

CONDITIONS OF DEVELOPMENT CONSENT

DA No: DA-110/2015
 Property: Lot 8 Main Avenue, LIDCOMBE
 Description: Adaptive re-use of the former Nurses Quarters into 8 dwellings, including refurbishment and demolition of various minor works, construction of 2 x 3 storey residential flat buildings containing a total of 24 dwellings, basement & at-grade car parking, strata subdivision, site reshaping & benching, tree removal and associated landscaping, civil works and provision of site services(Stage 82) - Integrated Development (Heritage Act, 1977).

1. Approved Plans

The development is to be carried out in accordance with the approved stamped plans as numbered below:

<i>Plan Number</i>	<i>Prepared By</i>	<i>Revision No.</i>	<i>Dated</i>
Architectural Plans – New Buildings			
DA 100 Site Plan	Jane Johnson Architects	T	2 April 2015
DA 210 Basement Plan	Jane Johnson Architects	B	30 March 2016
DA 211 Level 1 Plan (Ground Floor)	Jane Johnson Architects	B	30 March 2016
DA 212 Level 2 Plan	Jane Johnson Architects	B	30 March 2016
DA 213 Level 3 Plan	Jane Johnson Architects	B	30 March 2016
DA 214 Roof Plan	Jane Johnson Architects	B	30 March 2016
DA 310 Sections – Sheet 1	Jane Johnson Architects	B	30 March 2016
DA 311 Sections – Sheet 2	Jane Johnson Architects	B	30 March 2016
DA 312 Sections – Sheet 3	Jane Johnson Architects	B	30 March 2016
DA 313 Facade Detail & External Finishes	Jane Johnson Architects	B	30 March 2016
DA 410 Elevations – Sheet 1	Jane Johnson Architects	B	30 March 2016
DA 411 Elevations – Sheet 2	Jane Johnson Architects	B	30 March 2016
Architectural Plans – Existing Buildings			
DA001 BASIX Commitments	Kate Mountstephens	C	24/3/2015
DA 110 Site Plan	Kate Mountstephens	S	24/3/2015
DA 120 Demolition Plans – Building 72	Kate Mountstephens	E	24/3/2015
DA 121 Demolition Plan – Buildings 73 and 74	Kate Mountstephens	E	24/3/2015

DA 122 Elevations Showing Demolition – Building 72	Kate Mountstephens	D	24/3/2015
DA 123 Elevations Showing Demolition – Building 73	Kate Mountstephens	D	24/3/2015
DA 124 Elevations Showing Demolition – Building 74	Kate Mountstephens	D	24/3/2015
DA 201 Proposed Plans – Building 72	Kate Mountstephens	G	24/3/2015
DA 202 Proposed Plans – Building 73	Kate Mountstephens	G	24/3/2015
DA 203 Proposed Plans – Building 74	Kate Mountstephens	F	24/3/2015
DA 204 Roof Plans – Buildings 72, 73 and 74	Kate Mountstephens	D	24/3/2015
DA 301 Sections – 1 and 2, Building 72	Kate Mountstephens	D	24/3/2015
DA 302 Sections – 3 and 4, Building 74	Kate Mountstephens	D	24/3/2015
DA 303 Sections – 5 and 6 – Building 73	Kate Mountstephens	D	24/3/2015
DA 401 Proposed Elevations – Building 72	Kate Mountstephens	D	24/3/2015
DA 402 Proposed Elevations – Building 73	Kate Mountstephens	D	24/3/2015
DA 403 Proposed Elevations – Building 74	Kate Mountstephens	D	24/3/2015
DA 404 Long Elevation	Kate Mountstephens	C	24/3/2015
DA 501 Existing Plans – Building 72	Kate Mountstephens	E	24/3/2015
DA 502 Existing Plans – Building 73 and 74	Kate Mountstephens	E	24/3/2015
DA 503 Existing Elevations – Building 72	Kate Mountstephens	E	24/3/2015
DA 504 Existing Elevations – Building 73	Kate Mountstephens	D	24/3/2015
DA 505 Existing Elevations – Building 74	Kate Mountstephens	D	24/3/2015
Landscape Plan			
L-01 Tree Retention/Removal	JMD Design	B	31/03/16
L-02 Landscape Masterplan	JMD Design	B	31/03/16
L-03 Retaining Walls Plan	JMD Design	B	31/03/16
L-04 Fencing/Utilities	JMD Design	B	31/03/16

L-05 Indicative Landscape Sections	JMD Design	B	31/03/16
L-06 Indicative Details	JMD Design	B	31/03/16
L-07 Indicative Planting Palette	JMD Design	B	31/03/16
Civil & Drainage Plans			
110008/DA01 Cover Sheet	J Wyndham Prince	H	-
110008/DA02 Basement Site Layout	J Wyndham Prince	H	23/03/16
110008/DA03 Bulk Earth Works	J Wyndham Prince	G	11/03/16
110008/DA04 Site Sections	J Wyndham Prince	E	11/03/16
110008/DA05 Schematic	J Wyndham Prince	H	23/03/16
Strata Plans – as modified by architectural plans			
13420-82C Sheet 1 of 5 Location Plan	Vince Morgan Surveyors	Draft	02.04.15
14320-82C Sheet 2 of 5 Basement Floor Plan	Vince Morgan Surveyors	Draft	02.04.15
13420-82C Sheet 3 of 5 Ground Floor Plan	Vince Morgan Surveyors	Draft	02.04.15
13420-82C Sheet 4 of 5 First Floor Plan	Vince Morgan Surveyors	Draft	02.04.15
13420-82C Sheet 5 of 5 Second Floor Plan	Vince Morgan Surveyors	Draft	02.04.15
BASIX Certificate			
606282M	Efficient Living	-	18 February 2015
595598M	Efficient Living	-	21 January 2015
Noise Assessment			
Botanica Stage 82 Noise Assessment - TF842-02F01(r2) Noise Assessment	Renzo Tonin & Associates	2	24 March 2015
Tree Report			
Tree Report and Arboricultural Development Impact Assessment	Birds Tree Consultancy	B	20 October 2015
Heritage Impact Assessment			
Former Lidcombe Hospital Site – Botanica Nurses Quarters Group – Stage 82 Precinct Heritage Impact Assessment for DA	GML Heritage Pty Ltd	2	February 2015

except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 96 of the Environmental Planning and Assessment Act).

Reason:- to confirm and clarify the terms of Council's approval.

2. **Time period of consent**

This consent shall lapse five (5) years from the date of determination unless the approved building, engineering or construction work has been physically commenced in accordance with this consent.

Development consent for the use of land does not lapse if the approved use of any land, building or work is actually commenced prior to the date on which the consent would otherwise lapse.

Reason:- to satisfy the requirements of Section 95 of the Environmental Planning and Assessment Act.

3. **Heritage Council – General Terms of Approval**

a) **APPROVED DEVELOPMENT:**

Development must be in accordance with:

- i) *Former Lidcombe Hospital Site - Botanica Nurses' Quarters Group - Stage 82 Precinct Heritage Impact Statement for DA*, prepared by GML Heritage, February 2015
- ii) *Nurses' Quarters No. 1 (B-72), Special Element Conservation Policy*, prepared by GML Heritage, October 2006
- iii) *Nurses' Quarters No. 2 (B-73), Special Element Conservation Policy*, prepared by GML Heritage, September 2010
- iv) *Nurses' Quarters No.3 (B-74), Special Elements Conservation Policy*, prepared by GML Heritage, September 2010
- v) *Strata Plan Administration Sheets 1 & 2 and surveyors drawing sheets 1 – 5*, prepared by Peter Robert Warwick, 2 April 2015
- vi) *Tree Report and Arboricultural Development Impact Assessment*, prepared by Birds Tree Consultancy, 9 February 2015
- vii) *SEPP 65 Design Verification Report Stage 82 Apartments, Botanica*, prepared by Jane Johnson Architects
- viii) *Landscape Architectural Approach, Precinct 82, Botanica, Former Lidcombe Hospital Grounds*, prepared by JMD Design, undated
- ix) Architectural drawings of new buildings, by Jane Johnson Architects, 20 March 2016

Dwg No	Dwg Title	Rev
DA 210	Basement Plan	B
DA 211	Level 1 Plan (Ground floor)	B
DA 212	Level 2 Plan	B
DA 213	Level 3 Plan	B
DA 214	Roof Plan	B

DA 310	Sections - Sheet 1	B
DA 311	Sections - Sheet 2	B
DA 312	Sections - Sheet 3	B
DA 313	Facade Details and External Finishes Schedule	B
DA 410	Elevations - Sheet 1	B
DA 411	Elevations - Sheet 2	B

- x) Architectural Drawings of modifications to existing buildings, by Kate Mountstephen Architecture and Heritage:

Dwg No	Dwg Title	Rev
DA 000	Title Sheet, Key Plan, Development Tanle	B
DA 001	BASIX Commitments	B
DA 002	Site Analysis	B
DA 110	Site Plan	P
DA 120	Demolition Plan – Building 72	C
DA 121	Demolition Plan – Buildings 73 and 74	C
DA 122	Elevations Showing Demolition – Building 72	B
DA 123	Elevations Showing Demolition – Building 73	B
DA 124	Elevations Showing Demolition – Building 74	B
DA 201	Proposed Plans – Building 72	E
DA 202	Proposed Plans – Building 73	E
DA 203	Proposed Plans – Building 74	D
DA 204	Roof Plans – Buildings 72, 73, 74	B
DA 301	Sections – 1 and 2, Building 72	B
DA 302	Sections – 3 and 4, Building 74	B
DA 303	Sections – 5 and 6, Building 73	B
DA 401	Proposed Elevations – Building 72	B
DA 402	Proposed Elevations – Building 73	B
DA 403	Proposed Elevations – Building 74	B
DA 404	Existing Plans – Building 72	A
DA 501	Existing Plans – Building 73	C
DA 502	Existing Plans – Building 74	C
DA 503	Existing Elevations – Building 72	C
DA 504	Existing Elevations – Building 72	B
DA 505	Existing Elevations – Building 72	B

- xi) Landscape Design Drawings by JMD Design, dated 31 March 2016:

Dwg No	Dwg Title	Rev
L-00	Title Sheet	B
L-01	Tree Retention/Removal	B
L-02	Landscape Masterplan	A
L-03	Retaining Walls plan	A
L-04	Fencing/Utilities	A
L-05	Indicative landscape Sections	A
L-06	Indicative Details	A
L-07	Indicative Planting Palette	A

EXCEPT AS AMENDED by conditions of this approval:

b) DESIGN MODIFICATIONS

The following must be modified and approved by the Manager, Conservation as part of the Section 60 Application:

- i) Retain all highly and exceptionally significant windows to B-72, B-73 and B-74 (as identified the relevant SECPs).
- ii) Modify the internal layout of B-72 to retain exceptionally significant walls in the western wing (as identified in *Nurses' Quarters No. 1 (B-72), Special Element Conservation Policy*, prepared by GML Heritage, October 2006).
- iii) Modify the proposed windows on the southern elevation of the western wing on B-72 to mirror the scale, form and layout of the windows to G12 and G13.
- iv) All new windows and doors in B-72, B-73 and B-74 must vertically align with the existing windows.
- v) Modify the parking layout to ensure the retention and survival of the European Holly (Tree no. 2386).

Reason: to minimise impacts to the setting, significant fabric and the external presentation of the Nurses Quarters Precinct.

- vi) Provide gravel drains where garden beds are proposed around the perimeter of the Nurses' Quarters buildings.

Reason: to protect against rising damp and brick degradation.

c) SPECIFIC ELEMENT CONSERVATION POLICY:

A Specific Element Conservation Policy (SECP) for the Nurses Quarters Precinct must be submitted for approval by the Manager, Conservation, as part of the Section 60 application. The SECP must update and replace the existing B-72, B-73 and B-74 SECPs as well as relevant information from the CMP and Historic Core Landscape SECP. The SECP must include a history of recent modifications to the surrounding landscape, and include cyclical conservation, maintenance and landscape management policies for the residences. Once approved, the SECP must be registered on title as a by-law requiring the Owners Corporation to be bound by the SECP.

Advisory Note: the Conservation Management Plan for Lidcombe Hospital Site was prepared in 2002. Since then, the site has substantially changed, and many of the Conservation Policies attributed to the site are no longer relevant. To appropriately guide future management of the site, the Conservation Management Plan should be updated and submitted for endorsement following completion of the Master Plan.

d) HERITAGE CONSULTANT:

- i) A suitably qualified and experienced heritage consultant shall be nominated for the project to provide advice on the detailed design, oversee on-site heritage inductions and inspect the demolition and removal of material to ensure that no significant fabric or elements are damaged or removed.
- ii) All work to the Nurses Quarters Buildings must be carried out by qualified

tradespeople with practical experience in conservation and restoration of similar heritage items, structures and fabric. The nominated heritage consultant shall be consulted prior to the selection of appropriate tradespeople.

e) **SITE PROTECTION & WORKS:**

- i) Significant built elements are to be adequately protected during the works from potential damage. Protection systems must ensure historic fabric is not damaged or removed.
- ii) The installation of new services shall be carried out in such a manner as to minimise damage to or removal of historic fabric and shall not obscure historic features. Services must be surface mounted and not chased into historic fabric and be reversible.
- iii) All surviving early fabric to be removed as part of the approved works, including doors, joinery, structural timber and brick, shall be carefully dismantled and salvaged for reuse within the project, or labelled and stored on site to facilitate future reinstatement.

f) **TREE PROTECTION PLAN:**

A tree protection plan and schedule shall be prepared by a suitably qualified arborist and submitted to and approved by the Manager, Conservation as part of the Section 60 Application. The plan and schedule shall clearly identify:

- i) the trees to be retained on site; and
- ii) the location and extent of any tree protective measures to ensure their survival.

g) **ARCHAEOLOGY:**

- i) Archaeological advice should be sought during the detailed design phase to minimise the impact of the installation of site services on the potential archaeological remains.
- ii) Works with potential archaeological impacts should be monitored by an archaeologist to ensure that any archaeological evidence is recorded and/or salvaged.
- iii) The applicant must submit an archaeological methodology to outline the proposed monitoring programme and the name of the nominated excavation director to manage this programme for these works. The archaeological methodology should be submitted with the Section 60 application for approval of the Delegate of the Heritage Council.
- iv) The Heritage Council reserves the right to issue archaeological conditions as part of the Section 60 Approval to manage archaeology. Matters such as (but not limited to) fieldwork methodology, artefact analysis, final reporting and interpretation may be included as part of these archaeological conditions.
- v) Should any Aboriginal objects be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment and heritage (Enviroline 131 555) is to be notified in accordance with Section 89A of the national Parks and Wildlife Act.

Unless the objects are subject to a valid Aboriginal Impact Permit, work must not recommence until approval to do so has been provided by the Office of Environment and Heritage.

h) **ARCHIVAL RECORDING:**

An archival photographic recording of the affected internal and external elements is to be undertaken prior to the commencement of works, in accordance with the Heritage Division document entitled, Photographic Recording of Heritage Items using Film or Digital Capture. The original copy of the archival record shall be submitted to the Heritage Division.

i) **INTERPRETATION STRATEGY:**

- i) An interpretation Strategy for the Nurses Quarters Precinct must be submitted to and approved by the Manager, Conservation as part of the Section 60 Application.
- ii) The Interpretation Strategy must detail how information on the history and significance of the Nurses Quarters Precinct will be provided for the public and make recommendations regarding public accessibility, signage and lighting. Public art, details of the heritage design, the display of heritage items are some of the means that can be used. The strategy should respond to the broader Interpretation Strategy for the Historic Core of Lidcombe Hospital.
- iii) Prior to an occupation certificate being issued, evidence of the implemented Interpretation Strategy must be submitted and approved by manager, Conservation.

j) **SECTION 60 APPLICATION:**

An application under Section 60 of the Heritage Act 1977 must be submitted to and approved by the Delegate of the Heritage Council of NSW prior to work commencing.

Reason:- to comply with the requirements of the NSW Heritage Council.

4. **Sydney Trains Requirements**

- a) **Prior to issue of a Construction Certificate**, the Applicant must apply to Sydney Trains for a certificate from the certifies geotechnical and structural engineer confirming that there will be not be any impact on the rail corridor at any stage of the development.
- b) An acoustic assessment is to be submitted to Council **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".
- c) **Prior to the issue of a Construction Certificate** the Applicant is to 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 a Construction Certificate.

- d) If required by Sydney Trains, **prior to the issue of a Construction Certificate** a Risk Assessment/Managament Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comments on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

Reason:- to comply with the requirements of Sydney Trains.

5. **Compliance with Stage 1 Development Consent**

The conditions contained in the development consent of Development Application No. 572/2002 issued by the Land and Environment Court on 7 July 2004 shall be complied with as relevant to the works approved as part of this development consent.

Reason:- to ensure that the approved development is in accordance with the original development consent.

6. **Maintenance Schedule**

A long term Schedule of Maintenance of 1, 2, 5, 10 and 20 years intervals, prepared by a suitably qualified Heritage Consultant to ensure the condition of the buildings is maintained following completion of conservation works, shall be submitted to the Manager – Development Assessment, Auburn City Council and the accredited certifier for all buildings within each stage of the subdivision **prior to issue of the relevant subdivision certificate**.

A restrictive covenant shall also be placed on the titles of all lots with respect to the requirements of the Maintenance Schedule. **Details shall be included with the subdivision certificates.**

Reason:- to ensure that future property owners are aware of the requirement to maintain the buildings.

7. **Compliance with Submitted Acoustic Report**

The noise control measures specified in the acoustic report prepared by Renzo Tonin & Associates dated 24 March 2015, reference TF842-02F01 (r2) Noise Assessment, shall be detailed on the plans submitted with the **relevant Construction Certificate prior to issue by the Principal Certifying Authority and shall be installed prior to the issuing of the relevant occupation certificate**. All noise reduction measures specified in the acoustic report shall be complied with at all times during the operation of the premises.

Reason:- to ensure suitable acoustic amenity is provided.

8. **Acoustic Certification**

Within three months of the development being occupied, an acoustic report prepared by a suitably qualified person, is to be submitted to the consent authority demonstrating that the noise emitted/experienced from/by the development complies with the criteria contain in the acoustic assessment report prepared by Renzo Tonin & Associates Dated 24 March 2015, reference TF842-02F01 (r2) Noise Assessment. Where the criteria are not meet the acoustic report is to include recommendations of noise control measures that are to be implemented to ensure compliance with the criteria.

Reason:- to ensure all noise mitigation recommendations are adhered too.

9. **Restrictive Covenant – Site Audit Statement**

Prior to release of the subdivision certificate, a restrictive covenant shall be placed on the titles of all lots with respect to the uses certified as being suitable for the sites by any Site Audit Statement.

Reason:- to ensure that future property owners are aware of the site's suitability.

10. **Privacy treatment**

Fixed privacy screens, with a maximum of 25% openings and a minimum height of 1.6m when measured from the finished floor level of the bedroom or balcony (whichever is applicable), shall be installed in the following locations:

- (a) The bedroom window in the northern elevation of Unit No. A2.2;
- (b) The full length of the northern edge of the balcony to Unit no. A 2.3; and
- (c) The full length of the northern elevation of the balcony to Unit B2.3.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval prior to issue of the relevant Construction Certificate.

Reason:- to prevent overlooking between dwellings.

11. **Parking and Access**

The parking areas and access are to be redesigned as follows:

- a) The basement ramp shall be redesigned to ensure adequate sight distance;
- b) Appropriate line markings and kerbs shall be provided to delineate one-way and two-way ramp sections;
- c) The width of the two-way ramp shall be minimum 6.1m;
- d) Entry and exit swept paths shall be provided for parking spaces 16 and 17 in order to ensure cars can enter and leave the basement in a forward direction;
- e) Adequate sight distance shall be provided for car parking spaces 16 and 17;
- f) A turning area shall be provided in the basement;
- g) All the parking spaces related to the development shall be provided within the site by the standard access driveways. In this regard, the area containing car parking spaces 73.1, 73.2, 73.1, 73.2, the visitor spaces and the accessible parking shall be redesigned. Any access driveway shall be clear of stormwater pits/lintels.
- h) The two (2) visitor spaces parallel to Andrews Road, and associated pedestrian path shall be dedicated to Council prior to issue of the Occupation Certificate. Alternatively the spaces can be redesigned and provided within the site boundaries.

Details demonstrating compliance shall be submitted to the Manager – Development Assessment **prior to issue of the relevant Construction Certificate.**

Reason:- to endure compliance with Council's Policies and the relevant Australian Standards.

12. **Adaptable Dwellings**

A minimum of two (2) adaptable dwellings in total shall be provided within Buildings A and/or B capable of adaptation to comply with the relevant Australian Standards. Each unit shall also be provided with a disabled car space. Details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to issue of the relevant Construction Certificate.**

Reason:- to ensure compliance with the requirements of State Environmental planning Policy No. 65 – Design Quality of Residential Flat Development and Auburn Development Control Plan 2010.

13. **Disabled Access & Facilities**

Access and facilities for people with disabilities must be provided in accordance with the relevant requirements of the Building Code of Australia (for all new building work) and in addition, with the relevant requirements of the 'Disability (Access to Premises – Building) Standards 2010' (including for existing buildings, whether or not any works are proposed). Details of the proposed access, facilities and car parking for people with disabilities are to be included in the plans/specifications for the **construction certificate.**

Reason: to ensure compliance with the requirements of the Building Code of Australia

14. **Commonwealth Disability Discrimination Act**

The Commonwealth Disability Discrimination Act 1992 commenced the 'Disability (Access for Premises – Buildings) Standards 2010' on 1 May 2011 and now applies to all new buildings and affected parts of existing buildings. Submission and/or approval of this application does not imply or confer compliance with either the Act or the new Access Standard. Applicants should satisfy themselves and make their own inquiries to the Human Rights and Equal Opportunity Commission.

Reason: to provide advice on the requirements of the Commonwealth Disability Discrimination Act 1992

15. **BASIX Requirements**

Under Clause 97A(3) of the Environmental Planning & 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 Certification 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 & Assessment Regulation 2000.

Reason:- To comply with the Environmental Planning and Assessment Regulations.

16. **Auburn DCP 2007: Section 94 Development Contributions**

Development Contributions are payable in accordance with Auburn Council Council's Section 94 Development Contribution Plan 2007, which has been prepared under Section 94 of the Environmental Planning and Assessment Act 1979, as amended.

The amounts payable will be adjusted in accordance with the section titled Review of Contribution rates and are generally indexed on a quarterly basis by the Consumer Price Index CPI (all Groups Sydney) unless otherwise stated in the plan.

Contributions will be adjusted at the payment date in accordance with the plan and payment is to be made **prior to the issue of any Construction Certificate**.

Council's Development Contribution Plan 2007 is available for inspection at Council's Customer Services Centre, Civic Place, 1 Susan Street, Auburn or on line at www.auburn.nsw.gov.au.

Reason: To ensure that the development complies with the Auburn DCP 2007: Section 94 Development Contributions.

17. **Auburn DCP 2007 - LGA Wide**

A sum of **\$TO BE ADVISED (TBA)** is to be paid to Council for the purpose of LGA Wide plans being the provision of open space and recreation facilities, community facilities, accessibility and traffic works, town centre upgrades, car parking and Council's administration of the development contributions framework.

The above sum is broken down to the following items:

Item	Amount
Community Facilities	\$ TBA
Public Domain	\$ TBA
Accessibility and Traffic	\$ TBA
Administration	\$ TBA
TOTAL	\$ TBA

Reason: to provide open space and recreation facilities, community facilities, accessibility and traffic works, town centre upgrades, car parking and Council's administration of the development contributions framework.

18. **Submission of Construction Certificate**

Construction works are not to commence until such time that a construction certificate for the proposed works has been issued by Council or an Accredited Certifier.

Where an Accredited Certifier issues a construction certificate, a copy of the following documents must be forwarded to Council within 2 days of issue, together with payment

of the Council's adopted registration fee; determination; application to which it relates; construction certificate issued; plans and specifications; any fire safety schedule; and any other documents lodged with the certificate.

Any modification involving building works to the approved development made under Section 96 of the Environmental Planning and Assessment Act 1979 requires the submission of an amended construction certificate.

Reason:- to comply with the requirements of Section 81A of the Environmental Planning and Assessment Act and clause 142 of the Environmental Planning and Assessment Regulation 2000.

19. **No alteration without prior Council approval**

The completed building is not to be altered externally in character or colour without the prior consent of Council.

Reason:- to ensure the external appearance of the development is not obtrusive or offensive and does not degrade the visual quality of the surrounding area.

20. **Appointment of Principal Certifying Authority/Notice of Commencement of Work**

Site works are not to commence until:-

- a) a construction certificate for the building work has been issued by the consent authority, and
- b) the person having the benefit of the development consent has:-
 - i) appointed a principal certifying authority for the building 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
- b1) the principal certifying authority has, no later than 2 days before the building work commences:-
 - i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
 - ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- b2) the person having the benefit of the development consent, if not carrying out the 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 that 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
- c) 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 erection of the building.

Reason:- to comply with the requirements of Section 81A of the Environmental Planning and Assessment Act

21. **Principal Certifying Authority**

- 1) The person having the benefit of a development consent or complying development certificate for development involving building work or subdivision work may appoint the consent authority, the council or an accredited certifier as the principal certifying authority for the development.
- 1A) Despite subsection (1), such an appointment may not be made by any contractor or other person who will carry out the building work or subdivision work unless the contractor or other person is the owner of the land on which the work is to be carried out.
- 2) Despite subsection (1), an accredited certifier must not be appointed as the principal certifying authority for development involving subdivision work unless the subdivision to which the work relates is of a kind identified by an environmental planning instrument as one in respect of which an accredited certifier may be a certifying authority.
- 3) A principal certifying authority for building work or subdivision work to be carried out on a site is required to be satisfied:-
 - a) that a construction certificate or complying development certificate has been issued for such of the building work or subdivision work as requires development consent and over which the principal certifying authority has control, before the work commences on the site, and
 - b) that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the *Home Building Act 1989*, before any residential building work over which the principal certifying authority has control commences on the site, unless the work is to be carried out by an owner-builder, and
 - c) that the owner-builder is the holder of any owner-builder permit required under the *Home Building Act 1989*, before an owner-builder commences on the site any residential building work over which the principal certifying authority has control, and
 - d) that building work or subdivision work on the site has been inspected by the principal certifying authority or another certifying authority on such occasions (if any) as are prescribed by the regulations and on such other occasions as may be required by the principal certifying authority, before the principal certifying authority issues an occupation certificate or subdivision certificate for the building or work, and
 - e) that any preconditions required by a development consent or complying development certificate to be met for the work before the issue of an occupation certificate or subdivision certificate have been met, before the principal certifying authority issues the occupation certificate or subdivision certificate.
- 4) A principal certifying authority must also comply with such other requirements of a like or different nature as may be imposed on principal certifying authorities by the regulations.

Note. Section 81A prohibits the commencement of building work or subdivision work unless the consent authority has been notified of the appointment of a principal certifying authority for the work. Section 109D (2) prohibits the issue of an occupation

certificate authorising the occupation and use of a new building except by the principal certifying authority appointed for the erection of the building. Section 109D (3) prohibits the issue of a subdivision certificate for a subdivision involving subdivision work except by the principal certifying authority appointed for the carrying out of the subdivision.

Reason:- to comply with the requirements of Section 109E of the Environmental Planning and Assessment Act.

22. **Compliance with the Building Code of Australia**

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

Reason:- to ensure compliance with the requirements of the Building Code of Australia and to comply with Clause 98 of the Environmental Planning and Assessment Regulation 2000.

23. **Insurance requirements under the Home Building Act 1989**

A contract of insurance for residential building work must be in force before any building works commence, where the works are being undertaken by a builder and tradesperson and the works have a market value of greater than \$20,000 (*or as varied from time to time by the Home Building Act 1989*).

Where the contract price or the reasonable market cost of the labour and materials involved does not exceed \$20,000, there is no legal requirement for home warranty insurance to be obtained.

Contractors who carry out residential building work must still hold an appropriate licence with Fair Trading where the labour and materials involved are valued at over \$1,000.

Home owners should be wary of any builder or tradesperson who says they do not need insurance if the value of work exceeds \$20,000, or who suggests you obtain an owner-builder permit while they carry out the work for you.

NOTE: Evidence of the contract of insurance or owner builder permit, if required, must be submitted with the application for construction certificate. The construction certificate will not be released by Council unless this evidence is provided.

Reason:- to comply with Clause 98 of the Environmental Planning and Assessment Regulation 2000.

24. **Replacement of Principal Certifying Authorities**

Unless the relevant authority so approves in writing, a person may not be appointed to replace another person as the principal certifying authority for development.

A principal certifying authority appointed to replace another principal certifying authority must ensure that notice of the appointment and of the approval of that appointment is given to the consent authority (and, if the consent authority is not the council, to the council) within 2 days of the appointment.

Reason:- to comply with the requirements of Section 109EA of the Environmental Planning and Assessment Act and clause 162 of the Environmental Planning and Assessment Regulation.

25. **Notice to Allow Inspections**

To allow a principal certifying authority or another certifying authority time to carry out critical stage inspections or any other inspections required by the principal certifying authority, the principal contractor for a building site, or the owner-builder, must notify the principal certifying authority at least 48 hours before building work is commenced at the site if a critical stage inspection is required before the commencement of the work.

Reason:- to comply with the requirements of Clause 163 of the Environmental Planning and Assessment Regulation.

26. **Erection of Signs**

A rigid and durable 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.

Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100.

Reason:- to comply with the requirements of Clause 98A and 136B of the Environmental Planning and Assessment Regulations.

27. **Construction/Demolition Hours**

Site works, building works and demolition works, including the delivery of materials or equipment to and from the property are to be carried out between the hours of 7.00 am and 6.00 p.m. only from Mondays to Fridays and between 8.00 am and 4.00 p.m. only on Saturdays. No construction works or deliveries for the construction are to take place on Sundays or public holidays.

Prior to commencement of any demolition or construction work the applicant is to erect signs on the site, which are clearly visible from the footpaths adjoining the site boundaries, which state the permitted construction/demolition hours. These signs must also state "Any instances of site works, building works, demolition works or deliveries outside the permitted hours can be reported to Auburn Council on 9735-1222 during office hours or 0417-287-113 outside office hours".

Reason:- to reduce nuisance to the surrounding properties during the construction period.

28. Demolition of buildings

The building/s shall only be demolished in accordance with the requirements of AS 2601-2001 "The Demolition of Structures".

Amongst others, precautions to be taken shall include compliance with the requirements of the WorkCover Authority of New South Wales, including but not limited to:-

- a) Protection of site workers and the general public.
- b) Erection of hoardings where appropriate.
- c) Asbestos handling and disposal where applicable.
- d) Any disused service connections shall be capped off to Council's requirements.
- e) The disposal of refuse is to be to an approved waste disposal depot.

Reason:- to ensure protection of the public, environment and to uphold public health standards. This also complies with the requirements of clause 92 of the Environmental Planning and Assessment Regulation 2000.

29. Demolition - Lead Management Work Plan

A Lead Management Work Plan shall be prepared in accordance with *AS2601-2001 Demolition of Structures* by a person with suitable expertise and experience and submitted to the PCA or Council for approval prior to the issuing of the Construction Certificate. The Lead Management 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. The Lead Management Work Plan shall be prepared in accordance with:-

- a) AS 4361:1998 Guide to lead paint management;
- b) Australian Standard AS 2601: 2001 Demolition of Structures;
- c) Lead Safe A renovator's guide to the dangers of lead, NSW EPA, 1998 (booklet)

Reason:- to ensure suitable procedures are employed to manage demolition activities involving lead paint.

30. Demolition – Lead Paint Disposal

The demolition and disposal of materials incorporating lead such as lead paint and dustpaint shall be conducted in accordance with *AS2601-2001 Demolition of Structures*. Removal, cleaning and disposal of lead-based paint shall conform with relevant EPA guidelines including the *Lead Safe A renovator's guide to the dangers of lead*, NSW EPA, 1998. Hazardous dust shall not be allowed to escape from the site. Any existing accumulations of dust (eg; ceiling voids and wall cavities) shall 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 shall be suppressed by a fine water spray. Water shall not be allowed to enter the street and stormwater systems. Demolition shall not be performed during high winds, which may cause dust to spread beyond the site boundaries. Please note that Council may require testing to verify that the soil lead levels are below acceptable health criteria.

Reason:- to ensure the disposal and demolition of materials incorporating lead is carried out in a safe manner in accordance with relevant regulations.

31. Demolition – common sewerage system

If the land to which the application relates is served by a common sewerage system that is also used by others, then measures must be placed in effect and prior to the commencement of work to ensure the operation of the sewerage system is without disruption to other joint users.

Reason:- to ensure demolition activities do not disrupt the operation of the sewerage system for other users of the system.

32. **Demolisher Details**

The demolisher/owner/applicant shall:-

- a) Lodge with Council, and at least forty-eight (48) hours prior to the commencement of work (due to the potential impact on Council's infrastructure):-
 - i) Written notice, indicating the date when demolition of the building is to commence.
 - ii) The demolisher's full name and address.
 - iii) Details of Public Liability Insurance.
- b) Comply with Australian Standard 2601 – 2001 "*Demolition of Structures*"; and,
- c) Have a current public liability/risk insurance, and policy details of such shall be submitted to Council for its records.
- d) Ensure that all possible/practicable steps are taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from wind-blown dust, debris, noise and the like arising from the demolition works

This Consent shall not preclude the demolisher from giving notice to other statutory authorities, such as Sydney Water Corporation, WorkCover, etc.

Reason:- to ensure details of the demolisher are provided to Council and relevant safety requirements are met.

33. **Demolition Works – noise and vibration**

The following shall be compiled with:-

- a) Vibration levels induced by the demolition activities shall not exceed 1mm/sec peak particle velocity (ppv) when measured at the footing of any occupied building.
- b) Vibration levels induced by the demolition activities shall not exceed 3mmsec peak particle velocity (ppv) when measured at the footing of any unoccupied building.
- c) The upper noise level from the demolition operations measured over a period of 10 minutes must not exceed the background noise level by more than 10dB(A).

Reason:- to ensure noise and vibration arising from the demolition works does not impact on the amenity of the surrounding area.

34. **Asbestos**

- a) In the event that asbestos is on a site or building under demolition or construction, WorkCover NSW is to be contacted to ascertain the appropriate response, to ensure the safety and protection of existing and future workers and residents. An Asbestos Removal Contractor licensed by WorkCover NSW is to handle/remove/transport and dispose of any products containing asbestos in a

manner approved of by the Department of Environment and Conservation (DEC). Copies of tipping dockets are to be retained and able for viewing by Council officers on request.

- b) Asbestos material can only be disposed of at a landfill site nominated by Waste Services NSW for that purpose. An appointment must be made with Waste Services NSW to dispose of asbestos materials at the nominated landfill.
- c) Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW. Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with:-
 - i) Work Health and Safety Act 2011;
 - ii) *The Work Health and Safety Regulation 2011*;
 - iii) *Protection of the Environment Operations Act 1997*
 - iv) *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes, NSW EPA, May 1999*
 - v) *Waste Avoidance and Resource Recovery Act 2001*.
 - vi) *The Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (1998)]*;
 - vii) *The Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998)]* <http://www.nohsc.gov.au> ; and
 - viii) *The Workcover NSW Guidelines for Licensed Asbestos Removal Contractors*.

Note: The Code of Practice and Guide referred to above are known collectively as the Worksafe Code of Practice and Guidance Notes on Asbestos. They are specifically referenced in the Occupational Health and Safety Regulation 2001 under Clause 259.

Under the Work Health and Safety Regulation 2011, the Worksafe Code of Practice and Guidance Notes on Asbestos are the minimum standards for asbestos removal work.

Council does not control or regulate the Worksafe Code of Practice and Guidance Notes on Asbestos. You should make yourself aware of the requirements by visiting <http://www.workcover.nsw.gov.au> or one of Workcover NSW's offices for further advice.

- d) In order to ensure safe handling of asbestos materials, the re-use or sale of asbestos building materials is strictly prohibited.

Reason:- to ensure the safe handling, treatment and disposal of asbestos materials arising from the demolition/construction works.

35. **Services to be capped**

Prior to the commencement of demolition works, the applicant must ensure that utility services to the land upon which the building to be demolished stands, as well as the building itself, are terminated and capped in accordance with the requirements of supply authority, eg. Electricity-Supplier of Electricity to the subject premises, Gas-Supplier of Gas to the subject premises.

Reason:- to ensure all services are capped adequately.

36. **Neighbour 24 notification of commencement of demolition**

Prior to the commencement of work the applicant shall provide 24 hours notice in writing to the neighbours adjoining and opposite the site of the intended time and date of the start of the demolition work.

Reason:- to ensure details of the demolisher are provided to neighbours.

37. **Information required prior to the issue of Construction Certificate**

The following documentation (where applicable) is to be submitted to Council or the accredited certifier, **prior to the granting of the construction certificate**:

- a) Detailed building plans and specifications containing sufficient information to verify that the completed building will comply with the Building Code of Australia.
- b) A list of any existing fire safety measures provided in relation to the land or any existing building on the land (*not applicable to dwellings or outbuildings*)
- c) A list of any proposed fire safety measures provided in relation to the land or any existing building on the land (*not applicable to dwellings or outbuildings*)
- d) A report prepared by a *professional engineer* detailing the proposed methods of excavation, shoring or pile construction, and what measures are to be implemented to prevent damage from occurring to adjoining or nearby premises as a result of the proposed excavation works. (NOTE: Any practices or procedures specified to avoid damage to adjoining or nearby premises are to be incorporated into the plans and specifications for the construction certificate).
- e) Method of protecting window/door openings as required by BCA Part 3.
- f) Method of ventilating the basement car park. (Note: If mechanical ventilation is required, mechanical ventilation plans shall be submitted that also confirm the minimum height clearances specified by AS 2890.1 – Car parking, will be achieved).

Reason:- to ensure that adequate information is submitted to enable assessment or that the development can proceed with the concurrence of others.

38. **Infrastructure Fee**

The infrastructure inspection fee in accordance with Councils Fees and Charges Schedule shall be paid prior to the issue of the Construction Certificate.

Reason: to contribute to the cost of inspection and identification of any damage to Council's infrastructure as a result of the development.

39. **Maintain plans on-site**

A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.

Reason:- to ensure a record of the approved plans are readily available.

40. **Items not to be placed on roadway**

The following items must not be placed on the footpath, roadway or nature strip at any time:-

- a) Building materials, sand, waste materials or construction equipment;
- b) Bulk bins/waste skips/containers; or
- c) Other items that may cause a hazard to pedestrians.

Reason:- to ensure the public is not inconvenienced, placed in danger and to prevent harm to the environment occurring.

41. **Sign to be erected concerning unauthorised entry to the site**

A sign must be erected in a prominent position stating that unauthorised entry to the site is not permitted. The sign must also name the builder or other person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours. Where Council is not the Principal Certifying Authority, the sign shall also display the name and contact details of the nominated Principal Certifying Authority. The sign is to be removed when the building works have been completed.

Reason:- to restrict public access to the site and to provide suitable contact details in a clear and conspicuous position.

42. **Toilet accommodation for people working at the site**

Suitable toilet accommodation is to be provided at the work site at all times. If temporary toilet accommodation is proposed, it must:-

- Have a hinged door capable of being fastened from both inside and outside,
- Be constructed of weatherproof material,
- Have a rigid and impervious floor; and
- Have a receptacle for, and supply of, deodorising fluid.

Reason:- to ensure suitable toilet accommodation is provided for workers.

43. **Survey Report**

A Registered Surveyors check survey certificate is to be forwarded to the Principal Certifying Authority (and a copy is to be forwarded to the Council, if the Council is not the principal certifying authority), detailing compliance with Council's approval at the **following stage/s of construction:**

- a) Prior to construction of the first completed floor/floor slab (prior to pouring of concrete), showing the area of land, building and boundary setbacks and verifying that the building is being constructed at the approved levels.
- b) On completion of the erection of the building showing the area of the land, the position of the building and boundary setbacks and verifying that the building has been constructed at the approved levels.

Reason:- to ensure each stage of the development complies with the approved plans.

44. **Fencing of Construction Sites – Rental details to be provided to the PCA**

Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

A temporary hoarding or fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing

structurally adequate fence, having a minimum height of 1.5 metres). Hoardings or fences are to have a minimum height of 1.8 metres and be constructed of solid plywood sheeting (painted white) or of cyclone wire fencing with geotextile fabric attached to the inside of the fence, to provide dust control.

Hoardings or fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

NOTE: Should ANY part of the fence or hoarding encroach beyond the boundaries of the site, it will be necessary to:-

- **Make payment to Council for the rental of the road reserve area in accordance with Council's adopted charges (per metre per month – minimum 3 months) BEFORE the fence/hoarding is erected.**
- **Supply evidence that the road reserve rental fee has been paid to the PCA and to any authorised Council officer.**
- **Comply with Council's specifications for the erection of Class A or B Hoardings.**

Reason:- to provide protection to public places and to prevent unauthorised access to the site.

45. **Sedimentation Control**

Prior to the commencement of site works, the following measures are to be implemented on the site to assist with sedimentation control during the construction phase of the project:-

- a) A dish shaped diversion drain or similar structure will be constructed above the proposed building works to divert run-off to a stable discharge area such as dense ground cover. This diversion drain is to be lined with turf or otherwise stabilised.
- b) A sediment-trapping fence using a geotechnical fabric specifically designed for such purpose and installed to manufacturer's specifications is to be placed below the construction area.
- c) Vegetation and/or existing building structures will be cleared from the construction site only, other areas to remain undisturbed.
- d) Restricting vehicle access to one designated point and having these driveways adequately covered at all times with blue metal or the like.
- e) A vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street.
- f) Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footways or in any other locations which could lead to the discharge of materials into the stormwater drainage system.
- g) Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

- h) The installation of gutters, downpipes, and the connection of downpipes to the stormwater disposal system prior to the fixing of the roof cladding.

Such measures are to be maintained at all times to the satisfaction of Council and the Principal Certifying Authority. **Failure to do so may result in the issue of penalty infringement notices.**

Reason:- to minimise soil erosion and control sediment leaving the site during construction and to prevent water pollution from occurring.

46. **Display of a warning sign for soil and water management**

Throughout the construction/remediation/demolition period, a warning sign for soil and water management must be displayed on the most prominent point of the building site, visible to both the street and site works.

Reason:- to ensure all building workers are aware of the need to maintain the sediment and erosion control devices.

47. **Engineering Design – Basement Excavation**

The following engineering details or design documentation (where appropriate) shall be submitted to the Principal Certifying Authority (Council or accredited certifier) **prior to the issuing of a construction certificate:-**

- a) Documentary evidence prepared by a suitably qualified *professional geotechnical engineer* shall be submitted to the certifying authority, that confirms the suitability and stability of the site for the proposed excavation and building as well as certifying the suitability and adequacy of the proposed design and construction of the building for the site.
- b) A report shall be prepared by a *professional engineer* and submitted to the certifying authority prior to the issuing of a construction certificate, detailing the proposed methods of excavation, shoring or pile construction, including details of vibration emissions and detailing any possible damage which may occur to adjoining or nearby premises that may be caused by the proposed building and excavation works.

Any practices or procedures specified in the engineer's report in relation to the avoidance or minimisation of structural damage to nearby premises, are to be fully complied with and incorporated into the plans and specifications for the **construction certificate**.

A copy of the engineer's report is to be submitted to the Council, if the Council is not the certifying authority.

- c) Driven type piles/shoring **must not be provided** unless a geotechnical engineer's report is submitted to the certifying authority, **prior to the issuing of a construction certificate**, which states that damage should not occur to any adjoining premises and public place as a result of the works.
- d) The installation of ground or rock anchors underneath any adjoining premises including (a public roadway or public place) must not be carried out without the specific written consent of the owners of the affected adjoining premises and (where applicable) details of compliance must be provided to the certifying

authority **prior to the commencement of any excavation or building works.**

Reason:- to ensure the proposed method of excavation is suitable for the site and to prevent damage from occurring to adjoining premises.

48. Footpath area to be illuminated

Where any hoarding or awning is constructed over the public place, the footpath area shall be kept illuminated between sunset and sunrise.

Reason:- the ensure the safety of pedestrians when passing the site.

49. Fencing of construction sites – Rental details to be provided to the PCA (A & B Type Hoardings)

A separate application is to be made to Council for Approval under Section 68 of the Local Government Act 1993 to erect any hoarding or scaffolding in a public place and such application is to include:

- A payment to Council for the following fees in accordance with Council's adopted charges:
 - Hoarding/Structure Application Fee
 - Rental of Footpath Area (per metre per month – minimum 3 months rental)
 - Footpath Bond
- Submit the following documents to Council with your application:
 - Certificate of Currency for Public Liability Insurance
 - Certificate of Currency for Worker's Compensation Insurance
 - Letter indemnifying Council against claims and expenses made in relation to the existence of the structure and/or traffic provisions
 - Traffic/Pedestrian Control Plan
 - In respect to any required Type B Hoarding, structural certification prepared and sign by an appropriately qualified practising Structural Engineer
- Comply with Council's specifications for the erection of Class A Hoardings.
- Supply evidence to the PCA and to any authorised Council officer that the road reserve rental fee has been paid.

Note: Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

A temporary hoarding or fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Hoardings or fences are to have a minimum height of 1.8 metres and be constructed of solid plywood sheeting (painted white) or of cyclone wire fencing with geotextile fabric attached to the inside of the fence, to provide dust control.

Note: A "B Class" overhead type hoarding is required to be provided to protect the public, located adjacent to the development, prior to the commencement of any works on the site which comprise:

- Any works or hoisting of materials over a public footway or adjoining premises, or
- Any building or demolition works on buildings which are over 7.5 metres in height and located within 3.6 metres of the street alignment.

Hoardings or fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh

as fencing is not permissible.

The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction. Details of the proposed hoardings or fences located upon the site are to be submitted to the PCA and the public safety provision and temporary fences must be in place prior to the commencement of any site works, demolition, excavation or building works and maintained throughout construction.

Reason: to provide protection to public places, prevent unauthorised access to the site and a safe working environment.

50. **Noise from construction activities**

Noise from construction activities associated with the development shall comply with the NSW Interim Construction Noise Guidelines (DECCW) 2009.

Reason:- to ensure noise arising from construction activities is in accordance with relevant legislation and Environment Protection Authority requirements.

51. **Dial before you dig (advisory)**

Dial Before You Dig is a free national community service designed to prevent damage and disruption to the vast pipe and cable networks which provides Australia with the essential services we use everyday – electricity, gas, communications and water.

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 the distance to the nearest cross street) or register on line at www.dialbeforeyoudig.com.au for underground utility services information for any excavation areas.

The Dial Before You Dig service is also designed to protect Australia’s excavators. Whether you are a back yard renovator, an individual tradesman or a professional excavator the potential for injury, personal liability and even death exists every day. Obtaining accurate information about your work site significantly minimises these risks.

Reason: To ensure that essential services such as electricity, gas, communications and water are not affected by excavation or construction.

52. **Traffic Management**

A traffic management plan shall be submitted to and approved by Cumberland Council’s Manager Engineering and traffic for all demolition, excavation and construction activities associated with the development **prior to commencement of work**.

Reason:- to minimise the impact on street traffic.

53. **Discovery of additional information during remediation, demolition or construction**

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

Reason:- to ensure Council is informed of any new information relevant to site conditions and site contamination associated with the development.

54. **Monitoring of field parameters**

Results of the monitoring of any field parameters such as soil, groundwater, surface water, dust or noise measurements shall be made available to Council Officers on request throughout the remediation and construction works.

Reason:- to ensure Council is informed as to monitoring of field parameters relevant to the remediation and/or construction works.

55. **Off-site soil disposal**

Any soil disposed of offsite shall be classified in accordance with the procedures in the NSW EPA Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes (1999).

Reason:- to ensure soil disposed off-site is classified in accordance with relevant EPA requirements.

56. **Fill for residential premises**

- (a) Should any importation of landfill material be required on the site, a validation report prepared in accordance with the Department of Environment and Conservation (DEC) (formerly known as the EPA) "Guidelines for Consultants Reporting on Contaminated Sites" shall be submitted to Council for approval. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.
- (b) "Chain of Custody" documentation shall be kept for the transportation of validated fill material from its point of origin to its arrival at the subject premises. A record of "Chain of Custody" shall be submitted to Council within seven (7) days of the fill material being moved to or from the subject site.

Reason:- to ensure appropriate validation and handling of fill for residential premises.

57. **Connection to Council's drainage system**

Prior to the issue of any Construction Certificate a detail design for the proposed connection to existing Council's stormwater pipe shall be submitted and approved by Cumberland Council's Manager Engineering and Traffic. In this regard:

- a) A longitudinal section, of the proposed pipe, showing the depth and location of all the services within the area of the proposed works shall be submitted.
- b) A standard kerb inlet pit shall be constructed at the kerb.
- c) Inspections will be required for the works related to the proposed connection to Council's stormwater drainage system at following stages:
 - i) After the excavation of pipeline trenches.
 - ii) After the laying of all pipes prior to backfilling.
 - iii) After the completion of all pits and connection points.
- d) A minimum of 48 hours' notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Works and Services Section during office hours.

- e) Work is not to proceed until the works are inspected and approved by Council.

Reason:- to ensure Council's assets are constructed to Council's requirements.

58. **Stormwater disposal**

All stormwater runoff generated from the proposed development shall be directed to stormwater system in Weeroona Road and Main Avenue.

Reason:- to prevent localised flooding.

59. **Submission of full stormwater disposal details**

Full stormwater drainage details showing the proposed method of stormwater collection and disposal are to be submitted to Council or the Accredited Certifier to ensure the approved stormwater plans are incorporated with the Construction Certificate.

The details shall be prepared by a suitably qualified person and must be in accordance "Auburn Development Control Plans 2010 - Stormwater Drainage" and "Australian Rainfall & Runoff 1987". In this regard:

- a) The proposed stormwater system shall be generally in accordance with the approved stormwater concept plans; and
- b) Details pump out system calculations shall be provided.

Note: "Auburn Development Control Plans 2010 - Stormwater Drainage" is available to purchase at Council or the document can be found at Auburn Council's web page www.auburn.nsw.gov.au

Reason:- to ensure the stormwater is suitably discharged.

60. **Surface runoff**

Allowances shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other property.

Reason:- to prevent adverse impact on adjoining properties.

61. **Engineer Certificate for pump**

A certificate from a practising hydraulic engineer verifying that the stormwater pump installation and the design with the executed levels shall be submitted to the Cumberland Council's Manager Engineering and Traffic with the work-as-executed plan **prior to the release of Occupation Certificate.**

Reason:- to ensure the system has been constructed Council's standards and specifications.

62. Basement drainage system

Basement drainage is to comply with “Auburn development control plans 2010 stormwater drainage”. In this regard:

- a) Two pump units being installed, the capacity of each being calculated on the basis of a hundred year storm recurrence interval and a storm duration of 5 (five) minutes, one pump acting in reserve capacity.
- a) The two pumps being designed to work on an alternate basis to ensure that both pumps receive equal usage and neither pump remains continuously idle.
- b) A holding well being provided within the basement, of sufficient capacity to store the discharge based on a hundred year storm recurrence interval and storm duration of ninety minutes. In addition to this an above ground storage shall be provided up to a hundred year storm recurrence interval and storm duration of two hours. The holding well is to be designed so that a minimum volume of water is retained in the well for health reasons when the pumps are in the “off” position or if there is a break in electrical supply.
- c) A storm of two hours’ duration has been adopted as a basis for determining the size of the well, the assumption being that electrical supply will be reinstated within this period.
- d) The pump out system is to be independent of any gravity drainage lines, except at the property boundary where a grated surface pit is to be constructed from which a connection will be permitted to the gravity drainage system. The invert levels of the pipes in the grated surface pit are to be such that the outlet from the pump out system is above the inlet of the gravity system.
- e) Storage areas and areas used for purposes other than car parking or access aisles are to be constructed a minimum of 100mm above the top water level.
- f) The contributing catchment area to the pump out system is to be limited to the access ramp area only and subsoil drainage.

Reason: to prevent localised flooding.

63. Works-as-Executed Plan – Drainage Plans

Prior to occupation of the building or issue of the occupation certificate, two (2) copies of the Works-as-Executed (W.A.E.) Plan prepared by a registered surveyor and certified by the design engineer shall be submitted to Council. The W.A.E. plan shall show (where applicable):

- a) Whether all works have been completed generally with the approved drainage plans;
- b) Any departure from the approved plan and conditions;
- c) Any additional work that has been undertaken;
- d) Location, levels and sizes of pipes and pits;

- e) Finished floor and finished surface levels. The location of finished levels should in general correspond with those shown on Council's approved drainage plan; and
- f) Basement pump out volumes.

NOTE: The WAE surface level shall be taken after all landscaping has been completed.

In this regard:

- The above information is to be superimposed on a full sized copy of Council approved drainage plan and is to be submitted to Council.
- Checklists A3, A4 & A5 in the appendix of the "Auburn Development Control Plan 2010 - Stormwater Drainage" shall be completed and shall be certified by the practicing hydraulic engineer and the registered surveyor.

Reason:- to account for minor variations and to ensure Council has the final details.

64. **Convex safety mirror**

Convex safety mirrors shall be provided in the curved sections of the ramp to improve the sight distance. In this regard:

- a) Detail plans showing the compliance of above requirements shall be submitted and approved by the Principle Certifying Authority **prior to issue of the relevant Construction Certificate.**
- b) Convex safety mirrors shall be maintained in good condition.

Reason:- to improve the sight distance.

65. **Accessible car parking spaces**

Accessible car parking spaces shall comply with Australian Standard AS2890.6. In this regard, detailed plans shall be submitted to and approved by Principal Certifying Authority **prior to the issue of the relevant Construction Certificate.**

Reason:- to ensure that the accessible car parking spaces comply with Australian Standard AS2890.6.

66. **Reinstatement of footpath and footpath crossing**

The footpath and footpath crossing/s adjacent to the property shall be reinstated by Council at the completion of works with all costs being borne by the developer. Alternatives to the pre-payment for this work will be considered if written request is made to Council.

Reason:- to ensure the footpath and the footpath crossings are repaired from any damage caused during the construction phase.

67. **Vehicle Driveway Crossings and Gutter Laybacks**

Arrangements shall be made with Council for the prepaid construction of vehicular crossings and gutter laybacks at all property entrances and exits, and for the removal of

all disused driveway crossings and gutter laybacks. Alternatives to the pre-payment for this work will be considered if written request is made to Council. The gutter crossing and/or the removal of any redundant crossings must be constructed to the satisfaction of Council (and to the Council's specifications including payment of any required bonds) or the prepayment made to Council for Council to carry out the work, prior to the issue of any occupation certificate.

Removal of obstructions, such as power poles, trees, drainage pits and the like shall be carried out at the applicant's expense.

Reason:- to ensure that works are carried out in accordance with Council's standard.

68. **Carrying capacity of driveways – Heavy duty**

Suitable heavy-duty driveway crossings are to be installed at all ingress/egress points to the property at the applicant's cost by Council. Alternatives to the pre-payment for this work will be considered if written request is made to Council. The gutter crossing and/or the removal of any redundant crossings must be constructed to the satisfaction of Council (and to the Council's specifications including payment of any required bonds) or the prepayment made to Council for Council to carry out the work, prior to the issue of any occupation certificate.

Reason:- to ensure the driveways can support the expected weight of heavy vehicles likely to frequent the site.

69. **Street boundary levels**

Street boundary levels for vehicle access and drainage purposes are to be obtained at the applicant's cost from Council's Service Planning Department prior to commencement of any works. These levels are to be incorporated in all drainage submissions required under this determination.

Reason:- to ensure the correct levels are obtained and used for the development.

70. **Road opening permit**

Prior to commencement of any work on Council roads and footpaths, a road-opening permit shall be obtained from Council's Service Planning Department.

Reason:- to safeguard Council property against damage.

71. **Restoration works**

Prior to commencement of any excavation work on Council roads or footpaths, the applicant shall pay for all restoration costs. The area of restoration shall be determined on site between the applicant or its contractor and Council's Contracts & Maintenance Engineer.

Reason:- to ensure that Council's infrastructure is maintained in a safe and trafficable manner.

72. **Footpath Construction – Main Avenue and Andrews Road**

The footpath adjoining the Main Avenue and Andrews Road frontages shall be reconstructed in accordance with the Council's Standard footpath construction requirements. Site boundary line levels shall be raised to the boundary line levels, with

satisfactory end-transitions provided.

- a) Detail footpath design shall be submitted and approved by Council's Works and Services section **prior to the issue of a Construction Certificate**;
- b) Street boundary levels obtained from Council shall be incorporated in the design;
- c) The details of construction requirements shall be requested from the Council prior to commencement of construction;
- d) Formwork inspection and footpath inspection shall be carried out by Council;
- e) The footpath shall be constructed at the completion of works and finished to the satisfaction of Council **prior to the issue of an Occupation certificate**; and
- f) All associated cost shall be borne by the applicant.

Reason:- to provide a safe footpath for increased pedestrian use and one that will complement the Auburn Council requirements.

73. **Works within Council controlled lands**

(1) For drainage works:

- a) Within Council controlled lands.
- b) Connecting to Council's stormwater drainage system.

Inspections will be required:-

- i) After the excavation of pipeline trenches.
- ii) After the laying of all pipes prior to backfilling.
- iii) After the completion of all pits and connection points.

(2) A minimum of 48 hours' notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Works and Services Section during office hours.

(3) Work is not to proceed until the works are inspected and approved by Council.

Reason:- to ensure works on public/Council controlled lands are carried out as per Council's requirements.

74. **Footpath / Nature strip maintenance during and after construction**

The footpath and nature strip within the street frontages shall be maintained during the period of construction to Council's satisfaction.

Reason:- to ensure pedestrian safety during the construction period.

75. **Street Trees Planting**

The following street trees shall be planted by the applicant along the Weeroona Road frontage of the site. Any costs associated with this work shall be borne by the applicant.

Species	Min. No	Min. spacing	Min. Pot Size	Min. Height
Eucalyptus microcorys	9	10m between trees & 1.2m from stormwater pits/lintels	45 Litres	2 metres

The applicant shall be responsible for co-ordination with all relevant service authorities as required to facilitate planting. Planting shall be completed **prior to the issuing of an Occupation Certificate** and shall be maintained for a minimum 12 month period.

Reason:- to ensure planting and ongoing maintenance of street trees occurs to Council's satisfaction.

76. **Discovery of additional information during remediation, demolition or construction**

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

Reason:- to ensure Council is informed of any new information relevant to site conditions and site contamination associated with the development.

77. **Off-site soil disposal**

Any soil disposed of offsite shall be classified in accordance with the procedures in the NSW EPA Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes (1999).

Reason:- to ensure soil disposed off-site is classified in accordance with relevant EPA requirements.

78. **Car parking to Comply with Approved Details**

The area set aside for the parking of vehicles, and so delineated on the approved plans, shall not be used for any other purpose.

Reason:- to ensure the car parking area is not used for purposes other than the parking of cars associated with the use.

79. **Number of Car Parking Spaces**

A minimum of 42 off-street car parking spaces are to be provided to the development. The spaces are to have minimum dimensions of 5.5 m x 2.4 m and be suitably sealed, marked, drained and freely accessible at all times. Visitor car parking spaces shall be a minimum width of 2.6 m and disabled car parking spaces shall comply with the relevant Australian Standards.

Car parking spaces are not to be enclosed by any device, such as a wire or mesh cage, walls or other similar fixtures unless there is a minimum clear internal width of 3 metres. Car parking spaces shall not be enclosed without the prior consent of council.

Reason:- to ensure there is sufficient car parking for the development and to comply with Auburn Parking & Loading DCP.

80. **Signs for Visitor Parking**

Suitable signs shall be erected at the front of the property indicating the availability of visitor parking within the property. All visitor parking spaces shall be clearly signmarked.

Reason:- to ensure the visitor parking spaces are clearly identified.

81. **Adequate Signs and Pavement Markings Required to Assist Traffic Flow on Site.**

Adequate signs and pavement markings are to be provided to direct the flow of traffic within the site. Details are to be provided prior to the issue of the construction certificate.

Reason:- to assist with traffic flow within the development.

82. **Vehicles Driven in Forward Direction**

All vehicles must be driven in a forward direction at all times when entering or leaving the premises.

Reason:- to preserve and enhance the safe operation of the car parking area.

83. **Protective bar to vehicular entry**

A protective bar shall be installed at the vehicular entry to the development to prevent damage from vehicles that are too high or those that fail to wait for the opening of any roller shutter etc. Details and installation of the proposed protective bar shall be noted on the Construction Certificate drawings and installed prior to the issue of Occupation Certificate.

Reason:- to prevent damage from oversized vehicles when entering the premises.

84. **Roller doors and shutters – silent operation**

The roller doors or other shutters to the car park shall operate silently and be appropriately maintained.

Reason:- to ensure quiet operation and ongoing maintenance to car park doors.

85. **Intercom/remote access to basement**

An intercom and remote access system shall be provided at all vehicular access points to the basement car park and connected to all residential units. Details of the proposed intercom and remote access system to the basement car park are to be submitted with the Construction Certificate plans/specifications and the locations detailed on the construction drawings.

Reason:- to ensure that visitor car parking spaces are easily and conveniently accessible for visitors to the premises.

86. **Headroom clearance – within the Basement**

The headroom clearance within the basement shall comply with the usage. In this regard, minimum 4.0m shall be provided in waste collection area and associated turning area. Other areas shall comply with AS 2890.1 and 2890.6 requirements.

Detail plans showing the compliance of above requirements shall be submitted and approved by the Principle Certifying Authority **prior to issue of a Construction Certificate.**

Reason:- to ensure headroom clearance complies with Australian Standards AS 2890.1 AS2890.6 and Council's DCP.

87. **Driveway surface treatment**

Driveway surface treatments must finish at the property boundary.

Reason:- to ensure compliance with Council's Development Control Plan requirements.

88. **Materials and Finishes**

Materials and finishes to the development shall be in accordance with the details of the approved plans and the following requirements:-

- a) Quality and durable materials are to be used throughout the development.
- b) The applied external paint finishes to the building shall have a minimum aggregate thickness of 200 microns.

Reason:- to ensure a high quality appearance to all materials within the development.

89. **SEPP 65 – Design Verification**

The following requirements arising from State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings must be complied with:-

- a) A certifying authority must not issue a Construction Certificate in respect of the development unless the certifying authority has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the plans and specification achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.
- b) A certifying authority must not issue an Occupation Certificate to authorise a person to commence occupation or use of the development unless the certifying authority has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the development as shown in the plans and specifications in respect of which the Construction Certificate was issued, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.

Reason:- to ensure that the requirements of SEPP No. 65 and the EP&A Regulations are complied with in the carrying out of the development.

90. **Architect – Notify Council if Changed**

The architect of the project, as approved, should not be changed without prior notice to Council.

Reason:- to ensure Council is aware and kept informed of the current project architect.

91. **Underside of balconies**

The underside of the balconies within the development must be designed to prevent exposed pipes and utilities being visible.

Reason:- to ensure an attractive appearance to the development in accordance with Council's Development Control Plan requirements.

92. **Reflectivity Index of Glazing**

The reflectivity index (expressed as a percentage of the reflected light falling upon any surface) of external glazing for windows, walls or roof finishes of the proposed development is to be no greater than 20%. Written confirmation of the reflectivity index of materials is to be submitted with the Construction Certificate.

Note: The reflectivity index of glazing elements can be obtained from glazing manufacturers. Glass with mirrored or reflective foil finishes is unlikely to achieve compliance with this requirement.

Reason:- to ensure that excessive glare or reflectivity nuisance from glazing does not occur as a result of the development.

93. **Fencing/gates and adjoining land**

There must be no encroachment of any part of the structure/s onto the adjoining premises or onto Council's road reserve, footway or public place. Any gate openings shall be constructed so that the gates, when hung, will be fitted in such a manner that they will not open over the footway or public place.

Reason:- to ensure the fence/gates do not restrict access and that encroachments do not occur.

94. **Lighting to publicly accessible areas**

The following lighting requirements shall be complied with:

- a) The public areas shall be provided with lighting to ensure pedestrian safety. Such lighting shall be at a minimum level of 10 lux in the horizontal and vertical plane.
- b) Details of the lighting is to be submitted for the approval of the Principal Certifying Authority prior to issue of the Construction Certificate and location of the lighting endorsed on the construction drawings.

Reason:- to ensure publicly accessible areas of the development are provided with sufficient illumination.

95. **Telecommunications Facilities - Residential**

The following requirements apply to telecommunication facilities in the building:-

- a) Appropriate access and space within the plant area of the buildings shall be provided for a minimum of three telecommunication carriers or other providers of broad-band access by ground or satellite delivery.
- b) Appropriate ducting and cabling shall be provided for a minimum of three telecommunication carriers or other providers for telecommunication access and broad-band cabling to each apartment / dwelling.

- c) The details of (a) and (b) above shall be submitted for the approval of the certifying authority, prior to issue of a construction certificate for the building under the Environmental Planning and Assessment Act 1979.
- d) A separate Development Application (if required) must be submitted at the appropriate time for any external receiving device proposed to be installed. For each form of transmitter, there shall be only one common receiving device installed on each of the buildings.

Reason:- to ensure adequate provision for telecommunication facilities within the development.

96. **Switchboards/Service Panels**

Switchboards and/or service panels for utilities are not, where practicable, to be attached to the front facades/elevations of the building(s).

Reason:- to ensure that switchboards and service panels are appropriately located and do adversely impact on the appearance/presentation of the front building facade.

97. **Provision of Street Numbers**

A street number is to be displayed in a prominent position at the entrance to the premises. Numbers are to be of a colour contrasting with the wall to which they are affixed.

Reason:- to clearly identify the street number of the property.

98. **Mail Box Structure**

An Australia Post approved lockable mail box structure(s) shall be centrally located to the primary street entry of the site.

Reason:- to ensure compliance with Council's Development Control Plan requirements.

99. **Lockable Pedestrian Entries**

All shared pedestrian entries to the buildings must be lockable.

Reason:- to ensure adequate security provision to shared pedestrian entries to the development in accordance with Council's Development Control Plan requirements.

100. **Air conditioning units – location and acoustics**

- a) Air conditioning units are not to be visible from the street or public place and are not to obscure windows/window frames or architectural features of the building.
- b) The operation of air conditioning units shall be so:
 - (i) as not to cause "offensive noise" as defined under the Protection of the Environment Operations Act 1997;
 - (ii) as to be inaudible at the nearest affected residence between the hours of 10.00pm and 7.00am on weekdays and 10.00pm and 8.00am on weekends and public holidays;
 - (iii) as not to discharge a condensate or moisture onto the ground surface of the premises or into a stormwater drainage system in contravention of the requirements of the Protection of the Environment Operations Act 1997.

- c) Should Council receive noise complaints from neighbouring residents in relation to the air conditioning units, Council may issue a Noise Notice. Such notice may require you to engage the services of a competent and appropriately qualified Acoustic Consultant to undertake a noise level assessment of the air conditioning unit. If the unit is assessed as exceeding the permitted noise criteria, you may be directed to provide noise attenuation measures such as an acoustic enclosure and/or relocation of the unit.

Reason:- to ensure that air conditioning units associated with the development are appropriately located and do not detract from the appearance of the buildings and to ensure the operation of air conditioning units does not adversely impact on the acoustic amenity of the locality.

101. **Intruder Alarms**

Any intruder alarm at the premises shall be fitted with a timing device in accordance with the requirements of Section 53 of the Protection of the Environment Operations (Noise Control) Regulation 2000.

Reason:- to prevent ongoing noise arising from intruder alarms and ensure compliance with relevant legislation.

102. **Suitable arrangements to be made for garbage and recycling services**

Suitable arrangements for garbage and recycling services are to be made with Council prior to occupation of the building.

Reason:- to ensure adequate garbage and recycling services are provided for the development.

103. **Display of Waste Management Plan – Ongoing use**

The occupant/body corporate shall be provided with at least one copy of the waste management plan. An additional copy of the plan shall be displayed in a secure, visible and accessible position within or adjacent to the waste storage area. The approved Waste Management Plan must be complied with at all times during occupation.

Reason:- to ensure waste is properly managed by occupants of the building.

104. **Ongoing Waste Management**

Ongoing waste management within the development shall be carried out in accordance with the approved Waste Management Plan and the following requirements:-

- a) Appropriate waste management practices are to be adopted within the development at all times.
- b) The waste storage room shall be kept in a clean, tidy and hygienic condition at all times.
- c) The waste and recyclable storage area shall be fully enclosed, adequately ventilated and constructed with a concrete floor and concrete or cement rendered walls covering the floor. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket. A hot and cold hose cock shall be provided within the room. Details shall be provided with the Construction Certificate and endorsed on the construction drawings, and works completed prior to the issue of an Occupation Certificate.
- d) A person shall be employed/nominated to manage the collection of waste material

by Council, including, but not limited to bin placement at the road edge and retrieval of bins soon after collection of contents, cleansing of bins, storage of bins in the compound and the like.

- e) The nature strip is to be kept in a clean and tidy condition upon garbage collection.

Reason:- to ensure appropriate ongoing waste management practices within the development in accordance with Council's Development Control Plan requirements.

105. **Waste and recyclables storage area:**

The waste and recyclable storage area shall be fully enclosed, adequately ventilated and constructed with a concrete floor and concrete or cement rendered walls covering the floor. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket. A hot and cold hose cock shall be provided within the room. Details shall be provided with the Construction Certificate and endorsed on the construction drawings, and works completed prior to the issue of an Occupation Certificate.

Reason:- to ensure the waste and recyclables storage area is appropriately constructed and able to be readily cleaned and maintained.

106. **Arrangements for Water and Sewer Services**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.

Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water web site www.sydneywater.com.au/customer/urban/index or telephone 132 092.

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built or charges to be paid. Please make early contact **with the Coordinator**, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscaping design.

The Section 73 Certificate must be submitted to Council **prior to release of the final plan of subdivision.**

Reason:- to ensure that adequate water and sewer services can be provided to the site.

107. **Arrangements for Electricity and Telephone Services**

Satisfactory arrangements are to be made with Energy Australia, Telstra and/or Optus for the provision of services to and within the subject land. Written evidence of such arrangements shall be submitted to Council **prior to the issue of the strata subdivision certificate.**

Reason:- to ensure these services are available to the site.

108. **Submission of Plan of Strata Subdivision with subdivision certificate application**

The subdivision certificate application is to be supported by the submission of an original plan of subdivision together with seven (7) copies if submitted to Council.

Note: A Strata Certificate fee is payable to Council on lodgement of the plans and an

inspection fee may be required before collection of the final signed plan of subdivision.

Reason:- to ensure an application is made for a subdivision certificate.

109. **Approval of Subdivision Plan**

The final plan of subdivision and strata subdivision certificate will not be endorsed by Council unless the building (or buildings) has been completed in accordance with the conditions contained in this notice of determination and approved plans.

Reason:- to ensure the development proceeds in accordance with the approved plans.

110. **Final Fire Safety Certificate**

Prior to the occupation of the building, the owner of the building shall submit to the Principal Certifying Authority (Council or Accredited Certifier), a **final fire safety certificate** in relation to each essential fire safety measure specified in the **fire safety schedule**, attached to the development consent or construction certificate.

Such certificate shall state that each essential fire safety measure specified:-

- a) Has been assessed by a properly qualified person, and
- b) Was found, at the date of assessment, to be capable of performing to a standard not less than that required by the current fire safety schedule for the building for which the certificate is issued.

NOTES:

1. As soon as practicable after a final fire safety certificate is issued, the owner of the building to which it relates:-
 - i) Must cause a copy of the statement (and current fire safety schedule) to be given to the Commissioner of NSW Fire Brigades, and
 - ii) Must cause a further copy of the statement (and current copy of the current fire safety schedule) to be prominently displayed in the building.
2. A "fire safety measure" is defined as any measure (including any item of equipment, form of construction or fire safety strategy) that is , or is proposed to be, implemented in the building to ensure the safety of persons using the building in the event of fire.

Reason:- to ensure compliance with Regulations 149 & 171 of the Environmental Planning and Assessment Regulation 2000.

111. **Annual Fire Safety Statement**

The owner of any building in which fire safety measures are installed, must cause the Council to be given an **annual fire safety statement**, within 12 months after the last such statement or final fire safety certificate was issued.

The certificate shall certify:-

- a) That each essential fire safety measure has been assessed by a properly qualified person and was found, at the date of assessment, to be capable of performing to a standard not less than that required by the current fire safety schedule.
- b) That a properly qualified person has inspected the building and has certified that,

as at the date of inspection, the condition of the building did not disclose any grounds for a prosecution under Division C.

NOTES:

1. As soon as practicable after an annual fire safety statement is issued, the owner of the building to which it relates:-
 - i) must cause a copy of the statement (and current fire safety schedule) to be given to the Commissioner of NSW Fire Brigades, and
 - ii) must cause a further copy of the statement (and current copy of the current fire safety schedule) to be prominently displayed in the building.
2. A “fire safety measure” is defined as any measure (including any item of equipment, form of construction or fire safety strategy) that is, or is proposed to be, implemented in the building to ensure the safety of persons using the building in the event of fire.

Reason:- to ensure compliance with Regulation 171 of the Environmental Planning and Assessment Regulation 2000.

112. Fire Safety Notices

The fire-isolated stairway, fire-isolated passageway or fire-isolated ramp must contain a notice advising of “Offences relating to fire exits”. The notice shall contain the wording prescribed by Clause 183 of the Environmental Planning and Assessment Regulation, 2000 and the Building Code of Australia.

Reason:- to comply with Clause 183 of the Environmental Planning and Assessment Regulation 2000 and the BCA.

113. Submission of Works-as-Executed Fire Services Plan

A *works-as-executed* fire services plan is to be submitted to the Council **prior to occupation** of the development, detailing the location of the essential fire safety measures installed within the building premises.

Reason:- to ensure a record of the location and type of fire safety services is documented.

114. Occupation Certificate

A person must not commence occupation or use of the whole or part of a new building unless an occupation certificate has been issued in relation to the building or part.

The application for an Occupation Certificate must be made to the Principal Certifying Authority (Council or an accredited certifier) using the approved form.

Reason:- to comply with the requirements of Section 109M/N of the Environmental Planning and Assessment Act.