



Notice of Determination of a Development Application

Environmental Planning and Assessment Act, 1979. Section 81(1)(a)

Development Application No. DA-257/2017

Van Janevski
Office 2/55 President Ave
KOGARAH NSW 2217

Date of Determination: 23 November 2017

Determination Notice No.: DA-257/2017

Property: Lot 15 Sec 3 DP 845, No. 17 Tempe Street,
GREENACRE NSW 2190

Canterbury-Bankstown Council hereby Consents to the above described land being developed for the following purpose, subject to compliance with the conditions and requirements set out in the attached schedules.

Description of Development: Demolition of existing structures and construction of an attached dual occupancy, front fence and Torrens title subdivision

Planning Instrument: Bankstown Local Environmental Plan 2015
Published 5 March 2015

Zoning of Property: R2 Low Density Residential

Consent to Operate From: 23 November 2017

Consent to Lapse On: 23 November 2022

These conditions are imposed taking into account the matters for consideration in determining a Development Application pursuant to Section 79C of the Environmental Planning & Assessment Act, 1979 and other relevant Acts and Regulations.

Notes:

1. This Determination Notice does not constitute permission to begin works associated with the development. A Construction Certificate (where applicable) must be obtained prior to the commencement of any development works.
2. This Determination Notice operates or becomes effective from the endorsed date of Consent.
3. If you are dissatisfied with this decision, you may apply for a review of determination

DUALOCC

BANKSTOWN CUSTOMER SERVICE CENTRE
Upper Ground Floor, Civic Tower, 66-72 Rickard Road,
Bankstown NSW 2200, PO Box 8, Bankstown NSW 1885

CAMPSIE CUSTOMER SERVICE CENTRE
137 Beamish Street, Campsie NSW 2194
PO Box 8, Bankstown NSW 1885

CANTERBURY-BANKSTOWN COUNCIL
ABN 45 985 891 846 E. council@cbc.city.nsw.gov.au
W. cbc.city.nsw.gov.au P. 9707 9000 F. 9707 9700

pursuant to Section 82A of the Environmental Planning and Assessment Act, 1979 (does not apply to Integrated Development proposals) or appeal to the Land and Environment Court pursuant to Section 97 of the Environmental Planning and Assessment Act, 1979. Any application for a review of determination pursuant to Section 82A must be received, assessed and determined by Council within 6 months after the date of receipt of this Notice.

4. Section 125 of the Environmental Planning and Assessment Act, 1979 confers the authority to direct any person to comply with the terms and conditions of any Consent and any person failing to comply with such a direction shall be guilty of an offence under that Act.
5. This consent will lapse 5 years from the endorsed date of consent unless the use has commenced, or any building works have physically commenced.
6. The applicant or any other person entitled to act on this Consent may apply to modify the Development Consent in accordance with Section 96 of the Environmental Planning and Assessment Act, 1979.
7. Failure to comply with a condition contained within this Development Consent may result in a fine or prosecution by Council.

CONDITIONS OF CONSENT

- 1) The proposal shall comply with the conditions of Development Consent. A Construction Certificate shall not be issued until the plans and specifications meet the required technical standards and the conditions of this Development Consent are satisfied.
- 2) Development shall take place in accordance with Development Application No. DA-257/2017, submitted by Van Janevski, accompanied by Drawing No. P-1415-A01, P-1415-A02, P-1415-A03 P-1415-A04, P-1415-A05, P-1415-A06 and P-1415-A11, all marked as Amended Plans – 24/07/2017 (A), prepared by Van Janevski, along with the plan titled “Colours + Finishes Schedule”, and all affixed with Council’s approval stamp dated 22/11/17, except where otherwise altered by the specific amendments listed hereunder and/or except where amended by the conditions contained in this approval.

The development plans shall be amended as follows:

- a) The finished floor level of the garage to Unit 1 shall be set at RL46.3m, as marked in red on the approved plan
- b) The rear patio to Unit 2 must incorporate an operable vergola-style roof, with louvres to run east-west so as to be capable of opening at an angle that will allow solar penetration to directly fall on W6. All construction certificate plans shall be consistent with this requirement.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

Prior to the release of a Construction Certificate the following conditions MUST be satisfied and nominated fees/contributions/bonds paid:

- 3) The Certifying Authority must ensure that any certified plans forming part of the Construction Certificate are not inconsistent with this Development Consent and accompanying plans.

- 4) A detailed landscape plan prepared by a qualified landscape architect or designer is to be approved prior to the issue of a Construction Certificate, and shall generally be in accordance with the concept landscape plan approved under Condition 2 of this consent. The landscape plan is to be prepared in accordance with the relevant DCP and is to show all features, built structures including retaining walls, and natural features such as significant gardens, landscaping, trees, natural drainage lines and rock outcrops that occur within 3 metres of the site boundary. The landscape plan shall consider any stormwater, hydraulic or overland flow design issues where relevant. The Landscape Plan shall make provision for the following:

- i. 1 x tree known to attain a minimum height of 10 metres at maturity in the front setback of both lots, planted at a minimum pot size of 75 litres.

The Landscape Plan shall be submitted to the principal certifying authority for final approval prior to the issue of the Construction Certificate.

- 5) The landscape plan shall include the provision for the replacement of all boundary fencing. A new 1.8m fence is to be erected along all side and rear boundaries of the subject allotment at full cost to the developer. Where retaining walls are proposed, the fences must be erected atop such retaining walls. The colour of the fence is to complement the development and the fence is to be constructed of lapped and capped timber paling, sheet metal or other suitable material unless the type of material is stipulated in any flood study prepared for the site. The selection of materials and colours of the fence is to be determined in consultation with the adjoining property owners. Fencing forward of the building line shall be no higher than 1m unless otherwise approved by Council.
- 6) Approval in accordance with Council's Tree Preservation Order (TPO) is granted to lop or remove only those trees on site so identified for removal on the approved plans. Separate approval shall be obtained to prune or remove trees on adjoining properties or other trees located on the site. Failure to comply with Council's TPO may result in a fine of up to \$100,000.
- 7) A Soil Erosion and Sedimentation Control Plan shall be prepared in accordance with Council's relevant DCP. The plan shall be prepared by a suitably qualified professional and approved by the Principal Certifying Authority, prior to the issue of the Construction Certificate.
- 8) The Council Approved building plans, including demolition plans, must be submitted to Sydney Water for assessment. This will determine if the proposed structure(s) would affect any Sydney Water infrastructure or if there are additional requirements. Building plan approvals can be submitted online via Sydney Water Tap in™.

Please refer to www.sydneywater.com.au/tapin

For Sydney Water's Guidelines for building over or next to assets, visit www.sydneywater.com.au 'Plumbing, building & developing' then 'Building Plan Approvals' or call 13000 TAPIN.

Prior to release of a construction certificate Sydney Water must issue either a Building Plan Assessment letter which states that your application is approved, or the appropriate plans must be stamped by a Water Servicing Coordinator.

- 9) A Construction Certificate shall not be issued until written proof that all bonds, fees and/or contributions as required by this consent have been paid to the applicable authority.
- 10) Prior to issue of a Construction Certificate, a Long Service Levy payment being 0.35% of the value of the work, is required to be paid to Council on behalf of the Long Service Levy Corporation.
- 11) Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979, and the Bankstown City Council Section 94A Development Contributions Plan 2009 (Section 94A Plan), a contribution of \$7,429.97 shall be paid to Council.

The amount to be paid is to be adjusted at the time of actual payment, in accordance with the provisions of the Section 94A plan. The contribution is to be paid before the issue of the construction certificate.

Note: The Section 94A Plan may be inspected at Council's Customer Service Centre, located at Upper Ground Floor, Civic Tower, 66-72 Rickard Road, Bankstown, between the hours of 8.30am-5.00pm Monday to Friday.

- 12) The sum of the impervious areas associated with the car parking area, driveway and paths must not exceed 55% of the area between the dwellings and the primary frontage
- 13) Finished surface levels of all internal works at the street boundary, including driveways, landscaping and drainage structures, must be as shown on the approved plans. These levels must be consistent with the footway design levels issued by Council.
- 14) The developer shall engage a suitably qualified Engineer to prepare a final stormwater drainage system plan to be generally in accordance with the concept Stormwater Drainage Plan, Revision C, by DIH Engineering, the requirements of the BASIX Certificate and in accordance with the requirements contained in Council's Development Engineering Standards. The Engineer must amend the plan to reflect the amended Finished Garage Floor level for Unit 1 of RL 46.3. The Engineer shall certify that the design and plans comply with Council's Development Engineering Standards, the BASIX Certificate and the relevant Australian Standards.
- 15) Where Council approved cut or fill exceeds 150mm and stable batter of 1 vertical to 3 horizontal maximum grade cannot be achieved, then a concrete or masonry retaining wall shall be constructed within the development site. Note, filling of the site needs specific approval from Council.

The retaining wall shall be located so that it will not impede or obstruct the natural flow of stormwater and shall be designed by a qualified professional

Civil/Structural Engineer. Plans and details prepared and signed by the Engineer are to be submitted to the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate.

All works associated with the construction of the wall, including backfilling and drainage, is to be located wholly within the allotment boundaries.

- 16) The development is to be carried out in accordance with the commitments shown on the BASIX Certificate. The BASIX commitments approved with this Development Application are to be reflected in the Construction Certificate plans and specifications. Any proposed changes to the BASIX commitments after the Construction Certificate has been issued will require an updated BASIX Certificate and a new Construction Certificate.
- 17) A Work Permit shall be applied for and obtained from Council for the following engineering works in front of the site, at the applicant's expense:
 - a) Two (2) light duty vehicular footway crossing (VFC) of maximum width of 3.0 metres at the property boundary, and with a minimum separation between the wings of the crossing of 5.0m.
 - b) Drainage connection to Council's system.
 - c) Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs.
 - d) Repair of any damage to the public road including the footway occurring during development works.
 - e) Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority.

Note: As a site survey and design is required to be prepared by Council in order to determine the necessary information, payment for the Work Permit should be made at least twenty one (21) days prior to the information being required and must be approved prior to the issue of the Construction Certificate.

- 18) As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the Roads Act 1993 and/or Section 68 of the Local Government Act 1993, Council requires the developer to obtain a Works Permit and or a Roadway/Footpath Building Occupation Permit prior to issue of any Construction Certificate for this development being issued where one or more of the following will occur, within, on or over the public footway or public road:

A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS

WORKS REQUIRING A 'WORKS PERMIT'

- a) Dig up, disturb, or clear the surface of a public footway or public road,

- b) Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road,
- c) Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road,
- d) Install utilities in, under or over a public road,
- e) Pump water into a public footway or public road from any land adjoining the public road,
- f) Erect a structure or carry out a work in, on or over a public road
- g) Require a work zone on the public road for the unloading and or loading of vehicles
- h) Pump concrete from within a public road,
- i) Stand a mobile crane within a public road
- j) Store waste and recycling containers, skips, bins and/or building materials on any part of the public road.
- k) The work is greater than \$25,000.
- l) Demolition is proposed.
- m) Subdivision is proposed.

The developer shall construct all proposed works within the public road and footway under the supervision and to the satisfaction of Council. The developer shall arrange for necessary inspections by Council whilst the work is in progress.

The developer shall ensure the person or company carrying out the work will carry public liability insurance to a minimum value of twenty million dollars. The developer shall provide proof of the policy, to Council, prior to commencing any work approved by the Work Permit including the Road Opening Permit. The policy must remain valid for the duration of the works.

CONDITIONS TO BE SATISFIED PRIOR TO CONSTRUCTION

- 19) The demolition of all structures currently existing on the property must be undertaken, subject to strict compliance with the following: -
 - a) The developer is to notify adjoining residents seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite the demolition site.
 - b) Written notice is to be given to Canterbury-Bankstown Council for inspection prior to demolition. Such written notice is to include the date when demolition will commence and details of the name, address, business hours and contact telephone number and licence number of the demolisher. The following building inspections shall be undertaken by Canterbury-Bankstown Council:
 - (i) A *precommencement* inspection shall be carried out by Council when all the site works required as part of this consent are installed on the site and prior to demolition commencing.

- (ii) A *final* inspection shall be carried out by Council when the demolition works have been completed to ensure that the site is left in a satisfactory manner, in accordance with the conditions of this consent.

NOTE: Canterbury-Bankstown Council requires 24 hours notice to carry out inspections. Arrangements for inspections can be made by phoning **9707 9481** or **9707 9635**.

- c) Prior to demolition, the applicant must erect a sign at the front of the property with the demolisher's name, license number, contact phone number and site address.
- d) Prior to demolition, the applicant must erect a 2.4m high temporary fence or hoarding between the work site and any public place. Access to the site shall be restricted to Authorised Persons Only and the site shall be secured against unauthorised entry when the building work is not in progress or the site is otherwise unoccupied. Where demolition is to occur within 3m of a public place a Work Permit application for the construction of a Class A or Class B hoarding shall be submitted to Council for approval.
- e) The demolition plans must be submitted to the appropriate Sydney Water Office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements. If the development complies with Sydney Water's requirements, the demolition plans will be stamped indicating that no further requirements are necessary.
- f) Demolition is to be carried out in accordance with the appropriate provisions of Australian Standard AS2601-1991.
- g) The hours of demolition work shall be limited to between 7.00am and 6.00pm on weekdays and 7.00am and 1.00pm on Saturdays. No work shall be carried out on Sundays and public holidays, and weekends (Saturdays and Sundays) adjacent to public holidays.
- h) Where materials containing asbestos cement are to be removed, demolition is to be carried out by licensed contractors who have current WorkCover Accreditation in asbestos removal.
- i) Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of WorkCover NSW and the Department of Environment and Conservation.
- j) Demolition procedures shall maximise the reuse and recycling of demolished materials in order to reduce the environmental impacts of waste disposal.

- k) During demolition, the public footway and public road shall be clear at all times and shall not be obstructed by any demolished material or vehicles. The public road and footway shall be swept (NOT hosed) clean of any material, including clay, soil and sand. (NOTE: If required, Council will clean the public road/footway at the applicant's expense). On the spot fines may be levied by Council against the demolisher and or owner for failure to comply with this condition.
 - l) All vehicles leaving the site with demolition materials shall have their loads covered and vehicles shall not track soil and other material onto the public roads and footways and the footway shall be suitably protected against damage when plant and vehicles access the site. All loading of vehicles with demolished materials shall occur on site.
 - m) The burning of any demolished material on site is not permitted and offenders will be prosecuted.
 - n) Care shall be taken during demolition to ensure that existing services on the site (i.e. sewer, electricity, gas, phone) are not damaged. Any damage caused to existing services shall be repaired by the relevant authority at the applicant's expense.
 - o) Suitable erosion and sediment control measures shall be erected prior to the commencement of demolition works and shall be maintained at all times.
 - p) Prior to the demolition of any building constructed before 1970, a Work Plan shall be prepared and submitted to Council in accordance with Australian Standard AS2601-2001 by a person with suitable expertise and experience. The Work Plan shall outline the identification of any hazardous materials, including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- 20) The building / subdivision work in accordance with the development consent must not be commenced until:
- a) A construction certificate for the building / subdivision work has been issued by the council or an accredited certifier, and
 - b) The person having benefit of the development consent has:
 - i. appointed a principal certifying authority for the building / subdivision work, and
 - ii. notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
 - c) The person having the benefit of the development consent, if not carrying out the building work as an owner-builder, has:
 - i. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and

- ii. notified the principal certifying authority of any such appointment, and
 - iii. unless the person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d) The person having the benefit of the development consent has given at least 2 days' notice to the council of the person's intention to commence the building / subdivision work.
- 21) Any existing trees within the vicinity of the construction works or paths of travel for construction vehicles accessing the development that are to be retained, shall be protected with temporary fencing of a style non injurious to tree roots, placed 2m from the trunk base of the existing tree to prevent damage during construction, and retained in accordance with Council's Tree Preservation Order. There is to be no stockpiling of materials within the 2m fenced zone. The following must be adhered to:
- No fill, excavated material, building material or other items are to be placed around retained trees.
 - No excavation is to take place around the root zone or canopy of retained trees.
 - All preservation zones are to be mulched to a depth of no less than 70-100mm using a suitable organic mulch or sand around the trees to be retained, i.e.; around the root zone or canopy of trees.
 - Fencing around retained trees is to be in place prior to commencement of site works and is to be kept in place during all construction, until final inspection is undertaken.
 - Fences should be signposted to warn contractors of their purpose.
 - Treatment and pruning of trees may only be undertaken by qualified arborists after approval of Council.
 - Any tree removal carried out on Saturdays is permitted only between the hours of 7am and 1pm inclusive, Sunday removals **not** permitted.
 - Construction to begin only when the above procedures are in place.
 - Failure to comply with the above conditions will result in an on-the-spot fine.

22) Approval is granted for the removal of the following tree in Council's footway:

Species	Location
<i>Callistemon viminalis</i> (Bottlebrush)	Council naturestrip, forward of the property line

The tree removal works are subject to the following conditions:

- (a) All tree removal works must be carried out by a qualified arborist with a minimum of AQF (Australian Qualification Framework) Certificate III in Arboriculture;
- (b) The tree removal contractor must hold a Public Liability Insurance Certificate of Currency with a minimum indemnity of \$20 million, together with a NSW Workers Compensation Insurance Certificate of Currency;

- (c) The tree removal work must comply with the *Amenity Tree Industry – Code of Practice, 1998* (WorkCover, NSW);
- (d) The tree stump is to be ground to 300mm below ground level. Investigation to locate underground services shall be the responsibility of the applicant.
- (e) All tree material shall be removed from site, and the nature strip shall be backfilled, compacted and restored to the original level
- (f) The site must be maintained in a safe condition at all times;
- (g) Appropriate hazard signage to be in place at all times during the tree works.

Any other street vegetation not specifically identified above is to be retained and protected from construction damage and pruning.

- 23) Suitable erosion and sediment control measures shall be erected in accordance with the plans accompanying the Construction Certificate prior to the commencement of construction works and shall be maintained at all times.
- 24) Council warning sign for Soil and Water Management must be displayed on the most prominent point of the site, visible to both the street and site works. The sign must be displayed throughout the construction period.
- 25) Prior to commencement, the applicant must provide a temporary on-site toilet if access to existing toilets on site is not adequate.
- 26) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, as it can take some time to build water/sewer pipes and this may impact on other services and building, driveway or landscape design.

- 27) Prior to the commencement of work, a fence must be erected around the area of the works, except where an existing 1.8m high boundary fence is in good condition and is capable of securing the area. Any new fencing shall be temporary (such as cyclone wire) and at least 1.8m high. All fencing is to be maintained for the duration of construction to ensure that the work area is secured.

Where the work is located within 3.6m of a public place then a Type A or Type B hoarding must be constructed appropriate to the works proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval prior to the commencement of work.

- 28) A sign shall be displayed on the site indicating the name of the person responsible for the site and a telephone number on which that person can be contacted during and outside normal working hours or when the site is unattended.
- 29) In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with part 6 of that Act, such a contract of insurance must be in force before any building work authorised to be carried out by this consent commences.
- 30) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
- a) in the case of work for which a principal certifying authority is required to be appointed:
 - i. the name and licence number of the principal contractor, and
 - ii. the name of the insurer by which the work is insured under Part 6 of the Act,
 - b) in the case of work to be done by an owner-builder:
 - i. the name of the owner-builder, and
 - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

- 31) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - b) showing the name of the principal contractor (if any) for any 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.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

CONDITIONS TO BE SATISFIED DURING CONSTRUCTION

- 32) The hours of site works shall be limited to between 7.00am and 6.00pm on

weekdays and 7.00am and 1.00pm on Saturdays. No work shall be carried out on Sundays and public holidays, and weekends (Saturdays and Sundays) adjacent to public holidays.

- 33) The building work must be carried out in accordance with the requirements of the Building Code of Australia, the provisions of the relevant Australian Standards and the approved plans.
- 34) Prior to the ground floor slab being poured, an identification report prepared by a registered surveyor shall be submitted verifying that the proposed slab's finished ground floor level and siting to the property boundary conforms with the approved plans.
- 35) All Civil and Hydraulic engineering works on site must be carried out in accordance with Council's Development Engineering Standards. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must be carried out in accordance with Council's Work Permit requirements and to Council's satisfaction.
- 36) All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards.
- 37) If the soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions must be made for drainage. Separate approval may be required for retaining walls should they be required.
- 38) If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - a) protect and support the adjoining premises from possible damage from the excavation, and
 - b) where necessary, underpin the adjoining premises to prevent any such damage.
- 39) All boundary fencing behind the building line shall be replaced by a 1.8m high lapped and capped timber or sheet metal fence, or as stipulated in a flood study prepared for the site, or as determined in consultation with the adjoining property owners at the developer's expense. Where retaining walls are proposed, the fences must be erected atop such retaining walls. Fencing forward of the building line shall be no higher than 1m unless otherwise approved by Council.
- 40) The stormwater drainage system shall be constructed in accordance with the plans and details approved by the Principal Certifying Authority (PCA) and Council's Development Engineering Standards Policy.
- 41) Prior to the commencement of work, the builder shall prepare a photographic record of the road reserve which clearly shows its condition prior to works occurring on site. For the entirety of demolition, subdivision or construction

works, there shall be no stockpiling of building spoil, materials, or storage of equipment on the public road, including the footway and the road reserve shall be maintained in a safe condition at all times. No work shall be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.

CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION

- 42) The use of a building in accordance with this Development Consent must not be commenced until Council or the PCA has issued an Occupation Certificate for the building and site works.
- 43) A final Occupation Certificate shall not be issued until all conditions relating to demolition, construction and site works of this development consent are satisfied and a copy of the Work Permit Compliance Certificate has been submitted to the PCA.
- 44) Landscaping is to be installed in accordance with the approved landscape plan. All works and methods nominated and materials and plants specified on the approved landscape plan are to be completed prior to the issue of an occupation certificate. The landscaping shall be maintained for the life of the development.
- 45) Lighting must be provided to the entries of the dwellings, driveways and parking areas to promote a high level of safety and security at night and during periods of low light. Lighting provided should be hooded, shielded or directed away from neighbouring dwellings to minimise glare and associated nuisances to residents.
- 46) The premises must be readily identified from the street with the allocated house numbers. Numbering of the development without Council's written approval is not permitted. An official "house numbering" letter will be sent to the applicant indicating the proposed house numbers of the new development. Note: The house numbers of the development are subject to change depending on the type of subdivision that may occur at a later stage.
- 47) The Section 73 Certificate must be submitted to the Principal Certifying Authority before occupation of the development/release of the plan of subdivision.
- 48) A registered surveyor shall prepare a Work As Executed Plan, and a suitably qualified Hydraulic Engineer shall provide certification of the constructed on-site stormwater drainage system.

The Work As Executed information shall be shown in red on a copy of the approved stormwater plan and shall include all information specified in Council's Development Engineering Standards. The Work As Executed plan shall be submitted to the Hydraulic Engineer prior to certification of the on-site stormwater drainage system.

A copy of the Work As Executed Plan and Hydraulic Engineer's Certification shall be submitted to Council for information prior to issue of the final occupation certificate.

- 49) The rear patios are approved as open structures only and shall not be enclosed by any wall, roller door or similar obstruction. Compliance with this condition must be verified prior to the issue of an occupation certificate. This condition must be complied with for the life of the development, unless altered by Council under a separate consent.

CONDITIONS TO BE SATISFIED PRIOR TO THE RELEASE OF THE SUBDIVISION CERTIFICATE

- 50) Prior to the issue of the Subdivision Certificate, the following items are to be complied with:
- (a) The developer shall create the following easements, where necessary over the relevant lots, on the plan of subdivision under provisions of the Conveyancing Act. A statement shall be placed on the Section 88B Instrument that nominates Canterbury-Bankstown Council as the authority empowered to release, vary or modify the easements created.
 - a. Easements to drain water (for inter-allotment drainage).
 - b. Easement for services (for utilities).
 - c. Right of carriageway (for internal driveway, vehicle manoeuvring).
 - d. Easement for overhang (for eaves and gutters).
 - (b) The following information shall be submitted to Council or accredited certifier (where applicable) with an application for a Subdivision Certificate:
 - i. Original plan of subdivision prepared and signed by a qualified surveyor, plus five (5) copies;
 - ii. Copy of the relevant development consent, including all Section 96 Modifications if applicable,
 - iii. Evidence that all conditions of consent relevant to the release of the subdivision certificate have been complied with,
 - iv. A certificate of compliance (Section 73 Certificate) from Sydney Water if required,
 - v. Certification by a registered surveyor that all services such as stormwater, drainage, water, gas, electricity and telephone are contained separately within each lot or within easements created to accommodate such services
 - vi. A certificate from a Registered Surveyor which demonstrates that the height and location of all floor slabs and external walls complies with the approved plans. In this regard, the certificate from the Registered Surveyor is required to identify the finished floor level of the floor slabs and external walls and the offsets to property boundaries.
 - vii. A Work As Executed Plan prepared by a registered surveyor, together with certification from a qualified professional civil engineer of the constructed on-site drainage and/ or stormwater detention system, shall be obtained prior to release of the linen plans.

The Work As Executed plans shall be shown on a copy of the approved stormwater drainage plan and shall contain all information specified in Council's Development Engineering Standards.

The Work As Executed information shall be shown in red on a copy of the approved plans. The information shall be submitted to the Engineer prior to certification.

The engineer's certification shall be carried out on Council's standard form "On-Site Stormwater Detention System – Certificate of Compliance", contained in Council's Development Engineering Standards.

A copy of the work as executed information together with the certification shall be submitted to Council for information prior to issue of the linen plan.

- viii. Copy of the Work Permit Compliance Certificate, where required.
- ix. A copy of the Final Occupation Certificate.

- (c) An application and appropriate fees for the issue of a Subdivision Certificate shall be submitted to Council upon submission of the information referred to in part (b) of this condition.

The subdivision certificate shall not be issued until the requirements of this condition have been complied with.

SCHEDULE A: ADVICE TO APPLICANTS

Inspection of building works shall be undertaken as determined by the PCA. If Civic Approvals has been nominated as the PCA then details of inspection type and number required will be determined prior to the issue of a construction certificate.

Where a combined development consent is issued for demolition of buildings and construction of new work, a Construction Certificate must be obtained for the work, including demolition.

Also, 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 to nearest cross street) for underground utility services information for any excavation.

For further information regarding this notice please contact Nicholas Aley in Development Services on 9707 9473.

Yours faithfully,



Nicholas Aley
TEAM LEADER – PLANNING (WEST)