

PROPOSED CONDITIONS OF DEVELOPMENT CONSENT

32 The Crescent Homebush

1. Council's standard condition requiring Section 73 Certificate from Sydney Water.
2. The developer shall incorporate a clear and unobstructed overland flow path route 3.05 metres wide between Burlington Street and The Crescent generally abutting the western boundary of the site and transitioning to the existing Memorial Gardens pathway near Burlington Street.
 - The flow path is to generally comply with the 'Concept Plan Layout', 'Concept Flow Path Longsection' and 'Concept Flow Path Typical Crosssection' drawings attached.
 - The developer is to refine the concept design drawings into detailed engineering design drawings. The detailed engineering design drawings are to be submitted to and approved by Sydney Water prior to issue of the Construction Certificate.
 - In terms of ensuring a clear and unobstructed overland flow path, any other architectural, structural or civil engineering drawing that may conflict with or be inconsistent with the approved overland flow path detailed design drawings shall give way to the overland flow path design drawings.
 - The overland flow path at each road frontage shall be kept unfenced. The relocated electricity substation is to be kept clear of the proposed overland flow path.
 - The flow path is to be confirmed and protected on the property title through an appropriate positive covenant prepared and executed by the developer prior to issue of the Occupation Certificate. No obstructions or use of the flow path that may obstruct overland flows is to be permitted. The terms of the covenant are to be approved by Sydney Water and shall be generally in accordance with the terms set out in the attached letter of advice from Maddocks dated 16th April 2010 (CJC:5672579) and 'Draft Positive Covenant and Restriction on the Use of Land by a Prescribed Authority'.
 - The flow path is to be also confirmed and protected by an appropriate By Law also in accordance with the Maddocks letter of advice.
 - The vertical extent of the flow path shall extend from 100mm below the designed ground surface level of the flow path up to the estimated height of the probable maximum flood.
3. The developer shall demolish the existing Sydney Water channel that passes through the site and design / construct a replacement reinforced concrete box culvert (RCBC), in situ transitions to the existing covered channel and requisite restoration works at full cost to the developer.
 - The design of the replacement RCBC is to be generally in accordance with the 'Concept Plan Layout' drawing attached.

- The developer is to refine the concept design drawings into detailed engineering design drawings. The detailed engineering design drawings are to be submitted to and approved by Sydney Water prior to issue of the Construction Certificate.
- The design and construction supervision is to be undertaken by an approved Sydney Water Servicing Coordinator (WSC) engaged by the developer.
- The specifications for the RCBC are to ensure that the replacement culvert may effectively be deemed 'maintenance free' for the life of the proposed building.
- The designer is to carefully investigate the structural stability / independence of the existing channel covers at the transitions at each end of the renewal works. The developer is to take any necessary precautions to ensure protection of the adjacent property improvements during and following construction.
- The detailed design is to incorporate appropriate construction provisions for the management of storm flows during construction. Storm flow capacity must remain available at all times and risks to person and property must be minimised by including prudent and auditable safety measures into the construction program.
- The Sydney Water Stormwater Group is to be advised prior to demolition of the existing stormwater channel.