

Our Reference:
Contact:
Phone:

2017/345
Mr W J Attard
02 8757 9924

**ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
NOTICE OF DETERMINATION OF APPLICATION**

TBA

LLP RV (Nelsons Grove) Pty Ltd
Level 14 Tower Three International Tower
300 Barrangaroo Avenue
BARRANGAROO NSW 2000

Dear Sir/Madam

Pursuant to Section 81 of the Act, Council has granted conditional approval to your Development Application described as follows:

PROPERTY: Lot 261, DP 1149422

STREET ADDRESS: 128 Driftway Drive and 2 Newport Street, Pemulwuy

DEVELOPMENT CONSENT NO: 2017/345/1

DECISION: Sydney West Central Planning Panel

DATE OF EXPIRY OF CONSENT: TBA

PROPOSED DEVELOPMENT: Construction of 2 x three storey residential flat buildings accommodating 72 seniors housing units over basement car parking accommodating 89 parking spaces.

This Development Application is APPROVED in accordance with the Environmental Planning & Assessment Act 1979 and is subject to compliance with the requirements of Cumberland Council, the Building Code of Australia, the Local Government Act 1993, and the following conditions as set out hereunder and/or endorsed upon the attached plans.

PRELIMINARY

1. This consent shall lapse if the above development is not physically commenced by the date of expiry shown on the front page of this Consent.
2. Development shall take place in accordance with the following plans and information, except where amended by the conditions of this consent:
 - Architectural plans prepared by JH Architects, Drawing Number A14479, listed below:-

Drawing Title	Sheet Number	Rev.	Dated
Basement floor level	2 of 15	N	5 December 2017
Site & ground floor plan	3 of 15	N	5 December 2017
First floor plan	4 of 15	N	5 December 2017
Second floor plan	5 of 15	N	5 December 2017
Streetscape / elevations	6 of 15	N	5 December 2017

- Landscape plans prepared by Jocelyn Ramsay & Associates Pty Ltd, listed below:-

Drawing Title	Drawing Number	Rev.	Dated
Landscape Concept Plan	17-013/L01	B	9 August 2017
Landscape Concept Plan	17-013/L02	B	9 August 2017

- Engineering plans prepared by Northrop Sydney, Job Number 170852, OSD Plan Number 2017-206, listed below:-

Drawing Title	Drawing Number	Rev.	Dated
Cover Sheet, Drawing Schedule and Locality Plan	DAC01.01	1	8 August 2017
Concept Sediment and Erosion Control Plan	DAC02.01	1	8 August 2017
Sediment and Erosion Control Details	DAC02.02	1	8 August 2017
Concept Stormwater Management Plan – Ground	DAC03.01	1	8 August 2017
Concept Stormwater Management Plan – Basement	DAC04.01	1	8 August 2017
Details – Sheet 1	DAC06.01	1	4 August 2017
Details – Sheet 2	DAC06.02	1	4 August 2017
Details – Sheet 3	DAC06.0	1	8 August 2017
Catchment Plan	DAC08.01	1	8 August 2017

- Waste Management Plan prepared by Lendlease Retirement Living, dated August 2017;
- Schedule of Colours and Finishes, undated;
- BASIX Certificate Number 848752M, dated 10 August 2017;

- Geotechnical and Contamination Assessment prepared by Douglas Partners, Project Number 727778, Job Number 72778.03.R.001, Revision 0, dated 9 August 2017, and compliance with the recommendations contained therein;
 - Acoustic Assessment for Development Application prepared by Renzo Tonin & Associates, Document Reference TJ148-01F02 Acoustic Assessment for DA (r4).docx, Revision 4, dated 11 August 2017, and compliance with the recommendations contained therein;
 - Construction Noise & Vibration Management Plan prepared by Renzo Tonin & Associates, Document Reference TJ148-02F02 CNVMP (r2).docx, Revision 2, dated 11 August 2017, and compliance with the recommendations contained therein;
 - Statement of Heritage Impact prepared by ERM, Document Reference 0415209_SoHI, dated August 2017, and compliance with the recommendations contained therein;
 - Comments from the Holroyd Local Area Command, Police Reference D/2017/777038, dated 31 October 2017, and compliance with the recommendations contained therein; and
 - Comments from Endeavour Energy, dated 11 October 2017, and compliance with the recommendations contained therein.
- a) As amended in red by Council. All amendments are to be incorporated in the Construction Certificate plans.
3. All building work shall be carried out in accordance with the requirements of the Building Code of Australia. Fully detailed plans including fire safety details shall be submitted with the Construction Certificate application. No work is to commence until such time as a Construction Certificate is obtained for the work/building permitted by this Consent.

Appointment of Council or a Private Certifier as the Principal Certifying Authority (PCA)

4. Either Council or a Private Certifier is to be appointed as the Principal Certifying Authority (PCA) for the development in accordance with Section 109E of the Act.

Accordingly, wherever reference is made to the Principal Certifying Authority in this Consent, it refers to Council or the Private Certifier as chosen by you.

Note: Once you have chosen either Council or a Private Certifier as the PCA, you cannot change from one to the other, or from one Private Certifier or another, without the approval of Department of Planning & Infrastructure.

5. The applicant shall consult with, as required:
- (a) Sydney Water Corporation Limited
 - (b) Endeavour Energy
 - (c) Natural Gas Company

(d) A local telecommunications carrier regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on site or on the adjacent public road(s).

6. Building materials, builders sheds, waste bins, site fencing, gates or any material of any description shall not be left or placed on any footway, road or nature strip. Footways and nature strips shall be maintained, including the cutting of vegetation, so as not to become unsightly or a hazard for pedestrians. Offenders will be prosecuted.

BASIX (Building Sustainability Index)

7. Under Clause 136D of the Environmental Planning & Assessment Regulation 2000, it is a condition of this Development Consent that all the commitments listed as per Condition 2 in relation to BASIX are fulfilled.

Substations and Fire Hydrant Boosters

8. No approval is granted or implied for the installation of fire hydrant booster pumps and construction of associated encasing structures; inclusive of substation encasing structures i.e. blast walls and radiant heat shields. Separate Development Consent is required.

Cranes on Building Sites

9. No approval is granted or implied for the installation of any crane on the premises that has the potential to swing beyond the boundaries of the subject site. Separate necessary approvals, including but not limited to Section 138 of the Roads Act and/or Section 68 of the Local Government Act, must be obtained from Council prior to installation of any such cranes.

NOTE: FEES, BONDS & CONTRIBUTIONS INDICATED IN CONDITIONS OF THIS CONSENT MAY VARY IN ACCORDANCE WITH THOSE ADOPTED BY COUNCIL AT SUBSEQUENT ANNUAL REVIEWS OF ITS "FEES AND CHARGES" AND SUBSEQUENT CHANGES TO THE BUILDING PRICE INDEX. FEES CHARGED WILL BE THOSE CURRENT AT THE TIME OF PAYMENT.

PRIOR TO ISSUE/RELEASE OF CONSTRUCTION CERTIFICATE

The following conditions must be complied with prior to the issue of a Construction Certificate. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate:-

Payment of Bonds, Fees and Long Service Levy

10. The Principal Certifying Authority is to ensure and obtain written proof that all bonds, fees and contributions as required by this consent have been paid to the applicable authority. This includes all Long Service Levy payments to be made to the Long Service Payments Corporation.

Damage Deposit

11. A cash bond/bank guarantee of **\$5,872.10** must be paid/lodged with Council to cover making good any damage caused to the property of Council, during the course of construction associated with the development. This will be held for 'six (6) months after the completion of works' or six (6) months after the issue of 'Final Occupation Certificate' (whichever occurs last) to remedy any defects that may arise within this time.

Note:- The applicant/owner shall be held responsible for and may be required to pay the full reinstatement costs for damage caused to Council's property, unless the applicant/owner notifies Council in writing and provides photographic proof of any existing damage to Council's property. Such notification shall occur prior to works/demolition commencing. However, if in the opinion of Council, during the course of construction existing damage has worsened, Council may require full reinstatement. If damage does occur during the course of construction, prior to reinstating any damage to Council's property, the applicant/owner shall obtain design specifications of all proposed restoration works. Restoration/construction works within the road reserve shall be carried out by a licensed construction contractor at the applicant/owners expense and shall be inspected by Council prior to placement of concrete and/or asphalt.

Consistency with Endorsed Development Consent Plans

12. The Principal Certifying Authority must ensure that any certified plans forming part of the Construction Certificate, are in accordance with the Development Consent plans.

Landscape Inspection Fee

13. Payment of a **\$725.60** fee for the inspection by Council of landscape works and/or trees to be retained at the key stages, where Council is the Principal Certifying Authority.

Engineering Fees and Bonds

14. Payment of a **\$337.90** fee for the design, specifications and inspection by Council of the vehicular crossing/s prior to placement of concrete.

15. Payment of a **\$830.90** fee for the inspection by Council of the stormwater drainage and Pollution Control Device/s at the key stages, where Council is the Principal Certifying Authority.
16. The applicant shall lodge with Council a **\$6,000** cash bond to cover the registration of a Positive Covenant and Restriction as to User over the Onsite Stormwater Detention System and Pollution Control Device/s. This bond is refundable upon the submission of proof of registration of the Restriction on Use and Positive Covenant with the Land and Property Information NSW.

Road Works

17. A Traffic Management Plan shall be lodged with Council for any road and drainage works to be carried out within public road reserves, or where construction activity impacts on traffic flow or pedestrian access, in strict compliance with the requirements of Australian Standard 1742.3 (Traffic Control Devices for Works on Roads). In this regard, the applicant shall pay Council a **\$511.20** fee for the assessment of the Traffic Management Plan by Council, prior to commencing works within the road reserves. A copy of the approved Traffic Management Plan shall be kept on site during the course of construction for reference and compliance.

Sight Distance

18. To maintain sight distance to pedestrians, all fencing and landscaping within 2.0m of a driveway shall have a maximum height of 1m and 50% transparent above a height of 0.5m. All solid posts higher than 0.5m (but lower than 1m) shall have a maximum width 350mm and a minimum spacing of 1.2m. Details shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

Required Submissions to Certifying Authority

19. A building plan approval must be obtained from Sydney Water Tap In™ to ensure the development will not affect any sewer, water or stormwater mains or easements.

A copy of the building plan approval receipt from Sydney Water must be submitted to the certifying authority, prior to the issue of a construction certificate.

Please go to sydneywater.com.au/tapin to apply.

20. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to the proposed works must be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate or any works commencing, whichever occurs first.
21. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.
22. Retaining walls greater than 1.0m above finished ground level or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated

stormwater drainage measures, shall be designed by an appropriately qualified person. Details are to be included with any Construction Certificate application.

23. Structural engineer's details (in duplicate) prepared and certified by a practising qualified structural engineer of all reinforced concrete and structural members shall be submitted to the Principal Certifying Authority.
24. A Construction Management Plan (CMP) prepared by a suitably qualified consultant shall be prepared to address issues such as traffic control, noise, dust, etc. during construction. All measures / works / methods / procedures / control measures / recommendations made within the Construction Management Plan shall be implemented accordingly. Detail is to be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.
25. The development shall comply with the Access to Premises Standards. Detail is to be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.
26. The development must comply with Planning for Bushfire Protection (NSW Rural Fire Service: 2006) or subsequent amendments. Detail is to be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.
27. Signs and line marking plans shall be prepared prior to the issue of Construction Certificate and to be in accordance with AS 2890.1-2004, AS 2890.6-2009 and the endorsed plans. Detail is to be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.
28. Storage areas for each unit shall be provided at the following rates:-
 - 1 bedroom units - 6m³
 - 2 bedroom units - 8m³
 - 3 bedroom units - 10m³

A minimum of 50% of the storage area shall be provided within the unit.

Detail is to be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

29. A lighting plan shall be provided, detailing lighting along pedestrian access ways, common areas, communal open space areas, car parking entries and all entries. Detail is to be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.
30. A screened area for clothes drying, 1.5 metres in height, shall be provided to each balcony within the development, which has an elevation to the public domain. Detail is to be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.
31. Prior to the issue of a Construction Certificate, fully documented landscape plans are to be prepared for the site by a qualified Landscape Architect / Landscape Designer (LA / LD).

The plans are to accord with the approved landscape plans and satisfy any relevant conditions of this consent. Certification from the LA / LD that the plans comply with this Development Consent is to be submitted to the Principal Certifying Authority, with the plans.

32. A security shutter shall be designed to the basement car park. Detail is to be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.
33. Mailboxes shall not be at 90° to the street and shall be integrated with the overall design. Detail is to be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

Fire Safety Upgrading & Essential Services

34. The Construction Certificate is to include a schedule specifying all of the essential fire or other safety measures (both current and proposed) that are required for the building or premises to ensure the safety of persons in the building in the event of fire.

External Walls and Cladding Flammability

35. The external walls of the building including attachments must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate the Certifying Authority and Principal Certifying Authority must:
 - (a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and
 - (b) Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.

Car Wash Bay

36. A vehicle wash bay shall be provided for residents of the development. Collection, reuse and ultimate disposal of water used in the vehicle wash bay shall be in accordance with Sydney Water's requirements. The car wash bay shall be designed so that the following requirements are met:-
 - Have an adequate parking and washing floor space.
 - Provide a water supply.
 - Minimise water use with appropriate devices (e.g., such as a gun-type nozzle which closes when released and a timer operative valve, collection and use of rainwater).
 - Have a water supply cut out system/fail-safe mechanisms provided to ensure that mechanical failure; drainage blockage or lack of maintenance cannot result in wastewater surcharge into the stormwater system.
 - Be designed to ensure that over spray, drift of water or detergent does not cause a nuisance to persons, vehicles, residences, other buildings, neighbouring properties or the environment.
 - Be located so that washing can occur with minimal disturbance to other residents,

Details to be submitted to the Principal Certifying Authority

Design Verification Statement

37. In accordance with Environmental Planning and Assessment Regulation 2000 and State Environmental Planning Policy (SEPP) 65 “Design Quality of Residential Apartment Development”, the subject development must be undertaken or directed by a “qualified designer” (i.e., a “registered architect” under the Architects Act). In this regard, a design verification statement shall be submitted to the Principal Certifying Authority (PCA). The PCA shall ensure that the statement prepared by the qualified designer provides the following:-

- (i) A valid and current chartered architect’s certificate number (as issued by the Board of Architects of NSW);
- (ii) That the qualified designer has designed or directed the design of the subject development;
- (iii) That the plans and specifications lodged with the Construction Certificate achieve or improve the design quality of the development for which the subject development consent was granted, having regard to the design principles set out in Part 2 SEPP 65.

N.B. The design verification statement must provide an explanation of the design in terms of the design quality principles set out in Part 2 of SEPP 65.

Residential Flat Development Residential Waste Storage Area

38. The waste storage area shall be roofed, screened from public view and provided with:-
- Openings, 5% of the floor area and recessed into the walls, positioned to provide cross floor ventilation OR mechanical ventilation to Council’s satisfaction;
 - An adequate water supply provided by a hose cock and hose (hot water for commercial premises)
 - The floor shall be made of an impervious surface, drained to sewer in accordance with Sydney Water requirements and include a dry arrestor pit with a removable basket.

Plans and specifications for the storage room shall be submitted with the application for the Construction Certificate.

Salinity

39. The site has been identified as having a potential salinity hazard. To prevent moisture/salinity from entering the built structure, appropriate construction methods are to be incorporated for all dwellings/buildings.

Details of proposed methods of construction are to be detailed in the engineering plans and submitted to the PCA.

Note: Further information for building in a saline environment is available in the following documents:

- “Building in Saline Environment” prepared by DIPNR 2003.
- Water Sensitive Urban Design in the Sydney Regions “Practice Note 12: Urban Salinity”
- Wagga Wagga City Council’s “Urban Salinity Action” October 1999
- “Guide to Residential Slabs and Footings in Saline Environments” prepared by Cement Concrete and Aggregates Australia, May 2005

On-site Stormwater Detention

40. The development has been identified as requiring an On-site Stormwater Detention (OSD) system which has formed part of the Development Consent. Therefore, in order to satisfy the drainage requirements for the building, any Construction Certificate for the buildings shall include the construction of the OSD system. In this regard, design and construction details for the OSD system demonstrating compliance with this Development Consent, OSD Plan Number: 2017-206 and Council’s On-site Detention policy shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Basement

41. The basement pumpout system shall be designed in accordance with Councils policy and address the following:
 - The below ground storage tank shall be capable of storing the volume of stormwater run-off generated from the catchment area draining to the pumpout system in the 1% AEP- 90 minute storm event. As such the volume of the below ground tank shall be amended accordingly.
 - Provide above ground storage capacity in case of pump failure, with its volume being sufficient for a 1% AEP 90 minute and 1% AEP (100 year ARI) 12 hour duration storm event, with lift entry protection an area dedicated to storage of goods set at a minimum RL of 100mm above the top of water level.
 - Grade the basement car parking areas to fall to the sump and pump system.

Water Sensitive Urban Design (WSUD)

42. The development site has been identified as requiring WSUD which was considered as part of the Development Consent. In this regard, design and construction details shall be submitted to the Certifying Authority, prior to the issue of a Construction Certificate.

Acoustic Measures

43. Plans and/or specifications indicating how compliance with the recommendations of the Acoustic Assessment for Development Application prepared by Renzo Tonin & Associates, Document Reference TJ148-01F02 Acoustic Assessment for DA (r4).docx, Revision 4, dated 11 August 2017, will be achieved, are to be submitted to the Principal Certifying Authority.

Construction Noise & Vibration Management

44. Plans and/or specifications indicating how compliance with the recommendations of the Construction Noise & Vibration Management Plan prepared by Renzo Tonin & Associates, Document Reference TJ148-02F02 CNVMP (r2).docx, Revision 2, dated 11 August 2017, will be achieved, are to be submitted to the Principal Certifying Authority.

Remediation

45. All recommendations contained in the Geotechnical and Contamination Assessment prepared by Douglas Partners, Project Number 727778, Job Number 72778.03.R.001, Revision 0, dated 9 August 2017, shall be adopted, implemented, and adhered to. As such, prior to the issue of a Construction Certificate, the site is to be remediated in accordance with:
- (a) The Remedial Action Plan, identified in the Geotechnical and Contamination Assessment prepared by Douglas Partners, Project Number 727778, Job Number 72778.03.R.001, Revision 0, dated 9 August 2017; and
 - (b) Council's Contaminated Land Policy; and
 - (c) State Environmental Planning Policy No. 55 - Remediation of Land; and
 - (d) The guidelines in force under the Contaminated Land Management Act; and
 - (e) The applicant must engage an appropriately qualified and experienced environmental consultant to supervise all aspects of site remediation and validation.

The environmental consultant must manage all aspects of the remediation works in accordance with the approved Remedial Action Plan.

Note: An appropriately qualified and experienced environmental consultant should be certified by one of the following certification schemes; or equivalent:

- The EIANZ Contaminated Land Assessment Specialist Certified Environmental Practitioner (CLA Specialist CEnvP) scheme.
- Site Contamination Practitioners Australia - Certified Practitioner (SCPA)

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Cumberland Council in writing and the Principal Certifying Authority.

Any variations to the approved Remediation Action Plan shall be submitted to and approved in writing by the Accredited Site Auditor and Council prior to the continuing of such work.

Site Validation Report

46. Prior to the issue of a Construction Certificate, a Site Validation Report is to be forwarded to Council for approval. The validation report is to be prepared by a suitably qualified environmental consultant specialising in land contamination in New South Wales, EPA contaminated land legislation and guidelines including the Contaminated Land Management Act.

The report shall document the following:

- (a) The extent of validation sampling, and the results of the validation testing.
- (b) That the remediation and validation of the site has been undertaken in accordance with the approved Remedial Action Plan.
- (c) That the site is suitable for the proposed use.
- (d) The Validation Report must be submitted for review by a NSW EPA accredited site auditor prior to the commencement of construction and the issue of a Construction Certificate.

View Corridor

- 47. The proposed development should ensure that the view corridor from the dedicated public open space adjacent to Greystanes Road (containing the 'Boral Main Gate') to Prospect Hill is maintained. Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

Public Art

- 48. A plan demonstrating the interpretation strategy proposed to be incorporated into public artwork as a visible element within the streetscape shall be prepared, and submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

Housing for Seniors or People with a Disability

- 49. Pathway lighting:
 - (a) Must be designed and located so as to avoid glare for pedestrians and adjacent dwellings, and
 - (b) Must provide at least 20 lux at ground level.

Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

- 50. Letterboxes:
 - (a) Must be situated on a hard standing area and have wheelchair access and circulation by a continuous accessible path of travel (within the meaning of AS 1428.1), and
 - (b) Must be lockable, and
 - (c) Must be located together in a central location adjacent to the street entry or, in the case of self-contained dwellings, must be located together in one or more central locations adjacent to the street entry.

Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

- 51. Every entry (whether a front entry or not) to a dwelling, not being an entry for employees, must comply with clauses 4.3.1 and 4.3.2 of AS 4299. Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

52. Internal doorways must have a minimum clear opening that complies with AS 1428.1. Internal corridors must have a minimum unobstructed width of 1,000 millimetres. Circulation space at approaches to internal doorways must comply with AS 1428.1.

Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

53. At least one bedroom within each dwelling must have:
- (a) An area sufficient to accommodate a wardrobe and a bed sized as follows:
 - (i) In the case of a dwelling in a hostel—a single-size bed,
 - (ii) In the case of a self-contained dwelling—a queen-size bed, and
 - (b) A clear area for the bed of at least:
 - (i) 1,200 millimetres wide at the foot of the bed, and
 - (ii) 1,000 millimetres wide beside the bed between it and the wall, wardrobe or any other obstruction, and
 - (c) 2 double general power outlets on the wall where the head of the bed is likely to be, and
 - (d) At least one general power outlet on the wall opposite the wall where the head of the bed is likely to be, and
 - (e) A telephone outlet next to the bed on the side closest to the door and a general power outlet beside the telephone outlet, and
 - (f) Wiring to allow a potential illumination level of at least 300 lux.

Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

54. At least one bathroom within each dwelling must be on the ground (or main) floor and have the following facilities arranged within an area that provides for circulation space for sanitary facilities in accordance with AS 1428.1:
- (a) A slip-resistant floor surface,
 - (b) A washbasin with plumbing that would allow, either immediately or in the future, clearances that comply with AS 1428.1,
 - (c) A shower that complies with AS 1428.1, except that the following must be accommodated either immediately or in the future:
 - (i) A grab rail,
 - (ii) Portable shower head,
 - (iii) Folding seat,

Note: This does not prevent the installation of a shower screen that can easily be removed to facilitate future accessibility.
 - (d) A wall cabinet that is sufficiently illuminated to be able to read the labels of items stored in it,
 - (e) A double general power outlet beside the mirror.

Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

55. A dwelling must have at least one toilet on the ground (or main) floor and be a visitable toilet that complies with the requirements for sanitary facilities of AS 4299. Detail shall be

submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

56. Balconies and external paved areas must have slip-resistant surfaces. Advice regarding finishes may be obtained from AS 1428.1. Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.
57. Door handles and hardware for all doors (including entry doors and other external doors) must be provided in accordance with AS 4299. Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.
58. Switches and power points must be provided in accordance with AS 4299. Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.
59. A living room in a self-contained dwelling must have:
 - (a) A circulation space in accordance with clause 4.7.1 of AS 4299, and
 - (b) A telephone adjacent to a general power outlet.

A living room and dining room must have wiring to allow a potential illumination level of at least 300 lux.

Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

60. A kitchen in a self-contained dwelling must have:
 - (a) A circulation space in accordance with clause 4.5.2 of AS 4299, and
 - (b) A circulation space at door approaches that complies with AS 1428.1, and
 - (c) The following fittings in accordance with the relevant subclauses of clause 4.5 of AS 4299:
 - (i) Benches that include at least one work surface at least 800 millimetres in length that comply with clause 4.5.5 (a),
 - (ii) A tap set (see clause 4.5.6),
 - (iii) Cooktops (see clause 4.5.7), except that an isolating switch must be included,
 - (iv) An oven (see clause 4.5.8), and
 - (d) "D" pull cupboard handles that are located towards the top of below-bench cupboards and towards the bottom of overhead cupboards, and
 - (e) General power outlets:
 - (i) At least one of which is a double general power outlet within 300 millimetres of the front of a work surface, and
 - (ii) One of which is provided for a refrigerator in such a position as to be easily accessible after the refrigerator is installed.

Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

61. Lift access must be provided to dwellings above the ground level of the building/s by way of a lift complying with clause E3.6 of the *Building Code of Australia*.

Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

62. A self-contained dwelling must have a laundry that has:
- (a) A circulation space at door approaches that complies with AS 1428.1, and
 - (b) Provision for the installation of an automatic washing machine and a clothes dryer, and
 - (c) A clear space in front of appliances of at least 1,300 millimetres, and
 - (d) A slip-resistant floor surface, and
 - (e) An accessible path of travel to any clothes line provided in relation to the dwelling.

Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

63. A self-contained dwelling must be provided with a linen storage in accordance with clause 4.11.5 of AS 4299.

Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

64. A garbage storage area must be provided in an accessible location. Detail shall be submitted to the Certifying Authority, for approval, prior to the issue of a Construction Certificate.

PRIOR TO WORKS COMMENCING

The following conditions are to be complied with prior to any works commencing on the site:

Appointment of Principal Certifying Authority and Notification of Commencement of Work

65. The person having the benefit of the development consent, not the principal contractor (builder), must: -
- a) Appoint a Principal Certifying Authority in accordance with Section 81A(2)(b) of the Act.
 - b) Have the Principal Certifying Authority complete the 'Accredited Certifier Details' on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.
 - c) Notify Council of the appointment of the Principal Certifying Authority and of the intention to commence building work, such notification is to be given to Council at least two (2) working days prior to the proposed commencement date, and be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

If nominated, Council can provide this service for you and act as the Principal Certifying Authority.

N.B. The Principal Certifying Authority must also notify the person having the benefit of the Development Consent of any mandatory critical stage inspections and other inspections that are to be carried out in respect of the building work such notification must comply with Clause 103A of the Regulations.

Notification of Principal Contractor (Builder)/Owner-Builder

66. The person having the benefit of the Development Consent must:-
- (a) Notify the Principal Certifying Authority that the person will carry out the work as an owner-builder, if that is the case;
- OR
- (b) Appoint a Principal Contractor for the building work (who must be the holder of a contractor licence if any residential building work is involved), and notify the Principal Contractor of any mandatory critical stage inspections and other inspections that are to be carried out in respect of the building work.
 - (c) Notify the Principal Certifying Authority of any such appointment.

Where Council is the Principal Certifying Authority, such notification is to be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

Required Submissions to Council or the Principal Certifying Authority

67. To facilitate a complete assessment and enable the Certifying Authority to check compliance on site, truss validation and design, details certified by a qualified practising structural engineer shall be submitted to Council or the Principal Certifying Authority for examination and approval. Details shall include:
 - a) job address and builder's name
 - b) design wind velocity
 - c) terrain category
 - d) truss spacing
 - e) roof pitch
 - f) material of roof
 - g) roof batten/purlin spacing
 - h) material of ceiling
 - i) job number

Photographic Record of Council Property – Damage Deposit

68. The applicant shall submit to Council, for the purposes of the damage deposit bond lodged to cover making good any damage caused to the property of Council, a full and satisfactory photographic record of the condition of Council's property (i.e., road pavement, kerb and guttering, footway, stormwater drainage, etc.) adjacent to the subject site. The purpose of the photographic record is to establish any pre-existing damage to Council's property to ensure that you are not liable for any re-instatement works associated with that damage. However, if in the opinion of Council, the existing damage has worsened or any new damage is caused during the course of construction, the Council may require either part or full re-instatement.

Note: Failure to provide a full and satisfactory photographic record described above, is likely to render the applicant liable to rectify all damages unless satisfactory proof can be provided that the damage was pre-existing.

Notification to Relevant Public Authority

69. The applicant shall ensure that relevant public utility authorities are made aware of the salinity problems that have been identified, such that their services are designed to take into consideration the effects the saline soils may have on their installations.

Fencing of Sites

70. Fencing of sites is required to prevent public access when the site is unoccupied and building works are not in progress. In this regard the MINIMUM acceptable standard of fencing to the site is properly constructed chain wire fencing 1.8m high, clad internally with Hessian or Geotextile fabric.

All openings are to be provided with gates, such gates are not at any time to swing out from the site or obstruct the footpath or roadway.

Signs to be Erected on Sites

71. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted **outside working hours and at any time for business purposes**, and
 - (c) stating that unauthorised entry to the work site is prohibited.

The sign must be rigid and durable and be read easily by anyone in any public road or other public place adjacent to the site.

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.

This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Note: Principal Certifying Authorities and Principal Contractors must also ensure that signs required by this clause are erected and maintained (clause 227A of the Regulations currently imposes a maximum penalty of \$1,100).

Prohibited Signage

72. Advertising, Real Estate Agents, Architects, Designers, site suppliers and any other signage not mentioned in the conditions, is not to be placed or displayed on the site, such that the signage is visible from any public place. Offenders may be prosecuted.

Protection of Public Places

73. A hoarding or fence must be erected between the work site and any public place, if the work involved in the erection or demolition of the building; is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

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

Site Control Measures

74. Suitable erosion and sediment control measures shall be provided at all vehicular entry/exit points and all other measures required with and/or shown on plans accompanying the Construction Certificate, to control soil erosion and sedimentation, are to be in place prior to the commencement of construction works. Such controls are to be provided in accordance with Council's "Erosion & Sediment Control Policy."

Note: On-the-spot fines may be issued by council where measures are absent or inadequate.

Tree Protection Conditions

75. The tree/s identified on the endorsed plans as being retained/transplanted shall be protected prior to and throughout the demolition/construction process in accordance with the attached Guidelines for the Protection of Trees On and Adjacent To Demolition/Building sites, and relevant conditions of this Consent. All trees not authorised to be removed by this Consent must be retained. Prior to any work commencing, certification of the installation and inspection of the required tree protection works is to be provided to the Principal Certifying Authority by a suitably qualified person or the Arborist (as appropriate) engaged to ensure the proper protection and management of the tree/s required to be retained/transplanted. A copy of the Certificate is to be issued to Council within seven (7) days of the inspection and prior to any works commencing. Additionally, trees identified for removal are to be retained until immediately prior to works commencing, to assist with soil management and erosion control.

Footpaving, Kerbing and Guttering

76. Protection must be provided for Council footpaving, kerbing and guttering. Wooden mats must also be provided at all entrances where the site fronts paved footpaths.
77. Finished street levels shall not be assumed. The owner or builder must make application to Council's Engineering Services Department for street levels.

Support for Neighbouring Buildings

78. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land (including a public road and any other public place), the person causing the excavation to be made:-
 - a) must preserve and protect the building from damage, and
 - b) if necessary, must underpin and support the building in an approved manner, and
 - c) must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. (In this clause, *allotment of land* includes a public road and any other public place).

79. A dilapidation report of adjoining properties/allotments and details of the proposed excavation works in excess of 2m or within the zone of influence of neighbouring building foundations and required underpinning and supportive measures shall be submitted to the Principal Certifying Authority. Any required underpinning and supportive measures shall be designed by a practising structural engineer and details shall be submitted to the Principal Certifying Authority for approval prior to construction works commencing.

Toilet Facilities

80. 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 of 20 persons employed at the site.

Each toilet provided:

- a) Must be a standard flushing toilet, and
- b) Must be connected:
 - i) To a public sewer,
 - ii) If connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
 - iii) If connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.
 - iv) The position of the toilet on the site shall be determined by Council's Building Surveyor and/or Sydney Water.

Residential Building Work - Insurance

81. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the Principal Certifying Authority for the development to which the work relates (where not Council) has given Council written notice of the following information:-

- (a) in the case of work for which a Principal Contractor is required to be appointed:
 - (i) the name and licence number of the Principal Contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
- (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (where not Council) has given Council written notice of the updated information.

The notification is to be on the approved form provided by Council for this purpose, an original of which is attached to this Development Consent.

Roadworks

82. The applicant is to submit to Council an application for a road opening permit when the drainage connection into Council's system is within the road reserve. In this regard the applicant shall pay Council a **\$168.60** fee prior to the commencement of works. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) required within the road reserve.
83. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.
84. Any required adjustment to utility services, trees, signs and other street furniture requires approval of the appropriate authority and shall be undertaken by the applicant at no cost to Council.
85. Any works requiring closure of any road or footway closure will require submission of a Council's Temporary Road Closure application form and payment of fees.

Works Within Council's Reserve

86. All works within the Council reserve shall be completed within three (3) weeks of the date of commencement. Council's Development Engineer shall be advised prior to the commencement of works.
87. Submission to Council of a Certificate of Currency of the contractor's Workers' Compensation Policy prior to the commencement of works.
88. All construction works shall be in accordance with the WorkCover safety requirements. Submission of insurance documentation demonstrating a minimum Public Liability cover of \$20,000,000 is to be submitted prior to commencement of works. Council shall be named on the Certificate of Currency as an interested party.

Property/Street Number

89. Council is the authority responsible for the allocation of all official property addresses. For ease of identification of your new development, it is important that the allocated property numbers are used and displayed prominently. It is requested that you contact Council as soon as possible before construction is commenced to discuss proposed addressing for your development.

Please email your site plan to council@cumberland.nsw.gov.au or contact Council's Rates Section by Phone on 9840 9767.

DURING CONSTRUCTION

The following conditions are applicable during construction:-

Endorsed Plans & Specifications

90. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and approved Traffic Management Plan are to be retained on site at all times.

Hours of Work & Display of Council Supplied Sign

91. For the purpose of preserving the amenity of neighbouring occupations building work including the delivery of materials to and from the site is to be restricted to the hours of 7.00am to 6.00pm Mondays to Fridays and 8.00am to 4.00pm Saturdays. Work on the site on Sundays and Public Holidays is prohibited.

The yellow "Hours of Building Work" sign (supplied by Council with the approval), is to be displayed in a prominent position at the front of the site for the duration of the work.

Site Control

92. All soil erosion measures required in accordance with the approved sediment and erosion control plan and any other relevant conditions of this Consent are to be put in place prior to commencement of construction works are to be maintained during the entire construction period until disturbed areas are restored by turfing, paving or revegetation. This includes the provision of turf laid on the nature strip adjacent to the kerb.
93. Builder's refuse disposal and storage facilities are to be provided on the development site for the duration of construction works and all rubbish shall be removed from the site upon completion of the project.
94. Stockpiles of sand, soil and other material shall be stored clear of any drainage line or easement, tree protection zone, water bodies, footpath, kerb or road surface and shall have erosion and sediment control measures in place to prevent the movement of such materials onto the aforementioned areas and adjoining land.

Waste Management Plan

95. The approved Waste Management Plan must be implemented and complied with during all stages of works on site.
96. Within seven (7) days of completion of construction/building works, the applicant shall submit a signed statement to Council or the Principal Certifying Authority verifying that demolition work and recycling of materials was undertaken in compliance with the Waste Management Plan. The Principal Certifying Authority shall submit a copy of the statement to Council.

In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.

Compliance with Critical Stage Inspections and other Inspections nominated by the Principal Certifying Authority

97. Section 109E(3)(d) of the Act requires certain specific inspections (prescribed by clause 162A of the Regulations) and known as 'Critical Stage Inspections' to be carried out for building work. Prior to permitting commencement of the work your Principal Certifying Authority is required to give notice of these inspections pursuant to clause 103A of the Regulations.

N.B. An Occupation Certificate cannot be issued and the building may not be able to be used or occupied where any mandatory critical stage inspections or other inspections required by the Principal Certifying Authority are not carried out.

Where Council is nominated as Principal Certifying Authority, notification of all inspections required is provided with the Construction Certificate approval.

Construction

98. The building and external walls are not to proceed past ground floor formwork/reinforcing steel level until such time as the Principal Certifying Authority has been supplied with a check survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels (FFL)s and setbacks to boundary/ies. **The slab shall not be poured, nor works continue, until the Principal Certifying Authority has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.**

In the event that Council is not the Principal Certifying Authority, a copy of the survey shall be provided to Council within three (3) working days.

On placement of the concrete, works again shall not continue until the Principal Certifying Authority has issued a Certificate stating that the Condition of approval has been complied with and that the slab has been poured at the approved levels.

Salinity

99. The building and external walls are not to proceed past ground floor formwork/reinforcing steel level until such time as the Principal Certifying Authority has confirmed that all required construction measures addressing salinity, as required by this Consent and its accompanying Construction Certificate have been carried out.

Landscaping/Site Works

100. All turfed areas shall be finished level with adjoining surfaces and also fall evenly to approved points of drainage discharge.
101. New 1.8m high lapped and capped timber paling (colour to be sympathetic with the development) determined in consultation with adjoining property owner(s), are to be erected along and within all side and rear boundaries and between courtyards at full cost to the developer, such fencing to be constructed on or within the property boundary. In

situations where the boundary fence is proposed on top of a retaining wall, the height of the fence shall not exceed a maximum of 2.4m as measured from the lower adjacent ground level. A Statutory Declaration or other documentary evidence of such consultation is to be submitted to the Principal Certifying Authority.

102. Side and rear fencing is to be 1.8m high lapped and capped timber fencing, or must be reduced to 1.5m high when built on top of a retaining wall. Colorbond fencing or similar is not permitted. Where the retaining wall exceeds 1.2m, the combined wall & fence should not exceed 2.4m.
103. Fences are to taper from the front building line to be not more than 900mm high at the front boundary.
104. A single master T.V. antenna is to be installed to service each building and provision made for connection to each dwelling within that building.

Tree Protection

105. The tree/s identified on the endorsed plans as being retained/transplanted shall be protected against damage throughout the demolition/construction process in accordance with the attached Guidelines for the Protection of Trees On and Adjacent to Demolition/Building Sites and relevant conditions of this Consent.
106. The applicant shall accept all responsibility for the accuracy of the information provided to Council for assessment. If any tree/s are not shown on the endorsed plan or are required to be retained/transplanted and protected but are threatened by demolition/construction work through unforeseen construction requirements or plan inaccuracy, all site and building works so affected are to cease until the matter is resolved to the satisfaction of Council. Council's Environmental and Planning Services Department is to be notified immediately upon such a problem being encountered.

Inspection of On Site Detention Works

107. The stormwater drainage works are to be inspected during construction, by the Council or by a suitably qualified Civil Engineer. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:
 - (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of construction of the detention basin/tank.
 - (b) Prior to landscaping of detention basin or pouring of the roof of the detention tank.
 - (c) After completion of storage but prior to installation of fittings (e.g. orifice plates, screens, flap valves etc.)
 - (d) Final Inspection

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

Inspection of Pollution Control Device/s

108. The stormwater drainage and/or pollution control devices shall be inspected during construction, by the Council or by a suitably qualified Civil Engineer. Documentary evidence of compliance with Council's specifications shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:

- (a) Initial inspection to discuss concept and site conditions/constraints prior to commencement of the construction of the pollution control device/s.
- (b) After completion of storage but prior to installation of fittings (eg. screens, etc.)
- (c) Final Inspection.

Council's standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.

Road Works and Footpaving

109. Pedestrian access, including disabled and pram access, is to be maintained as per Australian Standard AS1742.3 "Part 3 – Traffic Control Devices for Works on Roads".
110. All advisory and regulatory sign posting (for example parking restriction signage, pedestrian crossing signs, warning signs) are to remain in place during construction.

Underground Cabling

111. All communications cabling shall be installed underground as per relevant authority requirements (including broadband and Category 5).

Underground Power Connection

112. Power connection to the site is to be underground. No intermediate power pole is permitted even where electricity reticulation cannot be obtained directly from the street.

Alarms

113. The developer/builder shall not install any audible intruder alarms within the units. If the building is to be provided with a burglar alarm system, this shall incorporate back to base monitoring such that residents can connect thereto from each individual unit.
114. With regard to the basement level pump out system, a suitable audible alarm with flashing light system shall be positioned at the first floor level of each common property stairwell within the building and a flashing light only shall be positioned at each common property

entrance to the car parking area to provide a flood warning in the case of pump failure. The alarm system shall be to the satisfaction of Council's Engineer.

Basement Parking

115. A convex mirror is to be provided so that drivers can see up the driveway from within the basement.
116. An intercom device is to be located:
 - i) on the driver's side wall at the top of the driveway to the basement carpark, so that visitors can access the visitor carparking spaces; and
 - ii) within the basement foyer so that disabled persons can contact any unit if the lift is not working.
117. The entry point shall be provided with a suitable communication system to allow the security gate to be opened remotely by the occupants of the building. The width of the access driveway / ramp adjacent to the control device/s shall not restrict access for residents / visitors and shall be in accordance with the Australian Standards.

Rainwater Tank

118. The design of the rainwater tank(s) should allow a horizontal clearance of at least 450mm for pedestrian movement. This tank must not exceed 2.4 metres in height above ground level, including any stand for the tank.

Vehicle Cleansing

119. Concrete trucks and trucks used for the transportation of building materials shall not traffic soil, cement or similar materials onto the road. Hosing down of vehicle tyres shall be conducted in a suitable off-street area where wash water is prevented from entering the stormwater system or adjoining property.

Importation of Fill

120. All imported fill shall be validated in accordance with Council's Contaminated Land Policy to ensure that it is suitable for the proposed land use from a contamination perspective.

Remediation Works

121. Remediation and validation works shall be carried out in accordance with the Remedial Action Plan, identified in the Geotechnical and Contamination Assessment prepared by Douglas Partners, Project Number 727778, Job Number 72778.03.R.001, Revision 0, dated 9 August 2017. The applicant shall inform Council in writing of any proposed variation to the remediation works which are to be approved by Council in writing.

Additional Information during Remediation / Construction

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

Acoustic Measures

123. The recommendations provided within the Acoustic Assessment for Development Application prepared by Renzo Tonin & Associates, Document Reference TJ148-01F02 Acoustic Assessment for DA (r4).docx, Revision 4, dated 11 August 2017, shall be implemented.

Construction Noise & Vibration Management

124. The recommendations provided within the Construction Noise & Vibration Management Plan prepared by Renzo Tonin & Associates, Document Reference TJ148-02F02 CNVMP (r2).docx, Revision 2, dated 11 August 2017, shall be implemented.

Noise & Vibration

125. The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. 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 or vibration problem arising, the person in charge of the premises must, when instructed by Cumberland Council or the Accredited Certifier, cease work and carry out an acoustical survey and/or investigation by an appropriate acoustical engineer or consultant and submit the results to Council.

The person in charge of the site must implement any or all of the recommendations of the consultant and any additional requirements of Council. Any requirements of Council in this regard must be complied with immediately.

Heritage and Archeology

126. All relevant staff, contractors and subcontractors should be made aware of their statutory obligations for heritage under NSW National Parks and Wildlife Act 1974, NSW Heritage Act 1977 and best practice as outlined in The Burra Charter (2013).
127. In the unlikely event that any Aboriginal objects or places of Aboriginal heritage significance are identified in the Project Area during construction, all works in the area should cease. The area should be cordoned off and contact made with the Heritage Division, Office of Environment and Heritage (131 555), a suitably qualified archaeologist and the relevant Aboriginal stakeholders, so that the Aboriginal heritage can be adequately assessed and managed.

128. In the unlikely event that skeletal remains are identified during the proposed works, work in the vicinity of the remains must cease immediately, and the area must be cordoned off. The NSW Police Coroner must be contacted in order to determine the material is of Aboriginal origin. If determined to be of Aboriginal origin, the client must contact the Heritage Division, Office of Environment and Heritage (131 555), along with a suitably qualified archaeologist and the relevant Aboriginal stakeholders, so that the remains can be adequately assessed and managed.
129. If, during the proposed works, suspected archaeological relics, as defined by the Heritage Act 1977 are uncovered, work should cease in that area immediately. The Heritage Division, Office of Environment and Heritage (131 555) should be notified and works only recommence when relevant permits and an appropriate and approved management strategy instigated.

PRIOR TO ISSUE OF FINAL OCCUPATION CERTIFICATE

The following conditions are to be complied with prior to the issue of a final occupation certificate:-

Certificates/Documentary Evidence

130. A final clearance is to be obtained from Endeavour Energy if such clearance has not previously been issued.
131. A Section 73 compliance certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

Application can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to sydneywater.com.au/section73 or call 1300 082 746 to learn more about applying through an authorised Water Servicing Coordinator or Sydney Water.

Following application, Sydney Water may issue a Notice of Requirements letter detailing all requirements that must be met prior to the issue of the section 73 certificate.

The section 73 compliance certificate must be submitted to the Principal Certifying Authority prior to the issue of a final occupation certificate.

132. A Structural Engineer's certificate from the supervising structural engineer responsible for the design shall be submitted to the Principal Certifying Authority and shall state that all foundation works/reinforced concrete/structural members have been carried out/erected in accordance with the Engineer's requirements and the relevant SAA Codes.

Note: Any such certificate is to set forth the extent to which the engineer has relied on relevant specifications, rules, codes of practice or publications in respect of the construction.

133. An Accredited Certifier shall submit to the Principal Certifying Authority a signed checklist as per Appendix A of AS4299-1995 confirming that all units achieve the desired level of adaptability (i.e. "Adaptable House Class C").

Landscaping/Tree Protection

134. Certification is to be provided to the Principal Certifying Authority (PCA), from the designer of the landscape proposal, that all tree planting/landscape works have been carried out in accordance with the endorsed plan. If Council **is** the PCA, the certification is to be submitted to Council prior to or at the final landscape inspection. If Council **is not** the PCA, a copy of the certification is to be provided to Council with the Occupation Certificate.
135. Certification is to be provided to the Principal Certifying Authority (PCA) from a suitably qualified and licensed contractor that the specified planter boxes have been waterproofed and drained in accordance with the requirements of the current relevant Australian Standards, any relevant authority regulations and current best work practices. If Council is

not the PCA a copy of the certification is to be provided to Council with the Occupation Certificate.

136. Certification is to be provided to the Principal Certifying Authority from a suitably qualified and licensed contractor that the specified fully automated commercial grade irrigation system has been designed and installed to all common planted areas in accordance with the requirements of the current relevant Australian Standards, any relevant authority regulations and current best work practices. If Council is not the PCA, a copy of the certification is to be provided to Council with the Occupation Certificate.
137. Boundary and courtyard fences must be erected and finished in a professional manner.

Parking/Driveway

138. All dwellings/units and associated car parking spaces shall be numbered on site in accordance with numbering on the endorsed plans. These numbers shall also be consistent with any strata plan for the completed development.
139. All resident and visitors parking spaces shall be signposted and line marked in accordance with Australian Standards 2890.1.2004 and 2890.6.2009.
140. The entry / exit driveway shall be indicated with appropriate signage and linemarking to avoid conflict at the driveway.
141. The driveway shall be signposted indicating availability of visitor off-street parking. Spaces reserved for this purpose shall be marked as such.
142. The vehicle crossing between the street and front boundary shall be constructed of plain concrete with no colour or stencilling.
143. All disabled parking spaces shall be provided with a shared area, bollards and slip resistant surface in accordance with Australian Standard 2890.6.2009.
144. Wheel stops shall be provided at appropriate parking locations and in accordance with AS 2890.1-2004.

Fire Safety

145. Submission to Council of a Final Fire Safety Certificate pursuant to Clause 170 of the Environmental Planning and Assessment Regulation 2000 in respect of each essential fire or other safety measure listed on the Fire Safety Schedule attached to the Construction Certificate.

NOTE:

1. Such Certificate shall state, pursuant to Clause 80E in relation to each essential fire safety measure mentioned in the certificate:–
 - that the service has been assessed by a properly qualified person (chosen by the owner of the building); and
 - that the service was found to be, when assessed, capable of performing to at least the standard required by the current fire safety schedule for the building for which the certificate is issued.

2. The person who carries out the assessment must inspect and verify the performance of each fire safety measure being assessed, and must test the operation of each new item of equipment installed in the building premises that is included in the current fire safety schedules for the building.
 3. The assessment must have been carried out within the three (3) months prior to the date on which the final fire safety certificate is issued.
146. A copy of the Fire Safety Certificate, together with a copy of the current Fire Safety Schedule, is to be given to the Commissioner of New South Wales Fire Brigades, and a further copy of the Certificate and Schedule is to be prominently displayed in the building.

External Walls and Cladding Flammability

147. The external walls of the building including attachments must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of an Occupation Certificate the Certifying Authority and Principal Certifying Authority must:
- (a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and
 - (b) Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.

On-site Stormwater Detention, Certification and Covenant

148. A copy of the as approved stormwater drainage and On Site Detention plan showing work as executed details shall be submitted to Council. The work as executed plan shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention.
149. A certificate of compliance in accordance with Council's standards and specifications for stormwater drainage and On Site Detention and Pollution Control Device shall be issued to the Principal Certifying Authority by a suitably qualified Civil Engineer.
150. Documents giving effect to the creation of a Positive Covenant and Restriction on Use over the as constructed On Site Detention and Pollution Control Device shall be submitted to the authority benefited for approval prior to lodging with the Land and Property Information NSW. The wording of the terms of the Positive Covenant and Restriction On Use shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention. The documents shall be approved by the benefiting authority for registration with Land and Property Information NSW.
- Note:** Prior to release of the documents creating the Restriction on Use and Positive Covenant, the benefiting authority shall be satisfied that the as-constructed On Site Detention and Pollution Control Device is in accordance with the approved drawings and Council requirements.

The Positive Covenant and Restriction on Use documents shall be registered with the Land and Property Information NSW within six (6) months from the date of release by the benefiting authority.

151. A maintenance schedule for the stormwater and On-Site Detention system including a sketch plan of the components forming the sites stormwater and On-Site Detention system shall be submitted. The maintenance schedule shall be prepared by a qualified hydraulic engineer and shall be in accordance with the Upper Parramatta River Catchment Trust requirements.
152. The On-site Stormwater Detention design summary calculation sheet using the Works-as-Executed levels shall be provided to Council.
153. A certificate of compliance for the pump out drainage system of the basement level shall be issued to the Principal Certifying Authority by the pump installers stating that the pump out system has been installed to operate in accordance with the Council requirements and approved drawings.
154. An On-site Storm water Detention plate shall be installed within the detention basin or tank. The plate shall be located in or near the Discharge Control Unit to alert future owners of their obligations to maintain the facility and its restrictions. The wording and plate shall be in accordance with Council's standard requirements.
155. The applicant shall provide a standard OSD sign within the aboveground basin area in accordance with Clause 7.1 (i) of the Council's OSD policy.

Road Works

156. Any works requiring levels within the road reserve will require the submission of Council's Vehicle Crossing application form.
157. A full width **heavy** duty vehicular crossing shall be provided opposite the vehicular entrance to the site, with a maximum width of **6** metres and a minimum width of **5** metres at the boundary line. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's issued drawings and level sheets.
158. The reconstruction of cracked and/or damaged concrete footpath paving, kerb and gutter and any associated works along all areas of the site frontage. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing SD 8100 and issued level sheets.
159. Removal of all redundant vehicular crossings and laybacks along the full road frontage and replacement with kerb and gutter. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing number SD-8100.
160. A certificate of compliance for the construction of vehicular crossings, footpath paving, kerb and guttering and roadworks shall be obtained from Council and be submitted to the Principal Certifying Authority.

House/Street Number

161. A house/street number must be displayed on all newly developed properties in accordance with Council's "Policy on the Display of House Numbers" available from the Customer Services Counter or Council's website, www.cumberland.nsw.gov.au.

Design Verification Statement

162. In accordance with Environmental Planning and Assessment Regulation 2000 and State Environmental Planning Policy (SEPP) 65 "Design Quality of Residential Apartment Development", the subject development must be undertaken or directed by a "qualified designer" (i.e., a "registered architect" under the Architects Act). In this regard, prior to the issue of an occupation certificate a design verification statement shall be submitted to the Principal Certifying Authority (PCA) assessing the development, upon completion of all works subject of this consent. The PCA shall ensure that the statement prepared by the qualified designer provides the following:-
 - (i) A valid and current chartered architect's certificate number (as issued by the Board of Architects of NSW);
 - (ii) That the completed development achieves the design quality of the development as shown in the plans and specifications submitted and approved with the Construction Certificate, having regard to the design quality principles set out in Part 2 SEPP 65.

Acoustic Assessment

163. All recommendations contained in the Acoustic Assessment for Development Application prepared by Renzo Tonin & Associates, Document Reference TJ148-01F02 Acoustic Assessment for DA (r4).docx, Revision 4, dated 11 August 2017, shall be adopted, implemented, and adhered to.

The Principal Certifying Authority (PCA) shall obtain a certificate from an appropriately qualified acoustic consultant, stating that the recommendations outlined in the above stated report have been completed and that relevant noise criteria have been satisfied prior to the issue of any Occupational Certificate.

Construction Noise & Vibration Management Plan

164. All recommendations contained in the Construction Noise & Vibration Management Plan prepared by Renzo Tonin & Associates, Document Reference TJ148-02F02 CNVMP (r2).docx, Revision 2, dated 11 August 2017, shall be adopted, implemented, and adhered to.

The Principal Certifying Authority (PCA) shall obtain a certificate from an appropriately qualified acoustic consultant, stating that the recommendations outlined in the above stated report have been completed and that relevant noise criteria have been satisfied prior to the issue of any Occupational Certificate.

Restriction as to User

165. In accordance with Clause 18(2)(b) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, a restriction as to user must be registered prior to the issue of an Occupation Certificate against the title of the subject property, in accordance with Section 88E of the Conveyancing Act 1919, limiting the use of any accommodation to which this application relates 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,
 - (c) Staff employed to assist in the administration of and provision of services to housing provided under this Policy.

Lighting

166. Adequate lighting shall be provided within the development (i.e. pedestrian access ways, common areas and communal open space, car parking areas and all entries) and shall comply with AS 1680.0:2009.

Remediation of Land - Validation Report

167. After completion of the remedial works, a copy of the Validation Report shall be submitted to Council. The Occupation Certificate shall not be issued until Council approves this Validation Report. The validation report shall be prepared in accordance with the EPA guidelines, *Consultants Reporting on Contaminated Sites*, and shall:
- describe and document all works performed;
 - include results of validation testing and monitoring;
 - include validation results of any fill imported on to the site;
 - show how all agreed clean-up criteria and relevant regulations have been complied with; and
 - include clear justification as to the suitability of the site for the proposed use and the potential for off-site migration of any residual contaminants.

General

168. Documentary evidence and/or certificate of compliance must be submitted to Council to show that all works have been completed in accordance with this Development Consent and its accompanying Construction Certificate.
169. The glass balustrading associated with the balcony areas of the development, facing the public domain, shall be maintained to opaque glass.

CONDITIONS RELATING TO USE

The following conditions are applicable to the use of the development:-

Safety & Amenity

170. Where an intruder alarm is installed on the premises it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.

Mechanical Ventilation System – Car Park

171. Noise and vibration from the use of the (mechanical exhaust ventilation) system shall not exceed the background level by more than 5dB(A) and shall not be audible in any premises of a different occupancy between 10.00pm and 7.00am on weekdays and 10.00pm and 8.00am on weekends and public holidays.

Traffic and Parking

172. At least 89 car parking spaces numbered and line marked in accordance with the endorsed plan, are to be made available at all times for resident and visitors' vehicles only in conjunction with the occupation of the building/premises.
173. All vehicles shall enter and leave the site in a forward direction.
174. The car wash bay shall be a common, independent area, and not serve as a visitor parking space.

Refuse & Trade Waste

175. Waste storage bins must be covered at all times to prevent entry of stormwater or dispersal by wind and must be sealed to prevent leakage.

Maintenance of Waste Storage Area

176. All waste and recycling containers shall be stored in the designated waste storage area. The body corporate shall be responsible for movement of the waste and recycling containers to the footpath for weekly collections, and the return of waste and recycling containers to the waste storage area. The Body Corporate shall clean the waste storage area, dry arrestor pit and waste collection containers.

Air Emissions

177. In the event of Council receiving complaints regarding excessive odour from the garbage bay area, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour emanating from the garbage bay area.

Alarms

178. Where audible intruder alarms are installed in the units by residents, they shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997. (Note: Conditions 113 and 114 above, prevents the developer/builder from installing audible alarms).

Emergency Procedures

179. The owner of a building to which an essential fire safety measure is applicable must not fail to maintain each essential fire safety measure in the building premises to a standard not less than that specified in the Fire Safety Schedule.

Noise

180. The operation of the pump from the rainwater tank shall not give rise to an equivalent continuous (LAeq) sound pressure level at any point on any residential property greater than 5dB(A) above the existing background LA90 level (in the absence of the noise under consideration). Council may require an Acoustic Report to be submitted, prepared by a suitably qualified person, to ensure this requirement is met in the event of Council receiving complaints.
181. The operation of all plant and equipment shall not give rise to an equivalent continuous (LAeq) sound pressure level at any point on any residential property greater than 5dB(A) above the existing background LA90 level (in the absence of the noise under consideration).
182. Noise and vibration from the use of the air conditioning system (if any installed) shall not exceed the background level by more than 5dB(A) and shall not be audible in any premises of a different occupancy between 10:00pm and 7:00am on weekdays and 10:00pm and 8:00am on weekends and public holidays.

Car Wash – Residential

183. Washing of vehicles shall be conducted in a car washbay, which is roofed and bunded to exclude rainwater. The carwash bay shall be regularly cleaned and maintained. Alternative water management and disposal options may be appropriate where water is recycled, minimised or re-used on the site.
184. The car wash bay shall be managed and maintained so that the following requirements are met:
 - The Body Corporate or owner should advise all users of the car wash facilities how to operate, maintain and use the equipment so that good housekeeping practices can be adopted at all times.
 - Have clearly visible sign(s) indicating that no degreasing, engine washing or mechanical work is to be undertaken in the car wash bay, informs car wash bay users of how to use and maintain the system, and encourages users to minimise the use of detergents and water.

Lighting

185. Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads, and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with *AS4282-1997 Control of the obtrusive effects of outdoor lighting*.

Landscaping

186. Landscaping adjacent to the driveway shall not restrict pedestrian and vehicular visibility in accordance with Australian Standard 2890.1 – 2004. Regular maintenance shall be undertaken to ensure this requirement is satisfied.

Limited Use of Premises

187. In accordance with Clause 18(2)(a) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, the accommodation to which this application relates is only available 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,
 - (c) Staff employed to assist in the administration of and provision of services to housing provided under this Policy.

General

188. The access gate between Units 4 & 5, and 8 & 9 is to be for maintenance purposes only, limited to access for management to maintain the respective private open space areas.

ADVISORY NOTES

Other Necessary Approvals

- A. The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary activity not approved by this consent, including:
- (a) Works, including the pruning or removal of any tree(s) not authorised in the preceding conditions or on the approved plans. Council's Tree Preservation Order protects trees by definition taller than 3.5m or having a trunk circumference exceeding 500mm measured one metre above ground level. If in doubt contact Council's Tree Management Officer.
 - (b) Any fencing located forward of the proposed building and exceeding the limitations specified in Local Environmental Plan 2013, Part 3 *"Exempt and Complying Development"*.
 - (c) The erection of any advertising sign, not being exempt from the need to obtain approval.
 - (d) The installation of any furnace, kilns, steam boiler, chemical plant, sand blast, spray painting booth or the like.

NOTE: * If you carry out building work as an owner builder and sell your home within seven (7) years from the date of completion (date of final occupation certificate), then a Certificate of Insurance must be attached to your Contract of Sale.

- B. Section 97 of the Act provides that an applicant who is dissatisfied with the Council's determination of the Development Application may appeal to the Land and Environment Court within 6 months of the date of determination, or as otherwise prescribed.
- C. Section 82A of the Act provides that an applicant may request, within 6 months of the date of determination of the Development Application, that the Council review its determination (this does not apply to integrated or designated development). A fee is required for this review.

It should also be noted that an application under Section 82A of the Act cannot be reviewed/determined after 6 months of the date of determination. Therefore, the submission of a Section 82A Application must allow sufficient time for Council to complete its review within the prescribed time frame, including the statutory requirement for public notification.

- D. The applicant and Owner are advised that the Commonwealth Disability Discrimination Act 1992 may apply to this particular proposal. Approval of this application does not imply or confer compliance with this Act. Applicants and owners should satisfy themselves as to compliance and make their own enquiries to the Australian Human Rights Commission. Attention is also drawn to the provisions of Parts 2, 3 and 4 of Australian Standard 1428 - Design for Access and Mobility.
- E. A Construction Certificate shall be obtained in accordance with Section 81A (2)(a) of the Act, prior to the commencement of any work on site. Council can provide this service for you.

- F. An Occupation Certificate is to be issued by the Principal Certifying Authority prior to the occupation of the building.

G. BANK GUARANTEES

Bank guarantees will be accepted from list of banks which have at least an “A” rating from Standard and Poors and at least an “A2” or “Prime-1” standard from Moodys Investor Services.

To enable the bank guarantee to be enforceable during an entire project with consideration for delays, **the guarantee must not contain a facility expiry date.**

To get to Standard and Poors www.standardpoors.com then from Ratings Action choose Ratings Lists. Then click on Financial Institutions followed by clicking on Financial Institutions Counterparty Ratings List. Go to “**Banks**” and download to Australian Banks.

To get to Moodys www.moodys.com then look up Ratings and then Banking and then Bank Ratings list. It will take you to Bank Credit Research page. Look at the table of contents and choose Global Bank Ratings by Country. Look up Australian Banks.

H. SMOKE DETECTORS

A system of self contained smoke alarms complying with the requirements of AS3786-1993, *Smoke Alarms* or listed in the *Scientific Services Laboratory Register of Accredited Products* being installed in the dwelling, connected to the mains power supply and provided with a standby power supply. Alarms are to be positioned on the ceiling and setback a minimum distance of 300mm from any wall. Alarms are to be placed in the vicinity of each area containing bedrooms with a minimum of one (1) alarm required for each storey of the dwelling.

I. TERMITE PROTECTION

Structural members are to be protected from attacked by subterranean termites in accordance with the requirements of AS3660.1-2000 *Protection of building from subterranean termites* and a durable notice must be affixed within the metre box indicating the type of protection, its date of installation, life expectancy of any chemical barrier used, and system maintenance and inspection requirements. A certificate of compliance of the approved system must be submitted to Council or the Principal Certifying Authority on completion of the system installation. With respect to chemical protection, a pipe system shall be installed beneath the slabs plastic membrane to allow re-application of the chemical border.

J. WET AREAS

Wet areas in the dwelling are to be waterproofed in accordance with AS3740 *Waterproofing of wet areas within residential buildings*.

Where Council is the Principal Certifying Authority for the works, the submission of evidence of suitability for the waterproofing product used will be required at the wet area inspection stage. The evidence of suitability is to be in the form of:-

1. A current Certificate of Accreditation for the product.

AND

2. A certificate from the person responsible for the installation of the product advising that the product was applied in accordance with the relevant manufacturers specifications.

Note: Any copy of documentary evidence submitted, must be a complete copy of the original report or document.

K. LANDINGS

A landing having a minimum length of 750mm and a grade no steeper than 1:50, must be provided where the sill of a threshold of a doorway opens onto a stair that provides a change in floor level or floor to ground level greater than 3 risers or 570mm in accordance with Clause 3.9.1.3 (Stair Construction) of the Building Code of Australia.

L. SARKING

To reduce the risk of injury during works to the roof, sarking with fall arresting ability is to be provided to the underside of the roof. Manufacturers specifications for the sarking is to be submitted to Council prior to its installation.

M. MINIMISING WATER USE

Examples of ways water use can be minimised in the car wash facility are:

- the use of a gun type nozzle on the hose that closes when released and
- filter and recycle wash water where possible.

N. CONSTRUCTION/OCCUPATION CERTIFICATE FEES

An administration fee per certificate (in accordance with Council's adopted fees and charges) is payable to Council on lodgement of Construction and Occupation Certificates from Principal Certifying Authorities.

O. SOUND TRANSMISSION AND INSULATION

To ensure the amenity of occupants in multi-residential development (Class 2 and 3 buildings and Class 9c Aged Care buildings), separating walls must be constructed in accordance with Part F5 of the Building Code of Australia.

P. GLAZING CERTIFICATION

A certificate shall be submitted to the Principal Certifying Authority stating that safety glazing has been used in the building in accordance with AS1288 - "Glass in Buildings - Selection and Installation".

Q. 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.

R. 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 person 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 1800810443.

S. DIVIDING FENCES

Please be advised that arrangements concerning existing or proposed fences between properties are a civil matter determined by the involved parties under the [Dividing Fences Act](#). You are therefore required to consult with the owners of neighbouring properties if fences are to be removed or constructed.

The Dividing Fences Act is administered by the [Department of Lands](#) who can act as a mediator in disputes. For further information please refer to Council's website.

Yours faithfully,

Karl Okorn
MANAGER DEVELOPMENT ASSESSMENT