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## CONDITIONS OF DEVELOPMENT CONSENT

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**DA No:** DA-66/2018  
**Property:** 2 East Street, ROOKWOOD NSW 2141  
**Description:** Construction of 652 above ground garden crypts and a car park for five (5) vehicles.

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### 1. Approved Plans

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

Plan Number	Prepared By	Revision No.	Dated
Cover Sheet	Ignite Architects Pty Ltd		26/2/2018
Overall Existing and Proposed Site / Roof Plans DA-01	Ignite Architects Pty Ltd	C	26/2/2018
Stage 5 Floor Plan DA-02	Ignite Architects Pty Ltd	C	26/2/2018
Stage 6 Floor Plan DA-03	Ignite Architects Pty Ltd	C	26/2/2018
Stage 5 Elevations DA-04	Ignite Architects Pty Ltd	B	26/2/2018
Stage 6 Elevations DA-05	Ignite Architects Pty Ltd	B	26/2/2018
Landscape Plan DWG No LP.01/B	Narelle Sonter Botanica	A	12/2/2018
Landscape Plan DWG No LP.02/B	Narelle Sonter Botanica	B	12/2/2018
General Notes and List of Drawings Drawing Number TX-10496.12-C1.0	Tria Xial Consulting	B	23/5/2018
Erosion and Sediment Control Drawing Number TX-10496.12-C2.0	Tria Xial Consulting	A	16/2/2018
Location Plan and OSD Master Plan Drawing Number TX-10496.12-C3.0	Tria Xial Consulting	B	23/5/2018
Concept Stormwater Drainage Plan Drawing Number TX-10496.12-C5.0	Tria Xial Consulting	A	16/2/2018
Concept Stormwater Drainage Plan - Stage 6 Drawing Number TX-10496.12-C5.1	Tria Xial Consulting	A	16/2/2018

OSD Floor Slab Plan and Sections Drawing Number TX-10496.12-C6.2  (Including the amendments marked in red)	Tria Xial Consulting	C	28/6/2018
Finished Surface Level Plan Drawing Number TX-10496.12-C8.0	Tria Xial Consulting	A	16/2/2018
Finished Surface Level Plan Stage 6 Drawing Number TX-10496.12-C8.1	Tria Xial Consulting	A	16/2/2018
Material, Finishes and Fittings Schedule	Ignite Architects Pty Ltd		28/2/2018

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 (as amended)).

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

## 2. Separate Development Consent

No additional signs, whether for advertising, directory or identification purposes or for any other purpose, are to be erected on the land without the written consent of Council having first been obtained.

Reason:- to limit and control advertising.

## 3. 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 (as amended).

## 4. 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.

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

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

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

**6. Commonwealth Disability Discrimination Act**

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

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

**7. 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.

**8. Maintain plans on-site**

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

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

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

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

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

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

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

A sign must be erected in a prominent position stating that unauthorised entry to the site is not

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permitted. The sign must also name the builder or other person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours.

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

#### **11. 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.

#### **12. 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 1.5 metres). Hoardings or fences are to have a minimum height of 1.8 metres and be constructed of solid plywood sheeting (painted white) or of cyclone wire fencing with geotextile fabric attached to the inside of the fence, to provide dust control.

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

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

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

#### **13. Sedimentation Control**

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

- a) Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footways or in any other locations which could lead to the discharge of materials into the stormwater drainage system.
- b) Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.
- c) The installation of gutters, downpipes, and the connection of downpipes to the stormwater disposal system prior to the fixing of the roof cladding.

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Such measures are to be maintained at all times.

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

#### 14. **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.

#### 15. **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](http://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.

#### 16. **Stormwater disposal**

All stormwater runoff generated within the subject development shall be directed towards an Onsite Stormwater Detention prior to being discharged via one outlet to the existing stormwater system within the site.

Reason:- to prevent localised flooding.

#### 17. **Works-as-Executed Plan**

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):-

- i) Whether all works have been completed generally with the approved drainage plans.
- ii) Any departure from the approved plan and conditions.
- iii) Any additional work that has been undertaken.
- iv) Location, levels and sizes of pipes and pits.
- v) Finished floor and finished surface levels. The location of finished levels should in general correspond with those shown on Council's approved drainage plan.
- vi) Detail the volume achieved by the detention system, including the "top water level".
- vii) The basement pump-out storage volumes.

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

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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 and A5 in the Appendix of the Auburn Development Control Plans 2000 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.

18. **Maintenance schedule - OSD**

A maintenance schedule of the proposed on-site detention facility shall be submitted to Council for approval with the storm water work-as executed plan.

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

19. **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.

20. **Sediment control**

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

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

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

Full stormwater drainage details showing the proposed method of stormwater collection and disposal shall be prepared by a suitably qualified practising Civil/Hydraulic Engineer and must be in accordance "Auburn Development Control Plans 2010 - Stormwater Drainage" and "Australian Rainfall & Runoff 1987". In this regard:-

The proposed stormwater system shall be generally in accordance with the stormwater concept plans TX10496.12 - C6.2 issue C dated 28. 06. 2018 prepared by Triaxial Consulting including amendments marked in red on the plans.

Reason:- to ensure the stormwater is suitably discharged.

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

**22. Sydney Water Approval**

The approved development application plans must be accompanied by a valid Building Plan Assessment Approval Receipt. This receipt can be acquired through the "Sydney Water Tap" in system by the Sydney Water Authority.

Please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Information on the "Sydney Water Tap in" system and
- Registering and applying for the approval receipt for the Proposed Building Plan.

or telephone 13 20 92.

Note:

The consent authority or accredited certifier must either:

- ensure that a valid approval receipt has been obtained from Sydney Water before the issue of any Construction Certificate (receipt valid usually 1 year from the date of issue); or
- if there is a combined Development/Construction Certificate application, ensure that a valid approval receipt has been obtained prior to works commencing on site.

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

**23. Recording of site fabric**

Any fabric to be removed shall be appropriately recorded before disturbance. The work must be undertaken in accordance with the New South Wales Heritage Office Guidelines, "How to prepare Archival Records of Heritage Items" (1998) and "Guidelines for Photographic Recording of Heritage Items" (2004) and should be undertaken to the standard required for local items.

Reason:- to provide record of heritage items for future reference.

**24. Discovery of human skeletal remains**

The applicant must ensure that if human skeletal remains are discovered, work is to cease immediately in the affected area(s) and the New South Wales Heritage Office is to be contacted for advice prior to undertaking any further action. The applicant must facilitate identification and initial physical evaluation in accordance with the New South Wales Heritage Office 'Skeletal Remains' Guidelines (1998:2-4).

Reason:- to safeguard skeletal human remains.

**25. Discovery of archaeological relics**

The applicant must ensure that if any other historical archaeological relic within the meaning of the New South Wales Heritage Act 1977 is disturbed by the works necessary for the new development, then the New South Wales Heritage Council is to be notified in accordance with Section 146 of the New South Wales Heritage Act 1977. Further advice, assessment and approval may be required before works continue in the area subject to the nature of the discovery.

Reason:- to protect archaeological relics.

