

ATTACHMENT 1 – Recommended Conditions of Consent

1. Approved Development

The development shall be take place in accordance with the approved development plans containing Council's approved development stamp and all associated documentation supporting this consent.

Sheet	Revision	Dated	Author
LA01	D	12.08.2015	Barry Rush & Associates Pty Ltd
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A12 of 12	A	16.04.15	Barry Rush & Associates Pty Ltd
1 of 2	-	30.05.2014	Project Surveyors
2 of 2	-	30.05.2014	Project Surveyors

Associated Documentation:

- a. Document Title: Exterior Colour Scheme, Author: Barry Rush & Associates Pty Ltd.
- b. Document Title: Waste Minimisation and Management Plan, Author: Barry Rush & Associates Pty Ltd.
- c. Document Title: Arboricultural Assessment and Impact Report, Author: Scott Freeman – Horticultural Management Services, Dated: 11 November 2014.
- d. Document Title: BASIX Certificate, Certificate Number: 588860M_02, Author: Building Sustainability Assessments, Dated: 8 April 2015.

2. Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia. In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date of the invitation for tenders to carry out the building work.

3. Landscaping

The provision and maintenance of landscaping shall be in accordance with the approved landscape plans containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works. The landscape design shall incorporate a significant portion of native, low water demand plants consistent with BASIX requirements.

4. External Finishes

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

5. Switchboards/Utilities

Switchboards and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

6. Driveway

The gradients of driveways and manoeuvring areas shall be designed in accordance with Australian Standard AS 2890.1 and AS 2890.6.

Driveways shall be constructed using concrete with a broom finish.

All driveways in excess of 20 metres in length shall be separated from the landscaped areas by the construction of a minimum 150mm high kerb, dwarf wall or barrier fencing.

7. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 7 days of its application.

8. Unreasonable Noise, Dust and Vibration

The development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable noise, dust or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of a noise related issue arising during construction, the person in charge of the premises shall when instructed by Council, carry out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

9. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements set out in the Campbelltown (Sustainable City) DCP - Volumes 1 and 3.

10. Car Parking Spaces

Thirteen car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards AS 2890.1 and AS 2890.6.

11. Bin Storage Areas

The bin storage areas identified on the approved plans shall be:

- a. provided with a concrete floor that is graded to an approved sewer connection which incorporates a sump and galvanised grate cover or basket,
- b. provided with a water tap and hose located within the bin storage area, and
- c. vented to the external air by natural means.

12. Mobile Garbage Bins

- a. No mobile garbage bins associated with the residential development shall be placed for collection in any other location other than adjacent to the kerb line of Byron Avenue at the appropriate times.
- b. At all other times the mobile garbage bins shall be stored within the approved bin storage areas as shown on the approved plans.
- c. Mobile garbage bins are not permitted to be stored within car parking spaces, vehicle driveways, vehicle manoeuvring areas or landscaped areas.
- d. The applicant is required to appoint a caretaker of the site which ensures that mobile garbage bins will be placed to the kerb at the appropriate times for collection and returned to the bin storage areas following collection.

13. Shoring and Adequacy of Adjoining Property

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

- a. Protect and support the adjoining premises from possible damage from the excavation, and
- b. Where necessary, underpin the adjoining premises to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

14. Rain Water Tank(s)

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation purposes in accordance with the approved plans.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

15. Utility Servicing Provisions

Prior to the commencement of any works on the land, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

16. Sydney Water Stamped Plans

Prior to the commencement of any works on the land, development plans shall be submitted to a Sydney Water Customer Centre or Quick Check Agent, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The plans are required to be appropriately stamped.

17. Geotechnical Report

Prior to the commencement of any works on the land, where proposed excavation and/or filling exceed 900mm in depth, or where the subject site is identified as being filled land, a geotechnical report prepared by a NATA registered laboratory shall be submitted which indicates that the land will not be subject to subsidence, slip, slope failure or erosion.

18. Soil and Water Management Plan

Prior to the commencement of any works on the land, a detailed soil and water management plan shall be submitted for approval.

19. Traffic Committee

Prior to the commencement of any works on the land, the applicant shall submit plans and obtain written approval from Council's Local Traffic Committee for the following works:

- a. The construction of a pedestrian refuge island within Burns Road, associated pram ramps, line marking and signposting so as to provide suitable access to the bus stop located on the northern side of Burns Road.

The pedestrian refuge island shall be constructed at a suitable location in the vicinity of the intersection of Byron Avenue and Burns Road. Pram ramps shall be constructed on the north and south sides of Burns Road in association with the pedestrian refuge island.

The applicant shall consult with residents of affected properties with regards to the proposed location of pedestrian refuge island. All correspondence of the consultation shall be submitted to Council for record purposes.

- b. The erection of no parking signage on garbage collection day located adjacent to the two main car park driveway entrances of the property.

20. Traffic Control Plans

Prior to the commencement of any works on the land, the applicant shall prepare and obtain approval from an accredited person, a Traffic Control Plan (TCP) in accordance with the State Roads Authority manual "Traffic Control at Work Sites" and Australian Standard AS 1742.3. A copy of the approved TCP shall be kept on site for the duration of the works in accordance with Work Cover Authority requirements. A copy shall be submitted to Council for its records.

21. Stormwater Management Plan (Development)

Prior to the commencement of any works on the land, a plan indicating all engineering details and calculations relevant to the site regrading and the collection and disposal of stormwater from the site, building/s and adjoining lots, shall be submitted for approval. Floor levels of all buildings shall be a minimum of 150mm above the adjacent finished site levels and stormwater shall be conveyed from the site to the nearest stormwater pit in Shakespeare Street via a registered drainage easement over downstream property, in a manner specified by Council. All proposals shall comply with the Campbelltown (Sustainable City) DCP – Volume 3.

22. Existing Drainage

Prior to the commencement of any works on the land, the applicant shall submit design details and related calculations for the analysis of the existing drainage system in Shakespeare Street, where it is proposed to discharge stormwater from the proposed development via a drainage easement, to determine whether the existing system has sufficient capacity to adequately convey the increased flows.

23. On-Site Detention Facility

- a. Prior to the commencement of any works on the land, the applicant shall submit details, calculations and associated report to show the requirements of the on-site detention facility.
- b. Prior to the commencement of any works on the land, the applicant shall submit to Council for its written approval an Operation and Maintenance Manual for the on-site detention facility.

24. Drainage Easement

Prior to the commencement of any works on the land, the applicant shall submit a suitable plan for approval and endorsement by Council and have it registered with Land and Property Information (NSW) for the creation of a suitable drainage easement to enable stormwater runoff from the subject site to be conveyed to Shakespeare Street drainage system for all storm events and in a manner specified by Council. The width of the drainage easement shall comply with the specifications of the Campbelltown (Sustainable City) DCP - Volume 3. All the costs associated with value of land and easement created is to be borne by the applicant.

25. Dilapidation Report

Prior to the commencement of any works on the land, the applicant shall submit a dilapidation report for all buildings in the vicinity of the proposed drainage easement works and for any other infrastructure that may be affected by the works on the subject site.

26. Work outside the Site Boundary

Prior to the commencement of any works on the land, engineering plans for any work outside the site boundary to be submitted to Council. All works shall comply with Council's Campbelltown (Sustainable City) DCP - Volume 3.

27. Lot Classification

Prior to the commencement of any works on the land, the footings and foundations of the proposed dwellings shall be designed by an appropriately qualified Civil/Structural engineer, having regard to the soil classification of whole site in accordance with guidelines contained in the Australian Standard for Residential Slabs and Footings - AS2870-2011 and any recommendation contained in a Geotechnical report, prepared by a laboratory which is registered with the National Association of Testing Authorities.

28. Telecommunications Infrastructure

Prior to the commencement of any works on the land:

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted; and
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

29. Erosion and Sediment Control

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

30. Erection of Construction Sign

Prior to the commencement of any works on the land, the successful contractor must display their sign in a prominent position on the site stating their name, contact person and telephone number on which that person can be contacted outside working hours.

31. Toilet on Construction Site

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

32. Vehicular Access during Construction

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger and placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

33. Public Property

Prior to the commencement of any works on the land, the applicant shall advise Council of any damage to property which is controlled by Council which adjoins the site, including kerbs, gutters, footpaths, and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

34. Demolition Works

Demolition works shall be carried out in accordance with the following:

- a. Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted for approval and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- c. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.
- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.

35. Hoarding / Fence

Prior to the commencement of any works on the land, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with Work Cover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under Section 68 of the Local Government Act 1993 shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

36. Fencing

Prior to the commencement of any works on the land, an appropriate fence preventing public access to the site shall be erected for the duration of construction works.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

37. Construction Work Hours

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 1.00pm
Sunday and public holidays	No Work.

38. Erosion and Sediment Control

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook), the approved plans and Council specifications. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

39. Fill Compaction Requirements

Any filling carried out on the site shall be compacted to a minimum dry density of 98% Standard Compaction. Density testing, which is to be certified by a qualified geotechnical engineer, shall be undertaken for every 300mm rise in vertical height, with test locations being selected randomly across the site. At least 1 test shall be taken for every 500m² of the filled area (minimum 1 test per 300mm layer).

40. Dust Nuisance

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – 'Soils and Construction (2004) (Bluebook).

41. Termite Control

The building shall be protected from subterranean termites in accordance with Australian Standard 3660.1.

42. Public Safety

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with AS 1742.3. Council may at any time and without prior notification make safe any such works that are considered to be unsafe and recover all reasonable costs incurred, from the applicant.

43. Footpath Kerb and Gutter

The applicant shall re-construct all damaged kerb & gutter located adjacent to the site in Byron Avenue. Areas not concreted shall be re-graded, topsoiled and turfed. All works shall be in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works and with the design requirements detailed in the Campbelltown (Sustainable City) DCP - Volume 3.

44. Footpath

The footpath adjoining the subject site shall be regraded in accordance with levels obtained from Council. The developer shall provide by new construction and/or adjustment to the existing footpaths, a continuous accessible concrete sealed footpath(s) of 1.2 metre width to the satisfaction of Council along the frontage of the site and to the two nearest bus stops on each side of Burns Road (North and South). All proposed works shall be in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works, the design requirements detailed in the Campbelltown (Sustainable City) DCP - Volume 3. Areas not concreted shall be topsoiled and turfed. The footpath formation may need to be extended beyond the site boundaries, to provide an acceptable transition to the existing footpath levels.

45. Residential Driveway and Layback Crossing

The applicant shall provide three reinforced concrete footpath crossings and laybacks at the entrance to the carport and car spaces 1 & 13, in accordance with Council's Residential Vehicle Crossing Specification and the Campbelltown (Sustainable City) DCP - Volume 3.

A separate application for this work, which will be subject to a crossing inspection fee and inspections by Council, must be lodged with Council prior to pouring the concrete. Where necessary, conduits shall be provided under the footpath crossing, in accordance with the relevant service authority's requirements.

46. Medium Density Driveway and Layback Crossing

The applicant shall provide two reinforced concrete footpath crossings and laybacks at the entrance to the main car park areas proposed within the site boundary, in accordance with Council's Medium Density Vehicle Crossing Specification and the Campbelltown (Sustainable City) DCP - Volume 3.

A separate application for this work, which will be subject to a crossing inspection fee and inspections by Council, must be lodged with Council prior to pouring the concrete. Where necessary, conduits shall be provided under the footpath crossing, in accordance with the relevant service authority's requirements.

47. Redundant Laybacks

All redundant laybacks shall be reinstated as conventional kerb and gutter, in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works and the design requirements detailed in the Campbelltown (Sustainable City) DCP - Volume 3.

48. Demolition of Existing Structures

All existing structures to be demolished shall be demolished in accordance with the approved demolition work plan.

49. Imported 'waste-derived' fill material

The only waste-derived fill material that may be received at the development site is:

- a. virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); and
- b. any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any waste-derived material the subject of resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions.

50. Notification on downstream drainage easement works

The developer shall notify the residents of the adjoining properties on the works proposed within the registered drainage easement and for access arrangements prior to the commencement of any work in the easement. The developer shall complete the easement works within the shortest possible time period and reinstate the disturbed area.

PRIOR TO OCCUPATION

The following conditions of consent must be complied with prior to occupation.

51. Restriction as to User

Prior to occupation, a restriction as to user must be placed on the title of the property limiting the use of the accommodation approved in this consent to the following persons:

- a. Seniors or people who have a disability,
- b. People who live within the same household with seniors or people who have a disability, and
- c. Staff employed to assist in the administration of and provision of services to housing provided under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

52. Section 73 Certificate

Prior to occupation, a Section 73 certificate must be obtained by Sydney Water Corporation.

53. Completion of External Works Onsite

Prior to occupation, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed.

54. Positive Covenant

Prior to occupation, the applicant shall create a positive covenant and appropriate restriction on the use of land under Section 88B of the Conveyancing Act over the proposed On-Site Detention facility.

55. Works as Executed Plans

Prior to occupation, the applicant shall submit to Council two copies of a work as executed plan, certified by a qualified surveyor, which is in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works and the requirements detailed in the Campbelltown (Sustainable City) DCP - Volume 3.

56. Restoration of Public Roads

Prior to occupation, any restoration of the public road pavement required as a result of the development, shall be carried out by Council and all costs shall be paid by the applicant.

57. Public Utilities

Prior to occupation, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

58. House Numbers

Prior to occupation, all house number shall be stencilled onto the kerb at appropriate locations with black letters/numbers 75mm high on a white background using an approved pavement marking paint.

59. Line Marking / Sign Posting Documentation (development)

Prior to occupation, the applicant shall submit to Council, for the Local Traffic Committee's records, two copies of the work as executed plans for the pedestrian refuge island, pram ramps, line marking and sign posting, undertaken in relation to the development. The information shown on the plan shall be in accordance with the recommendations of the Traffic Committee and shall note the date/s of installation.

60. BASIX

Prior to occupation, all requirements listed in the BASIX certificate for the subject development shall be completed/installed.

61. Council Fees and Charges

Prior to occupation, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

62. Consolidation of Allotment

Prior to occupation, the applicant shall provide evidence that the allotments that are the subject of the application have been consolidated. The registered plan of consolidation as endorsed by the Registrar General shall be submitted to Council for information. Should the allotments be affected by easements, restrictions, or covenants, for which Council is the relevant authority to release, vary or modify, then the plan of consolidation must be endorsed by Council prior to lodgement with Land and Property Information NSW.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

Advice 1. Provision of Equitable Access

Nothing in this consent is to be taken to imply that the development meets the requirements of the Disability Discrimination Act 1992 (DDA1992) or Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards). In this regard it is the sole responsibility of the building developer and building manager to ensure compliance with the DDA1992 and the Premises Standards.

Advice 2. Smoke Alarms

From 1 May 2006 all NSW residents must have at least one working smoke alarm installed on each level of their home. This includes owner occupier, rental properties, relocatable homes and any other residential building where people sleep. The installation of smoke alarms is required to be carried out in accordance with AS 3786.

Advice 3. Covenants

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

Advice 4. Inspection Within Public Areas

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to occupation.

Advice 5. Adjustment to Public Utilities

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

Advice 6. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed prior to the commencements of works. Further information regarding salinity management is available within Campbelltown (Sustainable City) DCP - Volumes 1 and 3.

Advice 7. Asbestos Warning

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au
www.nsw.gov.au/fibro
www.adfa.org.au
www.workcover.nsw.gov.au

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

Advice 8. Rain Water Tank

It is recommended that water collected within any rainwater tank as part of the development be limited to non-potable uses. NSW Health recommends that the use of rainwater tanks for drinking purposes not occur where a reticulated potable water supply is available.

Advice 9. Dial before you Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Advice 10. Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

END OF CONDITIONS