

CONDITIONS OF CONSENT

- 1) The proposal shall comply with the conditions of this Development Consent.
- 2) Development shall take place in accordance with Development Application No. DA-133/2015, submitted by David Carey (NSW Land & Housing Corporation), accompanied by Drawing Nos. 03, Revision B, dated 12 January 2015; 04, Revision D, dated 30 April 2015; 05, Revision C, dated 30 April 2015; 06, Revision D, dated 30 May 2015; 07, Revision C, dated 30 May 2015; 08, Revision C, dated 30 May 2015; 09, Revision C, dated 30 April 2015; 10, Revision C, dated 30 April 2015; 11, Revision C, dated 30 April 2015; 12, Revision C, dated 30 April 2015, prepared by Belinda Scott & Associates P/L and affixed with Council's approval stamp, except where amended by the conditions contained in this approval.
- 3) Crown building work must not be commenced unless the building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws.

CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK

- 4) Landscaping shall be in accordance with Landscape Plan Drawing No. LA01, Revision D, dated 1 May 2015, prepared by Belinda Scott & Associates P/L.
- 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. 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 the trees identified to be lopped or removed 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) 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.

- 8) An unfenced tree protection zone of 10.0 metres shall be observed for the *Eucalyptus botryoides* (Bangalay) to be retained at the front of the site. Within this zone the following amendments are to be made:
- a) Where Units 1, 3 & 5 encroach on this zone modified footings to avoid tree roots greater than 25mm in diameter are to be used. Discontinuous footings (such as pier and beam) or piers with a void between the floor and natural ground level or the like shall be used.
 - b) Pathways around the tree should be laid on grade or with minimal excavation. If required a maximum of 100mm of topsoil that is a lesser density to the existing topsoil on the site could be used to compensate for the reduced excavation.
 - c) All services to be installed within the unfenced tree protection zone (including storm water) are installed using thrust boring techniques (no dig pipe laying) or that the trenches are dug by hand with no roots greater than 25 mm in diameter to be severed.
- 9) A qualified Arboricultural Consultant with a minimum Level 5 qualification (AQF – Australian qualification network) or the equivalent shall be retained for the duration of the demolition and construction of the development to ensure that tree protection measures on the site are imposed as per the conditions contained in any approved consent.

In addition the Consulting arborist is to identify key stages where monitoring and certification will be required as outlined in AS 4970 – 2009, Section 5. A schedule outlining these stages is to be submitted to the consent authority and become a condition of consent. This schedule shall also be provided to the site manager to ensure that compliance is met.

A written account of the satisfactory completion of each of these stages as assessed by the consulting arborist is to be reported to the consent authority.

10) Trees to be retained and protected

The following trees are to be retained and protected as per the conditions below. Failure to comply with these conditions is an offence and may incur a fine or lead to prosecution.

Species	*Location	Action
<i>Eucalyptus botryoides</i> (Bangalay)	Front setback towards southern boundary and as shown on the	During demolition **TPZ fence to be instated at a minimum of 7.0 metres from the middle of the trunk and as bounded by the boundary fence

	<p>approved Landscape plan</p>	<p>shall be installed as per the conditions below.</p> <p>During construction *TPZ fence to be instated to the edges of the deep soil planting area around the tree as shown on Landscape Plan Drawing No. LA01, Revision D, dated 1 May 2015, prepared by Belinda Scott & Associates P/L.</p> <p>Ground protection is to be installed in the area within 10.0 metres of the tree (measured from the middle of the trunk) between the tree protection fence and the building line.</p> <p>Ground protection shall be in the form of a layer geotextile fabric covered by mulch to a depth of 100mm as detailed in AS4970-2009, Section 4.5.3. Where there is a requirement for joins in the geotextile fabric it is to be overlapped by 0.5 metres.</p> <p>Intrusion into this zone is permitted for the laying of the stormwater pipes providing heavy machinery is not used within the zone.</p> <p>Post construction/installation of paths The tree protection fence shall be reduced to the structural root zone of the tree which is shown to be 3.24 metres (when measured from the middle of the trunk) and installed as per the conditions below.</p> <p>Movement of the fence and any intrusion into the fenced tree protection area shall be done under the supervision of the Consulting arborist to be retained for the duration of the project.</p>
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<i>Callistemon viminalis</i> (Bottlebrush)	Council Naturestrip, towards the southern side of the site and as shown on the approved Landscape plan	*TPZ of a minimum of 2.5 metres from the middle of the trunk and as bounded by the boundary fence shall be installed as per the conditions below.
<i>Callistemon viminalis</i> (Bottlebrush)	Council Naturestrip, towards the southern side of the site and as shown on the approved Landscape plan	*TPZ of a minimum of 2.5 metres from the middle of the trunk and as bounded by the boundary fence shall be installed as per the conditions below.

***Location** – All locations are as shown on Drawing No. LA01, Revision D, dated 1 May 2015, prepared by Belinda Scott & Associates P/L

***TPZ**- Tree Protection Zone

Tree protection measures shall comply with *Australian Standard AS4970-2009 Protection of trees on development sites*, together with the following conditions:

- a) The following root zones apply to this tree:
 - i. A Structural Root Zone (SRZ) of 3.24 metres radius measured from the base of the trunk; and
 - ii. A Tree Protection Zone (TPZ) of 10.0 metres radius measured from the base of the trunk;
 - iii. Modified Tree protection zones (location of fences) as detailed in the table above.
- b) The tree/s to be retained and protected together with their relevant Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) shall be marked on all demolition and construction drawings.
- c) All contractors and workers on site shall be briefed on the tree protection and management procedures in place as part of their site induction. A written record of the induction process is to be kept on site.
- d) A 1.8m chain link wire fence that complies with Section 4.3 of AS 4970 - 2009, Protection of trees on development sites and to the dimensions detailed above shall be erected around the above trees to be retained and protected during all approved works. The fence is to be installed prior to demolition / construction and is to remain in place for the duration of the site works.
- e) The applicant will display in a prominent location on the fencing of each protection zone a durable, weather resistant sign having a minimum dimension of 500mm high x 400mm wide of similar design and layout as per Appendix C, *Australian Standard AS4970-2009 Protection of trees on development sites* clearly showing clearly showing:

- i. The Development Consent number
 - ii. The name and contact number of the nominated consultant arborist or site manager;
 - iii. Indication that access into the Tree Protection zone is not permitted.
- f) The above notice is to be in place prior to commencement of demolition or construction.
- g) Fences are to be inspected on a regular basis to ensure that they are intact, comply with the above standard, installed to the appropriate dimensions and provide effective protection for the tree to be retained.
- h) The TPZ shall be maintained as per AS4970 - 2009, Section 4.6. Access to the TPZ is permitted to undertake necessary maintenance such as mowing, watering, weed control
- i) No vehicular access, excavations for construction or installation of services shall be carried out within the fenced Tree Protection Zone.
- j) Building materials, chemical storage, site sheds, wash out areas, and similar shall not be located within the fenced Tree Protection Zone.
- k) Trees marked for retention must not to be damaged or used to display signage, or as fence or cable supports for any reason.
- l) If any tree roots are exposed during any approved works then roots smaller than 25mm are to be pruned. They shall be cut cleanly by hand, by an experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate). Any roots greater than 50mm are to be assessed by a qualified arborist before any pruning is undertaken. If required, changes in design may need to be considered.

11) Trees to be removed

Trees to be removed from the site shall be in accordance with Landscape Plan Drawing No. LA01, Revision D, dated 1 May 2015, prepared by Belinda Scott & Associates P/L.

All tree removal works must comply with the *Amenity Tree Industry – Code of Practice, 1998* (Workcover, NSW);

- 12) A soil erosion and sediment control plan must be prepared by a suitably qualified professional in accordance with Bankstown Development Control Plan 2015 and Development Engineering Standards and submitted to the Land & Housing Corporation for approval prior to the commencement of work.
- 13) The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agent details - see Building and Developing then Quick Check; and
- Guidelines for building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating

or telephone 13 20 92.

- 14) A long service levy payment which is 0.35% of the total cost of the work is to be paid to the Building and Construction Industry Long Service Payments Corporation.
- 15) Finished surface levels of all internal works and at the street boundary, including driveways, landscaping and drainage structures, must be as shown on the approved plans. The levels at the street boundary must be consistent with the Street Boundary Alignment Levels issued by Council.
- 16) The developer shall submit to Council details of the following works prior to any works commencing in the road reserve, and pay fees associated with the assessment of these details:
 - a) Three (3) heavy duty VFCs, each of maximum width of 3.5 metres at the property boundary.
 - b) Drainage connection through rainwater tank overflows collected in an underground on site detention tank discharged to the existing 375mm diameter storm water pipe network in Wollongbar Avenue. The existing private storm water pipe across the subject allotment must be relocated centrally beneath the proposed internal driveway, in an easement width of 2.0 metre and be reconnected to the existing 375mm diameter storm water pipe in Wollongbar Avenue to the satisfaction of Council.

The developer should also prepare a dilapidation report of the existing condition of the road reserve in the vicinity of the development and submit the report to Council prior to commencing works on site. The developer will also be responsible for the following works to be completed prior to any occupation of the development:

- 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 detailed plans. 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 approval should be made at least twenty one (21) days prior to the information being required and must be approved prior to the commencement of work.

- 17) Stormwater runoff from within the property shall be collected and controlled by means of an underground on-site detention system in accordance with Council's Development Engineering Standards. The runoff from the detention storage shall be conveyed to a control pit to be located at the north eastern corner of the site and from there to a new kerb inlet pit to be constructed on the existing Council's 375mm diameter storm water pipe network in Wollongbar Avenue. Stormwater runoff from areas naturally draining to the site shall be collected, conveyed and piped to the new kerb inlet pit downstream of the detention storage basin.

A final stormwater drainage and on site detention system plan, shall be prepared by a qualified professional Civil Engineer in accordance with the above requirements and the requirements contained in Council's Development Engineering Standards. The final stormwater drainage plan shall also be generally in accordance with the concept plan no: BGH6L, Sheet SW 01 to 04, Revision 3, dated 21/05/2015, prepared by Marline NewCastle P/L. The final plan shall be certified by the design engineer that it complies with Council's Development Engineering Standards and the relevant Australian Standards.

- 18) Where Council approved cut or fill exceeds 200mm and stable batter of 1 vertical to 3 horizontal maximum grade cannot be achieved, then a masonry or other proprietary material retaining wall, intended and suitable for that purpose, 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. Retaining walls exceeding 600mm in height shall be designed by a qualified professional Civil/Structural Engineer. Plans and details prepared and signed by the Engineer are to be obtained prior to the commencement of work.

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

- 19) Prior to the commencement of works, a dilapidation report shall be prepared by the developer and a copy provided to the adjoining property owners at No. 13A Hodgkinson Crescent to the west of the subject site. The report must clearly identify the condition of existing structures on the adjoining property prior to the commencement of works. All care shall be taken during the construction process to ensure the adjoining structures are protected, and should any change in condition occur from that recorded in the dilapidation report, the rectification of such shall be at full cost to the developer of the subject site.

- 20) For internal driveways with a gradient exceeding 10% (1 in 10), longitudinal profiles of all vehicular driveways and ramps shall be obtained prior to the commencement of work. The maximum grade of the driveway/ramp shall not exceed 20% and shall comply with AS 2890.1. The profile shall be drawn at a reduction ratio of 1 to 20 vertical and horizontal and shall be related to the datum used for the issue of the footway design levels and shall also show the road centre line levels, Council issued footway design levels and gutter levels. Council's Car Clearance Profile in Council's Development Engineering Standards, (Plan No. S 006) shall be used to design the profile.
- 21) The carport columns that encroach within the shared areas of the disabled car parking spaces shall be relocated elsewhere such that the shared areas are kept clear of obstructions in accordance with AS2890.6:2009.
- 22) The building works in accordance with the development consent must not be commenced until the person having benefit of the development consent has given at least 2 days' notice to the Council of their intention to commence the building works.
- 23) Suitable erosion and sediment control measures shall be erected 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 the commencement of work, 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. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Building and Developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

- 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 of which that person can be contacted during and outside normal working hours or when the site is unattended.
- 29) A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:
 - a) showing the name of the contractor for any building work and a telephone number on which that person may be contacted outside working hours, and
 - b) stating that unauthorised entry to the work site is prohibited.

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

- 30) Permission is granted for the demolition of the structures currently existing on the property, 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 Bankstown City 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 Bankstown City 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: Payment of an inspection fee at Council's current rate will be required prior to each inspection. Council requires 24 hours notice

to carry out inspections. Arrangements for inspections can be made by phoning **9707 9410, 9707 9412 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 AS2601-2001.
- g) The hours of demolition work shall be limited to between 7.00am and 6.00pm on weekdays, 7.00am and 1.00pm on Saturdays and 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 NSW EPA 'Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes 2004'.
- 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 (ie. 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.

CONDITIONS TO BE SATISFIED DURING CONSTRUCTION

- 31) 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.
- 32) The building work must be carried out in accordance with the requirements of the Building Code of Australia.
- 33) Prior to the ground floor slab being poured, an identification report by a Registered Surveyor must be submitted verifying that the proposed buildings finished ground floor level and siting to the property boundaries conforms to the approved plans.
- 34) 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 to Council's satisfaction.

- 35) All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards.
- 36) If 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.
- 37) 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.
- 38) 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. Fencing forward of the building line shall be no higher than 1m unless otherwise approved by Council.
- 39) The stormwater drainage system shall be constructed in accordance with Council's Development Engineering Standards and the engineering plans and details approved by a suitably qualified engineer.
- 40) A suitably qualified Professional Civil or Structural Engineer shall be engaged by the developer to carry out inspections relating to construction of internal driveways and parking areas. The work shall be carried out in accordance with the approved plans and specifications and certification from the Civil or Structural Engineer is to be provided upon completion.
- 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 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.

CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION

- 42) Consolidation of the existing allotments must be registered by the office of Land and Property Information before occupation of the development.

- 43) Occupation of the development shall not commence until all conditions relating to demolition, construction and site works of this development consent are satisfied.
- 44) Five (5) off street car spaces being provided in accordance with the submitted plans. This shall comprise of five (5) residential spaces.

All of the above car parking spaces are to be provided for people with mobility impairment in accordance with AS 2890.1. All car parking spaces shall be allocated and marked according to these requirements.

- 45) 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 occupation of the development. The landscaping shall be maintained for the life of the development.
- 46) Replacement Trees: On-Site

In line with Council's policy to maintain and increase tree cover in the Council area, the applicant is to plant in accordance with Landscape Plan Drawing No. LA01, Revision D, dated 1 May 2015, prepared by Belinda Scott & Associates P/L and as outlined below:

- a) Replacement trees are to be a minimum container size of 75 litres. They shall comply with NATSPEC Specifying Trees: a guide to assessment of tree quality (2003), and be planted and maintained in accordance with Councils standard specification.
- b) Tree species used are not to include any of the exempted plant species listed under clause 2.7 of Bankstown Development Control Plan 2015 Part B11– Tree Preservation Order.
- c) The trees are to be planted no closer than 3.5 metres from the wall of any approved dwelling on the property. Trees/shrubs proposed for planting along the rear boundaries shall be located no closer than 1.0 metres from the rear boundary.
- d) All new plantings shall be located so future growth will not be in conflict with electricity wires. Consideration should be given to the location of new electricity poles and wires so that sufficient space is provided.
- e) The replacement trees are to be planted prior to occupation of the development.
- f) The replacement trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 6.0 metres whereby they will be protected by Bankstown Development Control Plan 2015 Part B11– Tree Preservation Order.
- g) If the replacement trees are found to be faulty, damaged, dying or dead before being protected by Bankstown Development Control Plan 2015 Part B11– Tree Preservation Order; the tree/s shall be replaced with the same species at no cost to Council.

47) Replacement Trees: Footpath

The applicant is to plant the following replacement trees forward of the property. The trees shall have a container size not less than 75 litres, shall comply with NATSPEC Specifying Trees: a guide to assessment of tree quality (2003), and be planted and maintained in accordance with Councils street tree planting Standard Drawing No. S-201.

Species	Location
<i>Cupaniopsis anacardioides</i> (Tuckeroo) x 3	At locations shown on with Landscape Plan Drawing No. LA01, Revision D, dated 1 May 2015, prepared by Belinda Scott & Associates P/L.

Investigation to locate underground services shall be the responsibility of the applicant. Should such services be located and there is a reasonable belief that damage may occur to those services by the new plantings, the applicant is to:

- a) Carry out engineering works to protect those services from damage; or
- b) Relocate the plantings to a more suitable location following written approval from Bankstown City Council; or
- c) Substitute the approved tree species with an alternative species following written approval from Bankstown City Council.

The trees are to be planted to the satisfaction of Councils Tree Management Officer. The Applicant shall contact Councils Tree Management Officer to arrange for a site inspection of the completed tree planting prior to occupation of the development.

- 48) A suitably qualified Professional Civil Engineer shall certify that the driveways and parking bays have been constructed in accordance with the approved plans and specifications. Such Certification shall be submitted prior to occupation of the development.
- 49) 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.
- 50) 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 of the type on subdivision that may occur at a later stage.

- 51) The Section 73 compliance certificate under the Sydney Water Act 1994 must be submitted to the NSW Land & Housing Corporation and a copy provided to Council prior to occupation of the development.
- 52) 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 detention 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 detention system.

The engineer's certification of the on-site stormwater detention system should be carried out similar to 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 Plan and Hydraulic Engineer's Certification shall be submitted to Council for information prior to occupation of the development.

- 53) The developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of OSD on title", as outlined in Council's Development Engineering Standards and in accordance with the appropriate provisions of the Conveyancing Act.

Note: The location of the "On-Site Stormwater Detention System" shall be shown on the plan of subdivision where subdivision is proposed. Where subdivision is not proposed the location of the "On-Site Stormwater Detention System" shall be included on an A4 size site plan attached to the Section 88E Instrument and registered on the title prior to occupation of the development.

The developer shall submit to Council evidence of the final registration of the Restriction and Positive Covenant on the title of the property.

- 54) All redundant easements shall be extinguished prior to occupation of the development. All costs are to be borne by the developer.
- 55) Final registration of the relocated stormwater pipe easement shall be finalised prior to occupation of the development.
- 56) The cost of repairing any damage caused to the Council's road related assets in the vicinity of the subject site and along the approved transport route as a result of demolition/construction works associated with the approved development, is to be met in full, by the developer.

Council will undertake the repairs of any such damages caused to the Council's road related assets and forward invoices to be settled in full by the developer.

The developer shall not allow the site to be occupied until such time as the Council has inspected any works within the road reserve and found them to be to the Council's written satisfaction.

- 57) The twenty-four (24) dwellings approved in accordance with this development application shall be used for the purpose of accommodation of the following only:
- a) Seniors or people with a disability;
 - b) People who live in the same household as seniors or people with a disability;
 - c) Staff employed to assist in the administration of and provision of services to the housing provided.
- 58) A restriction as to the user shall be lodged at the Land and Property Management Authority, prior to occupation and a copy provided to Council, against the title of the property on which development is to be carried out, in accordance with section 88E of the *Conveyancing Act 1919* that will ensure the requirements of Condition 57 are met.