



Valuation Report

**2-8 Second Avenue,
Blacktown NSW 2148**

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(Proposed Building)



(Current site) 2-8 Second Avenue, Blacktown

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EXECUTIVE SUMMARY

Property Address:	2-8 Second Avenue, Blacktown NSW 2148
Valuation Instruction From:	Bobby Goyal of Universal Property Group
Extended Liability:	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 4,720 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: 15-1263) was approved following a conciliation conference with the Land and Environment Court Act NSW 1979 on the 31st March 2016 for the construction of two mixed use buildings comprising residential units and commercial premises with basement car parking.</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
\$22,500,000
(Twenty Two Million Five Hundred Thousand Dollars)
GST Exclusive

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 Margin Scheme is not available 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: 21st 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 2-8 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 greater of:
 - a. 20% of the estimated value of the property, and
 - 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 11 in Deposited Plan 1014857 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 11/1014857.

2.2 Registered Proprietor

As at the date of Title Search (16th October 2019), the registered proprietor of the land is noted as being:

UPG 50 PTY LTD

2.3 Second Schedule Notations

As at the date of Title Search (16th October 2019), the registered proprietors interests were noted in the Second Schedule as follows:

SECOND SCHEDULE (7 NOTIFICATIONS)

- | | |
|---|---|
| 1 | RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S) |
| 2 | B205459 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM |
| 3 | B712399 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM |
| 4 | B205460 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM |
| 5 | C906516 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM |
| 6 | AN820785 MORTGAGE TO SMOOTHRIM PTY LIMITED, WARWICK JAMES SIMPSON, DION 1 PTY LTD, DENISE ALAM MAWAD, LILLIAN MAWAD, FEDON ARTHUR OSCAR DOVITSAS, DAVID FINGRET PTY LTD, ROSALIN POH SUAN ONG, ROBERT EDWARD FAIRLEY, FRANCESCO CARMELO VUMBACA, RICHARD EWAN METHERALL, ELIZABETH JANE METHERALL, PHILLIP MICHAEL ELLIOTT, DEEP BLUE MARINE AUSTRALIA PTY LTD, EMMANUEL STAMATAKIS, MARIA STAMATAKIS, URRAL PTY LIMITED, FRANCESCO CARMELO VUMBACA, PAUL ANTHONY JOHN VUMBACA, ANDREW JAMES KEITH DAVEY, ANGELA BEZZINA, ASHLEY ROBERT FULTON, CHRISTINA LILLIAN FULTON, ARTHUR KOVOUSIS, RHONDA KAREN DENTON, NELSON BAY PTY LTD, GOLDEN ROCK PROJECTS 4 PTY LTD, RAYMOND ASHLEY HARRIS, ROBYN ELLEN HARRIS, MAX LOOSEN, BARBARA LOOSEN, PJ SUPERANNUATION PTY. LIMITED, LPD NOMINEES PTY LTD, LEILA ABOUD, FRANCESCO CARMELO VUMBACA, RUSSELL JOHN LEE & GAYNOR JOY LEE (SEE AP416463) |
| 7 | AN856383 MORTGAGE TO MONETARY SOLUTIONS PTY LTD, NELSON BAY PTY LTD, NICHOLAS YUI MAN LAI, CORPORATE FINANCE RESOURCES PTY LTD, IRENE KOVOUSIS, MASKOL PTY LTD, GEORGE STAMATAKOS & SAMGOAL PTY LIMITED |

NOTATIONS

UNREGISTERED DEALINGS: NIL

2.4 Encumbrances & Easements

As at the date of Title Search (9th June 2017), the following encumbrances and easements were noted on the Certificate of Title:

Dealing B205459 and B2054600 were created in 1925, B712399 and was created in 1928 and Dealing C906516 was created in 1940. All covenants relate to the whole of the land comprised in Deposited Plans 11157, 11559 and 12410 and relate to the "transferor his heirs executors administrators and assigns that he or they will not nor will at any time hereafter erect or permit or suffer to be erected on the said land hereby transferred or part thereof and main building of a less value than Three Hundred Pounds". These covenants are considered historical in nature and considered of no affectation 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 on the corner of Sunnholt Road.

Public Buses are provided nearby on Sunnholt Road and Blacktown train station is located approximately 600 metres to the south east of the subject. Blacktown shopping precinct and Westpoint shopping centre are located approximately 600 metres to the south east and provide 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. This precinct has been rezoned B4 mixed use with a significant increase in FSR and height limits with a number of high rise mixed use buildings approved or already under construction. To the east of Sunnholt Road the land is zoned low to medium density residential and comprises low rise residential development. The location of the property is illustrated as follows:

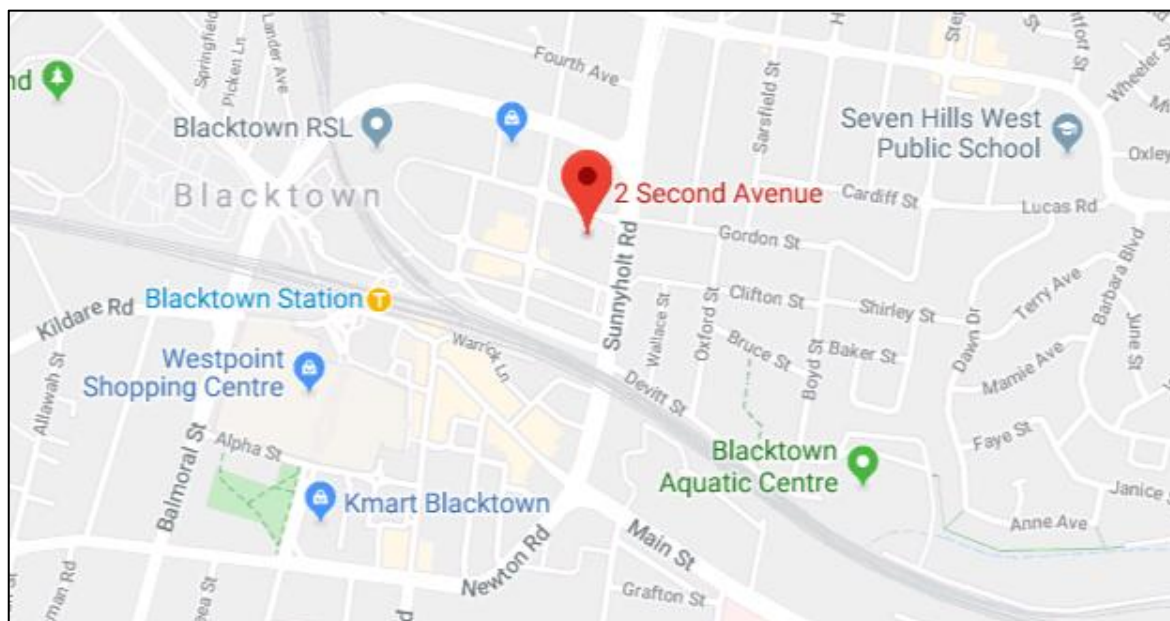


Image courtesy of Google Maps

3.2 Dimensions and Area

The subject property is generally rectangular in shape. The site features a frontage to Second Avenue of 83.095 metres, a splay corner of 8.105 metres, an eastern boundary bordering Sunnholt Road of 28.48 metres, a southern boundary of 85.97 metres and a western boundary of 54.865 metres.

The total site area is approximately 4,720 square metres.

3.3 Topography

The site falls gently from the western boundary to the eastern boundary with a fall of approximately ½-1 metre across the site.



Image courtesy of RP Data

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.

Sunnyholt Road is a two way four lane carriageway carrying high 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

3.5 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 Stage 1 Environmental Site Assessment prepared by Martens Consulting Engineers dated May 2015 (Reference P1404224JR01V01A) analysed the historical use of the subject site and conducted a site walkover. Conclusive evidence suggests a risk of contamination from the commercial building and previous dwellings and associated sheds may have introduced ACM, heavy metals and OCP/OPP for building construction and pest control. Containers of oil, lubricants, degreasers and other substances observed in the workshop area, and large containers of unknown substance in the wash bay area may have introduced contaminants to the site, although the intact concrete should limit pathway to the underlying soils.

Martens Consulting Engineers consider that the current commercial building and previous use for residential purposes may have introduced contaminants to the site in the form of asbestos, pesticides and heavy metals. 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:

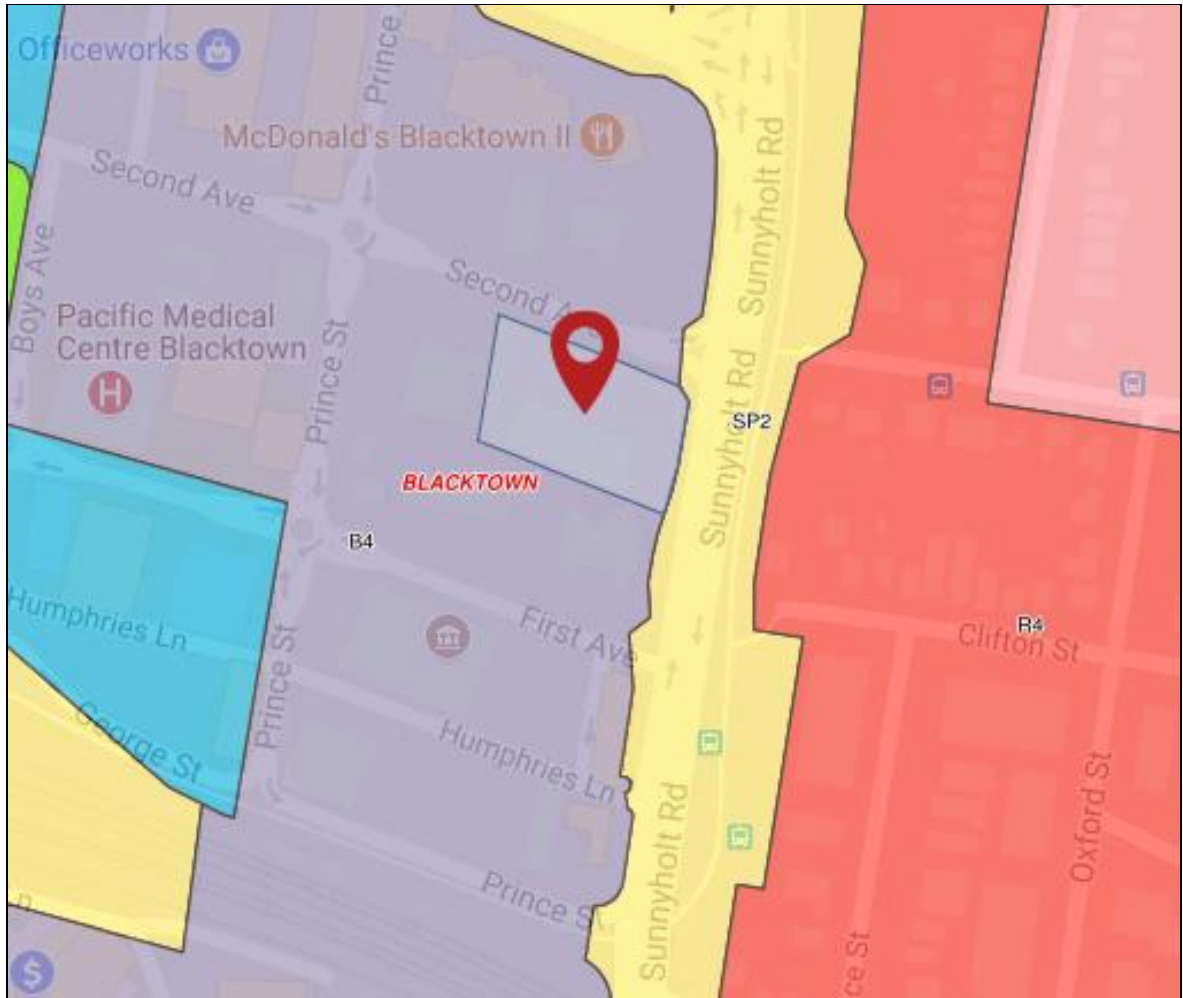


Image courtesy of planningportal.nsw.gov.au

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 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 as a mixed use development conforms to the provisions of the Planning Scheme.

4.4 Development Approval

A Development Approval (Determination Number: 15 -1263 / JRPP 15/01263) was approved following a conciliation conference with the Land and Environment Court Act NSW 1979 on the 31st March 2016 for the construction of two mixed use buildings comprising residential units and commercial premises with basement car parking.

4.5 Construction Certificate

A Construction Certificate has not been issued.

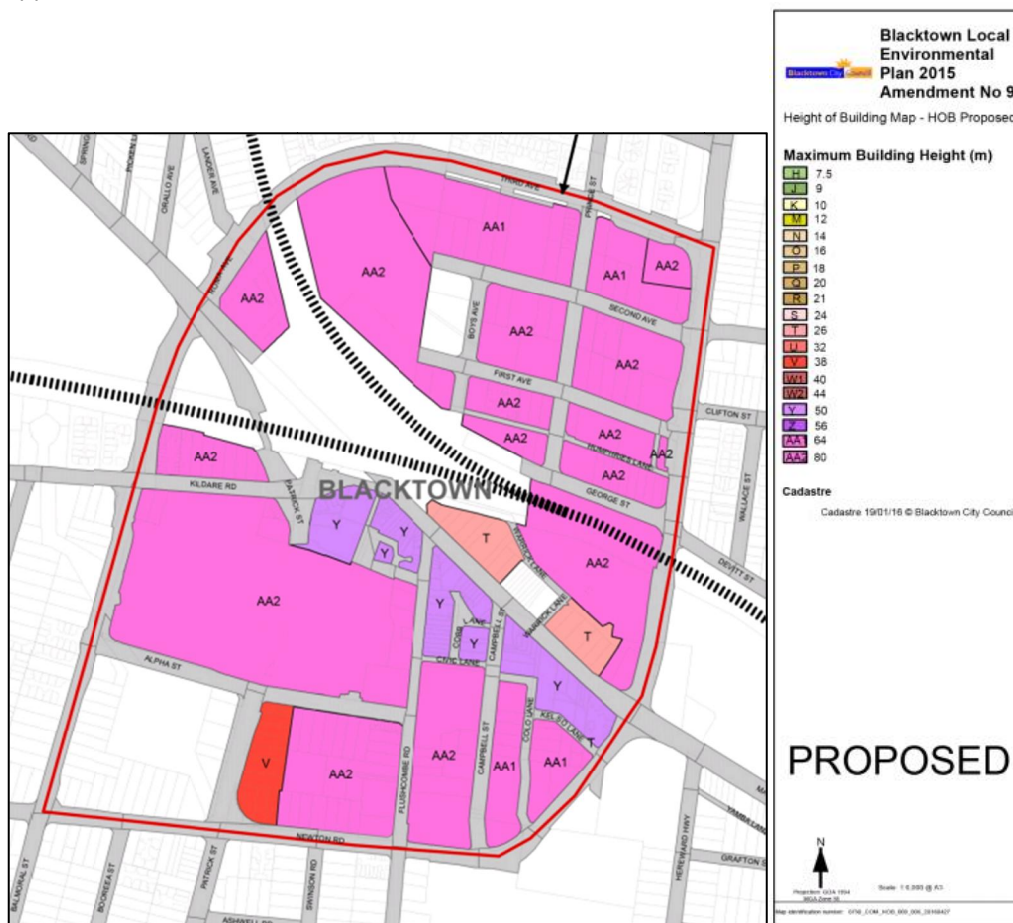
4.6 Heritage Listing

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

4.7 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 Druit 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.



4.7 Building Height (Continued)

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.

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.

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 a Hebel panel
Internal walls are timber stud framed with plasterboard finish.
- Floors : Concrete flooring throughout.
- Windows : Powder coated aluminium single glazed.
- Roof : Concrete slab.

5.2 Proposed Accommodation

The proposed development comprises two eighteen storey buildings (Block A and B) with the combined accommodation comprising a total of 276 residential units with a unit mix comprising 7 x studio, 114 x 1 bedroom, 116 x two bedroom and 39 x three bedroom units with lift access. The average unit size reflects 73 square metres of internal living area. The 4 basement levels will provide a total of 449 car spaces. There are two levels of commercial/retail space comprising a combined Gross Floor Area of 5,280sqm.

Ground Floor Level

A retail arcade (2,391.98GFA) is proposed at ground floor with pedestrian access from the north and east.

First Floor Level

2,888.02m² GFA of commercial floor space is proposed at this level in addition to a various plant rooms, circulation corridors and fire stairs. A swimming pool and common open space terrace areas are located at Level 1.

5.2 Proposed Accommodation (Continued)

Levels 2 to 17

Residential apartments in various configurations culminating in a roof terrace over Level 17 providing further common open space from the project.

Studio, 1, 2 and 3 bedroom units generally comprise:

- Open plan kitchen
- Open plan living and dining room;
- Laundry cupboard;
- Private balconies;
- 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.

Cladding

The building/development is proposed to be 'clad'. We are unable to identify from the plans as provided whether the 'cladding' used (or method of attachment) is compliant or non compliant.

A Certificate of Compliance and Certification of building materials within the development has not been sighted nor confirmed. This valuation report has been prepared under the assumption that the building materials proposed, as well as the application and installation of those materials, comply with all approvals, regulatory requirements and codes. Should this not be the case, we reserve the right to review our valuation.

Asbestos

We have been provided with a Preliminary Site Investigation prepared by Martens Consulting Engineers dated May 2015 that identified asbestos as a potential contaminant. 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. We recommend that you obtain 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 February 2016 (Revision 4) the proposed improvements have the following residential accommodation as follows:

Block A									
	Unit	Bedrooms	Area (sqm)	Balcony (sqm)	Unit Cross	Kitchen	Orientation	Solar	Adaptable
Level 2	A201	1	61	11	N	Y	West	Y	N
	A202	2	83	22	Y	Y	North	Y	N
	A203	1	55	18	N	Y	North	Y	N
	A204	1	62	19	N	Y	North	Y	N
	A205	2	97	57	Y	Y	North	Y	N
	A206	1	76	18	N	Y	East	N	N
	A207	1	76	18	N	Y	East	N	N
	A208	1	77	18	N	Y	East	N	N
	A209	1	76	18	N	Y	East	N	N
	A210	1	71	18	N	Y	East	N	N
	A211	STUDIO	44	15	N	Y	East	N	N
	A212	2	94	29	N	Y	West	N	N
	A213	1	76	22	N	Y	West	N	N
	A214	1	56	18	N	Y	West	N	N
Level 3	A301	2	71	36	Y	Y	West	Y	N
	A302	2	91	133.8	Y	Y	East	N	N
	A303	1	50	49.1	N	Y	East	N	N
	A304	3	91	187.5	Y	Y	East	N	N
	A305	3	98	109.4	Y	Y	West	N	N
	A306	1	54	10.9	N	Y	West	N	N
Level 4	A401	1	62	10	Y	Y	West	Y	Y
	A402	2	78	12	Y	Y	North	Y	N
	A403	1	50	12	N	Y	North	Y	N
	A404	2	77	12	Y	Y	North	Y	N
	A405	2	79	19	Y	Y	East	N	N
	A406	1	56	19	N	Y	East	N	N
	A407	3	94	29	Y	Y	East	N	N
	A408	3	103	14	Y	Y	West	N	N
	A409	1	51	10	N	Y	West	N	N
Level 5	A501	1	62	10	Y	Y	West	Y	Y
	A502	2	78	12	Y	Y	North	Y	N
	A503	1	50	12	N	Y	North	Y	N
	A504	2	77	12	Y	Y	North	Y	N
	A505	2	79	19	Y	Y	East	N	N
	A506	1	56	19	N	Y	East	N	N
	A507	3	94	29	Y	Y	East	N	N
	A508	3	103	14	Y	Y	West	N	N
	A509	1	51	10	N	Y	West	N	N
Level 6	A601	1	62	10	Y	Y	West	Y	Y
	A602	2	78	12	Y	Y	North	Y	N
	A603	1	50	12	N	Y	North	Y	N
	A604	2	77	12	Y	Y	North	Y	N
	A605	2	79	19	Y	Y	East	N	N
	A606	1	56	19	N	Y	East	N	N
	A607	3	94	29	Y	Y	East	N	N
	A608	3	103	14	Y	Y	West	N	N
	A609	1	51	10	N	Y	West	N	N
Level 7	A701	1	62	10	Y	Y	West	Y	Y
	A702	2	78	12	Y	Y	North	Y	N
	A703	1	50	12	N	Y	North	Y	N
	A704	2	77	12	Y	Y	North	Y	N
	A705	2	79	19	Y	Y	East	N	N
	A706	1	56	19	N	Y	East	N	N
	A707	3	102	61	Y	Y	East	N	N
	A708	3	98	34	Y	Y	West	N	N
Level 8	A801	1	62	10	Y	Y	West	Y	Y
	A802	2	78	12	Y	Y	North	Y	N
	A803	1	50	12	N	Y	North	Y	N
	A804	2	77	12	Y	Y	North	Y	N
	A805	2	79	19	Y	Y	East	N	N
	A806	1	56	19	N	Y	East	N	N
	A807	3	102	19	Y	Y	East	N	N
	A808	3	98	16	Y	Y	West	N	N
Level 9	A901	1	62	10	Y	Y	West	Y	Y
	A902	2	78	12	Y	Y	North	Y	N
	A903	1	50	12	N	Y	North	Y	N
	A904	2	77	12	Y	Y	North	Y	N
	A905	2	79	19	Y	Y	East	N	N
	A906	1	56	19	N	Y	East	N	N
	A907	3	102	19	Y	Y	East	N	N
	A908	3	98	16	Y	Y	West	N	N

Block A									
	Unit	Bedrooms	Area (sqm)	Balcony (sqm)	Unit Cross	Kitchen	Orientation	Solar	Adaptable
Level 10	A1001	1	62	10			West		N
	A1002	2	78	12	Y	Y	North	Y	N
	A1003	1	50	12	N	Y	North	Y	N
	A1004	2	77	12	Y	Y	North	Y	N
	A1005	2	79	19	Y	Y	East	N	N
	A1006	1	56	19	N	Y	East	N	N
	A1007	3	102	19	Y	Y	East	N	N
	A1008	3	98	16	Y	Y	West	N	N
Level 11	A1101	1	62	10	Y	Y	West	Y	Y
	A1102	2	78	12	Y	Y	North	Y	N
	A1103	1	50	12	N	Y	North	Y	N
	A1104	2	77	12	Y	Y	North	Y	N
	A1105	2	79	19	Y	Y	East	N	N
	A1106	1	56	19	N	Y	East	N	N
	A1107	3	102	19	Y	Y	East	N	N
	A1108	3	98	16	Y	Y	West	N	N
Level 12	A1201	1	62	10	Y	Y	West	Y	Y
	A1202	2	78	12	Y	Y	North	Y	N
	A1203	1	50	12	N	Y	North	Y	N
	A1204	2	77	12	Y	Y	North	Y	N
	A1205	2	79	19	Y	Y	East	N	N
	A1206	1	56	19	N	Y	East	N	N
	A1207	3	102	19	Y	Y	East	N	N
	A1208	3	98	16	Y	Y	West	N	N
Level 13	A1301	1	62	10	Y	Y	West	Y	Y
	A1302	2	78	12	Y	Y	North	Y	N
	A1303	1	50	12	N	Y	North	Y	N
	A1304	2	77	12	Y	Y	North	Y	N
	A1305	2	79	19	Y	Y	East	N	N
	A1306	1	56	19	N	Y	East	N	N
	A1307	3	102	19	Y	Y	East	N	N
	A1308	3	98	16	Y	Y	West	N	N
Level 14	A1401	1	62	10	Y	Y	West	Y	Y
	A1402	2	78	12	Y	Y	North	Y	N
	A1403	1	50	12	N	Y	North	Y	N
	A1404	2	77	12	Y	Y	North	Y	N
	A1405	2	79	19	Y	Y	East	N	N
	A1406	1	56	19	N	Y	East	N	N
	A1407	3	102	19	Y	Y	East	N	N
	A1408	3	98	16	Y	Y	West	N	N
Level 15	A1501	1	62	10	Y	Y	West	Y	Y
	A1502	2	78	12	Y	Y	North	Y	N
	A1503	1	50	12	N	Y	North	Y	N
	A1504	2	77	12	Y	Y	North	Y	N
	A1505	2	79	19	Y	Y	East	N	N
	A1506	1	56	19	N	Y	East	N	N
	A1507	3	102	19	Y	Y	East	N	N
	A1508	3	98	16	Y	Y	West	Y	N
Level 16	A1601	1	62	10	Y	Y	West	Y	Y
	A1602	2	78	12	Y	Y	North	Y	N
	A1603	1	50	12	N	Y	North	Y	N
	A1604	2	77	12	Y	Y	North	Y	N
	A1605	2	79	19	Y	Y	East	N	N
	A1606	1	56	19	N	Y	East	N	N
	A1607	3	102	19	Y	Y	East	N	N
	A1608	3	98	16	Y	Y	West	Y	N
Level 17	A1701	1	62	10	Y	Y	West	Y	Y
	A1702	2	78	12	Y	Y	North	Y	N
	A1703	1	50	12	N	Y	North	Y	N
	A1704	2	77	12	Y	Y	North	Y	N
	A1705	2	79	19	Y	Y	East	Y	N
	A1706	1	56	19	N	Y	East	Y	N
	A1707	3	102	19	Y	Y	East	Y	N
	A1708	3	98	16	Y	Y	West	Y	N

Block B									
	Unit	Bedrooms	Area (sqm)	Balcony (sqm)	Unit Cross	Kitchen	Orientation	Solar	Adaptable
Level 2	B201	2	74	10.4	N	Y	West	N	N
	B202	1	58	23	N	Y	South	N	N
	B203	1	86	28	N	Y	North	Y	N
	B204	1	87	26	N	Y	North	Y	N
	B205	1	65	20	N	Y	North	Y	N
	B206	1	62	21	N	Y	North	Y	N
	B207	2	84	21	Y	Y	North	Y	N
	B208	1	54	10	Y	Y	East	N	N
	B209	1	57	10.5	N	Y	East	N	N
	B210	2	77	36.8	Y	Y	East	N	N
	B211	2	103	13.5	Y	Y	West	Y	N
	B212	2	82	16	N	Y	West	Y	N
	B213	1	64	102	N	Y	West	Y	Y
Level 3	B301	1	62	10.4	N	Y	West	Y	N
	B302	1	62	61.4	Y	Y	West	Y	N
	B303	1	54	10	Y	Y	East	N	N
	B304	1	57	10.5	N	Y	East	N	N
	B305	2	77	17	Y	Y	East	N	N
	B306	3	107	10.4	Y	Y	West	Y	N
	B307	1	64	10.4	N	Y	West	Y	Y
	B308	1	64	10.4	N	Y	West	Y	Y
Level 4	B401	2	73	12	Y	Y	West	Y	N
	B402	2	78	12	Y	Y	North	Y	N
	B403	1	50	12	N	Y	North	Y	N
	B404	2	77	12	Y	Y	North	Y	N
	B405	1	63	8.8	Y	Y	East	Y	N
	B406	1	58	8	N	Y	East	N	N
	B407	2	90	12	Y	Y	East	Y	N
	B408	3	110	21	Y	Y	West	Y	N
	B409	1	58	10	N	Y	West	Y	Y
	B410	1	58	10	N	Y	West	Y	Y
Level 5	B501	2	73	12	Y	Y	West	Y	N
	B502	2	78	12	Y	Y	North	Y	N
	B503	1	50	12	N	Y	North	Y	N
	B504	2	77	12	Y	Y	North	Y	N
	B505	1	63	8.8	Y	Y	East	Y	N
	B506	1	58	8	N	Y	East	N	N
	B507	2	90	12	Y	Y	East	Y	N
	B508	3	110	21	Y	Y	West	Y	N
	B509	1	58	10	N	Y	West	Y	Y
Level 6	B601	2	73	12	Y	Y	West	Y	N
	B602	2	78	12	Y	Y	North	Y	N
	B603	1	50	12	N	Y	North	Y	N
	B604	2	77	12	Y	Y	North	Y	N
	B605	1	63	8.8	Y	Y	East	Y	N
	B606	1	58	8	N	Y	East	N	N
	B607	2	90	12	Y	Y	East	Y	N
	B608	3	110	21	Y	Y	West	Y	N
	B609	1	58	10	N	Y	West	Y	Y
Level 7	B701	2	73	25	Y	Y	West	Y	N
	B702	2	78	12	Y	Y	North	Y	N
	B703	1	50	12	N	Y	North	Y	N
	B704	2	77	12	Y	Y	North	Y	N
	B705	1	63	8.8	Y	Y	East	Y	N
	B706	STUDIO	37	8	N	Y	East	N	N
	B707	2	85	35	Y	Y	East	Y	N
	B708	2	82	59	Y	Y	West	Y	N
	B709	1	58	24.5	N	Y	West	Y	Y
	B710	1	58	24.5	N	Y	West	Y	Y
Level 8	B801	2	73	12	Y	Y	West	Y	N
	B802	2	78	12	Y	Y	North	Y	N
	B803	1	50	12	N	Y	North	Y	N
	B804	2	77	12	Y	Y	North	Y	N
	B805	1	63	8.8	Y	Y	East	Y	N
	B806	STUDIO	37	8	N	Y	East	N	N
	B807	2	85	10	Y	Y	East	Y	N
	B808	2	82	10	Y	Y	West	Y	N
Level 9	B901	2	73	12	Y	Y	West	Y	N
	B902	2	78	12	Y	Y	North	Y	N
	B903	1	50	12	N	Y	North	Y	N
	B904	2	77	12	Y	Y	North	Y	N
	B905	1	63	8.8	Y	Y	East	Y	N
	B906	STUDIO	37	8	N	Y	East	N	N
	B907	2	85	10	Y	Y	East	Y	N

Block B									
	Unit	Bedrooms	Area (sqm)	Balcony (sqm)	Unit Cross	Kitchen	Orientation	Solar	Adaptable
Level 10	B1002	2	78	12	Y	Y	North	Y	N
	B1002	2	78	12	Y	Y	North	Y	N
	B1003	1	50	12	N	Y	North	Y	N
	B1004	2	77	12	Y	Y	North	Y	N
	B1005	1	63	8.8	Y	Y	East	Y	N
	B1006	STUDIO	37	8	N	Y	East	N	N
	B1007	2	85	10	Y	Y	East	Y	N
	B1008	2	82	10	Y	Y	West	Y	N
	B1009	1	58	10	N	Y	West	Y	Y
Level 11	B1101	2	73	12	Y	Y	West	Y	N
	B1102	2	78	12	Y	Y	North	Y	N
	B1103	1	50	12	N	Y	North	Y	N
	B1104	2	77	12	Y	Y	North	Y	N
	B1105	1	63	8.8	Y	Y	East	Y	N
	B1106	STUDIO	37	8	N	Y	East	N	N
	B1107	2	85	10	Y	Y	East	Y	N
	B1108	2	82	10	Y	Y	West	Y	N
	B1109	1	58	10	N	Y	West	Y	Y
Level 12	B1201	2	73	12	Y	Y	West	Y	N
	B1202	2	78	12	Y	Y	North	Y	N
	B1203	1	50	12	N	Y	North	Y	N
	B1204	2	77	12	Y	Y	North	Y	N
	B1205	1	63	8.8	Y	Y	East	Y	N
	B1206	STUDIO	37	8	N	Y	East	N	N
	B1207	2	85	10	Y	Y	East	Y	N
	B1208	2	82	10	Y	Y	West	Y	N
	B1209	1	58	10	N	Y	West	Y	Y
Level 13	B1301	2	73	12	Y	Y	West	Y	N
	B1302	2	78	12	Y	Y	North	Y	N
	B1303	1	50	12	N	Y	North	Y	N
	B1304	2	77	12	Y	Y	North	Y	N
	B1305	1	63	8.8	N	Y	East	Y	N
	B1306	3	115	8	Y	Y	East	Y	N
	B1307	2	89	12.5	Y	Y	West	Y	N
	B1308	1	58	10	N	Y	East	Y	Y
	B1401	2	73	12	Y	Y	West	Y	N
Level 14	B1402	2	78	12	Y	Y	North	Y	N
	B1403	1	50	12	N	Y	North	Y	N
	B1404	2	77	12	Y	Y	North	Y	N
	B1405	1	63	8.8	N	Y	East	Y	N
	B1406	3	115	8	Y	Y	East	Y	N
	B1407	2	89	12.5	Y	Y	West	Y	N
	B1408	1	58	10	N	Y	East	Y	Y
	B1501	2	73	12	Y	Y	West	Y	N
	B1502	2	78	12	Y	Y	North	Y	N
Level 15	B1503	1	50	12	N	Y	North	Y	N
	B1504	2	77	12	Y	Y	North	Y	N
	B1505	1	63	8.8	N	Y	East	Y	N
	B1506	3	115	8	Y	Y	East	Y	N
	B1507	2	89	12.5	Y	Y	West	Y	N
	B1508	1	58	10	N	Y	East	Y	Y
	B1601	2	73	12	Y	Y	West	Y	N
	B1602	2	78	12	Y	Y	North	Y	N
	B1603	1	50	12	N	Y	North	Y	N
Level 16	B1604	2	77	12	Y	Y	North	Y	N
	B1605	1	63	8.8	N	Y	East	Y	N
	B1606	3	115	8	Y	Y	East	Y	N
	B1607	2	89	12.5	Y	Y	West	Y	N
	B1608	1	58	10	N	Y	East	Y	Y
	B1701	2	73	12	Y	Y	West	Y	N
	B1702	2	78	12	Y	Y	North	Y	N
	B1703	1	50	12	N	Y	North	Y	N
	B1704	2	77	12	Y	Y	North	Y	N
Level 17	B1705	1	63	8.8	N	Y	East	Y	N
	B1706	3	115	8	Y	Y	East	Y	N
	B1707	2	89	12.5	Y	Y	West	Y	N

6 MARKET COMMENTARY

6.1 Economic Overview

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.

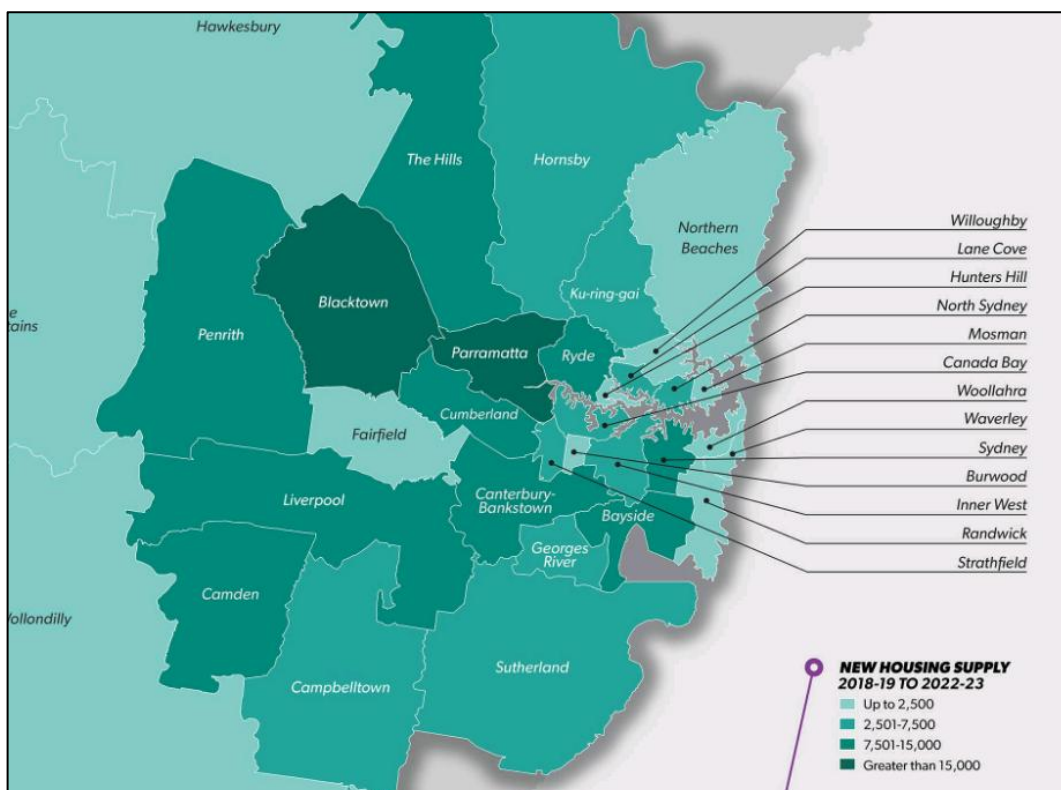
The low level of interest rates is continuing to support the Australian economy. Further progress in reducing unemployment and having inflation return to target is expected, although this progress is likely to be gradual. (*Source: RBA*)

6.2 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.

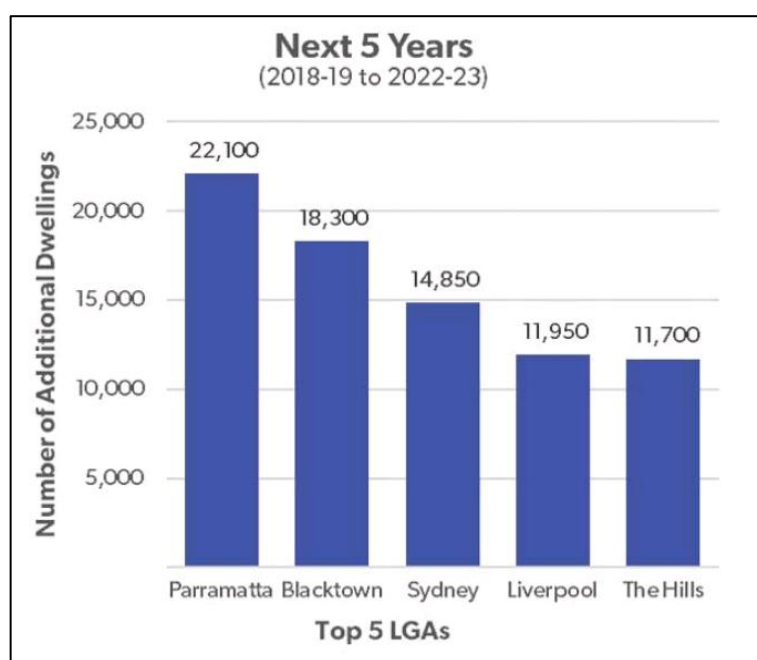


NSW Department of Planning 2019

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)

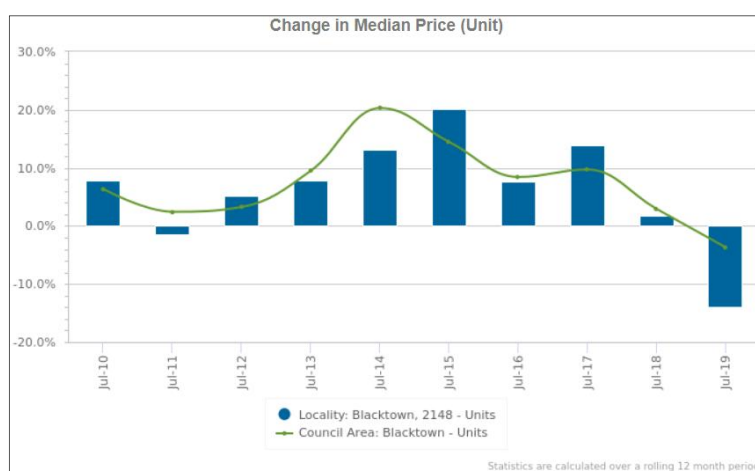
Western Sydney is also seen to benefit from the construction of Badgerys Creek Airport and associated surrounding development. This \$5.3 Billion project is anticipated to be completed by 2026 and will provide a full service international and domestic airport. Greater Western Sydney currently has a population 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.

6.3 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).

6.3 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.

6.4 Development Site Sales - Evidence 'High Density Mixed Use/Residential'

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	\$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
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 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.

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.

7.6 Development Site Sales Evidence

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 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.

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.

Having regard to the size of the development, the current development approval and the proximity to schools, shopping facilities and the Blacktown train station. We are of the opinion that a suitable rate is central to 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-\$70,000 per lot for the land value component of the subject development "As Is" with Development Approval.

7 VALUATION CONSIDERATIONS

7.1 General Comments

A Development Approval (Determination Number: 15-1263) was approved following a conciliation conference with the Land and Environment Court Act NSW 1979 on the 31 March 2016 for the construction of two mixed use buildings comprising residential units and commercial premises with basement car parking.

The proposed development comprises two eighteen storey buildings (Block A and B) with the combined accommodation comprising a total of 276 residential units with a unit mix comprising 114 x 1 bedroom, 116 x two bedroom and 39 x three bedroom units with lift access. The average unit size reflects 73 square metres of internal living area. The 4 basement levels will provide a total of 449 car spaces. There are two levels of commercial/retail space comprising a combined Gross Floor Area of 5,280sqm.

The site is located on the corner of Sunnyholt Road and Second Avenue, providing good visibility from both pedestrian and vehicle traffic. We consider that this to be of benefit to the retail and commercial suites however may be detrimental to the value of apartments facing Sunnyholt Road due to road noise, particularly at lower levels. The property is located within close proximity to Blacktown train station, Westpoint shopping centre and local schools.

7.2 Ownership History

We have been informed that the subject property was purchased under a Put and Call agreement dated the 14th March 2014. The option is to be exercised on the 3rd July 2017 with settlement due on the 11th August 2017 for the consideration of \$11,000,000. We understand that the property has now settled.

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 3-6 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 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.

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.

Having regard to the size of the development, the current development approval and the proximity to schools, shopping facilities and the Blacktown train station. We are of the opinion that a suitable rate is central to 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-\$70,000 per lot for the land value component of the subject development "As Is" with Development Approval. Our approach of value is summarised as follows:

Residential:

		\$65,000 per unit	=	\$17,940,000
276 Units	@	\$67,500 per unit	=	\$18,630,000
		\$70,000 per unit	=	\$19,320,000
Adopted Value "As Is"	Adopt			\$18,500,000

Gross Floor Area Basis:

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.

		\$725	=	\$3,828,000
5,280sqm	@	\$750	=	\$3,960,000
		\$775	=	\$4,092,000
Adopted Value on a direct comparison approach				\$4,000,000

8.3 Valuation Summary

Our valuation approach is summarised as follows:

Current Market Value "As Is" with Development Approval

Residential Use Portion	\$18,500,000
Commercial Use Portion	\$4,000,000
Total Indicated Site Value	<u>\$22,500,000</u>
Adopted Site Value	<u>\$22,500,000</u>

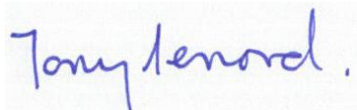
9 VALUATION

We are of the opinion that the current market value of the property situated at 2-8 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
 \$22,500,000
 (Twenty Two 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: 21st 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.

egan 

Appendices





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: 2-8 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: 2-8 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: "As is" with Development Approval in accordance with the plans as provided
Fees: \$8,000.00 excluding GST
\$8,800.00 including GST

Bob + Bobles 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 17 102 907 906



egan 



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 11/1014857

SEARCH DATE	TIME	EDITION NO	DATE
16/10/2019	4:17 PM	11	30/7/2019

LAND

LOT 11 IN DEPOSITED PLAN 1014857
AT BLACKTOWN
LOCAL GOVERNMENT AREA BLACKTOWN
PARISH OF PROSPECT COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1014857

FIRST SCHEDULE

UPG 50 PTY LTD (T AM686624)

SECOND SCHEDULE (7 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 B205459 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 3 B712399 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 4 B205460 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 5 C906516 COVENANT AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 6 AN820785 MORTGAGE TO SMOOTHRIM PTY LIMITED, WARWICK JAMES SIMPSON, DION I PTY LTD, DENISE ALAM MAWAD, LILLIAN MAWAD, FEDON ARTHUR OSCAR DOVITSAS, DAVID FINGRET PTY LTD, ROSALIN POH SUAN ONG, ROBERT EDWARD FAIRLEY, FRANCESCO CARMELO VUMBACA, RICHARD EWAN METHERRALL, ELIZABETH JANE METHERRALL, PHILLIP MICHAEL ELLIOTT, DEEP BLUE MARINE AUSTRALIA PTY LTD, EMMANUEL STAMATAKIS, MARIA STAMATAKIS, URRAL PTY LIMITED, FRANCESCO CARMELO VUMBACA, PAUL ANTHONY JOHN VUMBACA, ANDREW JAMES KEITH DAVEY, ANGELA BEZZINA, ASHLEY ROBERT FULTON, CHRISTINA LILLIAN FULTON, ARTHUR KOVOUSIS, RHONDA KAREN DENTON, NELSON BAY PTY LTD, GOLDEN ROCK PROJECTS 4 PTY LTD, RAYMOND ASHLEY HARRIS, ROBYN ELLEN HARRIS, MAX LOOSEN, BARBARA LOOSEN, PJ SUPERANNUATION PTY. LIMITED, LPD NOMINEES PTY LTD, LEILA ABOUD, FRANCESCO CARMELO VUMBACA, RUSSELL JOHN LEE & GAYNOR JOY LEE (SEE AP416463)
- 7 AN856383 MORTGAGE TO MONETARY SOLUTIONS PTY LTD, NELSON BAY PTY LTD, NICHOLAS YUI MAN LAI, CORPORATE FINANCE RESOURCES PTY LTD, IRENE KOVOUSIS, MASKOL PTY LTD,

END OF PAGE 1 - CONTINUED OVER

rpnangela

PRINTED ON 16/10/2019

FOLIO: 11/1014857

PAGE 2

SECOND SCHEDULE (7 NOTIFICATIONS) (CONTINUED)

GEORGE STAMATAKOS & SAMCOAL PTY LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

ronanqela

PRINTED ON 16/10/2019







PROPOSED MIXED USE DEVELOPMENT
AT 2 SECOND AVENUE- BLACKTOWN
LOT 11 IN DP 1014857

GENERAL NOTES:
 1. THIS DOCUMENT IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.
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PROJECT: PROPOSED MIXED USE DEVELOPMENT AT 2 - 8 SECOND AVE BLACKTOWN
PROPOSED MIXED USE DEVELOPMENT AT 2 SECOND AVE BLACKTOWN-LOT 11 IN DP 1014857

DATE: 12/11/2015
SCALE: 1:100

COVER SHEET

DA ISSUE
NO: DA 000
RD: RD 2
 © 2015 BATHLA GROUP
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Development Approval

orders made
by Jessup,
on 1 April 2016.

AGREEMENT BETWEEN THE PARTIES

SECTION 34(3) LAND & ENVIRONMENT COURT ACT 1979

COURT DETAILS

Court	Land and Environment Court of New South Wales
Class	1
Case number	15/11015

TITLE OF PROCEEDINGS

Applicant	UNIVERSAL PROPERTY GROUP PTY LTD
Respondent	BLACKTOWN CITY COUNCIL

PREPARATION DETAILS

Prepared for	Universal Property Group Pty Ltd, Applicant
Legal representative	Emma Fleming E J Fleming Legal
Legal representative reference	PCN: 52693 Ref: EF:120126
Contact name and telephone	Emma Fleming Tel. 02 9358 3139
Contact email	efleming@ejfleminglegal.com.au

TERMS OF AGREEMENT

1. The Court notes that the parties have reached an agreement in a conciliation conference conducted pursuant to s.34(3) of the *Land and Environment Court Act NSW 1979*, being a decision that the Court could have made in the propose exercise of its functions.
2. The terms of the decision as agreed by the parties are as follows:
 - (a) The appeal is upheld.
 - (b) The Applicant is granted leave to amend development application 15-1263 and to rely upon the following amended plans:

Drawing No.	Description	Dated
ARCHITECTURAL PLANS		
DA 000 R02	Cover Sheet	August 2015
DA 001 R04	Compliance Table	February 2016
DA 002 R04	Site Analysis	February 2016
DA 003 R04	Site Plan	February 2016
DA 100 R04	Basement 4 Plan	February 2016
DA 101 R04	Basement 3 Plan	February 2016
DA 102 R04	Basement 2 Plan	February 2016
DA 103 R04	Basement 1 Plan	February 2016
DA 104 R04	Ground Floor Plan	February 2016
DA 105 R04	Level 01 Plan	February 2016
DA 106 R04	Level 02 Plan	February 2016
DA 107 R04	Level 03 (Podium) Plan	February 2016
DA 108 R04	Level 04 - 06 Plan	February 2016
DA 109 R04	Level 07 Plan	February 2016
DA 110 R04	Level 08 - 12 Plan	February 2016
DA 111 R04	Level 13 - 17 Plan	February 2016
DA 112 R04	Roof Terrace Plan	February 2016
DA 113 R04	Roof Plan	February 2016
DA 200 R04	Section 01	February 2016
DA 201 R04	Section 02	February 2016
DA 202 R01	Section 03	February 2016
DA 300 R04	Elevation 01	February 2016
DA 301 R04	Elevation 02	February 2016
DA 302 R04	Elevation 03	February 2016
DA 303 R04	Elevation 04	February 2016
DA 304 R04	Internal Elevation	February 2016
DA 400 R02	Materials and Colours Schedule	August 2015
DA 500 R03	Shadow Diagrams	January 2016
DA 501 R02	Views From Sun	August 2015
DA 502 R03	Solar Access Compliance Diagrams 01	January 2016
DA 503 R03	Solar Access Compliance Diagrams 02	January 2016
DA 504 R01	Shadow Diagrams 1pm June 21	May 2015
DA 505 R01	Shadow Diagrams 2pm June 21	May 2015

DA 506 R01	Shadow Diagrams 3pm June 21	May 2015
DA 507 R01	Combined Shadow Diagrams	May 2015
DA 508 R01	Existing Heritage Site 1pm	May 2015
DA 509 R01	Existing Heritage Site 2pm	May 2015
DA 510 R01	Existing Heritage Site 3pm	May 2015
DA 600 R03	Area Calculation FSR	January 2016
DA 700 R03	Area Calculation Landscape	January 2016
DA 701 R03	Area Calculation Communal Open Space	January 2016
DA 800 R01	Typical Adaptable Units	May 2015
DA 9001 R04	3D Images	May 2015
DA 9002 R04	3D Images	May 2015
DA 9003 R04	3D Images	May 2015
DA 9004 R04	3D Images	May 2015
DA 9006 R03	Cross Ventilation Diagrams	January 2016
ENGINEERING PLANS		
247139-0000-DRG-CIV-0000-C	Cover Sheet	8 March 2016
247139-0000-DRG-CIV-0001-B	General Notes Sheet 1 of 2	12 February 2016
247139-0000-DRG-CIV-0002-B	General Notes Sheet 2 of 2	12 February 2016
247139-0000-DRG-CIV-0005-B	Erosion and Sediment Control Plan Layout Plan	12 February 2016
247139-0000-DRG-CIV-0006-B	Erosion and Sediment Control Details Typical Details	12 February 2016
247139-0000-DRG-CIV-0010-C	Stormwater Layout Plan Basement 1	8 March 2016
247139-0000-DRG-CIV-0011-D	Stormwater Layout Plan Ground Floor	8 March 2016
247139-0000-DRG-CIV-0012-C	Stormwater Layout Plan Level 3 Podium	15 February 2016
247139-0000-DRG-CIV-0013-B	Stormwater Details and Long sections	12 February 2016
247139-0000-DRG-CIV-0015-B	Stormwater Catchment Plan Ground Floor	12 February 2016
247139-0000-DRG-CIV-0016-C	Stormwater Catchment Plan Level 3 Podium	15 February 2016

247139-0000-DRG-CIV-0020-C	On-Site Detention Tank	8 March 2016
LANDSCAPING PLANS		
SS15-3026 000 B	Drawing Schedule	16 February 2016
SS15-3026 101 B	Public Domain	16 February 2016
SS15-3026 C101 B	Public Domain Colour	16 February 2016
SS15-3026 102 B	Ground	16 February 2016
SS15-3026 C102 B	Ground Colour	16 February 2016
SS15-3026 103 B	Level 1	16 February 2016
SS15-3026 C103 B	Level 1 Colour	16 February 2016
SS15-3026 104 B	Level 3	16 February 2016
SS15-3026 C104 B	Level 3 Colour	16 February 2016
SS15-3026 105 B	Roof Terraces	16 February 2016
SS15-3026 C105 A	Roof Terraces Colour	16 February 2016
SS15-3026 105 A	Level 2	16 February 2016
SS15-3026 106 A	Level 2 Colour	16 February 2016
SS15-3026 201 B	Typical Sections Sheet 1	16 February 2016
SS15-3026 202 B	Typical Sections Sheet 2	16 February 2016
SS15-3026 501 A	Typical Details Sheet 1	26 May 2015
SS15-3026 502 A	Typical Details Sheet 2	26 May 2015
SS15-3026 503 A	Specification Notes	26 May 2015
SS15-3026 504 A	Plant Schedule	26 May 2015
BASIX CERTIFICATE NO. 629817M_2		
Waste Management Plan Issue 02, dated 16 Feb 2016		

- (c) The Applicant is to pay the Respondent's reasonable costs under s.97B of Environment Planning and Assessment Act 1979, as agreed or assessed.
- (d) Development Application 15-1263, which seeks consent for the construction of two mixed use buildings comprising residential units and commercial premises and basement car parking on Lot 11 in DP 1014857 on land known as 2-8 Second Ave, Blacktown is approved subject to the conditions contained at **Annexure A.**

3. Pursuant to Section 34(3)(a) and (b) of the Land and Environment Court Act 1979, the parties request the Commissioner to dispose of the proceedings in accordance with the terms of the decision set out in paragraph 2 above.

SIGNATURES

Applicant

Signature of legal representative



Capacity

Solicitor

Date of signature

29 March 2016

Respondent

Signature of legal representative



Capacity

Solicitor

Date of signature

31 March 2016

ANNEXURE A

LAND AND ENVIRONMENT COURT PROCEEDINGS NO. 11015 OF 2015

2-8 SECOND AVE, BLACKTOWN

1 **ADVISORY NOTES**

1.1 **Terminology**

- 1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.
- 1.1.2 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.

1.2 **Scope of Consent**

- 1.2.1 Separate approval is required prior to the fit out of each of the commercial units not being Exempt Development on the ground floor. The applicant is advised to contact Council's Development Services Unit in this regard.
- 1.2.2 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.

1.3 **Other Approvals**

- 1.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.
- 1.3.2 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) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development, and
 - (b) 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
 - (c) the erection of any advertising sign, not being "Exempt Development" within the State Environmental Planning Policy (Exempt and Complying Development) 2008, and
 - (d) the installation of a vehicular footway crossing servicing the development.
 - (e) separate Council approval under the Roads Act 1993 is required for any crane used to construct this development that swings over public air space.
- 1.3.3 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.

1.4 Services

1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Endeavour Energy
- (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 and stamped by a Sydney Water Corporation Limited Customer Centre or a Sydney Water Quick Check Agent as an indication that the proposal complies with the Sydney Water requirements. 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.

1.4.2 Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.

1.4.3 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.

1.4.4 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.

1.5 Identification Survey

1.5.1 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.

1.6 Services

1.6.1 The developer shall be responsible for all public utility adjustment/relocation works,

necessitated by the above work and as required by the various public utility authorities and/or their agents.

2 GENERAL

2.1 Scope of Consent

2.1.1 This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:

Drawing No.	Description	Dated
ARCHITECTURAL PLANS		
DA 000 R02	Cover Sheet	August 2015
DA 001 R04	Compliance Table	February 2016
DA 002 R04	Site Analysis	February 2016
DA 003 R04	Site Plan	February 2016
DA 100 R04	Basement 4 Plan	February 2016
DA 101 R04	Basement 3 Plan	February 2016
DA 102 R04	Basement 2 Plan	February 2016
DA 103 R04	Basement 1 Plan	February 2016
DA 104 R04	Ground Floor Plan	February 2016
DA 105 R04	Level 01 Plan	February 2016
DA 106 R04	Level 02 Plan	February 2016
DA 107 R04	Level 03 (Podium) Plan	February 2016
DA 108 R04	Level 04 - 06 Plan	February 2016
DA 109 R04	Level 07 Plan	February 2016
DA 110 R04	Level 08 - 12 Plan	February 2016
DA 111 R04	Level 13 - 17 Plan	February 2016
DA 112 R04	Roof Terrace Plan	February 2016
DA 113 R04	Roof Plan	February 2016
DA 200 R04	Section 01	February 2016
DA 201 R04	Section 02	February 2016
DA 202 R01	Section 03	February 2016
DA 300 R04	Elevation 01	February 2016
DA 301 R04	Elevation 02	February 2016
DA 302 R04	Elevation 03	February 2016
DA 303 R04	Elevation 04	February 2016
DA 304 R04	Internal Elevation	February 2016
DA 400 R02	Materials and Colours Schedule	August 2015
DA 500 R03	Shadow Diagrams	January 2016
DA 501 R02	Views From Sun	August 2015
DA 502 R03	Solar Access Compliance Diagrams 01	January 2016
DA 503 R03	Solar Access Compliance Diagrams 02	January 2016
DA 504 R01	Shadow Diagrams 1pm June 21	May 2015
DA 505 R01	Shadow Diagrams 2pm June 21	May 2015
DA 506 R01	Shadow Diagrams 3pm June 21	May 2015
DA 507 R01	Combined Shadow Diagrams	May 2015
DA 508 R01	Existing Heritage Site 1pm	May 2015
DA 509 R01	Existing Heritage Site 2pm	May 2015
DA 510 R01	Existing Heritage Site 3pm	May 2015

DA 600 R03	Area Calculation FSR	January 2016
DA 700 R03	Area Calculation Landscape	January 2016
DA 701 R03	Area Calculation Communal Open Space	January 2016
DA 800 R01	Typical Adaptable Units	May 2015
DA 9001 R04	3D Images	May 2015
DA 9002 R04	3D Images	May 2015
DA 9003 R04	3D Images	May 2015
DA 9004 R04	3D Images	May 2015
DA 9006 R03	Cross Ventilation Diagrams	January 2016
ENGINEERING PLANS		
247139-0000-DRG-CIV-0000-C	Cover Sheet	8 March 2016
247139-0000-DRG-CIV-0001-B	General Notes Sheet 1 of 2	12 February 2016
247139-0000-DRG-CIV-0002-B	General Notes Sheet 2 of 2	12 February 2016
247139-0000-DRG-CIV-0005-B	Erosion and Sediment Control Plan Layout Plan	12 February 2016
247139-0000-DRG-CIV-0006-B	Erosion and Sediment Control Details Typical Details	12 February 2016
247139-0000-DRG-CIV-0010-C	Stormwater Layout Plan Basement 1	8 March 2016
247139-0000-DRG-CIV-0011-D	Stormwater Layout Plan Ground Floor	8 March 2016
247139-0000-DRG-CIV-0012-C	Stormwater Layout Plan Level 3 Podium	15 February 2016
247139-0000-DRG-CIV-0013-B	Stormwater Details and Longsections	12 February 2016
247139-0000-DRG-CIV-0015-B	Stormwater Catchment Plan Ground Floor	12 February 2016
247139-0000-DRG-CIV-0016-C	Stormwater Catchment Plan Level 3 Podium	15 February 2016
247139-0000-DRG-CIV-0020-C	On-Site Detention Tank	8 March 2016
LANDSCAPING PLANS		
SS15-3026 000 B	Drawing Schedule	16 February 2016
SS15-3026 101 B	Public Domain	16 February 2016
SS15-3026 C101 B	Public Domain Colour	16 February 2016
SS15-3026 102 B	Ground	16 February 2016
SS15-3026 C102 B	Ground Colour	16 February 2016
SS15-3026 103 B	Level 1	16 February 2016
SS15-3026 C103 B	Level 1 Colour	16 February 2016
SS15-3026 104 B	Level 3	16 February 2016
SS15-3026 C104 B	Level 3 Colour	16 February 2016
SS15-3026 105 B	Roof Terraces	16 February 2016
SS15-3026 C105 A	Roof Terraces Colour	16 February 2016
SS15-3026 105 A	Level 2	16 February 2016
SS15-3026 106 A	Level 2 Colour	16 February 2016
SS15-3026 201 B	Typical Sections Sheet 1	16 February 2016

SS15-3026 202 B	Typical Sections Sheet 2	16 February 2016
SS15-3026 501 A	Typical Details Sheet 1	26 May 2015
SS15-3026 502 A	Typical Details Sheet 2	26 May 2015
SS15-3026 503 A	Specification Notes	26 May 2015
SS15-3026 504 A	Plant Schedule	26 May 2015

* Unless modified by any conditions of this consent.

2.2 Engineering Matters

2.2.1 Definitions

2.2.1.1 Where this consent requires both engineering and building works to be undertaken, a separate Construction Certificate may be issued for each category of works i.e. a separate construction Certificate for the Engineering works nominated in "Prior to Construction Certificate (Engineering)" and a separate Construction Certificate (for all building works relating to the erection and fit-out of a structure). This excludes all works on existing public roads significant enough to warrant separate engineering approval pursuant to the Road Act 1993. In relation to this consent, an engineering approval pursuant to the Road Act, 1993 or Section 68 of the Local Government Act must be issued for works on Second Avenue or Sunnyholt Road prior to the issue of the Construction Certificate.

In lieu of issuing a separate Construction Certificate, the above-mentioned engineering works can be included on an overall Construction Certificate provided that SPECIFIC REFERENCE is made to the relevant Engineering works. In such instances, the certifier shall provide evidence that they are accredited to do so. This is not applicable where Roads Act or Local Government Act Approvals are required.

2.2.1.2 Any Construction Certificate issued in relation to this consent shall incorporate and address the design of those works required by Scope of Engineering Works and other sections of this consent which do not require separate Roads Act 1993 or Local Government Act 1993 approval and any ancillary works necessary to make the construction effective. All works on existing public roads require separate engineering approval pursuant to the Roads Act 1993.

2.2.1.3 The Construction Certificate for Engineering works may be issued by Council or by an appropriately qualified certifier. For Council to issue the Construction Certificate a separate application must be made on the prescribed form complete with detailed plans and specifications. You are further advised that Council does not permit the private certification of works on existing public roads or reserves Council property or any property under the care and control of Council. In this regard Council will not accept a Construction or Compliance Certificate from a Private Certifier for any works on Second Avenue and Sunnyholt Road.

2.2.1.4 Prior to the issue of any Construction Certificate for the approved development it is necessary to obtain the separate approval of Council pursuant to the Roads Act 1993 for all relevant civil works on existing public roads as nominated in "Prior to Construction Certificate (Engineering)" and/or "Scope of Engineering Works and other sections of this consent " The application for this Engineering Approval must be made on the prescribed form and is to include detailed design plans and

specifications prepared by a Chartered Professional Engineer or suitably experienced Registered Surveyor.

2.2.2 Design and Works Specification

- 2.2.2.1 All engineering works required by Scope of Engineering Works and other sections of 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 Soil Erosion and Sediment Control Policy (Current Version)
 - (e) Blacktown City Council On Site Detention General Guidelines and Checklist
 - (f) 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 documentations.

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

2.2.3 Payment of Engineering Fees

- 2.2.3.1 If it is the applicant's intention to engage Council to undertake the checking of the engineering design plans and the issue of the Construction Certificate for the engineering works nominated in the "Prior to Construction Certificate (Engineering)" section, it will be necessary to submit the relevant engineering plans to obtain a quote for this service.

A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.

- 2.2.3.2 If it is the applicant's intention to engage Council to undertake Construction inspections and the issue of the Compliance Certificate for engineering works, it will be necessary to contact Council's Development Services Engineer for a quote.

A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.

- 2.2.3.3 Fees are required to be paid to Council's Development Services Unit pursuant to Section 223 of the Roads Act 1993 for;
- (a) The checking of engineering drawings for road drainage in Second Avenue, associated works within the road reserve and the issue of an Engineering Approval pursuant to the Roads Act 1993.
 - (b) All construction inspections for the works approved by (a) above. The required fee will be determined upon submission of the relevant plans to Council. This fee is subject to periodic review and may vary at the actual time of payment.

2.2.4 Other Fee and Bond/Securities

2.2.4.1 The payment of the following fee to Council's Maintenance Section pursuant to Sections 608 and 609 of the Local Government Act 1993. The fee is subject to periodic review and may vary at actual time of payment.

(a) Vehicular Crossing Application and Inspection Fee: \$135 per crossing

NOTE: This amount is valid until the 30th June 2016 after which time it will be reviewed in accordance with Council's Goods and Services Pricing Schedule.

NOTE: Council may grant a reduction in the above fee dependent upon the timing of the placement of the footpath crossings.

2.2.5 Other Necessary Approvals

2.2.5.1 A separate application or details (as necessary) shall be submitted for the separate approval of Council under the provisions of the Local Government Act 1993 and/or the Roads Act 1993 for any of the following (a) The installation of a vehicular footway crossing servicing the development as required by "Scope of Engineering Works and other sections of this consent" (b) Works on or occupation of existing public roads - that are not covered by a Roads Act Approval - which may require a Road Occupancy Licence or Work Zone Permit.

2.3 Other Matters

2.3.1 Any future substation or other utility installation required to service the approved subdivision/development shall not under any circumstances be sited on future or existing Council land, including road reservations and/or public reserves. Any proposal to locate a proposed substation or other utility installation on Council land shall be negotiated with and fully endorsed by the relevant Council Directorates.

2.3.2 No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works.

3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

3.1 DA Plan Consistency

3.1.1 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.

3.2 Road Deposit/Bond

3.2.1 The following current fee and bond (which is subject to periodic review and may vary at time of payment) shall be lodged with Council:

(a) Road inspection fee of \$169.00,

(b) Road maintenance bond of \$5000.00, and

(c) Administration fee of \$90.00.

The bond is required to cover the cost of any damage to Council's public assets (eg: road, guttering, footpaths, drainage systems) arising from development works. The bond (less an administration fee) will be refunded upon the completion of the development should there be no damage to Council's assets as a result of the

development works.

The road inspection fee covers Council's costs to inspect public assets adjacent to the development site before and after development work.

3.3 **Services/Utilities**

3.3.1 The following documentary evidence shall accompany any Construction Certificate:

- (a) 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.

NOTE: A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority (PCA) prior to the Construction Certificate (CC) being issued. The Section 73 Certificate must be submitted to the PCA prior to the occupation of the development/release of the plan of subdivision, whichever occurs first.

- (b) A "Notification of Arrangement" Certificate from Endeavour Energy, or any other recognised energy provider, stating that electrical services, including the provision of street lighting, have been made available to the development.

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

3.4.1 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.

3.5 **Other Matters**

3.5.1 A Work Method Statement and Construction Traffic Management Plan (CTMP) must be prepared for the development by a suitably qualified person and submitted to Council prior to the release of the Construction Certificate. The Work Method Statement is to demonstrate how the basement is to be excavated. The CTMP is to address truck movements associated with the construction, in particular the disposal of excavated soil from the site as well as the impact on adjacent pedestrian and traffic movement.

3.5.2 A dilapidation report shall be carried out for any of the potentially affected existing buildings surrounding the proposed development. A copy of the report shall be submitted to Council prior to construction commencing.

3.6 Waste

3.6.1 The certifying authority is to ensure that the basement access for garbage trucks is to be built in accordance with the dimensions indicated on the vertical cross-section plans showing truck entry at the critical/transition point is adequate.

3.7 Salinity and Aggressive Soil Management

3.7.1 A Salinity and Geotechnical Report prepared by a suitably qualified consultant shall be submitted to Council prior to the issue of a construction certificate. The recommendations of the report are to be identified on the construction certificate plans.

4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)

4.1 Section 94 Contributions

4.1.1 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 up to \$10,000.00 only. Any payments above \$10,000.00 must be made by cheque. Payments above \$10,000.00 cannot be split between different credit or EFTPOS cards.

Contribution item	Amount	Relevant C.P
i. Flood Mitigation	\$10,142	19
ii. Stormwater Quality	\$40,071	19
iii. Traffic Management	\$924,850	19
iv. Open Space	\$2,381,676	19
v. Community Facilities	\$135,122	19
vi. Local Road Construction	\$271,352	19
vii. Streetscape Facilities	\$206,125	19
viii. Traffic Management – Northern Precinct	\$1,354,571	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.

Commercial area: 2,091 sqm
Retail area: 1,896 sqm
Number of dwellings: 276 units
Developable area: 0.472 ha
Additional Population: 559.4 persons
Road Frontage: 119.68 m

4.2 Aesthetics/Landscaping

- 4.2.1 Council is particularly concerned about the appearance of the development. Accordingly, the following additional information is required to be submitted for Council's separate approval prior to the issue of any Construction Certificate for the approved development:
- (a) Details of any proposed awning over Council's road reserve, including colour samples of the materials/finishes from brochures or the like. Note: The height and width of the proposed footpath awning is to comply with the requirements of Council's Maintenance Engineers.
- 4.2.2 The reflectivity index of glass used in the external facade of the building is not to exceed 20 percent.
- 4.2.3 All landscaping must be in accordance with the landscape details approved by condition 2.1.1 of this development consent.
- 4.2.4 All common open space areas are to be appropriately illuminated by the use of suitable outdoor lighting or the like, to provide for the safety of residents at night. Details of all outdoor lighting are to be identified on the Construction Certificate plans. Note: If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining residential properties/units are to be protected.
- 4.2.5 Any bathroom, w.c. or laundry window in the external wall of the building shall be fitted with translucent glazing.
- 4.2.6 The development approved by Council is to be constructed in accordance with the schedule of materials, finishes and colours (identified on Drawing No. DA 400 R02 Materials and Colours Schedule dated August 2015).

4.3 Access/Parking

- 4.3.1 The parking areas are to be designed in accordance with Australian Standard 2890.1.

The loading facility must be designed so that trucks do not interfere with resident's vehicles during loading/unloading operations.

- 4.3.2 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 – 2009.

5 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

5.1 Building Code of Australia Compliance

- 5.1.1 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).

5.2 BASIX Certificate Compliance

- 5.2.1 The plans and specifications must indicate compliance with the commitments listed in the BASIX Certificate Number: 629817M_2.

6 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

6.1 Compliance with Conditions

- 6.1.1 All conditions in the "Prior to Construction Certificate (Engineering)" Section and the relevant conditions in the "General" Section of this consent, must be complied with prior to the issue of any Construction certificates.

- 6.1.2 All fees for Construction and Compliance Certificates, 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.

6.2 Road-works

- 6.2.1 A Traffic Management / Control Plan shall be included as part of the Roads Act Approval for road and drainage works to be carried out within public road reserves in strict compliance with the requirements of current Australian Standard 1742.3 (Traffic Control Devices for Works on Roads) and current RTA Traffic Control at Work Sites manual. Any persons preparing such traffic control layout plans shall be RTA accredited.

6.3 Erosion and Sediment Control

- 6.3.1 Soil erosion and sediment control measures for road, drainage, On Site Stormwater Detention and earth works shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development. Details are to be included with the plans and specifications to accompany any Construction Certificate.

6.4 On-Site Detention

- 6.4.1 On-site detention systems within private or common courtyard areas shall be designed so they do not impact on the amenity of the development or the use of such areas.
- 6.4.2 A certificate from a Registered Engineer (NPER) to be submitted to Council certifying that the structures associated with the on-site detention system have been designed to withstand all loads likely to be imposed on them during their lifetime.
- 6.4.3 A certificate from a Professional Civil Engineer/Registered Surveyor must be obtained verifying that the On Site Detention system will function hydraulically in accordance with the requirements of Upper Parramatta River Catchment Trust and Council's current development guide.
- 6.4.4 Any Construction Certificate issued for or including an On-site Stormwater Detention (OSD) System must be accompanied by;
- a. A Drainage Design Summary Sheet per Appendix B1 of the Upper Parramatta River Catchment Trust Handbook, Version 3.
 - b. Full drainage calculations and details for all weirs overland flow-paths and diversion/catch drains - including catchment plans and areas, times of concentration and estimated peak run-off volumes.
 - c. A completed OSD Detailed Design Submission and Checklist per Appendix B9 of the above-mentioned Handbook.
 - d. A complete address of Council's OSD General Guidelines and Checklist requirements.
 - e. A Maintenance Schedule is to be presented with the designer's name, his signature and date on it in accordance with the Upper Parramatta River Catchment Trust handbook guideline. (If an underground tank is involved this must include reference to WorkCover Authority of NSW Occupational Health & Safety Act 1983 and Confined Spaces Regulation.)

6.5 Asset Management

- 6.5.1 A detailed estimate of the cost of civil engineering work must be submitted to Council prior to the issue of the Construction Certificate for engineering works. If engineering works are of a value greater than \$25,000; documentary proof of payment of the levy required by the Building and Construction Industry Long Service Payments Act must be provided to Council prior to any approval of engineering plans either by Council or an appropriately accredited certifier.

6.6 Ancillary Works

6.6.1 Ancillary works shall be undertaken at no cost to Council to make the engineering works required by this consent effective. Such works shall include but are not limited to the following:

(a) the relocation of underground services where required by the positioning of new drainage and road infrastructure.

(b) the relocation of above ground power and telephone services.

(c) the matching of new infrastructure into existing or future designed infrastructure.

6.7 Scope of Engineering Works

The following scope of works shall be included in the design documentation accompanying the Construction Certificate for engineering works:

6.7.1 Road and Drainage works

6.7.1.1 Redundant gutter and/or footway crossing(s) must be replaced with integral kerb and gutter. The footway area must be restored by turfing.

6.7.1.2 Drainage from the site must be connected into Council's existing drainage system.

6.7.1.3 Any drainage currently entering the site is to be collected and conveyed in an approved manner to the nearest appropriate point of discharge.

6.7.2 On Site Stormwater Detention System

6.7.2.1 On Site Detention

(A) On-site detention of stormwater runoff from the site must be provided to achieve the following nominated permissible site discharge and site storage capacity for the following percentages of site area draining to the system. (Absolute minimum site draining area is 80%)

Nominated Discharge PSD: 95 l/s/ha for 100%; 65 l/s/ha for 90%; 36 l/s/ha for 80%.

Nominated Storage SSR: 343 cu.m/ha for 100%; 429 cu.m/ha for 90%; 580 cu.m/ha for 80%.

Intermediate values can be interpolated linearly for PSD and a fair curve through the 3 values for SSR.

Council electronic OSD calculation spreadsheet is available for calculating the above parameters. This electronic spreadsheet can be obtained upon request from Council Development Services Unit.

(B) Council acknowledges the submission of the On-site Stormwater Detention concept plan prepared by Aurecon, Project No. 247139. Sheets 0000-0002, 0005-0006, 0010-0013, 0016, & 0020, Revision B, C & D, dated 12/02/16, 15/02/16 & 8/03/16 respectively (Council File No. JRPP-15-1263). The Construction Certificate issued in this regard must generally be in accordance with this concept.

This plan is considered sufficient in detail for the purpose of issuing Consent the final plan however will need to vary from this concept as follows;

(i) Provide the on-site stormwater detention storage calculation on Blacktown City Council's OSD spread-sheet.

(ii) Ensure all on lot water quality treatment devices are removed from the approved plans.

(C) Any variation to the following design parameters of the above mentioned concept plan will require a lodgement of a Section 96 application to Council for amendment of the consent;

(i) location of storage area

(ii) alteration of the type of storage - i.e changing from above ground to below ground storage

(iii) location of discharge outlet from the system.

(D) Professional accreditation of OSD designers and certifiers must be in accordance with the requirements of Council's Policy.

(E) The concept plan referred to above is for Development Application purposes only and is not to be used for construction.

(F) Comprehensive design plans showing full construction details must be prepared by an accredited OSD designer to be issued with a Construction Certificate under the Environmental Planning and Assessment Act 1979 prior to the commencement of works.

NOTE: Council has preference for a fully above ground On-site Stormwater Detention system. This type of system would significantly reduce confined space issues and may have cost saving advantages in comparison with a below ground storage system.

6.87.3 Vehicular Crossings

6.7.3.1 Construction of Council's standard commercial and industrial vehicular footway crossing(s), with the following nominated width(s) at the property boundary in accordance with Council plan A(BS)103S.

Nominated Widths: 8.2m

6.7.4 Footpaths

6.7.4.1 Construction of segmental block path paving (65mm thick clay paver) for the full width of the footway area over the full frontage of the site. Any street trees are to be planted in suitable grates or bays. Please contact Council's Development Services Engineers for details of type and colour of pavers to be laid.

6.7.5 Finished Boundary Levels

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

7 PRIOR TO DEVELOPMENT WORKS

7.1 Safety/Health/Amenity

7.1.1 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.

7.1.2 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.

7.1.3 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.

7.1.4 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.

- 7.1.5 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.
- 7.1.6 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.
- 7.1.7 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.
- 7.1.8 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.

7.2 **Notification to Council**

- 7.2.1 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.
- 7.2.2 At least five (5) full working days written notice must be given for the commencement of engineering works. Such notice must be accompanied by evidence of the contractors Public Liability and Workers Compensation Insurances. For Public Liability Insurance this should be a minimum amount of \$20,000,000.

7.3 **Sydney Water Authorisation**

- 7.3.1 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.

7.4 Construction Details

- 7.4.1 Structural details of the nominated building component(s), prepared and/or certified by a professional engineer or other appropriately qualified person, shall be lodged with Council prior to commencing or erecting that portion of the approved development.

Nominated Component

- (a) Footing piers
- (b) Footing system
- (c) Floor slab
- (d) Structural concrete
- (e) Wall frame bracing
- (f) Roof trusses
- (g) Structural steelwork
- (h) Retaining walls

7.5 Use of Cranes

- 7.5.1 Any crane used in the construction of this development must have approval under the Roads Act 1993 from Council to swing over public air spaces.
- 7.5.2 The crane used must be provided with a light in accordance with the requirements of the Civil Aviation Authority (CASA) requirement. This may require a separate approval from CASA.

8 DURING CONSTRUCTION (BUILDING)

8.1 Safety/Health/Amenity

- 8.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.
- 8.1.2 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:
- (c) the name, address and telephone number of the principal certifying authority for the work, and
 - (d) 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
 - (e) stating that unauthorised entry to the work site is prohibited.
- 8.1.3 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.

8.1.4. Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.

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

8.1.6 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.

8.1.7 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.

8.1.8 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.

8.1.9 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.

8.2 **Building Code of Australia Compliance**

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

8.3 **Surveys**

8.3.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifying Authority to verify the approved position of each structure in relation to the property boundaries.

8.3.2 A registered surveyor's report indicating that the required minimum Australian Height Datum floor level has been achieved, shall be lodged with the Principal

Certifying Authority prior to work proceeding above floor level.

8.4 Nuisance Control

- 8.4.1 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.
- 8.4.2 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.
- 8.4.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

8.5 Waste Control

- 8.5.1 The waste material sorting, storage and re-use requirements of the approved Waste Management Plan dated 16 February 2016, and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works.

8.6 Construction Inspections

- 8.6.1 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.

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.

8.7 **Site Contamination**

- 8.7.1 Should any contaminated material be unearthed or fly-tipped rubbish be encountered during construction, all works are to cease immediately. In this situation, an amended Remediation Action Plan (RAP) is to be submitted to Council's Manager, Development Services for further consideration and all potentially contaminated material is to be tested, removed or undergo remediation. In this regard, the environmental consultant engaged for this project is to be on site for regular monitoring of the approved site works.
- 8.7.2 Throughout the duration of the works, the applicant is to demonstrate compliance with the following approval parameters:
- a) The applicant is to ensure that validation for the entire subject site can be prepared by a suitably qualified environmental consultant in accordance with Council's Contamination Land Policy.
 - b) The applicant is to ensure that the site has been satisfactorily secured so as to prevent any unauthorised dumping of illegal fill/waste building materials (i.e. non-V.E.N.M soils) from entering onto the development site.
 - c) Appropriate dust suppression measures are to be incorporated into the site works process, so as to ensure that adjoining properties in the local vicinity are not negatively impacted upon by dust generated from the development site.
 - d) Any filling shall be undertaken in accordance with the fill protocol approved by Council's Manager, Development Assessment.

Should Council receive any complaints regarding non-compliance with any of the above matters or other such operational type matters, then Council will have no alternative but to fully investigate the complaint and pursue an appropriate course of action.

8.8 **Aboriginal Archaeology**

- 8.8.1 Should any archaeological material be uncovered during construction activities on any location within the approved development, then all works are to cease immediately and representatives of the Office of Environment & Heritage (OEH) and a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

8.9 **Salinity and Aggressive Soil Management**

- 8.9.1 All salinity management measures provided in the Geotechnical and Salinity Assessment Report required by Condition 3.7.1 of this consent shall be implemented during construction.

9 **DURING CONSTRUCTION (ENGINEERING)**

9.1 **Notice of work Commencement**

9.1.1 At least 5 full working days written notice shall be given of the commencement of engineering works. Such notice shall be accompanied by evidence of the contractor's Public Liability and Workers Compensation Insurances. For Public Liability Insurance this should be a minimum of \$20,000,000

9.1.2 A minimum of 5 working days written notice is to be provided to all occupiers of properties adjacent to any works approved by this consent and which is to be carried out on Council controlled lands such as roads, drainage reserves and parks. The written notice must contain details of the proposed works, a contact name and phone number and the proposed start and finish dates of the work. A copy of the notice is to also be provided to Councils Development Services Engineers.

9.2 Service Authority Approvals

9.2.1 Prior to commencement of construction of footway crossings a clearance shall be obtained from the relevant telecommunications carriers and Integral Energy that all necessary ducts have been provided under the proposed crossing.

9.3 Boundary Levels

9.3.1 Any construction at the property boundary, including fences and driveways shall not be carried out until alignment levels have been fixed.

9.4 Maintenance of Soil Erosion Measures

9.4.1 Soil erosion and sediment control measures shall be implemented in accordance with Council's Soil Erosion and Sediment Control Policy.

9.5 Inspections of Works

9.5.1 Inspection Compliance Certificates issued by a Registered Engineer (NPER) or Registered Surveyor or Compliance Certificates issued by an accredited certifier, under Part A of Environmental Planning and Assessment Act 1979 as amended, are to be issued for works covered by the Construction Certificate for engineering works at the completion of the following mandatory inspection stages: -

(i) Soil Erosion and Sediment Control

- (a) Implementation of erosion and sediment control
- (b) Revegetation of disturbed areas
- (c) Construction of major controls
- (d) Removal of sediment basins/ fencing etc.
- (e) Internal sediment/ pollution control devices
- (f) Final Inspection

(ii) Traffic Control

- (a) Implementation of traffic control
- (b) Maintenance of traffic control during works
- (c) Removal of traffic control

(iii) Construction of Drainage works

- (a) Pipes before backfilling including trench excavation and bedding
- (b) Sand Backfilling
- (c) Final pipe inspection
- (d) Pit bases
- (e) Pit Walls
- (f) Concrete pit tops
- (g) Connection to existing system
- (h) Tailout works
- (i) Final Inspection

(iv) Footpath Works

- (a) Footpath Trimming (to ensure 4% fall)
- (b) Pathway construction (cycle/ link pathways)
- (c) Path-paving construction
- (d) Service Adjustments
- (e) Final Inspection

(v) Construction of on-site detention system

- (a) Steel and Formwork for tank/ HED control pit
- (b) Completion of HED control pit
- (c) Pit formwork
- (d) Pipes upstream/ downstream of HED control pit before backfilling
- (e) Completion of OSD system

(vi) CCTV Inspection of Drainage Structures (pipelines and pits)

- (a) All road drainage

(vii) Final overall Inspections

- (a) Preliminary overall final inspection
- (b) Overall final inspection

ALTERNATIVELY, one comprehensive Inspection Certificate or Compliance certificate may be issued to include all of the above-mentioned stages of construction.

Where Council is appointed as the Principal Certifying Authority for the development (e.g. all Torrens Title subdivisions), only Compliance Certificates issued by accredited certifiers will be accepted at the completion of the above-mentioned stages. Any Compliance Certificate must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction certificate.

- 9.5.2 Inspection of the works required pursuant to the engineering approval issued under the Roads Act 1993 must be made by Council's Development Overseers who can be contacted on 9839 6586 between 7am - 8am and 12.30pm - 1.30pm. A site inspection is required prior to commencement of work. A minimum twenty-four (24) hours notice must be given prior to any required inspection. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

9.6 **Public Safety**

- 9.6.1 The applicant is advised that all works undertaken in a public place 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.

9.7 **Site Security**

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

10 **DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)**

10.1 **Premises Construction**

- 10.1.1 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.

11 **PRIOR TO OCCUPATION CERTIFICATE**

11.1 **Road Damage**

- 11.1.1 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.

11.2 **Compliance with Conditions**

- 11.2.1 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.

- 11.2.2 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.

11.3 **Temporary Facilities Removal**

- 11.3.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.

- 11.3.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.

- 11.3.3 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.
- 11.3.4 Any temporary builder's sign or other site information sign shall be removed from the land.
- 11.3.5 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.

11.4 **Service Authorities**

- 11.4.1 A final written clearance shall be obtained from Sydney Water Corporation, Endeavour Energy and Telstra (or any other recognised communication carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc) has not previously been issued.

- 11.4.2 The following documentary evidence shall accompany any Occupation Certificate:

- (a) 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. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation of the development.

11.5 **Fire Safety Certificate**

- 11.5.1 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).

11.6 **External Finishes**

- 11.6.1 The development approved by Council is to be constructed in accordance with the approved schedule of materials, finishes and colours (identified on Drawing No. DA 400 R02 Materials and Colours Schedule dated August 2015). All landscaping, fencing, retaining walls and driveways are to be provided in accordance with the approved plans, and the details submitted and approved as part of the Construction Certificate.

11.7 **Landscaping**

- 11.7.1 All landscaping and common open space areas shall be completed in accordance

with approved landscaping design plan. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.

- 11.7.2 All common open space areas shall be appropriately illuminated by the use of suitable outdoor lighting or the like to provide for the safety and convenience of occupants and other people resorting to the land at night. The loading dock area and car parking areas must also be provided with sufficient lighting to enhance the safety of users.

11.8 Car Parking

- 11.8.1 Off-street resident and resident visitor car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability for residents and their visitors.

- 11.8.2 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.

- 11.8.3 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.6. - 2009

- 11.8.4 The car parking allocation is to be incorporated into a Parking Management Strategy which will also include the following responsibilities for the Managing Agent/future Body Corporate:

- (a) Measures to ensure a clear segregation between the residential and non-residential parking spaces is maintained at all times.

- 11.8.5 Bicycle racks are to be provided on site in accordance with the Residential Flat Design Code (RFDC).

- 11.8.6 On-site waste collection areas, loading areas and manoeuvrability paths are to be suitably line-marked and sign-posted to ensure areas are kept clear of obstructions that may prohibit their future use.

11.9 Ancillary Work

- 11.9.1 Each dwelling unit is to be provided with a mechanical drying appliance within the unit.

- 11.9.2 Mail boxes are to be provided on site in accordance with the requirements of Australia Post.

- 11.9.3 The awning must be constructed in accordance with the those details submitted as part of the Construction Certificate. The height and width of the awning must comply with the requirements of Council's Maintenance Section.

- 11.9.4 Plumbing services are to be provided to the commercial tenancy to enable the installation of a potential kitchen.

11.10 Waste Management

- 11.10.1 Evidence (e.g. in the form of receipts) is to be submitted to confirm that waste and recyclable materials, including fill from the excavation of the basement car parking have been managed and disposed.

11.10.2 Arrangements shall be made for an effective private contractor commercial refuse removal service.

11.10.3 A private contractor and/or Council contractor must be engaged. Note: The engagement of Council to service the development requires final approval of Council's Waste Services Section prior to the release of Occupation Certificate.

11.10.4 Appropriate provisions are to be included in any future Strata Management Plan for the ongoing management of waste and recyclables on the property during the operations of the development. The following provisions must also be adopted:

- a. The managing agent and future Body Corporate is to be responsible for ensuring the implementation of the ongoing waste management system in accordance with this condition, including the collection of recycled materials from the residential levels, commercial levels and transporting them to the storage and collection room.
- b. If the development is to be strata subdivided, a clause is to be included in the Plan of Strata Management to incorporate the requirements of this condition to address the ongoing management of waste and recycled materials in accordance with this Condition.

11.10.5 Contact details of the private contractor engaged used to provide the collection services will need to be provided to Council once the development is operational.

Note: Should a private contractor be engaged for the residential component, residents will not be able to access Council's household clean up service, or garbage/recycling service.

11.10.6 A Community Management/Strata Management Agreement must:

- a. clearly outline the method of communication to new tenants and residents regarding the waste management services and collection system for the complex
- b. indicate their responsibility for the maintenance of the garbage collection system and bin cleaning, and ensure waste collection points are clear and unobstructed prior to collection times.

11.10.7 The strata manager must sign the 'Agreement for Onsite Waste Collection' form prior to the release of Occupation Certificate. The Agreement must be entered into with Council's Waste Services Section who must be satisfied prior to the release of Occupation Certificate.

11.11 **Fee Payment**

11.11.1 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.

11.12 **Engineering Matters**

11.12.1 Surveys/Certificates/Works As Executed plans

11.12.1.1 A Work-As-Executed plan (to a standard suitable for scanning) signed by a Chartered Professional Engineer or a Registered Surveyor must be lodged with Blacktown City Council when the engineering works are completed. Council requires the Work-As-Executed plans to be submitted in both hardcopy and electronically on a CD (in PDF and DWG format). All engineering Work-As-Executed plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works. The works as executed 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 Upper Parramatta River Catchment Trust or Council.

11.12.1.2 A certificate from a Chartered Professional Engineer/Registered Surveyor must be obtained and submitted to Council verifying that the on-site detention system as constructed will function hydraulically in accordance with the approved design plans.

11.12.1.3 A certificate from a Registered Engineer (NPER) must be lodged with Council verifying that the structures associated with the on-site detention systems have been constructed to withstand all loads likely to be imposed on them during their lifetime.

11.12.1.4 The submission to Council of all Inspection/Compliance Certificates required by the "During Construction (Engineering)" Section of this consent.

11.12.2 Easements/Restrictions/Positive Covenants

11.12.2.1 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.

11.12.2.2 Restrictions and positive covenants must be registered with Land and Property Information over the on-site detention storage areas and outlet works.

11.12.2.3 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.

11.12.3 Inspections

11.12.3.1 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.

11.13 Street tree planting

- 11.13.1 Prior to the issue of any Occupation Certificate, the person having the benefit of the development consent is to enter into an arrangement satisfactory to the Council for the planting and maintenance of tree(s) along the frontage of the development site for the purposes of improving the amenity of the streetscape.

Number of Trees: 6 x 45 litre street trees (to the satisfaction of Council's Manager Open Space).

NOTE: If the applicant wishes to undertake the planting and maintenance of street tree/s to Council's satisfaction at no cost to Council (making any necessary Applications with Council or obtaining any necessary clearances from relevant Service Authorities), the Applicant is, subject to any alternative arrangements satisfactory to the Council, to lodge a tree bond of \$ 300 per tree (total \$1,800) and \$120 Inspection fee with Council to ensure the health and vigour of the tree/s. The bond shall be returned 12 months after the completion of the development (i.e. issue of final Occupation/Subdivision Certificate) if the trees are in a state of good health and vigour to Council's satisfaction.

11.14 Other Matters

- 11.14.1 All commitments listed in the BASIX Certificate number: 629817M_2 shall be complied with prior to the issue of an Occupation Certificate for the development.
- 11.14.2 All fencing, landscaping, clotheslines, hot water systems, TV antennae, mailboxes, driveways and the common open space area are to be completed in accordance with the approved plans and conditions of this consent to Council's satisfaction prior to the release of the Occupation Certificate.
- 11.14.3 A post-construction dilapidation report shall be carried out for any of the potentially affected existing buildings surrounding the proposed development. A copy of the report shall be submitted to Council prior to issue of Occupation Certificate.

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

- 11.15.1 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 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.

11.16 Graffiti Management Plan

- 11.16.1 A "Graffiti Management Plan" is to be submitted for the separate approval of Council's Manager, Development Services. 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;
- (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.

11.16.2 The Owners Corporation is to manage the graffiti management plan. The recommendations of the plan are to be integrated into a Strata Management Agreement/by-laws.

12 OPERATIONAL (PLANNING)

12.1 Graffiti Removal

12.1.1 Removal of any graffiti, visible from any public road or space, is the responsibility of the property owner/s. All graffiti must be removed within 48 hours.

12.2 Access/Parking

12.2.1 All required off-street car parking spaces shall be maintained to a standard suitable for the intended purpose.

12.2.2 All loading and unloading operations shall take place at all times wholly within the confines of the land. All vehicles must enter and exit the site in a forward direction at all times.

12.2.3 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

12.3 General

12.3.1 No goods, materials, or trade waste shall be stored at any time outside the building other than in approved garbage receptacles.

12.3.2 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.

12.3.3 If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.

12.3.4 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.

12.4 Landscaping

12.4.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.

12.4.2 Sightlines must be kept free from obstructions. If a lack of natural surveillance occurs this would quickly encourage anti-social behaviour and criminal offences specifically

malicious damage to the area. The 'fear of crime' would also no doubt increase if there is sign of malicious damage, rubbish, broken bottles etc around the development. Regular maintenance and up-keep of the site must therefore be adhered to.

- 12.4.3 The management of vegetation, gardens, planter boxes, communal areas, BBQ facilities, children's play equipment, etc is to be incorporated within the future strata management plan once the development is occupied.

12.5 **Waste Management**

- 12.5.1 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.
- 12.5.2 All waste generated on site must be disposed of in accordance with the Waste Management Plan prepared by Universal Property Group and dated 16 February 2016.

12.6 **Emergency Procedures**

- 12.6.1 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.

12.7 **Clothes Drying**

- 12.7.1 Clothes drying is to be conducted in the mechanical dryers. The drying of clothes on balconies (where visible from a public place) is prohibited. If the development is to be strata subdivided, a clause is to be included in the Plan of Strata Management prohibiting the drying of clothes on balconies (where visible from a public place).

13 **OPERATIONAL (ENVIRONMENTAL HEALTH)**

13.1 **Environmental Management**

- 13.1.1 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.
- 13.1.2 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.
- 13.1.3 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.