Act shall be issued by Council. Should the barrier incorporate a glazed fence or balustrade, that part of the barrier shall also comply with the relevant design requirements of Appendix E of the AS and Australian Standard 1288 – "Glass in Buildings".

PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)**General**

82. All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate can be issued.
83. All fees for Construction, *Roads Act 1993* and *Local Government Act 1993* approvals must be paid to Council prior to the issue of any of the above certificates or approvals. All fees for Compliance Certificates must be paid to Council prior to any construction certificate works commencing.
84. Construction certificate plans shall be generally in accordance with the following drawings:

Prepared By	Project No.	Drawing No.	Sheet No.	Revision	Dated
Arcadis Australia Pacific P/L	AA009354	C-00-001	-	03	09.06.2017
		C-00-002			
		C-00-101			
		C-00-201		04	
		C-00-251		03	
		C-00-252			

85. The following items are required to be addressed on the Construction Certificate plans:
- i. On drawing C-00-201 the stormwater pipe traversing the public footway area must be amended to comply with Councils Engineering Guide for Development 2005 including but not limited to:
 - (a) Relocate the existing stormwater pit located within the public footway area. This pit is detailed as EX1/01. The new stormwater pit must not be located closer than 1 metre from the proposed vehicle crossing.
 - (b) Reconstruct any stormwater line connecting into pit EX1/01 and not passing through the new location.
 - (c) Remove any redundant stormwater pipes and pits within the system (as described within items a and b above)
 - (d) An experienced Drainage Engineer registered with NER is to certify that:
 - A. The drainage system is has been constructed in accordance with the relevant Australian Standard, Best Practice and Council's Engineering Guide for Development 2005, and
 - B. That any redundant parts of the stormwater system have been suitably capped and removed, and
 - C. That any redundant stormwater pit has been adequate removed, and suitably bandaged such that any existing junction no longer exists

These changes are required to substantiate concept compliance.

- ii. On drawing C-00-201 the note, "CONSTRUCT PROPOSED ACCESS DRIVEWAY TO BLACKTOWN COUNCIL STANDARDS" be updated to "PROPOSED VEHICLE CROSSING TO BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH COUNCILS STANDARD DRAWING A(BS)103S"
 - iii. A detailed long-section is required for stormwater pipes traversing the public road reserve.
86. Prior to the issue of any construction certificate, an experienced Drainage Engineer registered with NER is to certify that the internal drainage system is capable of carrying the 100 year ARI flows to the OSD tank without surcharge at any pits.
87. Prior to the issue of any construction certificate, the Applicant is to submit to Council for consideration and approval, a detailed Non-Potable Water Supply and Irrigation Plan prepared and certified by an experienced hydraulic engineer for non-potable water uses on the site including toilet flushing on the commercial unit level and all landscape watering.

The plan is to show the rainwater pipe arrangement including first flush or pre-treatment system (minimum 0.2 litres per m² of roof), pump, mains water direct tank top up, isolation valves, flow meters for all mains water inflows, and solenoid controlled mains water bypass and non-potable usage outflows, a timer for landscape watering, an inline automatic backwash filter and certify that all Sydney Water requirements have been satisfied. The internal use such as toilet flushing is to be met through the Rainwater tanks and a solenoid controlled mains water bypass is required for this tank. All landscape watering is to be met through the Rainwater Tank with mains water top-up only. Provide a warning light to indicate pump failure. All rainwater reuse pipes are to be coloured purple. Rainwater warning signs are to be fitted to all external taps where rainwater is used as a source.

88. Prior to the issue of any construction certificate, details are to be provided for permanent interpretive signage minimum A1 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the major water quality device. The wording and detail is to be approved by Council.
89. Amended architectural plans are required for buildings, or parts of buildings, that are not affected by BASIX, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
- i. 4 star dual-flush toilets;
 - ii. 3 star showerheads;
 - iii. 4 star taps (for all taps other than bath outlets and garden taps);
 - iv. 3 star urinals; and
 - v. Water efficient washing machines and dishwashers are to be specified.¹

90. Amended Engineering plans based on Arcadis Australia Pacific are to be submitted to Council for consideration and approval prior to the issue of any construction certificate, to meet the requirements under Council's Part J of DCP 2015 and Council's Engineering Guide for Development 2005. The amended plans must address the following:

- (a) On Drawing C-00-201(4) for the note on the GPT delete "OR EQUIVALENT".
- (b) On Drawing C-00-201(4) provide kerb along the part southern boundary to direct surface flows to the pit A01/05.
- (c) On Drawing C-00-201(4) show the access points to the rainwater tank as sealed. Provide a minimum 800 m² of roof area directed to the rainwater tank.
- (d) On Drawing C-00-201(4) ensure pit A01/05 is a minimum of 900mm x 900mm and contains a Weldlok Screen F40/203.
- (e) On Drawing C-00-251(3) on the "Above ground OSD & rainwater tank plan" provide non-return flaps on the OSD tank side from the rainwater overflow pipes. Provide multiple 100 mm overflow pipes with a minimum combined area of 50% greater than the rainwater tank inflow pipe area.
- (f) On Drawing C-00-251(3) on the "Above ground OSD & rainwater tank plan" provide step iron for all entry points to the rainwater tank and provide a minimum 1200mm x 1200mm access to the rainwater tank where the submersible pump is located.
- (g) On Drawing C-00-251(3) on the "Above ground OSD & rainwater tank plan" replace the 300 mm pipe outlet with 150 mm.
- (h) On Drawing C-00-251(3) amend the dimensions of the OSD tank to provide a minimum storage of 81.5 m³ including the HED pit wall.
- (i) On Drawing C-00-251(3) Section 2 delete the 50 mm ag-line and infill the base of the HED pit with mortar to the orifice invert. Show the orifice diameter as 55 mm.
- (j) On Drawing C-00-251(3) Section 2 show the overflow pipes from the rainwater tank approximately set to the 100 year top OSD water level.
- (k) On Drawing C-00-251(3) amend the "Typical Orifice Plate Detail" to be 55 mm diameter.
- (l) Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the Rocla Downstream Defender, rainwater tank and detention tank in accordance with Council's Engineering Guide for Development 2005.
- (m) Provide on-site detention (OSD) warning signs as per the Upper Parramatta River Catchment Trust guidelines.
- (n) Charge line cleanout pits are to be provided for all rainwater tank charge lines (if applicable) at the lowest point in the system. Provide a 5 mm dribble hole and a screw cap on the charge line.
- (o) On Drawing C-00-251(3) provide a high level emergency overflow from the detention tank at the 100 year storage level direct to the outlet pipe.

Construction Certificate Requirements

91. Under the *Environmental Planning and Assessment Act 1979* a Construction Certificate for engineering work is required. These works include but are not limited to the following:

- On-site stormwater detention
- Water quality treatment

The above requirements are further outlined in this section of the consent.

Roads Act Requirements

92. Under *Section 138 of the Roads Act 1993* an approval for engineering work is required. These works include but are not limited to the following:
- Any works within Council's road reserve
 - Drainage pit connections or construction
 - Vehicular crossings
 - Path Paving

The above requirements are further outlined in this section of the consent.

Other Engineering Requirements

93. The Applicant is required to submit a detailed estimate of costs for the engineering works to Council prior to the issue of any construction certificate. If this detailed estimate is \$25,000 or greater then a long service levy payment is required. Provide proof of this payment to Council.
94. Any ancillary works undertaken shall be at no cost to Council.
95. The Applicant is required to submit a Public Utilities Plan to Council for consideration and approval prior to the issue of any construction certificate, demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.

Roads

96. The Applicant is required to replace the redundant layback and footway crossing with Council's standard kerb and gutter prior to the issue of any construction certificate. The footway area shall be restored with turf in accordance with Council's specifications.

Drainage

97. Drainage from the site shall be connected into Council's existing drainage system. In this regard it is required to construct a new standard Council kerb inlet pit in Second Avenue, Blacktown.

Erosion and Sediment Control

98. Provide a sediment and erosion control plan in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development.

Earthworks

99. Finished levels of all internal works at the road boundary of the property must be 4% above the top of kerb.

On-Site Detention

100. The Applicant is required to provide an on-site detention system in accordance with Council's Engineering Guide for Development.
101. The development site is within the following catchment and on-site detention system shall be designed to achieve the following:

Catchment	Site Storage Requirement (100%)	Permissible Site Discharge (100%)
Breakfast Creek – Area #2	343	95

102. The engineering drawings approved under this consent are not to be used for construction. The Construction Certificate drawings shall be generally in accordance with the approved drawings however any significant variation to the on-site detention design shall require a section 96 application.
103. The Applicant is required to submit the following certificates to Council prior to the issue of any construction certificate, which are to be prepared by a registered engineer (NER):
- (a) Certification that the structures associated with the on-site stormwater detention system have been designed to withstand all loads likely to be imposed on them during their lifetime.
 - (b) Certification that the on-site stormwater detention system will perform to meet the on-site stormwater detention requirements.
104. The following documents shall be submitted to Council for consideration and approval prior to the issue of any construction certificate, to accompany the on-site detention design in accordance with the design and construction specification:
- (a) Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
 - (b) OSD detailed design submission and calculation summary sheet
 - (c) A maintenance schedule that is signed and dated by the designer

Stormwater Quality Control

105. The Applicant is required to provide a stormwater quality treatment system in accordance with Council's Engineering Guide for Development and Development Control Plan Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.
106. The engineering drawings approved under this consent are not to be used for construction. The Construction Certificate shall be generally in accordance with the approved DA plans however any significant variation to the water quality treatment design shall require a section 96 application.
107. The Applicant is required to submit a maintenance schedule to Council for consideration and approval prior to the issue of any construction certificate, for the stormwater quality device that is signed and dated by the designer.

Vehicular Crossings

108. The Applicant is required to construct a commercial and industrial vehicular crossing to Council's standard A(BS)103S prior to the issue of an occupation certificate.

Footpaths

109. The Applicant is required to construct path paving as follows prior to the issue of an occupation certificate:

Street Name	Side	Paving Width	Length
Second Avenue, Blacktown	Fronting Proposed Development	Full Width Segmental (or as required) CBD style	Full Length

PRIOR TO DEVELOPMENT WORKS

Safety/Health/Amenity

110. Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, or
- (b) a temporary on-site toilet which is regularly maintained and the waste disposed to an approved sewerage management facility.

111. A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

112. Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involve the enclosure of a public place,

A hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

113. All soil erosion and sedimentation control measures indicated in the documentation accompanying the Construction Certificate shall be installed prior to the commencement of development works.
114. A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport of soil onto any public place. Such access shall be provided in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. Single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.
115. Any excavation and/or backfilling associated with the development shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent such work being dangerous to life or property.
116. Should any excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:
 - (a) shall be preserved and protected from damage, and
 - (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
 - (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting work commences, be given notice of such intention and particulars of the excavation or supporting work.

Notification to Council

117. The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice under Clauses 135 and 136 of the Environmental Planning and Assessment Regulation 2000, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.

Home Building Act

118. The construction of *residential building work* within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
 - (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the NSW Home Building Compensation Fund "Statement of Cover" under Part 6 of that Act,
 - (b) in the case of work to be done by an owner-builder:

- (i) the name of the owner-builder, and
- (ii) if the owner-builder is required to hold an owner-builder permit under Part 3 of the Act, the number of the owner-builder permit.

Sydney Water Authorisation

119. Sydney Water Corporation's approval, in the form of appropriately stamped Construction Certificate plans, shall be obtained and furnished to the Principal Certifying Authority to verify that the development meets the Corporation's requirements concerning the relationship of the development to any water mains, sewers or stormwater channels.

OR

The approved plans are to be submitted to a Sydney Water Customer Centre or Quick Check Agent, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans must be appropriately stamped and all amended plans will require restamping. For Quick Check Agent details, please refer to the "Building Plumbing and Developing" Section of the website www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 13 20 92 for assistance.

DURING CONSTRUCTION (BUILDING)

Safety/Health/Amenity

120. A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

121. Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involves the enclosure of a public place,

the required hoarding, awning or protective barrier shall be maintained between the land and the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.

122. All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.

123. A single vehicle/plant access to the land shall be maintained to minimise ground disturbance and transport of soil onto any public place. Such access shall be maintained in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. As a minimum, single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided.
124. Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.
125. Should any excavation associated with the ongoing development works extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:
 - (a) shall be preserved and protected from damage, and
 - (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
 - (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting works be given notice of such intention and particulars of the excavation or supporting works.
126. Building and construction materials, plant, equipment and the like shall not to be placed or stored at any time on Council's footpath, roadway or any public place.

Building Code of Australia Compliance

127. All building work shall be carried out in accordance with the provisions of the Building Code of Australia.

Surveys

128. The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifying Authority prior to commencing construction to verify the approved position of each structure in relation to the property boundaries.
129. A registered surveyor's report confirming the approved design ground and/or floor levels, shall be lodged with the Principal Certifying Authority prior to work proceeding above floor level.

Nuisance Control

130. Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
131. The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays; 8.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

Stormwater Drainage

132. Stormwater, surface water and sub-surface seepage (other than natural flows) shall be prevented from entering the building or being diverted onto any adjoining land (as applicable) by:
- (a) the floor level being a minimum 225mm above the adjoining finished ground level, and/or
 - (b) being drained to an effective drainage system.

Waste Control

133. The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works.

Construction Inspections

134. The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):
- (a) After excavation for, and prior to placement of, any footings; and
 - (b) Prior to pouring any in-situ reinforced concrete building element; and
 - (c) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and
 - (d) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2,3 or 4 building); and
 - (e) Prior to covering any stormwater drainage connections; and
 - (f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection "(f)" must be carried out by the Principal Certifying Authority.

135. Any inspection conducted by an accredited other than the nominated PCA for the project must be verified by way of a Compliance Certificate issued for the relevant works.

Note: Failure to ensure the relevant inspections are conducted will preclude the issue of an Occupation Certificate.

DURING CONSTRUCTION (GENERAL)

Environmental Health Matters

136. Any asbestos material is to be handled and treated in accordance with the WorkCover document "*Your Guide to Working With Asbestos - Safety guidelines and requirements for work involving asbestos*" dated March 2008.
137. Should any contaminated material be unearthed or fly-tipped rubbish be encountered during the demolition, excavation and construction works, all works are to cease immediately and a suitably qualified environmental site contamination consultant is to

investigate and report on the findings. Any recommended remediation and validation works are to be undertaken pursuant to Council's Contamination Lands Policy. The environmental consultant engaged for this project is to be on site for regular monitoring of the approved site works.

138. The Construction Environment Management Plan must include specific advice on how water treatment and dewatering will be undertaken in accordance with the Blue Book, as well as demonstrating the discharged water complies with ANZECC water quality guidelines.

European Heritage

139. If, during the course of construction, the applicant or persons acting on this consent become aware of any previously unidentified heritage object(s), all work likely to affect the object(s) shall cease immediately and the Heritage Council of New South Wales shall be notified immediately in accordance with section 146 of the *Heritage Act 1977*. Relevant works shall not recommence until written authorisation from the Heritage Council is issued.

Aboriginal Heritage

140. If, during the course of construction, the applicant or persons acting on this consent become aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the NSW Office of Environment & Heritage informed in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Relevant works shall not recommence until written authorisation from the NSW Office of Environment & Heritage is received by the Applicant. In addition, a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

Construction Traffic Management Plan

141. The Construction Traffic Management Plan submitted to Council is to be adhered to at all times.

DURING CONSTRUCTION (ENGINEERING)

Notification of Works

142. A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works required by this consent. This must be submitted a minimum five (5) business days prior to commencement of engineering works.

Insurances

143. Current copies of relevant insurance Certificates of Currency are to be submitted to Council's Engineering Approvals Team. This shall be submitted prior to commencement of engineering works required by this consent that are carried out on Council controlled lands such as roads, drainage reserves and parks. This includes Public Liability Insurance with a minimum of \$20,000,000.00 Indemnity and Workers Compensation.

Service Authority Approvals

144. Prior to the commencement for construction of footway crossings and driveways a clearance shall be obtained from the relevant telecommunications carriers and

Endeavour Energy. The clearance shall notify that all necessary ducts have been provided under the proposed crossing.

Boundary Levels

145. Any construction at the property boundary, including but not limited to fences, retaining walls and driveways shall not be carried out until boundary alignment levels have been fixed.

Soil Erosion and Sediment Control Measures

146. Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
147. Re-vegetation and restoration of all disturbed areas as a result of the development works shall be completed as soon as practicable after the completion of earthworks and before the commencement of any other works on-site. The revegetated/restored areas must be established prior to the release of maintenance security/bonds. Note: All open drains must be turfed.
148. All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period and until all disturbed areas are restored to the satisfaction of Council in accordance with the design and construction specification. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.

Filling of Land and Compaction Requirements

149. Suitable land fill replacement is required when unsuitable soils are removed. All fill including existing fill shall be compacted in accordance with Council's Works Specification - Civil (current version). A compaction certificate shall be obtained from an appropriately qualified practising registered engineer (NER) verifying that the correct compaction requirements have been met. This compaction certificate is to be submitted to Council.
150. Special attention is drawn to the below listed requirements of Council's Works Specification - Civil (Current Version).
 - (a) Submission of compaction certificates for fill within road reserves.
 - (b) Submission of compaction certificates for road sub-grade.
 - (c) Submission of compaction certificates for road pavement materials (sub-base and base courses).
 - (d) The submission of 2 contour lot fill diagrams and lot fill compaction certificates. A restriction as to User with Council's standard wording must be placed on filled lots.
 - (e) Compliance Certificates from road material suppliers (the relevant certified stockpile number shall be digitally shown from supplier)

Note: Council's Works Specification (Civil) requires road pavement and pipe bedding materials be sourced from approved suppliers. A listing of these materials and approved stockpile numbers can be found on Council's webpage.

151. Site filling within lot boundaries (not in road reserves) and compaction is to be carried out under the supervision of a Chartered Geotechnical Engineer and shall be in accordance with Blacktown City Council's "Works Specification - Civil (Current Version)". Minimum standard compaction of 95% must be achieved and certified by a NATA registered soils lab and details submitted to Council.
152. Only clean fill shall be deposited/imported on site in accordance with Council's Works Specification - Civil (Current Version). Note: dry builder's waste i.e. bricks plaster and timber industrial waste or putrescible materials are not to be deposited on site. Validation of the imported fill material will be required by a suitably qualified registered engineer.
153. Appropriate dust control measures are to be implemented during construction to reduce any impact on local air quality and reduce dust emissions. This will include but not be limited to regularly wetting down of the site during the course of works being carried out in order to control wind blown dust.
154. All roads adjoining the site must be kept clean and free of all materials. Infringement Notices incurring a monetary penalty may be issued by Council where this measure is not being complied with.
155. Trucks transporting cut and fill must have their loads covered and provisions of "shaker pads" and wash-down areas for trucks leaving the site are to be made available. All details are to be shown on soil erosion and sediment control plans.
156. Prior to the placement of any fill on the site all topsoil and vegetation must be removed down to a suitable sub-grade material. The topsoil is to be stockpiled for use in revegetation of the site.

Inspection of Engineering Works - Environmental Planning and Assessment Act 1979.

157. Comprehensive inspection compliance certificate(s) to be issued for all engineering works required by this consent and the approved construction certificate. The inspection compliance certificate(s) can only be issued by Council or an accredited certifier, under *Part 4A of the Environmental Planning and Assessment Act 1979* as amended. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).
158. Where Council is appointed as the Principal Certifying Authority for the development, only compliance certificates issued by accredited certifiers will be accepted. All compliance certificate(s) must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction Certificate.

Inspection of Engineering Works - Roads Act 1993

159. All inspection(s) required by this consent for any engineering works that are approved under the *Roads Act 1993* must be made by Council's Development Overseers.

Inspections must be pre-booked with a minimum twenty-four (24) hours notice. Councils Development Overseers may be contacted on 02 9839 6586 between 7am - 8am and 12.30pm - 1.30pm, Monday to Friday. Note: A site inspection is required prior to

commencement of work. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

Public Safety

160. The applicant is advised that all works undertaken are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe and recover all reasonable costs incurred from the applicant.

Site Security

161. Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.

Traffic Control

162. Any "Traffic Control Plan" utilised for engineering works required by this consent must be prepared by a suitably qualified Roads and Maritime Services (RMS) accredited work site traffic designer for all works that are carried out in or adjacent to a public road. This Plan must satisfy all the requirements of AS 1742.3 - 2002.
163. Traffic control devices/facilities (i.e. barricades, signs, lights, etc) must be setup, installed, monitored and maintained in accordance with the certified Traffic Control Plan and by suitably qualified RMS accredited work site traffic controllers.
164. Persons undertaking the control of traffic through or around work sites on Council controlled roads must hold with them their RMS Traffic controllers accreditation.
165. The applicant is advised that prior to implementation of any traffic control system and during the entire course of construction suitably qualified RMS accredited work site traffic controllers will ensure a smooth transition with other nearby traffic control setups. The coordination, communication and cohesion between adjacent traffic control systems shall be addressed by the applicant and must satisfy all the requirements of AS 1742.3 - 2002.
166. Where the Traffic Control Plan may change during the course of construction to facilitate new works, a revised traffic control plan shall be prepared and certified by a suitably qualified RMS accredited worksite traffic control designer. This Plan must satisfy all the requirements of AS 1742.3 – 2002 and the current version of the RMS *Traffic Control at Work Sites* manual and shall be submitted to Council prior to implementation.

Other Drainage Section Requirements

167. The Rocla Downstream Defender is not to be reduced in size or quantity, nor replaced with an alternate manufacturer's product.

PRIOR TO OCCUPATION CERTIFICATE

Road Damage

168. The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

Note: Should the cost of damage repair work not exceed the road maintenance bond Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued.

Compliance with Conditions

169. An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.
170. Prior to occupation/use of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of Section 109H of the Environmental Planning & Assessment Act 1979.

Temporary Facilities Removal

171. Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
172. Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.
173. Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.
174. Any temporary builder's sign or other site information sign shall be removed from the land.
175. Any temporary site access provided for the purpose of development works shall be removed and the kerb and gutter and/or previous roadworks reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.

Fire Safety Certificate

176. A final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

Fee Payment

177. Any fee payable to Council as part of a Construction, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

ENGINEERING MATTERS

Surveys/Certificates/Works As Executed plans

178. A Work-as-Executed (WAE) plan signed by a Registered Engineer (NER) or a Registered Surveyor must be submitted to Council when the engineering works are completed. A hardcopy (A1 size) and softcopy (on a CD/USB with file format .PDF) of the WAE plans are to be submitted to Council. All engineering Work-as-Executed plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works.
179. The Work-as-Executed (WAE) plan must confirm that the On Site Detention system identification plate has been installed in accordance with the Upper Parramatta River Catchment Trust Guidelines. The On Site Detention system identification plate can be purchased from Council.
180. A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the On-Site Detention System as constructed will perform to meet the on-site stormwater detention requirements in accordance with the approved design plans.
181. A certificate from a Registered Engineer (NER) must be lodged with Council verifying that the structures associated with the On-Site Detention System(s) have been constructed to withstand all loads likely to be imposed on them during their lifetime.
182. A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system will function effectively in accordance with Blacktown Council's DCP Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.
183. The Applicant is required to submit to Council Compliance Certificate(s) and construction inspection reports required by this consent for engineering works. A final inspection report is to be included noting that all works are complete.

When Council has been nominated or defaulted as the nominee for engineering compliance. Final inspections can be arranged through Councils Coordinator of Engineering Approvals contactable on (02) 9839 6263. A final inspection checklist must be completed by the applicant prior to the final inspection.

Easements/Restrictions/Positive Covenants

184. Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:
 - (a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).
 - (b) The standard format for easements and restrictions as accepted by the Lands Title Office.

185. Restrictions and positive covenants must be endorsed by Council and lodged with NSW Government - Land and Property Information over the on-site detention storage areas and outlet works.
186. Restrictions and positive covenants must be endorsed by Council and lodged with NSW Government - Land and Property Information over the Stormwater Quality Control devices/system and outlet works.
187. All Section 88B restrictions and covenants created, as part of this consent shall contain a provision that they cannot be extinguished or altered except with the consent of Blacktown City Council.

Bonds/Securities/Payments in Lieu of Works

188. A maintenance security of 5% of the value of the required engineering works must be lodged with Council prior to the practical completion of the works. Council will hold this security for a period of at least twelve months.
 - (a) In the case of subdivision - This period commences at the release of the final plan of subdivision. (Issue of Subdivision Certificate)
 - (b) In the case where no subdivision occurs - This period commences at the date of practical completion of the development.

This maintenance period may be extended in the following situations to allow for the completion of

- i) necessary maintenance; and/or
- ii) all outstanding minor works.

189. Where Council's has granted approval of providing security in lieu of outstanding works. A security, in the form of a bank guarantee or a cash deposit, shall be lodged with Council to cover outstanding works required by this consent. The security amount will be calculated at Council's approved rate upon request.

Inspections

190. Any additional Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

CCTV Inspection of Stormwater Drainage Structures

191. All road stormwater drainage structures (pipelines and pits) must be inspected via CCTV on completion of the provision of all public utility services in accordance with Council's current Works Specification Civil. CCTV reports must be submitted to council in the form of a DVD of the inspection, a hard copy printout of the SEWRAT (or equivalent) report and a certified CCTV statement in accordance with section 6.8 of Council's Works Specification Civil indicating that any defects identified by this inspection have been rectified.

Other Drainage Section Requirements

192. Written evidence is to be provided that the registered owner/lessee has entered into a minimum five (5) year signed and endorsed maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the rainwater tank and all proprietary water quality treatment devices. A copy of the signed and endorsed contract(s) and maintenance contractor(s) details are to be forwarded to Council's WSUD Compliance Officer.

193. A plumber, licensed with NSW Fair Trading, or experienced hydraulic engineer registered with NER, is to certify that all the non-potable water uses including toilet flushing on the commercial unit level and all landscape watering are being supplied by rainwater and that all the requirements of the detailed Non-Potable Water Supply and Irrigation Plan have been installed and are working correctly. Provide a copy of the certification and a signed, works-as-executed Non-Potable Reuse Plan to Council's WSUD Compliance Officer.

194. A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
 - i. 4 star dual-flush toilets;
 - ii. 3 star showerheads;
 - iii. 4 star taps (for all taps other than bath outlets and garden taps);
 - iv. 3 star urinals; and
 - v. Water efficient washing machines and dishwashers have been used.

Services / Utilities

195. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Applications must be made through an authorised Water Servicing Coordinator. Please refer to the "Building Plumbing and Developing" Section of the website www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation of the development/release of the plan of subdivision, whichever occurs first.

196. A "Notification of Arrangement" Certificate from a recognised energy provider, stating that electrical services, including the provision of street lighting, have been made available to the development.

197. A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

198. If required, the applicant shall obtain a Trade Waste Approval from the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.

Site Contamination

199. A final site contamination Validation Report confirming the suitability of the site for the proposed development is to be endorsed by Council prior to the release of the final plan of subdivision. The Validation Report shall be prepared by a consultant engaged under the terms of Council's Contaminated Lands Policy and is to be validated to NEPM 2013 standards.

Salinity

200. A report from a geotechnical engineer is to be submitted to Council certifying the site classification for the reactivity of the lots in the subdivision after identification of the soil characteristics in accordance with the provisions of AS 2870, "Residential Slabs and Footings."

Wind Mitigation

201. Validation is to be submitted by a suitable qualified professional that the recommendations of the wind impact assessment report (Report Number 610.16743-R02 dated 18 May 2017 prepared by SLR global Environmental Solutions) have been implemented.

Waste Matters

202. A Strata Management Statement (or similar) must be prepared which clearly outlines:
- i. That waste collection points are clear and unobstructed prior to collection times.
 - ii. Requirements for the appointment of a building manager/caretaker to manage bins and bulky waste onsite in accordance with the approved Waste Management Plan.
 - iii. Responsibility for maintenance of the waste system (including any bin movement aides) and bin cleaning and ensure waste collection points are clear and unobstructed prior to collection times.
 - iv. The method of communication to new tenants and residents regarding the waste management services and collection system for the development.
203. Council's 'Agreement for Onsite Waste Collection' form is to be signed by the Strata Manager before collections can occur.
204. The Owners Corporation/Strata Manager will be responsible for ensuring that clear access is provided to Council collection trucks entering the property.

Street Tree Planting

205. Prior to the issue of the final Occupation Certificate, all required street tree planting and payments of bonds are to be completed to the satisfaction of Council's Maintenance Section.

Pavement Treatment and Awnings

206. Prior to the issue of any Occupation Certificate, the pavement treatment along the Second Avenue frontage are to be completed to Council's Manager Civil and Park Maintenance satisfaction.

207. The awnings must be constructed in accordance with the details submitted as part of the Construction Certificate. The height and width of the awning must comply with the requirements of Council's Civil and Park Maintenance section.

Other Matters

208. All landscaping, recreation features and furniture, bbq facilities and lighting shall be completed in accordance with the approved landscaping design plans submitted as part of the Construction Certificate. All landscaping is to be afforded suitable spacings and pot sizes to ensure that the range of the mature spread of the trees, shrubs and ground covers provide effective coverage and avoid the appearance of sparse landscaping as detailed on the planting schedule on the approved Landscape Details and Specification Plans referred to in Condition 20 of this Consent. All trees are to be minimum pot sizes of 75 litres.
209. All fencing and retaining walls shall be completed in accordance with the approved details submitted as part of the Construction Certificate. All fencing/retaining work must be provided at full cost to the developer. All fencing is to be constructed on top of any retaining structures/walls. The selected fencing material/design must also minimise/eliminate the potential for graffiti attacks. Where possible, foliage should be grown on/over fencing adjacent to public areas to minimise any potential for graffiti.
210. Vandal proof and security lighting, CCTV and security measures are to be provided in accordance with the approved details submitted as part of the Construction Certificate.
211. The required letterboxes are to comply with the details submitted as part of the Construction Certificate and with Australia Posts requirements for size. The letterbox system should be vandal resistant and secure.
212. All power boards should be housed within a locked cabinet to restrict tampering with the power supply. The lock set must be approved by the electricity authority.
213. Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.
214. Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
215. Head room clearance at the basement ramp must comply with requirements of AS2890.1 (Section 5.3) for a Disabled Vehicle, and meet AS2890.1 – Appendix C for the disabled parking space and access to the lift.
216. The basement ceiling is to be light in colour, and preferably painted white, to enhance lighting illumination.
217. A roller shutter and card-key system, or similar, is to be installed at the entry/exit points of the basement car park.

218. Should any basement storage areas be provided, they are to have quality doors/cages and lock sets to restrict unauthorised access. These are recommended to be constructed of an appropriately robust steel welded mesh to be used in lieu of chain link wire. Consider the use of 'over the bonnet' metal fully enclosed and lockable storage containers.
219. Any future substation or other utility installation required to service the approved development shall not under any circumstances be sited on future or existing Council land, including road reservations and/or public reserves and also not on drainage zoned land.
220. The external wall finishes are to be certified as meeting the relevant fire resistance levels that are applicable to the development. This includes the Building Code of Australia.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

221. No occupation certification must be issued unless all design verifications have been provided in accordance with Clause 154A of the Environmental Planning and Assessment Regulation 2000. A certifying authority must not issue an occupation certificate for the residential flat development unless the certifying authority has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of [State Environmental Planning Policy No 65—Design Quality of Residential Flat Development](#).

Adaptable Housing Units

222. Certification from a qualified Access Consultant confirming that the Adaptable Housing Units are capable of being modified when required by the occupants in accordance with the Australian Adaptable Housing Standard (AS 4299-1995) is to be submitted to Council.

NSW Local Police Matters

223. An appropriately qualified Security Consultant is to provide written verification to the satisfaction of the PCA that the recommendations of the comprehensive Safer by Design Report which has been approved by the NSW Local Police are fully provided in the development.
224. Details of the Body Corporate are to be forwarded to NSW Local Police, Blacktown Local Area Command.
225. A copy of Evacuation Plan for the development is to be forwarded to the NSW Local Police, Blacktown Local Area Command.

Graffiti Management Plan

226. A "Graffiti Management Plan" is to be submitted for the separate approval of Council. The Plan is to address the following issues:

- (a) Methods to minimise the potential for graffiti;
- (b) Management/notification procedures for the "early" removal of graffiti no later than 48 hours after detection. Removal of any graffiti, visible from any public road or place, is the responsibility of the property owner/s;
- (c) Annual review of any "management agreement" for the removal of graffiti to ensure the property is maintained at its optimum level; and
- (d) Maintenance of suitable landscaping to minimise the potential for graffiti attacks.

Total Maintenance Plan

227. A "total" maintenance plan is to be prepared for the site. The plan is to ensure the following:

- (a) The long term up-keep and cleanliness of the development, to ensure all buildings/structures, public areas, internal pathways/corridors, soft and hard landscaping, security systems, mail boxes, lighting, bulky waste storage and loading areas, directional/ entry signage, parking signage and services are regularly inspected and maintained at optimum levels at all times.
- (b) That security, cleanliness and general repairs are managed appropriately, and that areas are not left unattended for long periods thereby substantially increasing the opportunity for graffiti or anti-social behaviour. Any unwanted "junk mail" is to be collected on a regular basis and disposed of as necessary.
- (c) The development is managed by a Site / Strala / Building Manager.

A copy of the Plan is to be submitted to Council for separate approval prior to the release of any Occupation Certificate.

Acoustic Verification

228. Certification must be provided by a qualified acoustic engineer that all work associated with the installation of the acoustic measures and noise attenuation has been completed in accordance with the certified design and to the standard required by this consent.

OPERATIONAL (PLANNING)

Specific Uses

229. The components of the approved development shall comply with the requirements of the following definitions contained within the Blacktown Local Environmental Plan 2015:

'shop top housing' means one or more dwellings located above ground floor retail premises or business premises.

'commercial premises' means any of the following:

- (a) business premises,
- (b) office premises,
- (c) retail premises.'

230. The development shall not be used or converted for use for any purpose other than that:

- (a) Granted consent by Council's Notice of Determination, or
- (b) Which is "Exempt Development" under the State Environmental Planning Policy

(Exempt and Complying Development Codes) 2008 or other NSW or Council planning instrument.

- 231. (Deleted).
- 232. The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.
- 233. The hours of operation and noise levels from the Ground Level, podium and rooftop common outdoor areas are to be appropriately managed to ensure that the occupiers of the buildings are not adversely affected by noise and vibrations, in particular not prior to 8am and not after 8pm daily.
- 234. The rooftop area and common room/s are not permitted to be accessed by the general public and is not permitted to operate as a commercial purpose.

Access / Parking

- 235. All required off-street car parking spaces, access driveways and loading areas shall be maintained to a standard suitable for the intended purpose.

Storage

- 236. No goods, materials, or trade waste shall be stored, displayed for sale or manufactured at any time outside the building on either the internal roadway, car parking areas, landscaping or footpaths, other than in approved garbage receptacles.

Landscaping

- 237. All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.
- 238. Regular maintenance and up-keep of the site must therefore be undertaken to the site to ensure that sightlines are kept free from obstructions.
- 239. The management of vegetation, gardens, planter boxes, communal areas including the rooftop areas and common room/s, pool, fences, decking, BBQ area, lighting and other similar areas is to be incorporated within the future strata management plan once the development is occupied.

Waste Management and Collection

- 240. All waste and recycling collection activities, including bulk waste storage and collection activities are to be appropriately managed at all times and are the responsibility of the strata management (or similar) of the site.
- 241. Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.
- 242. The management and operation of the waste, recycling and bulky waste storage and collection activities are to be undertaken by a private waste contractor and under the responsibility of the Owners Corporation / any future Strata Management Plan.

Storage

243. No goods, materials, or trade waste shall be stored, displayed for sale or manufactured at any time outside the buildings on either the internal driveway / road, car parking areas, landscaping or footpaths, other than the approved garbage areas.

Lighting and Security

244. Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
245. All intruder alarms shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
246. The maintenance of all external lighting is to be managed by way of an annual service agreement to ensure the security of the building and persons within are not compromised from dark or uncontrolled public areas.

Emergency Procedures

247. Instructions concerning procedures to be adopted in the event of an emergency shall be clearly displayed throughout the development for both public and staff information at all times to the satisfaction of Council.

Graffiti Removal

248. Removal of any graffiti, visible from any public road or place, is the responsibility of the property owner/s. All graffiti must be removed no later than 48 hours after detection. The approved Graffiti Management Plan is to be adhered to at all times.

Total Maintenance Plan

249. The approved Total Maintenance Plan must be adhered to at all times.

Environmental Management

250. Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
251. All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
252. In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.
253. To minimise the noise impact of the development on the surrounding environment, the collection and delivery of goods and materials (including garbage and recycling waste) from and to the premises shall not take place between the hours of 10pm and 7am.

Awnings

254. The integrity of the awning must be checked by a NPER engineer engaged by the body corporate every 5 years to ensure compliance in line with the BCA and other relevant

standards. A certificate of compliance is to be forwarded to Council's Civil and Park Maintenance Section for its records every 5 years.

255. No hanging is permitted under the awning which may affect the minimum clearance height of 2.4m.
256. The property owner is responsible for the maintenance of the awnings at all times.