

CONDITIONS OF DEVELOPMENT CONSENT

DA No: DA-393/2017
Property: 1 Mills Street, LIDCOMBE NSW 2141
Description: Alterations and additions to Lidcombe Public School (Heritage listed building) including demolition, tree removal and construction of a new two (2) storey classroom/library building, construction of a single storey administration building, increase in staff and student numbers and associated landscaping, fencing & stormwater works

1. Approved Plans

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

<i>Project No. & Drawing No.</i>	<i>Description</i>	<i>Prepared By</i>	<i>Rev</i>	<i>Dated</i>
996-DA02	Demolition Site Plan	JDH Architects Pty Ltd	B	06.09.17
996-DA03	Tree Management Plan (amended in red)		B	06.09.17
996-DA11	Proposed Site Plan		B	06.09.17
996-DA12	Proposed Site Analysis Plan		B	06.09.17
996-DA13	Proposed Waste Management Plan		B	06.09.17
996-DA31	Proposed Ground Floor Plan		B	06.09.17
996-DA32	Proposed First Floor Plan		B	06.09.17
996-DA33	Proposed Roof Plan		B	06.09.17
996-DA41	Proposed Elevation – Sheet 1		B	06.09.17
996-DA42	Proposed Elevation – Sheet 2		B	06.09.17
996-DA43	Proposed Admin Elevation		B	06.09.17
996-DA51	Proposed Section – Sheet 1		B	06.09.17
996-DA52	Proposed Section – Sheet 2		B	06.09.17
996-DA81	Streetscape Elevation		B	06.09.17
996-DA82	Colour and Finishes Schedule		B	06.09.17
161276-C001	Notes & Legend	Jones Nicholson Consulting Engineers	2	23.08.17
161276-C050	Typical Details – Sheet 1		2	23.08.17
161276-C051	Typical Details – Sheet 2		2	23.08.17
161276-C100	External Stormwater Plan		3	07.09.17
161276-ESM1	Erosion Sediment Control Notes & Legend		2	23.08.17
161276-ESM2	Erosion Sediment Control		3	07.09.17
171445-L-01	Landscape Plan (to be amended as per condition)	Space Landscape Designs Pty Ltd	E	07.09.17
-	Arboricultural Impact Appraisal and Method Statement	Naturally Trees	-	21.08.17
254846-00	Traffic and Transport Assessment	ARUP Pty Ltd	B	16.08.17
1015586	Acoustic Report for DA Submission	Cundall	A	18.08.17

2171478A PR_6945	Asbestos in Grounds & Asbestos Management Plan	Parsons Brinckerhoff Australia Pty Ltd	-	Mar 2013
2835	Statement of Heritage Impact	Heritage 21	3	07.09.17
-	Waste Management Plan	-	-	Undated
160520	BCA Assessment Report	Blackett Maguire + Goldsmith	3	Sep 2017
-	Access Review	Morris Goding Accessibility Consulting	Final V2	08.09.17
E30429KPrpt	Preliminary Stage 1/ Stage 2 Contamination Assessment and Preliminary Salinity Assessment	Environmental Investigation Services	-	13.06.17
E30429KPrpt-RAPrev1	Remediation Action Plan		-	06.09.17
30429Srpt	Geotechnical Investigation	JK Geotechnics	0	06.06.17

except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 4.55 of the *Environmental Planning and Assessment Act 1979* (as amended)).

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

2. **Time period of consent**

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

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

Reason:- to satisfy the requirements of Section 4.53 of the *Environmental Planning and Assessment Act 1979* (as amended).

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

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

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

4. **Compliance with the National Construction Code (NCC).**

All building work must be carried out in accordance with the requirements of the National Construction Code (NCC).

Reason:- to ensure compliance with the requirements of the National Construction Code (NCC) and to comply with Clause 98 of the *Environmental Planning and Assessment Regulation 2000*.

5. **Disabled Access & Facilities**

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

Reason:- to ensure compliance with the requirements of the Crown Building Works.

6. **Commonwealth Disability Discrimination Act 1992**

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

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

7. **No Advertising Approved**

No additional advertising structures or signs shall be erected, affixed, painted or displayed without prior Council consent.

Reason:- to prevent the proliferation of signs which will result in a degradation of the visual quality of the area.

8. **Construction/Demolition Hours**

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

Prior to commencement of any demolition or construction work the applicant is to erect signs on the site, which are clearly visible from the footpaths adjoining the site boundaries, which state the permitted construction/demolition hours.

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

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

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

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

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

10. Fencing of Construction Sites

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

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

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

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

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

11. Noise from construction activities

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

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

12. Dial before you dig (advisory)

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

Before you dig call “Dial before you dig” on 1100 (listen to the prompts) or facsimile 1300 652 077 (with your street no./name, side of street and the distance to the nearest cross street) or register on line at www.dialbeforeyoudig.com.au for underground utility services information for any excavation areas.

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

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

13. Demolition of buildings

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

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

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

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

14. **Asbestos**

- a) In the event that asbestos is on a site or building under demolition or construction, WorkCover NSW is to be contacted to ascertain the appropriate response, to ensure the safety and protection of existing and future workers and residents. An Asbestos Removal Contractor licensed by WorkCover NSW is to handle/remove/transport and dispose of any products containing asbestos in a manner approved of by the Department of Environment and Conservation (DEC). Copies of tipping dockets are to be retained and able for viewing by Council officers on request.
- b) Asbestos material can only be disposed of at a landfill site nominated by Waste Services NSW for that purpose. An appointment must be made with Waste Services NSW to dispose of asbestos materials at the nominated landfill.
- c) Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW. Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with:-
 - i) *Work Health and Safety Act 2011;*
 - ii) *The Work Health and Safety Regulation 2011;*
 - iii) *Protection of the Environment Operations Act 1997*
 - iv) *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes, NSW EPA, May 1999*
 - v) *Waste Avoidance and Resource Recovery Act 2001.*
 - vi) *The Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (1998)];*
 - vii) *The Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998)] <http://www.nohsc.gov.au> ; and*
 - viii) *The Workcover NSW Guidelines for Licensed Asbestos Removal Contractors.*

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

Under the *Work Health and Safety Regulation 2011*, the Worksafe Code of

Practice and Guidance Notes on Asbestos are the minimum standards for asbestos removal work.

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

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

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

15. Site to be kept in a clean condition

Upon completion of demolition works and if no new building works are commenced on site, the site shall be kept in a clean manner with landscaping and fencing to the satisfaction of Council.

Reason: to control soil erosion, and not have any unsightly views.

16. Stormwater disposal

Stormwater runoff generated from the development shall be directed to the On Site Detention system prior to being discharged to existing Council's stormwater system within the site by gravity means.

Reason:- to prevent localised flooding .

17. Connection to Council's drainage system

Prior to the commencement of any works detail design for the proposed connections to existing Council's stormwater pipe shall be submitted to Cumberland Council.

- a) Inspections are required for the works related to the proposed connection to Council's stormwater drainage system at following stages:
- i) After the excavation of pipeline trenches.
 - ii) After the laying of all pipes prior to backfilling.
 - iii) After the completion of all pits and connection points.
- b) A minimum of 48 hours' notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Works and Services Section during office hours.
- c) Work is not to proceed until the works are inspected and approved by Council.

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

18. Submission of full stormwater disposal details

Full stormwater drainage details showing the proposed method of stormwater collection and disposal are to be submitted to Council to ensure the approved stormwater plans are incorporated with the construction plans.

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

- a) The proposed stormwater system shall be generally in accordance with the stormwater concept plans C001 issue 2, C050 issue 2, C051 issue 2 and C100 issue 3 prepared by Jones Nicholson including amendments marked in red on the plans.
- b) All access grates to the detention facility shall be double (2/900x450) hinged grates.
- c) Maximum distance between the OSD access grates shall be limited to 5.0m.
- d) Depth of the pipe shall be verified and incorporated in the stormwater design.
- e) Rainwater tank shall be provided as per the *Auburn Development Control Plans 2010 - Stormwater Drainage* requirements.

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

Reason:- to ensure the stormwater is suitably discharged.

19. **Structural Engineering Certificate**

The applicant shall submit a structural engineer's certificate of adequacy verifying that the works as detailed on the approved plans for the storage tank have been completed under his/her supervision and that the design is adequate to support the anticipated design loads. The certificate shall be submitted to Council with the works-as-executed plan.

Reason:- to ensure the construction is structurally adequate.

20. **Stormwater disposal – on-site detention**

On-site stormwater detention storage is to be provided in conjunction with the stormwater disposal. The storage is to comply with Council's on-site stormwater detention parameters. Where multiple detention basins with differing top water levels are used, the basins must be routed to the outlet pit independent of each other.

A positive covenant under Section 88E of the *Conveyancing Act 1919* is to be created on the title of the property detailing the on-site stormwater detention system incorporated in the development. The wording of the instrument is to be submitted and approved by Council prior to lodgement at the Land Property Information. Evidence confirming the positive covenant has been registered shall be submitted to Council prior to use of the building.

Reason:- to prevent localised flooding by ensuring the detention system is maintained as designed.

21. **Maintenance schedule – OSD**

Prior to the occupation of the development, a maintenance schedule of the proposed on-site detention facility shall be submitted to Council for approval with the stormwater work-as-executed plan. This maintenance schedule shall be registered as part of the positive covenant.

Reason:- to ensure the onsite detention facility is in good working order

22. Annual maintenance inspection of OSD

Annual maintenance inspection summary of the onsite detention with associated certificates shall be sent to Council within the first month of every calendar year. In this regard:

- All critical inspections shall be carried out by a qualified person.
- A maintenance log book shall be maintained as per the approved maintenance schedule on site and readily available for inspection by a Council officer.
- All associated cost shall be borne by the owner

Reason:- to ensure the onsite detention facility is in good working order.

23. Works-as-Executed Plan – Drainage Plans

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

- a) Whether all works have been completed generally with the approved drainage plans.
- b) Any departure from the approved plan and conditions.
- c) Any additional work that has been undertaken.
- d) Location, levels and sizes of pipes and pits.
- e) Finished floor and finished surface levels. The location of finished levels should in general correspond with those shown on Council's approved drainage plan.
- f) Basement pump out volumes.

Note: The W.A.E. surface level shall be taken after all landscaping has been completed.

In this regard:

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

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

24. Reinstatement of footpath and footpath crossing

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

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

25. Road opening permit

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

Reason:- to safeguard Council property against damage.

26. **Restoration works**

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

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

27. **Special footings/clearance to easements**

Development shall be clear of easements and services. Special footings shall be provided where the proposed structure is within the zone of influence of the Council's stormwater pipe and easements. The footings shall be taken down to the invert of the drainage structure or to solid rock, whichever is the lesser.

The footings shall be located clear of the require easement for the Council's pipe and designed by a practicing structural engineer

Reason:- to ensure stormwater easement is not affected by the proposed works.

28. **Works within Council controlled lands/ or connection to Council's system**

a) For drainage works:

- i) Within Council controlled lands.
- ii) Connecting to Council's stormwater drainage system.

Inspections will be required:-

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

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

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

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

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

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

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

30. Surface runoff

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

Reason:- to prevent adverse impact on adjoining properties.

31. Sediment control

Temporary measures shall be provided in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual dated March 2004 and regularly maintained during demolition, excavation and construction to prevent sediment and polluted waters discharging from the site.

Reason:- to ensure sediment and erosion controls are maintained during the construction process to prevent water pollution from occurring.

32. Traffic Management

A traffic management plan for all demolition, excavation and construction activities associated with the development plan shall be prepared by suitably qualified person. The traffic management plan shall be in place during the development.

Reason:- to improve the safety.

33. Submission of Validation Report

Prior to the occupation of the buildings, a Validation Report is required to be submitted to Cumberland Council for assessment and comment. The Validation report is required determine that the remediation objectives as outlined in the *Remedial Action Plan prepared by EIS a division of Jeffery and Katauskas Pty Ltd (Ref: E30429KPrpt-RAPrev1) dated 6 September 2017* have been achieved.

34. Submission of Remedial Action Plan

Prior to the occupation of the buildings, notations are to be placed on the Section 10.7(5) Planning Certificate that reference the *Remedial Action Plan prepared by EIS a division of Jeffery and Katauskas Pty Ltd (Ref: E30429KPrpt-RAPrev1) dated 6 September 2017* and any subsequent Validation Report and ongoing Environmental Management Plan.

35. Remediation and validation

The following shall be complied with in respect of remediation and validation works at the property:

- a) Remediation and validation works shall be carried out in accordance with the approved Remedial Action Plan. The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works. Please note that variations to the approved remediation works may require the submission to Council of a Section 4.15 Application or further Development Application pursuant to the *Environmental Planning and Assessment Act 1979*.

- b) After completion of the remedial works, a copy of the Validation Report shall be submitted to Council prior to the commencement of construction works. The building shall not be occupied until Council reviews and approves the final Validation Report. The validation report shall be prepared in accordance with the EPA guidelines, *Consulting Reporting on Contaminated Sites*, and shall:
- i) Describe and document all works performed;
 - ii) Include results of validation testing and monitoring;
 - iii) Include validation results of any fill imported on to the site;
 - iv) Show how all agreed clean-up criteria and relevant regulations have been complied with; and
 - v) 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.
- c) Following the preparation of the validation report, Council may require that the applicant engage an accredited auditor under the *Contaminated Land Management Act 1997* to review the Validation Report prepared by the contaminated land consultant and issue a Site Audit Statement (SAS). The accredited auditor shall consult with Council prior to finalising and issuing the SAS. The SAS should allow for soil access to occur as per the approved Remedial Action Plan.

The accredited auditor shall provide Council with a copy of the Site Audit Report and SAS, prior to the occupation of the buildings.

In circumstances where the SAS conditions (if applicable) are not consistent with the consent, the consent shall prevail to the extent of the inconsistency and a Section 4.15 Application or further Development Application pursuant to the *Environmental Planning and Assessment Act 1979* will be required.

Reason:- to ensure the provisions of State Environmental Planning Policy No. 55 – Remediation of Land and the *Contaminated Land Management Act 1997* are complied with.

36. Discovery of additional information during remediation, demolition or construction

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

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

37. Off-site soil disposal

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

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

38. Noise and Vibration

The use of the premises shall not give rise to any of the following when measured or

assessed at “sensitive” positions within any other property. These “sensitive” positions should be selected to reflect the typical use of a property (i.e. any outdoor areas for day and evening but closer to the façade at night time), unless other positions can be shown to be more relevant.

- a) 'Offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.
- b) Transmission of vibration to any place of different occupancy above the requirements of AS2670.
- c) A sound pressure $L_{Aeq,period}$ at any noise sensitive position of any other premises or occupancy greater than the recommended amenity noise criteria detailed in the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy.
- d) A sound pressure $L_{Aeq,15min}$ at any noise sensitive position greater than the intrusiveness criteria determined in accordance with the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy and does not contain any tones, low frequency or impulsive factors as defined in the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy table 4.1.

For assessment purposes, the above L_{Aeq} sound levels shall be assessed over a period of 10-15 minutes and adjusted in accordance with EPA guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content where necessary.

Reason:- to ensure adequate acoustic amenity in the locality.

39. **Intruder Alarms**

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

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

40. **Trees for removal**

Approval is given for the removal of a total of 41 trees which listed as the following numbers in accordance with the Tree Management Plan (drawing no. DA03 Rev. B) prepared by JDH Architects: 1, 2, 3, 4, 5, 6, 14, 18, 21, 22, 23, 24, 25, 26, 27, 29, 32, 33, 40, 41, 43, 44, 45, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67 & 68 only.

Reason:- to ensure appropriate planting on the site.

41. **Tree Protection – significant trees**

- a) Prior to the commencement of any works on the site, a Tree Protection Zone (TPZ) shall be established around all trees, including street trees, which are to be retained in accordance with the approved plans. The TPZ shall extend to a radius that is 10 times the diameter of the trunk of each tree. The measurement of the trunk shall be taken 1.5m from ground level.

The area shall be enclosed with a protective fencing consisting of 1.8m high fully supported chainmesh. Tree Protection Zone signage is to be attached to

protective fencing, this must include the name and contact details of the site arborist. Signs shall be attached to all fencing stating that the area is a 'No Go Zone' and show the site arborist's name and contact details. Unless an area is already covered by a hard surface, the area enclosed by the TPZ is to be kept weed/ grass free and be mulched to a depth of 100mm with an approved mulch.

- b) All activities not related to tree maintenance are not to be conducted within the TPZ. The area is not to be used for the storage of materials, stockpiling, siting of work sheds, preparation of mixes, cleaning of tools or equipment, pedestrian or vehicular activity, including parking. Original soil levels within the TPZ shall not be changed, except where Council approval has been granted for cut or fill within a TPZ, and in this case the work shall be supervised by the appointed Site Arborist.

Refuelling and/ or the maintenance of machinery and equipment is not permitted within 10 metres of any TPZ. The washing down of machinery, chemical, concrete or cement handling equipment or the storage of chemicals is not permitted within 10 metres of any TPZ.

Placement of any underground services shall not take place within any TPZ. Where this is not possible, tunnelling or boring shall be used. Where tunnelling or boring is not possible, all excavation shall be carried out by hand. Any works within the TPZ shall be supervised by the appointed site arborist.

All approved works to trees must be carried out by a suitably qualified arborist and in accordance with Australian Standard 4373-1996 "*Pruning of Amenity Trees*".

Roots with a diameter of 40mm or larger encountered during excavation works outside the TPZ shall be cleanly cut in accordance with accepted arboriculture practices.

Reason:- To ensure protection of existing street trees and trees on the site.

42. **Tree Retention**

All reasonable measures shall be undertaken to ensure that the existing trees on the site, and including street trees adjacent to the site, (other than any tree approved for removal by Council) are not damaged during the approved demolition works.

Reason: to protect trees in accordance with Council's Development Control Plan.

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

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

It is recommended that applicants apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

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

Following application a "Notice of Requirements" will detail water and sewer

extensions to be built or charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscaping design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority (Council or accredited certifier) prior to release of the final plan of subdivision or occupation of the development.

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

44. **Building Plan Approval**

The approved plans must be submitted to the Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Sydney Water Tap in™ online self-service replaces our Quick Check Agents as of 30 November 2015.

The Tap in™ service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's Tap in™ online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

Reason:- to ensure the development does not damage or interfere with Sydney Water assets.

45. **Sydney Water Easement**

Where proposed development works are in close proximity to a Sydney Water easement, the developer may be required to carry out additional works to facilitate their development in order to not encroach within the Sydney Water easement. The easement for sewerage purposes is not to be built over or encroached in without the consent of Sydney Water.

Reason:- to protect Sydney Water asset.

46. **Sydney Water Asset**

The proposed development site is traversed by 225mm wastewater main.

Where proposed works are in close proximity to a Sydney Water asset, the developer may be required to carry out additional works to facilitate their development and protect the wastewater main.

Servicing options may involve adjustment/deviation and or compliance with the Guidelines for building over/adjacent to Sydney Water assets.

Please refer to a Water Servicing Coordinator for details of requirements.

Reasons:- to ensure the Sydney Water asset is protected on site or constructed in accordance with Sydney Water's requirement.