

Chanine Design Pty Ltd  
Suite C1.10, 50-52 Lyons Road  
DRUMMOYNE NSW 2047

**Application No.:** DA-21/2012  
**File No.:** 169/4D PT3  
CDC061212

## NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

**Property:** 4 Charles Street, Canterbury

**Development:** Demolition of structures, construction of a mixed use development comprising fifty-two residential apartments, five commercial tenancies, basement car parking and landscaping

**Building Code of Australia Building Classification:** Class 2 - Residential Flat, 6 - Shops, 7a - Carpark

**BEFORE COMMENCING BUILDING WORK, you must obtain a Construction Certificate from the Council or an Accredited Certifier.**

Canterbury City Council as consent authority under the provisions of the Environmental Planning and Assessment Act 1979, gives notice under Section 81(1)(a) of the Act, that the Development Application described above was determined on 6 December 2012 in the following manner:

THAT

- A. Council resolve to support the objection pursuant to the provisions of State Environmental Planning Policy No.1 – Development Standards to vary Clause 32 (relating to building height) of Canterbury Local Environmental Plan No.138 - Canterbury Precinct to permit the proposed development.
- B. Development Application DA-21/2012 to demolish the existing structures and the construction of a new mixed use development containing fifty-two (52) residential apartments, five commercial tenancies with basement car parking and associated landscaping be **APPROVED** subject to the following conditions:

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

- 1. The following must be submitted to either Council or an Accredited Certifier prior to the issuing of a Construction Certificate:
  - 1.1. Details of:
    - Structural Engineering Plan including method of shoring during excavation
    - Building Specifications
    - Fire Safety Schedule
    - Landscape Plan
    - Hydraulic Plan
    - Sydney Water Notice of Requirements
    - Firewall Separation

- Compliance with the Disability (Access to Premises – Buildings) Standards 2010
- 1.2. Payment of the Long Service Leave Levy to the Long Service Leave Corporation or to Council.
  - 1.3. Payment to Council of:
 

Kerb and Gutter Damage Deposit	\$3075.00
Section 94 Contributions	\$646,527.98
Certificate Registration Fee	\$36.00
Long Service Levy	\$29067.50
  - 1.4. If you appoint Council as your Principal Certifying Authority, the following fees are payable:
 

Construction Certificate Application Fee	\$16954.50
Inspection Fee	\$5139.00
Occupation Certificate Fee	\$1785.00

Note 1: Long Service Leave is payable where the value is \$25,000 or more under Part 5 Section 36 of the Building and Construction Industry Long Service Payments Act 1986.

Note 2: If you appoint a Principal Certifying Authority other than Council, the fees shown in this item do not apply, however other fees will apply.

Note 3: When the items in this condition are provided and have been assessed as satisfactory, your Construction Certificate will be posted to you.

Note 4: Section 94 contribution payments are payable by cash, bank cheque, or EFTPOS.

2. An Acid Sulfate Soil management plan be prepared in accordance with New South Wales Acid Sulfate Soils Assessment Guidelines prior to the issue of a Construction Certificate.
3. A land contamination assessment as required by the State Environmental Planning Policy 55 and its associated guideline be undertaken to identify past industrial uses, potential chemicals of concern and proposed methods of remediation. This assessment should be received prior to the issue of a Construction Certificate.

#### BEFORE COMMENCING THE DEVELOPMENT

4. Before the erection of any building in accordance with this Development Consent;
  - 4.1. detailed plans and specifications of the building must be endorsed with a Construction Certificate by the Council or an Accredited Certifier, and
  - 4.2. you must appoint a Principal Certifying Authority (either Canterbury City Council, or an Accredited Certifier) and notify the Council of the appointment (see Attachment – Notice of Commencement copy), and
  - 4.3. you must give the Council at least 2 days notice of your intention to commence erection of the building (see Attachment – Notice of Commencement copy).

#### SITE SIGNAGE

5. A sign shall be erected at all times on your building site in a prominent position stating the following:
  - 5.1. The name, address and telephone number(s) of the principal certifying authority for the work, and



5.2. The name of the person in charge of the work site and a telephone number at which that person may be contacted during and outside working hours, and

5.3. That unauthorised entry to the work site is prohibited.

#### DEMOLITION

6. Demolition must be carried out in accordance with the following:

- (a) Demolition of the building is to be carried out in accordance with applicable provisions of Australian Standard AS 2601-2001: The Demolition of Structures and the Construction Safety Act Regulations.
- (b) The demolition of a structure or building involving the removal of dangerous or hazardous materials, including asbestos or materials containing asbestos must be carried out in accordance with the requirements of the Workcover Authority of New South Wales.
- (c) Demolition being carried out in accordance with the requirements of the Occupational Health and Safety Regulation 2001.
- (d) A hoarding or fence must be erected between the building or site of the building and the public place, if the public place or pedestrian or vehicular traffic is likely to be obstructed or rendered inconvenient because of the carrying out of the demolition work.
- (e) Demolition of buildings is only permitted during the following hours:  
7.00 a.m. – 5.00 p.m. Mondays to Fridays  
7.00 a.m. – 12.00 noon Saturdays  
No demolition is to be carried out on Sundays or Public Holidays.
- (f) Burning of demolished building materials is prohibited.
- (g) Adequate care is to be taken during demolition to ensure that no damage is caused to adjoining properties.
- (h) Soil and water management facilities must be installed and maintained during demolition in accordance with Council's Stormwater Management Manual. If you do not provide adequate erosion and sediment control measures and/or soil or other debris from the site enters Council's street gutter or road you may receive a \$1500 on-the-spot fine.
- (i) Council's Soil and Water Management warning sign must be displayed on the most prominent point on the demolition site, visible to both the street and site workers. The sign must be displayed throughout demolition.
- (j) The capacity and effectiveness of soil and water management devices must be maintained at all times.
- (k) During the demolition or erection of a building, a sign must be provided in a prominent position stating that unauthorised entry to the premises is prohibited and contain all relevant details of the responsible person/company including a contact number outside working hours.
- (l) A sign is not required where work is being carried out inside, or where the premises are occupied during the works (both during and outside working hours).
- (m) Toilet facilities must be provided to the work site in accordance with WorkCover's NSW "CODE OF PRACTICE" for Amenities for construction work and any relevant requirements of the BCA.

- (n) Removal, cleaning and disposal of lead-based paint conforming to the current NSW Environment Protection Authority's guidelines. Demolition of materials incorporating lead being conducted in strict accordance with sections 1.5, 1.6, 1.7, 3.1 and 3.9 of Australian Standard AS2601-2001: Demolition of Structure. Note: For further advice you may wish to contact the Global Lead Advice and Support Service on 9716 0132 or 1800 626 086 (freecall), or at [www.lead.org.au](http://www.lead.org.au)
- (o) Hazardous dust not being allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended.
- (p) Any existing accumulations of dust (eg. ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter. All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during adverse winds, which may cause dust to spread beyond the site boundaries.

#### GENERAL

7. The development being carried out in accordance with the plans, specifications and details prepared by Chanine Design, dated 23 September 2012 and marked Job No. 11107, Drawing Plan No. DA1001 to DA1010 (inclusive) Issue E and DA2001 Issue F, and DA2002 to DA2004 (inclusive) and DA3001 and DA3002, Issue E, as received by Council on 25 September 2012, except where amended by the conditions specified in this Notice and the following specific conditions of consent:
  - 7.1. A bin presentation area fully complying with the requirements of DCP 48 – Waste Management shall be provided within the development. In this regard, prior to the issue of a Construction Certificate, the applicant liaise with our Waste Services Section.
  - 7.2. Unit 1 on the ground floor be provided with individual access from the street.
  - 7.3. The design principles on the ground floor be employed at the first and second floor levels to provide natural light to the corner of the internal corridor in accordance with the principle 5 of SEPP 65.
  - 7.4. A small meeting room to be provided for community use.
  - 7.5. Ensure the rooftop projections of Lift 1 and Fire Stair 2 are minimised in height.
8. Eighty-two (82) off-street car spaces being provided in accordance with the submitted plans. This shall comprise:
  - One space for each one/two bedroom dwelling
  - Two spaces for each three bedroom dwelling
  - Six (6) resident common spaces
  - Five (5) commercial spaces
  - Ten (10) visitor common spaces
  - 1 car wash bay

These car spaces being allocated and marked according to this requirement. If the development is to be strata subdivided, the car parking layout must respect the above allocation.



9. Resident and visitor car parking shall be clearly signposted at the entry to the car parking area.
10. Sixteen (16) bicycle spaces are to be provided within the basement.
11. Each letter box bank at the building entrance must be designed and fitted out in accordance with Australia Post design standards.
12. This condition has been levied on the development in accordance with Section 94 of the Environmental Planning and Assessment Act 1979 and in accordance with Canterbury City Council's Canterbury Town Centre Development Contributions Plan, after identifying the likelihood that this development will require or increase the demand on public amenities, public services and public facilities in the area. The amount of the contribution (as at the date of this consent) has been assessed as \$646,527.98. Note: The contributions payable will be adjusted, at the time of payment, to reflect Consumer Price Index increases which have taken place since the development application was determined. The contribution is to be paid to Council in full prior to the release of the Construction Certificate, (or for a development not involving building work, the contribution is to be paid to Council in full before the commencement of the activity on the site) in accordance with the requirements of the Contributions Plan.
13. Finishes and materials, including the treatment of external walls, roofing, balcony balustrades, fences, windows and doors being in accordance with the details accompanying DA-12/2012, received on 3 February 2012 and prepared by Chanine Design. The approved design (including an element or detail of that design) or materials, finish or colours of the building must not be changed so as to affect the external appearance of the building without the approval of Council.
14. A convex mirror shall be provided to the car park entrance to ensure the safety of pedestrians walking from Canterbury Road along Charles Street. Details shall be provided with the application for the Construction Certificate.
15. The applicant shall prepare and submit, as part of the documentation for a Construction Certificate, a Construction Management Plan. This plan shall include the following:
  - (a) details of proposed hours of work and contact details of the site manager;
  - (b) proposed method of access to and egress from the site for construction vehicles;
  - (c) proposed method of loading and unloading of excavation and construction machinery and building materials;
  - (d) proposed areas within the site to be used for the storage of excavated materials, construction materials, waste storage containers and construction vehicles during the construction period;
  - (e) proposed traffic management measures to ensure safe ingress and egress from the site;
  - (f) proposed method of support to any excavation adjacent to adjoining properties or the road reserve;
  - (g) proposed methods to remove loose material from all vehicles and machinery before entering the road reserve and any run-off from the washing of vehicles and associated sediment control measures.

16. The applicant shall make provision for an on-street loading and unloading area in Robert Street near the intersection of Charles Street to service the development. Details of the loading and unloading area shall be provided with the application for the Construction Certificate. Prior to the issue of the Construction Certificate, the applicant shall provide such details for endorsement by Council's Local Traffic Committee. All costs associated with the construction of the loading and unloading area, including design, construction, linemarking, signposting and any necessary changes to the Public Domain Strategy Plans shall be borne by the applicant.
17. Erection of a hoarding/fence or other measure to restrict public access to the site and to building works, materials or equipment when building work is not in progress or the site is otherwise unoccupied. Full details must be submitted to the Principal Certifying Authority with the Construction Certificate application.
18. All materials must be stored wholly within the property boundaries and must not be placed on the footway or roadway.
19. All building operations for the erection or alteration of new buildings must be restricted to the hours of 7.00 a.m. - 5.00 p.m. Monday to Saturday, except that on Saturday no mechanical building equipment can be used after 12.00 noon. No work is allowed on Sundays or Public Holidays.
20. Council's warning sign for Soil and Water Management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction.
21. The capacity and effectiveness of erosion and sediment control devices must be maintained at all times.
22. A copy of the Soil and Water Management Plan must be kept on site at all times and made available to Council officers on request.
23. Concrete pumping contractors must not allow the discharge of waste concrete to the stormwater system. Waste concrete must be collected and disposed of on-site.
24. Materials must not be deposited on Council's roadways as a result of vehicles leaving the building site.
25. Drains, gutters, roadways and accessways must be maintained free of soil, clay and sediment. Where required, gutters and roadways must be swept regularly to maintain them free from sediment. Do not hose down.
26. The site must be provided with a vehicle washdown area at the exit point of the site. The area must drain to an approved silt trap prior to disposal to the stormwater drainage system in accordance with the requirements of Specification S2 of Council's Stormwater Management Manual. Vehicle tyres must be clean before leaving the site.
27. A single entry/exit point must be provided to the site which will be constructed of a minimum of 40mm aggregate of blue metal or recycled concrete. The depth of the entry/exit point must be 150mm. The length will be no less than 15m and the width no less than 3m. Water from the area above the entry/exit point shall be diverted to an approved sediment filter or trap by a bund or drain located above.
28. Provide a Surveyor's Certificate to the Principal Certifying Authority prior to walls being erected more than 300mm above adjacent ground surfaces to



- indicate the exact location of all external walls in relation to allotment boundaries.
29. Provide a Surveyor's Certificate to the Principal Certifying Authority prior to the pouring of concrete at basement/ground/first/second/third/fourth and fifth floor slab level indicating the finished floor level to a referenced benchmark. These levels must relate to the levels indicated on the approved architectural plans and/or the hydraulic details.
  30. All building construction work must comply with the National Construction Code.
  31. Construction of the development, including excavation, foundations and retaining wall construction being carried out in accordance with the recommendations contained within the Geotechnical Report prepared by Aargus Australia dated 6 September 2011, as received by Council on 18 January 2012.
  32. Under clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled. In this condition:
    - (a) relevant BASIX Certificate means:
      - (i) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 96 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified); or
      - (ii) if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and
    - (b) BASIX Certificate has the meaning given to that term in the Environmental Planning and Assessment Regulation 2000.

#### DILAPIDATION AND EXCAVATION

33. The development is to be carried out in accordance with the recommendations contained in the Geotechnical Investigation Report prepared Aargus Australia dated 12 December 2011 accompanying DA-21/2012.
34. All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Adjoining owner property rights must be observed at all times. Where damage occurs to adjoining property, all necessary repair or suitable agreement for such repairs are to be undertaken by the applicant in consultation with, and with the consent of, the affected property owner prior to the issue of an Occupation Certificate.
35. The applicant shall prepare a Dilapidation Report/photographic survey prepared by an appropriately qualified consultant for adjoining property, 6 Charles Street, Canterbury, detailing the physical condition of the property, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items, shall be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate. On completion of the excavation and building works and prior to the issue of an Occupation Certificate, a certificate from an appropriately qualified engineer stating to the effect that no damage has resulted to adjoining properties is to be submitted to the Principal

Certifying Authority. If damage is identified which is considered to require rectification, the damage shall be rectified or a satisfactory agreement for rectification of the damage is to be made with the affected person/s as soon as practical and prior to occupation of the development. All costs associated in achieving compliance with this condition shall be borne by the person entitled to act on this consent.

36. Any new information which comes to light during demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the Principal Certifying Authority immediately.

NSW OFFICE OF WATER – GENERAL TERMS OF APPROVAL

37. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering.
38. Pumped water (tailwater) shall not be allowed to discharge off-site (eg adjoining roads, stormwater system, sewerage system, etc) without the controlling authorities approval and/or owners consent.
39. The licensee shall allow (subject to Occupational Health and Safety Provisions) the NSW Office of Water or any person authorized by it, full and free access to the works (excavation or bore/borefield), either during or after construction, for the purpose of carrying out inspection or test of the works and its fittings and shall carry out any work or alterations deemed necessary by the NSW Office of Water for the protection and proper maintenance of the works, or the control of the water extracted to prevent wastage and for the protection of the quality and prevention from pollution or contamination of the groundwater.
40. If a work is abandoned at any time the licensee shall notify the NSW Office or Water that the work has been abandoned and seal off the aquifer by such methods as agreed to or directed by the NSW Office of Water.
41. Suitable documents are to be supplied to the NSW Office of Water of the following:
  - 41.1. A report of prediction of the impacts of pumping on any licensed groundwater users or be allowed and the project will need to be modified.
  - 41.2. A report of assessment of the potential for salt water intrusion to occur as a result of the dewatering. This report is only required for sites within 250m of any marine or estuarine foreshore area. The generation of conditions leading to salt water intrusion will not be allowed, and the proposal will need to be modified.
  - 41.3. Descriptions of the methods used and actual volume of groundwater to be pumped (Kilolitres/megalitres) from the dewatering works, the works locations, the discharge rate (litres per second), duration of pumping (number of days/weeks), the amount of lowering of the water table and the anticipated quality of the pumped water.
  - 41.4. Descriptions of the actual volume of pumped water (tailwater) to be reinjected (kilolitres/megalitres), the reinjection locations, the disposal rate (litres per second), duration of operation (number of days/weeks) and anticipated quality of treated water to be reinjected.



- 41.5. Monitoring of groundwater levels (minimum of 3 weekly measurements of depth to water at a minimum of 3 locations broadly distributed across the site) beneath the proposed development site prior to construction. This requirement is only for sites where the proposed structure shall extend greater than one floor level into the existing ground level.
42. The design and construction of the structure must preclude the need for permanent dewatering.
43. The design and construction of the structure that may be impacted by any water table must include a water proof retention system (i.e. a fully tanked structure) with adequate provision for future fluctuations of water table levels. (It is recommended that a minimum allowance for a water table variation of at least +/-1.0 metre beyond any expected fluctuation be provided). The actual water table fluctuation and fluctuation safety margin must be determined by a suitably qualified professional.
44. Construction methods and material used in and for construction are not to cause pollution of the groundwater.
45. Monitoring of groundwater levels is to be continued at least weekly during the construction stage and at least weekly over a period of at least 2 months following cessation of dewatering, with all records being provided to the NSW Office of Water on expiration of the licence. This requirement is only for sites where the proposed structure shall extend greater than one floor level into the existing ground level.
46. Groundwater quality testing must be conducted (and report supplied to the NSW Office of Water). Samples must be taken prior to the commencement of dewatering, (and ongoing to the satisfaction of the NSW Office of Water for any extraction and reinjection activities). Collection and testing and interpretation of results must be done by suitably qualified persons and NATA certified laboratory identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria.
47. Discharge of any contaminated pumped water (tailwater) that is not to be reinjected, must comply with the provisions of the *Protection of Environment Operations Act 1997* and any requirements of the relevant controlling authority. The method of disposal of pumped water (i.e. street drainage to the stormwater system or discharge to sewer) and written permission from the relevant controlling authority must be presented to the NSW Office of Water in support of the licence application.
48. Discharge of nay contaminated pumped water (tailwater) that is to be reinjected, must comply with the provisions of the *Protection of the Environment Operations Act 1997*. The quality of any pumped water (tailwater) that is to be reinjected must be compatible with, or improve the intrinsic or ambient groundwater in the vicinity of the reinjection site. Contaminated groundwater is not to be reinjected into any aquifer. The following must be demonstrated in writing:
- 48.1. The treatment to be applied to the pumped water (tailwater) to remove any contamination.
- 48.2. The measures to be adopted to prevent redistribution of any contamination in the groundwater system. Any reinjection proposal that

is likely to further spread contamination within the groundwater system will not be allowed and the project will need to be modified.

- 48.3. The means to avoid degrading impacts on the identified beneficial use of the groundwater. Any reinjection proposal that is likely to lower the identified beneficial use of a groundwater. Any reinjection proposal that is likely to lower the identified beneficial use of groundwater system will not be allowed and the project will need to be modified.
49. Written advice be provided from the Certifying Authority to the NSW Office of Water to certify that the following ground settlement issues have been addressed in reports submitted by the proponent:
  - 49.1. Assessment by a suitably qualified geotechnical professional that the proposed dewatering activity does not pose an unacceptable risk of off-site impacts such as damage to surrounding buildings or infrastructure as a result of differential sediment compaction and surface settlement during and following pumping of groundwater.
  - 49.2. Settlement monitoring activities to be undertaken prior to, during and for the required period of time following the dewatering pumping to confirm the impact predictions.
  - 49.3. Locations of settlement monitoring points, and schedules of measurement.
50. An application must be completed on the prescribed form for the specific purpose of temporary construction dewatering and a licence obtained from the NSW Office of Water prior to the installation of the groundwater extraction works. A plan drawn to scale will be required with the application clearly identifying the location of the dewatering installations.

#### DISABILITY ACCESS

51. A continuous accessible path of travel is to be provided from the street alignment to the building entries, and from the basement level car parking area to and within each of the adaptable units, and to and within all common areas of the building. This continuous accessible path of travel shall not contain a step or other impediment and shall have an unobstructed width of at least 1000mm and vertical clearance of 2000mm.
52. All doors located on the continuous path of travel are to provide a clear opening of a minimum of 850mm when the door is fully open.
53. Glazed doors and panels are to be provided with a 75mm minimum contrast strip at a height of between 900mm and 1100mm above finished floor level for the full width of the door or panel. The strip shall have a minimum contrast of 30% to its adjacent surfaces when viewed from inside and outside the door in all conditions.
54. Letterboxes for the residents of the adaptable units must be provided on a surface that has a maximum crossfall of 1:40. Details shall be provided with the application for the Construction Certificate.

#### CRIME PREVENTION

55. The proposed building shall be treated with anti-graffiti paint and any glass windows and doors at ground level accessible by the public be applied with anti-graffiti film to deter graffiti offenders targeting the building and its perimeters.



56. All access points to the building, including the car parking area, lifts and stairs are to be well lit and restricted to residents via a security system. Visitors to the complex shall be provided access via an intercom system. Details shall be provided with the application for the Construction Certificate.
57. A security grille is to be provided at the entry to the basement. Access to the visitor car parking spaces is to be available via an intercom.
58. All doors at the main points of entry on the ground floor are to be self closing.
59. A security access door is to be provided at the main entrance off Charles Street with access to visitors being available via intercom.
60. Clear directional signage is to be provided within the development to identify each apartment.

#### RAILCORP

61. An acoustic assessment is to be submitted to the Principal Certifying Authority (and Council if it is not the PCA) prior to the issue of a Construction Certificate demonstrating how the proposed development will comply with the Department of Planning's document titled 'Development Near Rail Corridors and Busy Roads – Interim Guidelines'.
62. Prior to the issue of a Construction Certificate, the applicant shall engage an Electrolysis Expert to prepare a report on the electrolysis risk to the development from stray currents. The applicant must incorporate in the development all measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for the Construction Certificate.

#### ENGINEERING

63. That the stormwater system be constructed in general, in accordance with the plans, specifications and details received by Council on 27 June 2012; drawing number C11224 – SW 1-5, Rev C prepared by CAM Consulting and as amended by the following condition.
64. All downpipes, pits and drainage pipes shall be installed to ensure that stormwater is conveyed from the site and into Council's stormwater system in accordance with AUS-SPEC Specification D5 "Stormwater Drainage Design", AS/NZS3500.3 and Council's Stormwater Management Manual - Specification 9 "A Guide for Stormwater Drainage Design".
65. All stormwater must pass through a silt arrestor pit prior to discharge to kerb and gutter. Silt arrestor pit is to be sized in accordance with clause 3.3.2 of Councils stormwater management manual ~ specification 9. Sump depth is to be a minimum of 300mm deep.
66. Full width grated drains being provided across the vehicular entrance/exit to the site where internal areas drain towards the street, and be connected to the drainage system upstream of the silt arrestor pit and in accordance with Clause 4 of Council's Stormwater Management Manual - Specification 9 "A Guide for Stormwater Drainage Design".
67. An on-site stormwater detention system OSD must be provided if the post-development impervious area is greater than or equal to 70% of the total site area.
68. Where OSD is required; three (3) copies of plans and calculations must be submitted prior to the issue of Construction Certificate to the Principal

Certifying Authority PCA and Canterbury City Council, if Council is not the PCA. The plans must be prepared by a practicing Civil Engineer and include levels reduced to Australian Height Datum (AHD) and full details of the hydraulic evaluation of the entire stormwater drainage system. The details shall be prepared in accordance with Council's Stormwater Management Manual – Specification 9.

69. A Works-as-Executed plan must be submitted to Canterbury City Council at the completion of the works, the plan must clearly illustrated dimensions and details of the site drainage and the OSD system. The plan shall be prepared by a registered surveyor or an engineer. A construction compliance certification must be provided prior to the issuing of the Occupation Certificate to verify, that the constructed stormwater system and associate works has been carried out in accordance with the approved plan(s), relevant codes and standards. The required certification must be issued by an accredited professional in accordance with the accreditation scheme of the Building Professional Board issued 1<sup>st</sup> March 2010. An appropriate instrument must be registered on the title of the property, concerning the presence and ongoing operation of the OSD system as specified in appendix 7.5 of Council's Stormwater Management Manual – Specification 9.
70. Stormwater being disposed of into the Sydney Water Corporation drainage system is subject to the Corporation's approval. The Corporation's written approval shall be submitted with the Construction Certificate.
71. Full width heavy duty vehicular crossings shall be provided at the vehicular entrances to the site, with a maximum width of 5.5 metres at the boundary line respectively. This work to be carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
72. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.
73. The levels of the street alignment are to be obtained by payment of the appropriate fee to Council. These levels are to be incorporated into the designs of the internal pavements, carparks, landscaping and stormwater drainage. Evidence must be provided that these levels have been adopted in the design. As a site inspection and survey by Council is required to obtain the necessary information, payment is required at least 14 days prior to the levels being required.
74. Certification from an accredited engineer must be provided to certify that all works has been carried out in accordance with the approved plan(s), relevant codes and standards.
75. Driveways, parking and service areas are to be constructed or repaired in accordance with the appropriate AUS-SPEC #1 Specifications: C242-Flexible Pavements; C245-Asphaltic Concrete; C247-Mass Concrete Subbase; C248-Plain or Reinforced Concrete Base; C254-Segmental Paving; C255-Bituminous Microsurfacing.



76. The driveway grades shall be in accordance with Australian Standard AS 2890.1 "Off-street Parking Part 1 - Carparking Facilities".
77. All redundant vehicular crossings shall be replaced with kerb and the footpath reserve made good by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
78. The reconstruction of the kerb and gutter along all areas of the site fronting Charles Street and Robert Street is required. Work to be carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
79. The reconstruction of concrete footpath paving and associated works along all areas of the site fronting Charles Street and Robert Street is required. Work being carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
80. The granting of service easements within the properties to the satisfaction of Council or private certifier. Costs associated with preparation and registration of easements to be borne by the developer.
81. The applicant must produce a transport access guide in accordance with the guidelines "Producing and Using a Transport Access Guide" to show the proximity to the railway station and shared cycle way, and to use the guide in marketing of the units.

#### LANDSCAPING

82. Landscape works must be completed according to the approved Landscape Plans prepared by Greenland Design (Drawing No: 0421.L01, L02, L03, L04 and L05, Revision B, dated on 25 Jun 2012, and received by Council on 6 Jul 2012) and with AUS-SPEC Specification 0257-Landscape – Roadways and Street Trees, except where amended by the conditions of consent.
83. The applicant shall submit the landscape construction drawings for the public domain areas adjacent to the development site, including the proposed bio-filtration trench to Council for approval, prior to the issue of Construction Certificate. Work is to be carried out by Council or an approved contractor, at the applicant's cost in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
84. The existing street tree, *Callistmon viminalis* (Weeping Bottlebrush) growing along Charles Street adjacent to the development site may be removed to accommodate the proposed development.
85. The following three (3) existing property trees may be removed to accommodate the proposed development:

Botanical Name	Common Name	Location
<i>Eucalyptus saligna</i>	Sydney Blue Gum	Near site eastern corner
<i>Melaleuca quinquenervia</i>	Broad-leafed Paperbark	Near northern boundary

<i>Callistemon viminalis</i>	Weeping Bottle Brush	Near northern boundary
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86. All the proposed trees on the approved Landscape Plans shall be installed at minimum 75litre container size, and street trees are to be 200litre size. The tree supply stocks shall comply with the guidance given in the publication *Specifying Trees: a guide to assessment of tree quality* by Ross Clark (NATSPEC, 2003). The requirements for height, calliper and branch clearance for 75L street trees are as below table:

Container Size	Height (above container)	Caliper (at 300mm)	Clear Trunk Height
75 litre	2.2 – 2.4 metres	40 – 45mm	1.4 metres

87. The landscaping is to be maintained at all times to the Council's satisfaction.

#### SYDNEY WATER REQUIREMENTS

88. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to “Your Business” section of Sydney Water’s web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the “e-developer” icon or telephone 13 20 92. Following application, a “Notice of Requirements” will be forwarded detailing water and sewage extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, 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 occupation of the development/release of the final plan of subdivision.
- A copy of Sydney Water’s Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued.

#### CRITICAL INSPECTIONS

89. Class 2, 3 or 4 Buildings

- 89.1. at the commencement of the building work, and
- 89.2. prior to covering of waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within the building, and
- 89.3. prior to covering any stormwater drainage connections, and
- 89.4. after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

#### Class 5, 6, 7, 8 or 9 Buildings

- 89.5. at the commencement of the building work, and
- 89.6. prior to covering any stormwater drainage connections, and
- 89.7. after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

90. Section 81(A) of the EP&A Act 1979 requires that a person having the benefit of a development consent, if not carrying out the work as an owner-builder, **must notify the principal contractor for the building work of any critical stage inspections and other inspections that are to be carried out in respect of the building work**, as nominated in this development consent.
- To arrange an inspection by Council please phone 9789-9300 during normal office hours.

#### COMPLETION OF DEVELOPMENT



91. Obtain an Occupation Certificate/Interim Occupation Certificate from the Principal Certifying Authority before partial/entire occupation of the development.

**WE ALSO ADVISE:**

92. This application has been assessed in accordance with the National Construction Code which took effect in New South Wales on 1 May 2011.
93. Where Council is appointed as the Principal Certifying Authority, you will be required to submit Compliance Certificates in respect of the following:
- Structural Engineering work
  - Final Fire Safety Certificate
  - Waterproofing
  - Glazing
  - Section J of the National Construction Code
94. Any works to be carried out by Council at the applicant's cost need to be applied for in advance.
95. Before you dig, call "Dial before you Dig" on 1100 (listen to the prompts) or facsimile 1300 652 077 (with your street no./name, side of street and distance from the nearest cross street) for underground utility services information for any excavation areas.
96. No variation to the approved design and external appearance of the building (including colour of materials) will be permitted without further approval.
97. If you are not satisfied with this determination, you may:
- 97.1. Apply for a review of a determination under Section 82A of the Environmental Planning and Assessment Act 1979. A request for review must be made and determined within 6 months of the date of this Notice of Determination and be accompanied by the relevant fee; or
- 97.2. Appeal to the Land and Environment Court within 6 months after the date on which you receive this Notice of Determination, under Section 97 of the Environmental Planning and Assessment Act 1979.

If you require further information, please contact Stephen Pratt in City Planning on 9789 9350, Monday to Friday.

**DATE FROM WHEN CONSENT OPERATES:** \_\_\_\_\_

\_\_\_\_\_  
for JIM MONTAGUE  
**GENERAL MANAGER**