

DEVELOPMENT APPLICATION DRAFT CONDITIONS OF CONSENT

Under the *Environmental Planning and Assessment Act, 1979*

Application No:	DA2022/0253
Applicant:	Marque Eight Pty Ltd Level 3 Suite 3.09/100 Collins Street ALEXANDRA NSW 2015
Property Description:	1 Marsden Street, 1A Marsden Street, 3 Marsden Street and 2 Mark Street Lidcombe. Lot 7 Sec 2 DP 846, Lot 8 Sec 2 DP 846, Lot 9 Sec 2 DP 846, Lot 10 Sec 2 DP 846, Lot 11 Sec 2 DP 846, Lot 12 Sec 2 DP 846.
Development:	Demolition of existing structures and construction of a 14-storey mixed use development comprising four (4) commercial tenancies on the ground floor level, 83 co-living housing rooms, 100 residential units and three (3) levels of basement car parking pursuant to State Environmental Planning Policy (Housing) 2021
Determined by:	Sydney Central City Planning Panel.

CONDITIONS OF CONSENT

General Conditions

1. **DAGCA01- General**

This consent shall lapse five years after the date from which it operates unless building, engineering or construction work has physically commenced.

(Reason: Advisory)

2. **DAGCA02 - Approved Plans and Supporting Documents**

The development must be carried out in accordance with the following endorsed plans and documents, except as otherwise provided by the conditions of this consent.

Reference/Dwg No	Title/Description	Prepared By	Date/s
	Cover Page	Urbanlink Architects	Undated
DA-002 Revision A	Site Location Plan	Urbanlink Architects	3/5/2022
DA-005 Revision A	Site Demolition Plan	Urbanlink Architects	3/5/2022
DA-006 Revision A	Site Plan	Urbanlink Architects	3/5/2022
DA-101 Revision B	Basement 03	Urbanlink Architects	2/9/2022
DA-102 Revision B	Basement 02	Urbanlink Architects	2/9/2022
DA-103 Revision B	Basement 01	Urbanlink Architects	2/9/2022
DA-104 Revision B	Ground Floor Plan	Urbanlink Architects	2/9/2022
DA-105 Revision B	Level 01	Urbanlink Architects	2/9/2022
DA-106 Revision B	Level 02	Urbanlink Architects	2/9/2022
DA-107 Revision B	Level 03	Urbanlink Architects	2/9/2022
DA-108 Revision B	Level 04	Urbanlink Architects	2/9/2022
DA-109 Revision B	Level 05-13	Urbanlink Architects	2/9/2022
DA-110 Revision B	Roof	Urbanlink Architects	2/9/2022
DA-201 Revision B	North Elevations	Urbanlink Architects	2/9/2022
DA-202 Revision B	South Elevations	Urbanlink Architects	2/9/2022
DA-203 Revision B	East and West Elevations	Urbanlink Architects	3/5/2022
DA-204 Revision B	Elevations	Urbanlink Architects	3/5/2022

	Streetscape Mark Street		
DA-205 Revision B	Elevations Streetscape Marsden Street	Urbanlink Architects	2/9/2022
DA-301 Revision B	Sections AA	Urbanlink Architects	2/9/2022
DA-302 Revision A	Sections BB/CC	Urbanlink Architects	3/5/2022
DA-303 Revision A	Sections Ramp Details	Urbanlink Architects	3/5/2022
DA-304 Revision A	Sections Section Details	Urbanlink Architects	3/5/2022
DA-305 Revision A	Sections Street Sections	Urbanlink Architects	3/5/2022
DA-901 Revision A	Finishes Schedule	Urbanlink Architects	3/5/2022
SW100 Revision B	Cover Sheet	SGC Consulting Engineers	13/10/2022
SW200 Revision B	Stormwater Concept Design Basement 3 Plan	SGC Consulting Engineers	13/10/2022
SW201 Revision B	Stormwater Concept Design Ground Floor Plan	SGC Consulting Engineers	13/10/2022
SW202 Revision B	Stormwater Concept Design Roof Plan	SGC Consulting Engineers	13/10/2022
SW300 Revision B	Stormwater Concept Design Details Sheet - Sheet 1 of 2	SGC Consulting Engineers	13/10/2022
SW301 Revision B	Stormwater Concept Design Details Sheet - Sheet 2 of 2	SGC Consulting Engineers	13/10/2022
SW400 Revision B	Erosion and Sediment Control - Plan and Details	SGC Consulting Engineers	13/10/2022
E25652.E01 Rev 0	Preliminary Site Inspection and review of previous DSI	EIAustralia	22 April 2022
Report No 17/2336	Geotechnical Investigation	STS GeoEnvironmental	August 2017
Reference 2777	Arboricultural Impact Assessment	Redgum Horticultural	28 March 2017
1020175 R01E	Acoustic Report	Acousticworks	11 January 2022
Report Number 20-089 Issue B	Accessibility Compliance Report	Accesslink Consulting	17/2/2021
Number 1163326M	BASIX Certificate	EPS	23 February 2022
	Plan of Management	Urbanlink Architects	Undated
Ref - 20133	Amended Waste Management Plan	Dickens Solutions	September 2022

(Reason: To confirm and clarify the details of the approval)

3. **DAGCA03 - Concurrence referrals and conditions to comply with**

Ausgrid

The following conditions from Ausgrid shall be complied with:

- a) All work close to or adjacent to power lines shall be in accordance with the document "SafeWork NSW Document Work Near Power lines Code of Practice". All distances outlined within the document shall be retained during demolition and construction work.

In addition, the "As constructed minimum clearances" to the mains shall be maintained. The distances are outlined in the Ausgrid Network Standard NS 220 Overhead Design Manual and can be sourced at www.ausgrid.com.au <<http://www.ausgrid.com.au>>

- b) Should the existing overhead mains require relocation due to safety clearances being breached, the work shall be undertaken at the developers cost.
- c) Driveways and other construction activities within the footpath area shall not interfere with the existing cables within the footpath. Prior to work commencing, the developer shall locate and record the depth of all known underground services prior to excavation work commencing.
- d) Safework Australia - Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.
- e) Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

New South Wales Police

The following conditions shall be complied with:

- a) CCTV cameras shall be installed in and around all the premises especially at the entry / exit points to maximise surveillance opportunities: Further:
 - Digital and monitored technology should be used to record images from the cameras.
 - Installed surveillance equipment should be maintained in working order and regularly maintained and tested.
 - Warning signs should be placed around the perimeter of the property especially near entry points to warn intruders of the security measures installed across the site.

Details shall be shown within the construction certificate for approval by Council or the Private Certifier.

Directional signage shall be posted at decision making points eg entry / egress points to provide guidance to patrons whilst driving their vehicles. Details shall be shown within the construction certificate for approval by Council or the Private Certifier.

- b) Entry to the building shall be via an access card system being a means for reducing unauthorised entry. Details shall be outlined within the Construction certificate for approval by Council or the Private Certifier.

(Reason: Statutory compliance)

4. DAGCA11 - No Approval for the Use of the Building/Tenancy

No approval is given or implied for the use of the building/tenancy. Separate Development consent is required for the use of each commercial tenancy within the development.

(Reason: Information.)

5. DAGCB04 - Street Numbering of Lots and Units

Numbering of units/properties shall be prominently displayed at the front of the property and shall be maintained in accordance with the property numbers allocated by Council. For developments involving strata subdivision, the approved numbering system shall be included in the final plans of strata subdivision.

(Reason: Identification of property for emergency services and mail deliveries.)

6. DAGCD01 - Places of Shared Accommodation

The construction, use and operation of the premises must comply with the applicable requirements of Schedule 2 of the *Local Government (General) Regulation 2005*.

The maximum number of persons accommodated in a bedroom, or in a cubicle of a dormitory, must

comply with the relevant requirements of Clause 46 of the *Public Health Regulation 2012*.

(Reason: To ensure compliance with health standards for infection control.)

7. DAGCD08 - Future use of Mixed-Use Building for Commercial Tenancy

The building design must incorporate measures to enable the installation of appropriate mechanical ventilation systems that comply with relevant Australian Standards including AS1668 and are capable of accommodating any exhaust/ventilation requirements for ground floor commercial units in particular food premises. In the event that a food premises requires a mechanical exhaust system for charcoal cooking purposes, separate consent is required as additional filtration systems and odour assessment will be necessary.

(Reason: To ensure that future commercial tenancies can meet legislative requirements for mechanical ventilation)

8. DAGCZ01 - Surrendering of the previous approved Development consents

Prior to issue of the construction certificate, all the active development consents and associated modification approval consents associated with the previous development at the subject site (in part or whole site) shall be surrendered to the Cumberland City Council together with a cover letter acknowledging and consenting to surrendering of the consents.

(Reason: To ensure consistency with the development.)

9. DAGCZ02 - No subdivision of the co living housing

Development consent must not be granted for the subdivision of the co living housing into separate lots.

(Reason: The co living housing shall remain under one ownership at all times.)

Conditions which must be satisfied prior to the commencement of demolition of any building or structure

10. DAPDB02 - Demolition - General

Notice in writing is to be given to Council within two working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of any demolition work. Such written notice is to include:

- The date when demolition will commence;
- Details of the name, address and business hours contact telephone number of the demolisher, contractor or developer;
- A copy of the notification issued to adjoining residents including the date the notice was delivered;
- The licence number of the demolisher;
- Relevant SafeWork licences, and
- Copies of the demolisher's current public liability/risk insurance policy indicating a minimum cover of \$10,000,000.00.
- Demolition work is to be carried out in accordance with AS 2601-2001.
- Demolition works are restricted as follows:
 - Monday to Friday inclusive - 7:00am - 5:00pm.
 - Saturdays 7:00am - 5:00pm.
 - Sundays and Public Holidays - No demolition work.

Where the development involves the use of jackhammers / rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00am and 6.00pm Monday to Friday, excluding public holidays.

The developer or demolition contractor must notify Council at least five working days before the commencement of any demolition work. The developer or demolition contractor must notify adjoining residents of the following:

- The date when demolition will commence;

- Details of the name, address and business hours contact telephone number of the demolisher, contractor or developer;
- The telephone number of the SafeWork NSW Hotline.

Demolition work must not commence until Council has inspected the site and is satisfied that all pre-demolition conditions have been satisfied.

Within fourteen days of the completion of demolition works, the applicant must lodge with Council, all original weighbridge receipts issued by the receiving tip as evidence of proper disposal.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

11. **DAPDB03 - Demolition - Asbestos**

The developer or demolition contractor must notify Council at least five working days (i.e. Monday to Friday exclusive of public holidays). The developer or demolition contractor must notify adjoining residents prior to the commencement of asbestos removal works. Notification is to include, at a minimum the following:

- The date and time when asbestos removal works will commence;
- The name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
- The full name and licence number of the asbestos removalist/s; and
- The telephone number of SafeWork NSW.

Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm are to be erected in prominent visible positions on the site during asbestos removal works. Barricades to prevent public access and prevent the escape of asbestos fibres must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

a) Asbestos to be removed by a licensed asbestos removalist.

All demolition and site works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current SafeWork NSW Class A Licence for friable asbestos removal where applicable or a Class B Licence for non-friable (bonded) asbestos removal. No asbestos products are to be re-used on site and asbestos laden skips/bins must not be left in any public place.

Note: To find a licensed asbestos removalist please visit SafeWork NSW website.

b) Compliance with applicable Legislation, Policies and Codes of Practice.

All asbestos removal works are to be undertaken in accordance with the following:

- Work Health and Safety Act 2011 & Work Health and Safety Regulation 2017;
- 'Code of Practice on how to safely remove asbestos' published by Safe Work Australia (dated July 2020).
- Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace [NOHSC:2018(2005)].

Following completion of asbestos removal works undertaken by a licensed asbestos removalist, re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

12. **DAPDB07 - Site Safety Fencing - Demolition Only**

The site must be fenced to a minimum height of 1.8m in accordance with SafeWork NSW guidelines to prevent public access throughout demolition. The fencing must be erected before the commencement of any demolition work and maintained until works are completed.

(Reason: Public safety)

13. **DAPDB09 - Tree Preservation**

All street trees and trees on private property that are protected under Council's Development Control

Plan and relevant policies, shall be retained and protected in accordance with AS 4970 - 2009 '*Protection of Trees on Development Sites*' during demolition and construction works except where Council's prior written consent has been obtained.

(Reason: Tree Preservation and Protection)

14. DAPDB10 - Demolition, Excavation, Construction Noise and Vibration Management Plan

A site specific Noise Management Plan shall be developed and submitted to the Principal Certifying Authority prior to the commencement of any demolition, excavation and construction works on site. The Plan must be prepared by a suitably qualified Acoustic Consultant, being a consultant who holds a current member grade of the Australian Acoustical Society.

The Plan must include but not be limited to the following:

- a) Identification of any noise sensitive receivers near to the site;
- b) A prediction as to the level of noise and vibration impact, including the likely number of high noise intrusive appliances/equipment likely to affect the nearest noise sensitive receivers;
- c) A statement outlining whether or not predicted noise levels will comply with the noise criteria stated in the NSW EPA Interim Construction Noise Guideline (2009). Where resultant site noise levels are likely to be in exceedance of this noise criteria then details of the following must be included in the plan:
 - i. Duration and frequency of respite periods that will be afforded to the occupiers of neighbouring properties; and
 - ii. Details of any other noise mitigation measures that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.
- d) Confirmation of the level of community consultation that has/is and will be undertaken with the occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during demolition and excavation phases;
- e) Details of the noise and vibration monitoring that is to be undertaken during works;
- f) The type of action will be undertaken following receipt of a complaint concerning offensive noise or vibration, including nomination of a site contact.

(Reason: Environmental and residential protection)

15. DAPDB11 - Hazardous Materials Survey Required

Prior to the commencement of any demolition works on site, a Hazardous Materials Survey Report must be prepared by a suitably qualified person (such as a certified Occupational Hygienist) and submitted to the satisfaction of the Registered Certifier, with a copy provided to Council. The report must identify and record the type, location and extent of any hazardous materials on the site and make recommendations as to the safe management and/or removal to ensure the site is safe for demolition, construction and future use/occupation.

(Reason: To ensure controls are in place for hazardous materials)

16. DAPDB12 - Sediment and Erosion Control measures

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

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

- discharge of materials into the stormwater drainage system or waterways.
- g) Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway. Stockpiles shall be protected with adequate sediment controls.
- h) The installation of gutters, downpipes, and the connection of downpipes to the stormwater disposal system prior to the fixing of the roof cladding.
- i) Such measures are to be maintained at all times to the satisfaction of Council and the Principal Certifier. Failure to do so may result in the issue of penalty notices.

(Reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site)

Conditions which must be satisfied prior to the issue of a Construction Certificate

17. DACCA01 - Amendments to Approved Plans

Amended architectural plans, stormwater plans and related documents shall be submitted to the Council or Registered Certifier prior to the issue of a Construction Certificate addressing the following matters:

- a) The dining rooms windows of Apartment 05 on levels 5 to 13 are to be offset to the dining room windows of Apartment 10 on levels 5 to 13 or alternatively, a privacy screen, louvre screen or similar device are to be provided for the affected windows.
- b) The following shall be provided for bike parking:
 - 33 bike parking bays for the residents.
 - 33 bike parking bays for the residential visitors.
 - 10 bike parking bays for the commercial tenancies.
 - 90 bike parking bays for the co living components.
- c) The bulky waste storage room on the ground floor area shall have a minimum floor area of 10 square metres for the first 40 apartments then 2 square metres of additional floor area for every additional 10 apartments (Minimum floor area should be 22 square metres).

Engineering and stormwater

All relevant architectural plans must comply with the council's requirement, design guidelines and AS2890.1-2004. In this regard, the basement plan of car park shall be amended to comply with the following.

- a) Column location and car spacing:

The structural columns adjacent to the car parking spaces are to be located such that the clear space from the inner face of the column to the rear end (short span) of the car space shall be not be less than 3.65m from the outer face of the wall and shall be no closer than 750mm from the front end (short span) of the car space in accordance with the section 5.2 of AS2890.1-2004, unless a clearance of at least 300mm is provided to the adjacent side of the car space to the nearest face of the column/ wall.

In this regard, appropriate remedial measures shall be made to address the issues by either relocating the columns to appropriate locations or provide 300mm clearance from the nearest edge of the car spaces as follows:

Basement level 01 parking area

- i. Parking space number 1 & 2, 4 & 5, 7 & 8, 10 & 11, 15, 16 & 17 for visitor's use, visitor's and car space 1 for resident disable use.
- ii. Parking space 2 & 3, 15 & 16 and 19 for commercial use.

Basement level 02 parking area

- iii. Parking space 1, 2 & 3, 6 & 7, 9 & 10, 15 & 16, 18 & 19, 21 & 22, 28 & 29, 32 & 33, 35, 38 & 39 and 41 for residential use.
- iv. Car space 1 and 4 for Co-living use.

Basement level 03 parking area

- v. Car space 1 & 2, 4 & 5, 6 & 7, 10 & 11, 16 & 17, 19 & 20, 22 & 23, 28 & 29, 32 & 33, 36 & 37, 42 & 43, 45 & 46, 58 & 59 for residential use.
- b) The position and location of structural columns on basement level 1 and 2 shall correspond to that of basement level 3.
- c. The disability car parking spaces situated at the north western corner on every basement level must have a clearance of at least 1.2 m between them to allow unobstructed access and manoeuvring of the wheelchair through the gap between the car spaces from the shared zone.
- d. The width of the visitor's car parking space and commercial car parking space must be 2.6m wide.
- e. The width of the circulation aisle in front of the western row of parking area shall be 6.2m in accordance with Table B.2 of AS2890.1-2004.
- f. The maximum gradient of the ramp from ground level to basement level 01 shall not exceed 20% (1 in 5).
- g. The swept path clearance diagram shall be provided demonstrating that the manoeuvring vehicle does not overrun into another car space or structures or the swept path of another vehicle travelling in the opposite direction. The swept path clearance diagrams for the following critical locations are required.
 - i. To and from the street up to the basement while another vehicle is travelling in opposite direction.
 - ii. Manoeuvring from one level of the basement into another level including at each bend along the circulation aisle while another vehicle is travelling in the opposite direction.
 - iii. Entry to and exit from car space at the following locations:
 - Car spaces adjacent to the ramp at the upstream end as well as at the downstream end of the ramp.
 - Entry to and exit from visitor's car space 1, 4, 7, 8, 10, 14, 16, commercial 2, 7, 8, 9, 16 and 22 on basement level 1.
 - Entry to and exit from Co-living Car space 1, 4, 5, 6, 7, 9, and 13, residential car space 6, 7, 9, 13, 14, 18, 19, 25, 28, 29, 39 and 41 on basement level 02.
 - Entry to and exit from residential Car space 3, 4, 18, 19, 25, 28, 31, Co Living car space 1, 2, 4, 5, 13, and 14 on basement level 03.
- h. The outer lane shall have forward circulation in clockwise direction and the inner lane shall have forward circulation in anti-clockwise direction.
- i. If there is insufficient manoeuvring spaces in each turning area on each level of basement parking, then a car waiting area must be provided to allow incoming vehicle to pass by. This must be shown on the basement car park plan.
- j. Manoeuvring of trucks into and from the proposed loading bay shall not cause obstruction to the vehicle movement / traffic flow to and from the basement car parking area.
- k. The outline of the OSD tank and rainwater tank together with the location of the openings shall be shown on the ground floor plan.
- l. All the requirements and issues as marked in red on the plan shall be addressed.

Reason: Compliance with requirements of parking provisions and Australian standard.

Amended stormwater plans

For the safe disposal of site stormwater, the stormwater management plan must be prepared in accordance with council's policy, design guidelines and the "Upper Parramatta River Catchment Trust's On-site Stormwater Detention (OSD) Handbook". An amended stormwater plan shall address and include the followings matters.

- a. The stormwater plan must indicate how the roof runoff will be collected and directed into the OSD system noting that the roofs are at various levels and does not uniformly spread on a single level.
- b. To maintain cross-ventilation the opposite corners of the OSD tank, the rainwater tank shall include grated openings fillet with heel guard mesh.
- c. The OSD storage area shall be increased from 77 cubic metres to 88 cubic metres and shall be redesigned to avoid stagnant water ponding within the storage area.
- d. The connection into the existing kerb inlet pit on Marsden street shall be at a level as high as possible from the invert of the pit but not lower than the obvert of the street pipe to prevent clogging of the outlet pipe from the sediment and debris deposits in the pit.
- f. Runoff from the site shall be routed through a sediment trap pit before it is discharged into Council's drainage system. Such sediment traps pits shall have a 200 mm sump below the invert level of the outlet pipe.

(Reason: To ensure satisfactory amenity within the development and to ensure stormwater drainage is satisfactory.)

18. DACCA02 - Application for a Construction Certificate

Construction work must not commence until a Construction Certificate has been obtained from Council or a Registered Certifier.

(Reason: Statutory requirement.)

19. DACCA03 - Disabled Access & Facilities

Access and facilities for people with disabilities must be provided in accordance with the relevant requirements of the National Construction Code (for all new building work) and in addition, with the relevant requirements of the 'Disability (Access to Premises - Building) Standards 2010'. Details of the proposed access, facilities and car parking for people with disabilities are to be included in the plans/specifications submitted with the construction certificate application.

(Reason: To ensure compliance with the requirements of the National Construction Code.)

20. DACCA04 - Works within Boundary

No portion of the works are to encroach beyond the boundaries of the subject property. Alternatively, documentary evidence that the owner of the adjoining property has no objection to the required works or access, is to be submitted to the Council or Registered Certifier prior to the issue of a Construction Certificate.

(Reason: To ensure protection of adjoining properties)

21. DACCB01 - Damage Deposit for Council Infrastructure

A damage deposit of \$3,175 calculated in accordance with Council's adopted Fees and Charges shall be paid to Council prior to the issue of the Construction Certificate. Council may use part or all of the deposit to carry out rectification work to Council's infrastructure that was damaged as a result of carrying out development works. Unused portions of the damage deposit can be refunded following the completion the issue of an Occupation Certificate and a written request to release the deposit.

(Reason: To protect Council infrastructure.)

22. DACCB02 -Payment of Bonds, Fees and Long Service Levy

The Council or Registered Certifier is to ensure and obtain written proof prior to the issue of a Construction Certificate that all bonds, fees and contributions as required by this consent have been paid to the applicable authority. This includes payment of a long service levy as required under part 5 of the *Building and Construction Industry Long Service Payments Act 1986*.

(Reason: To ensure that the applicable bonds, fees and levies are paid.)

23. DACCB04 - Section 7.12 Contribution

Prior to the issue of a Construction Certificate, a monetary contribution imposed under Section 7.12 of the *Environmental Planning and Assessment Act 1979* and *Cumberland Local Infrastructure Contributions Plan 2020* is to be paid to Council. The amount of contribution is calculated at \$2,031,807. A copy of the *Cumberland Local Infrastructure Contributions Plan 2020* can be viewed on Council's website

(Reason: To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments.)

24. DACCB05 - Fees to be paid to Council

Types of fees	Amount	Payment timing
Damage Deposit	\$3,175	Prior to issue of CC
Contributions	\$2,031,807 Plus CPI	Prior to issue of CC
Footpath construction / reconstruction	\$15,000	Prior to issue of CC
Kerb and gutter construction / reconstruction	\$15,000	Prior to issue of CC
OSD Bond	\$7,005	Prior to issue of CC
TOTAL	\$2,071,987 Plus CPI where applicable	

Payment of the above fees shall be paid to Council in accordance with timing stipulated above. Please note that other fees and charges may be applicable to the proposal, and the total fees calculated at the time of payment may exceed the figures detailed above. Further, fees to be paid to Council will be determined at the time of payment in accordance with Council's current adopted Fees and Charges Policy and therefore may exceed the fee amount quoted above.

Note: In the event that the applicant does not apply for refund of bonds, Council will forfeit the bonds and it will be transferred to the Infrastructure Reserve 7 years after the completion of works in accordance with Construction Bonds Management Policy.

(Reason: Statutory requirement and information)

25. DACCB06 - Photographic Record of Council Property - Damage Deposit

Prior to demolition commencing and prior issue of a Construction Certificate, the applicant shall submit to Council a full photographic record of the condition of Council's assets (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 assets 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 arose during the course of demolition or construction work, Council may require either part or full re-instatement of its assets.

Failure to provide a full 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.

(Reason: Maintain public assets.)

26. DACCC02 - Protection of Public Places

The adjoining or adjacent public area is not to be obstructed by any materials, vehicles, refuse skips and the like under any circumstances unless approved in writing by Council.

If the work involved in the demolition or construction of a building is likely to disrupt or obstruct pedestrian or vehicular traffic in a public place, or the building involves the closure of a public place, a barrier, fence or hoarding shall be erected prior to the commencement of any work subject to approval of a Traffic Management Plan by Council.

27. DACCC03 - Submission of Plans for Works within the Road Reserve

The applicant shall submit to Council three (3) copies and an electronic copy of Civil Engineering drawings for the design of all works within the road reserve required outside the subject site or within the road reserve including long and cross sections, details of proposed structures, ancillaries (e.g. footpaths, signage etc.) and specifications for final approval.

The drawings must be approved by Council in writing and all fees and charges.

Such design shall be:

- a) Prepared and submitted in electronic format, undertaken by a consulting Civil Engineer,
- b) Approved in writing by Council under Section 138 of the *Roads Act 1993*, prior to the issue of the Construction Certificate, and
- c) All Civil Engineering works outside the subject site or within the road reserve is to be fully supervised by Council. A maintenance period of six (6) months or as specified by Council shall apply to the work after it has been completed and approved. In that period the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the design conditions, and
- d) Upon completion of the works, the Applicant is to provide to Council two (2) copies of "work as executed plans". The plans are to show relevant dimensions and finished levels and are to be certified by a registered surveyor. Also the Applicant is to provide to Council, in an approved format, details of all public infrastructure created as part of the works, including certification from the Design Engineer.

Note: Driveway construction will require a separate approval vehicular crossing and road works.

(Reason: To ensure compliance of engineering works/Council assets are constructed to acceptable standards for engineering works.)

28. DACCC05 - Hoardings

A separate Hoarding approval for the erection of a Class A (fence type) or Class B (overhead type) hoarding along the street frontage(s) must be obtained from Council. The relevant application form shall be submitted to Council with a footpath occupancy fee based on the area of footpath to be occupied according to Council's Schedule of Fees and Charges, and the application shall be approved before the commencement of work.

(Reason: Safety & information.)

29. DACCC06 - Separate Approval for Works in the Public Road (External Works) - Section 138 Roads Act

In accordance with Section 138 of the *Roads Act 1993* and prior to the issue of any Construction Certificate, the applicant must submit a Road and Footpath Opening Permit application that is accompanied by detailed plans. Written approval must be obtained from the appropriate road authority under the *Roads Act 1993* for any works in the road reserve prior to the commencement of works.

Where the work is likely to have an impact on the operation of an arterial road then a Road Occupancy Licence must be obtained from the relevant road authority. The application should be lodged at least 10 days prior to the planned commencement date.

(Reason: Protection of Public Assets and information.)

30. DACCE02 - Construction Management Plan

Prior to the issue of any Construction Certificate, a Construction Management Plan shall be submitted to the Council or Registered Certifier providing details of the following:

- a) Actions and works proposed to ensure safe access to and from the site, including how the road and footpath area will be protected from building activities, plant and materials delivery, or static loads from cranes, concrete pumps and the like.
- b) The proposed method of loading and unloading excavation machines, building materials, formwork, and the erection of any part of the structure within the site.
- c) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- d) How it is proposed to ensure that soil/excavated material is not transported on wheels or tracks of vehicles or plant and deposited on surrounding roadways.
- e) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve - the proposed method of support is to be designed by a Chartered Civil Engineer.
- f) A Soil and Water Management Plan detailing all sedimentation controls.

(Reason: Safety, amenity and protection of public infrastructure and the environment.)

31. DACCE03 - Construction Traffic Management Plan

Prior to the issue of any Construction Certificate, the applicant shall submit and have approved by Council, a detailed construction Traffic Management Plan. The plan shall demonstrate how construction and delivery vehicles will access the development site during the demolition, excavation and construction phase of the development. The plan shall be certified by a suitably qualified and experienced traffic consultant and all traffic associated with the subject development shall comply with the terms of the approved construction traffic management plan.

The following matters (at a minimum) must be addressed in the plan.

- a) A detailed description and route map of the proposed truck/construction vehicle access routes.
- b) The locations of any proposed Construction Works Zones along the site frontage.
- c) Provide a construction schedule.
- d) Tradesperson parking (parking shall be provided on-site where possible).
- e) Provide relevant Traffic Control Plans (must be certified by a suitably qualified RMS ticket holder).
- f) Provide relevant Pedestrian Management Plans.
- g) A site plan which indicates site entrances and exits, turning areas within the site for construction and spoil removal vehicles allowing a forward ingress and egress for all construction vehicles on the site (superimposed truck swept path diagrams). Site entrances and exits shall be controlled by a certified traffic controller.

(Reason: Traffic safety and amenity during construction phase)

32. DACCF02 - Landscape Maintenance Strategy

To ensure the survival of landscaping following works, a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period following the issue of the Occupation Certificate shall be prepared and provided to the satisfaction of Council or Registered Certifier. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning and plant replacement.

(Reason: Ensure landscape survival)

33. DACCF03 - Landscape Plan

A landscape plan prepared by a qualified landscape architect or landscape designer to a scale of 1:100 or 1:200, is to be submitted with the Construction Certificate application to the satisfaction of the Council or Registered Certifier. The landscape plan is to accord with the approved Landscape Concept Plan/s and satisfy the relevant conditions of this consent. Certification from the landscape architect or landscape designer that the landscape plan complies with this Development Consent is to be submitted to the Council or registered certifier prior to the issue/release of the Construction Certificate.

The plan must include the following information:

- location of all existing and proposed landscape features including materials to be used;
- delineate and identify all trees to be retained, removed or transplanted;
- existing and proposed finished ground levels;
- top and bottom wall levels for both existing and proposed retaining and free standing walls;
- proposed locations of stormwater pits and OSD locations; and
- detailed plant schedule which includes proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity.

Consideration within the design shall be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the area, potential views, solar access and privacy for neighbouring development. The plan shall propose combination of tree planting for shade, mid height shrubs, lawn and ground covers and it shall also indicate that at least 50% of the overall number of trees and shrubs are species native to the region.

(Reason: Landscape quality)

34. DACCF04 - On Slab Landscaping

The on slab landscaping shown on the approved landscaping plan is to be designed to include a

minimum soil depth of 650mm for shrubs and trees and 300mm for grass and ground covers. Adequate drainage and a permanent, automatic irrigation system shall be provided conforming to Sydney Water's requirements. Details shall be submitted with the Construction Certificate application to demonstrate compliance with this condition.

(Reason: To ensure the site landscaping thrives)

35. DACCF08 - Tree Planting

The following is to be provided for any new planting of trees:

- Front: 1 tree with mature height of 5m if primary road setback is greater than 3m.
- Rear: 1 tree with mature height of 8m.

Minimum soil standards for plant size are provided in accordance with the Table below:

Tree Size	Height	Spread	Min Soil Area	Min Soil depth
Large trees	>12m	>8m	10 x 10	1.2m
Medium trees	8-12m	4-8m	6 x 6m	1.0m
Small trees	5-8m	<4m	3.5 x 3.5m	0.8m
Shrubs				0.5-0.6m
Turf				0.2m

(Reason: Preservation of the landscape character of the area)

36. DACCG03 - Off Street Car Parking - Multiple Use Buildings

The following car parking and service vehicle requirements apply:

- a) 167 car spaces shall be provided on the development site including 81 spaces for people with a disability.

This shall comprise of:

- b) 104 residential spaces including 10 spaces for people with disabilities.
- c) 20 visitor spaces including 1 space for people with disabilities.
- d) 25 business/commercial/retail premises spaces including 1 space for people with disabilities.
- e) 17 Co-Living residential use including 1 space for people with disabilities.

All car spaces shall be allocated and marked according to this requirement.

If the development is to be strata subdivided, the car park layout must reflect the above allocation and be part of the entitlement of that strata lot.

Each car parking space shall have minimum dimensions in accordance with the relevant Australian Standard/New Zealand Standard AS/NZS 2890.1:2004 and be provided on-site in accordance with the approved plans.

The parking bays shall be delineated by line marking.

Visitor spaces shall be clearly line marked and/or signposted and shall only be used by persons visiting residents or commercial/business/retail premises located within the development.

The following traffic control measures shall be implemented on site:-

- a) Signage indicating "Entry Only" shall be prominently displayed at the entrance to the development.
- b) Signage indicating "Exit Only" shall be prominently displayed at the exit to the development.
- c) One-Way directional arrows shall be painted on the driveway pavement to indicate the required vehicular directional movement through the car parking area.

The above details shall be submitted to and approved by the Principal Certifier prior to the issue of the Construction Certificate.

(Reason: Parking and access)

37. DACCG07 - Maintaining Sight Lines

All new walls adjacent to vehicular crossings must be lowered to a height of 600mm above the internal driveway level for a distance of 1.5m within the site or splayed 1.5 metre by 1.5 metre to provide satisfactory sight lines. Details are to be submitted to Council or Registered Certifier prior to the issue of a Construction Certificate showing compliance with this condition.

(Reason: Safety)

38. DACCG08 - Ramp Width Requirements

The internal driveway must have a clear width of at least 5.5m for the first 6m inside the property to allow entering and exiting vehicles to pass within the site.

The entry and the exit lane shall be separated by a double line mark with the one-way directional arrow on each lane (to be shown on the plan) to prevent the incoming vehicles overrunning into the exit lane and to prevent collision.

The building plans shall indicate compliance with this requirement prior to the issue of a Construction Certificate.

(Reason: To prevent internal vehicle collisions.)

39. DACCG11 - Stop Signs

Appropriate sign(s) shall be provided and maintained within the site at the point(s) of vehicular egress to signal all vehicles to stop before proceeding onto any public road.

(Reason: Adequate access and egress)

40. DACCI03- Substation /Fire Hydrant Boosters

No approval is granted or implied for any encasing structures (i.e blast walls or radiant heat shields) associated with the installation of any substations or fire hydrant booster pumps. Separate Development Consent is required for such structures.

(Reason: Streetscape amenity.)

41. DACCI04 - Site Cranes

Site crane/s and hoist/s proposed within the boundary of the land being developed must comply with all relevant parts of Australian Standards 1418, 2549 and 2550.

Cranes must not swing or hoist over any public place unless approval has been obtained under the *Local Government Act 1993*.

(Reason: Safety and statutory compliance.)

42. DACCG01 - Detailed Stormwater Drainage System Design

Prior to the issue of the Construction Certificate, a detailed stormwater drainage plan for the safe disposal of stormwater from the site shall be prepared in accordance with Council's Development Control Plan and relevant policies. The plan shall be submitted and approved by the Council or Registered Certifier.

Should any changes be required to the approved stormwater drainage plan, the amended design shall achieve equivalent performance standards in accordance with Council's Development Control Plan and relevant policies.

Please note that where the proposed design extends within the public road area, separate approval under section 138 of the *Roads Act 1993* must be obtained from Council prior to the commencement of works.

The stormwater plan shall be in accordance with the stormwater plan prepared by S&G Consultants Pty Ltd: Drawing Numbers: 211186-C000, C001 C004, Revision "B" dated 13/10/2022 and the following changes.

- a. The roof gutter and downpipe system shall be designed to convey the 5-minute duration 1%AEP storm event into the On-Site Detention (OSD) system with no gutter overflows.

- b. Awning shall be provided to reduce the exposed area of the driveway and ramp to 27m² (i.e 5% of the basement area).
- c. All the runoffs shall be directed into High early discharge (HED) pit/ chamber unless they are directed into the rainwater tank. The stormwater plan must include the roof plans and indicate how the roof runoffs are collected and directed into the OSD system noting that the roofs are at various levels and does not uniformly spread on a single level.
- d. To maintain cross-ventilation, the opposite corners of the OSD tank and the rainwater tank are to be facilitated with grated openings fillet with heel guard mesh. The OSD tank shall not extend and encroach into the commercial area as this prevents provision of grated openings and unobstructed cross-ventilation.
- e. The grated access covers over the belowground tank (e.g OSD tanks, basement pump out tank etc.) must be hinged to the frame with child proof safety locking device (spring loaded J-Lock). The frame must be secured to the structure.
- f. Provision of OSD storage volume shall be sufficient to surpass the peak 1%AEP storm event and prevent the OSD system overflowing prior to surpassing of the peak storm event.
- g. The OSD tank floor must have a 1% gradient towards the control pit. The finished floor level of the OSD tank base slab on each corner and middle must be shown on the plan.
- h. The High early discharge (HED) chamber shall be provided with a dry platform covering at least half of the chamber base with the platform level equal to orifice centreline.
- i. The OSD tank base floor shall not be lower than the orifice centre line level to prevent the stagnant ponding water within the storage area of the OSD tank.
- j. Galvanised step irons staggered at 300mm centres shall also be proposed at each access point to the underground storage tank/s.
- k. Runoff bypassing the OSD system from the site shall be routed through a sediment trap pit before it is discharged into Council's drainage system. Such sediment traps pits shall have a 200 mm sump below the invert level of the outlet pipe.
- l. The connection into existing kerb inlet pit on Marsden street shall be at a level as high as possible from the invert of the pit but not too low that can be blocked by the sediment deposits and debris. The connection level should be preferably at a level higher than the overt of the street pipe but not lower than upper 1/3rd level of the pipe.
- m. Amendments in red as shown on the Council's approved plans.

(Note: where the proposed design extends beyond the property boundary, separate approval under Section 138 of the Roads Act 1993, must be obtained from Council prior to the commencement of works).

The amended plan shall be submitted to the Principal Certifier for approval together with the application for the construction certificate.

(Reason: Stormwater management.)

43. DACCJ03 - Certification of the Stormwater Drainage System Design

The proposed stormwater design shall be certified by a suitably qualified person, in accordance with Council's Development Control Plan and relevant policies and shall be submitted to the Council or Registered Certifier prior to the issue of the Construction Certificate.

Certification of the proposed stormwater design shall be obtained from a qualified practising professional engineer with the Engineers Australia membership and shall be submitted to the Council or Registered Certifier prior to the issue of the Construction Certificate.

(Reason: Adequate stormwater management)

44. DACCJ05- Grated Drain to Garage Entrance/Driveway/Street Boundary

A grated trench drain shall be provided across the driveway at the base of the ramp. Unless otherwise designed by a Qualified Civil Engineer, the dimensions of the trench grate shall not be less than 200mm wide by 150mm deep at the shallow end, and have a minimum slope of 2%. This trench drain shall be connected to an approved drainage system. The grated drain calculation shall be in accordance with AS/NZS3500.

The above information must be indicated on all relevant drawings to be submitted with the Construction Certificate application.

(Reason: Environmental protection)

45. DACCJ06 - Silt Arrestors and Gross Pollutant Traps

Silt and gross pollutant traps shall be fitted in all stormwater pits, designed in accordance with Council's Development Control Plan and to the satisfaction of Council or Registered Certifier. Details are to be submitted with the Construction Certificate application.

(Reason: Environmental protection)

46. DACCJ09 - Stormwater Connection to Public Drainage System within property

The proposed stormwater connection into Council's drainage system within a property is subject to further approval. In this regard, a separate application shall be submitted to Council under Section 68 of the *Local Government Act* for approval prior to the issue of a Construction Certificate. Council will undertake inspections of the connection at various stages (e.g., at exposure stage, connection stage and backfilling stage).

(Reason: Protection and maintenance of Council assets)

47. DACCJ10 - Engineering Design - Basement Excavation

The following engineering details or design documentation (where appropriate) shall be submitted to Council or Registered Certifier prior to the issuing of a Construction Certificate:-

- a) Documentary evidence prepared by a suitably qualified professional geotechnical engineer shall be submitted to the Principal Certifier, that confirms the suitability and stability of the site for the proposed excavation and building as well as certifying the suitability and adequacy of the proposed design and construction of the building for the site.
- b) A report shall be prepared by a professional engineer and submitted to the Principal Certifier prior to the issuing of a Construction Certificate, detailing the proposed methods of excavation, shoring or pile construction. This report must include details of vibration emissions and any possible damage which may occur to adjoining or nearby premises from the proposed building and excavation works. Any practices or procedures specified in the engineer's report in relation to the avoidance or minimisation of structural damage to nearby premises, are to be fully complied with and incorporated into the plans and specifications for the Construction Certificate. A copy of the engineer's report is to be submitted to the Council, if the Council is not the Principal Certifier.
- c) Driven type piles/shoring must not be provided unless a geotechnical engineer's report is submitted to the Principal Certifier, prior to the issuing of a Construction Certificate, which states that damage should not occur to any adjoining premises and public place as a result of the works.
- d) The installation of ground or rock anchors (including underneath a public roadway or public place) are subject to separate approval. Works associated with proposed anchors must not be carried out without the specific written consent of the owners of the affected adjoining premises and details of compliance must be provided to the Principal Certifier prior to the commencement of any excavation or building works.

(Reason: To ensure the proposed method of excavation is suitable for the site and to prevent damage occurring to adjoining premises)

48. DACCJ11 - Excavations Extending Below the Base of Footings of Adjoining Development

Where excavations extend below the level of the base of the footings of a building on an adjoining

allotment of land, the person causing the excavation must preserve and protect the building from damage and, if necessary, underpin and support the adjoining building in an approved manner. The person causing the excavation must give the owner of the adjoining property at least seven (7) days written notice of its intention to excavate below the level of the base of the footing. The person must also furnish the adjoining property owner with particulars of the proposed work.

(Reason: To ensure the support for neighbouring buildings.)

49. DACCK01 - Dilapidation Report

A dilapidation report prepared by a suitably qualified practising engineer shall be prepared for any adjoining or nearby property that may be subject to potential damage as a result of any works being undertaken on the site pursuant to this development consent. This is designed to assist all parties should damage occur which is not preventable. The dilapidation reports must be submitted to the owner/s of the affected property/ies and the Council or Registered Certifier prior to the issue of a Construction Certificate. All costs shall be borne by the applicant/person acting on the consent.

Please note:

- Any damage that may be caused is a civil matter. This consent does not allow or authorise any party to cause damage or trespass or any to carry out any other unlawful act and Council will not be held responsible for any damage that may be caused to adjoining buildings as a consequence of the development being carried out.
- Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

(Reason: To ensure there is an adequate record of the state of neighbouring properties prior to works commencing on site)

50. DACCK06 - Retaining Walls

Retaining walls greater than 1.0m above the 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.

(Reason: To ensure safety and the proper design of retaining structures)

51. DACCK07 - Structural Engineer's Details

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 Council or Registered Certifier.

(Reason: To ensure safety and the proper design of structural elements of the building)

52. DACCL02 - Telecommunications

If the development 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 Council or Registered Certifier prior to the issue of a Construction Certificate or Subdivision Works Certificate or the commencement of works, whichever occurs first.

(Reason: Ensure services are not disturbed)

53. DACCL03 - Adjustment to Telecommunications

The arrangements and costs associated with any adjustment/relocation of telecommunications infrastructure shall be borne in full by the applicant/developer.

(Reason: Ensure the applicant is responsible for costs associated with adjustments to Telecommunications infrastructure)

54. DACCL04- Residential Car Wash Bay

A car wash bay is to be provided on the premises for use by residents for car cleaning and washing activities. This area is to be suitably designed and located to ensure rainwater is excluded. All wastewater must be discharged to the sewer in accordance with a Trade Waste Agreement with Sydney Water. This may require the installation of a pre-treatment device. Alternative water

management and disposal options may be appropriate where water is recycled, minimised or re-used on the site.

Details are to be submitted to the Council or Registered Certifier with the Construction Certificate application.

(Reason: To protect the environment.)

55. DACCL05 - Compliance with Acoustic Report

Prior to the issue of a Construction Certificate, the construction drawings and construction methodology must be assessed and certified by a suitably qualified acoustic consultant to be in accordance with any requirements and recommendations of the approved acoustic report prepared by Acousticworks (Ref: 1020175 R01E 1, 1a & 3 Marsden Street and 2 Mark Street Lidcombe ENV RAIL.doc) dated 11 January 2022.

Note: Suitably qualified Acoustic Consultant means a consultant who holds a current member grade of the Australian Acoustics Society.

(Reason: To ensure appropriate noise attenuation measures are used)

56. DACCL06- Waste Storage Area

A designated waste and recyclable storage room must be provided on the premises in accordance with the following requirements:

- a) The area must be fully enclosed, suitably sized to contain all waste and recyclable material generated by the premises, adequately ventilated and constructed with a concrete floor and concrete or cement rendered walls;
- b) The floor must be graded and drain to sewer in accordance with Sydney Water requirements;
- c) A hot and cold hose cock shall be provided within the room.

A detailed plan showing the design and location of the waste storage room must be submitted to Council or Registered Certifier prior to the issue of the Construction Certificate.

(Reason: To protect the environment and ensure waste is adequately contained.)

57. DACCL08 - Waste Storage Facilities and Management Strategy (Mixed Use Development)

Designated waste and recyclable storage facilities must be provided within the premises in accordance with the following requirements:

- a) The waste storage room/s must be fully enclosed, suitably sized to contain all waste and recyclable material generated on the premises, adequately ventilated and constructed with a concrete floor and concrete or cement rendered walls;
- b) The waste storage facilities including collection bays and storage rooms must be easily accessible for the collection and disposal of all waste and recyclable material;
- c) The floor must be graded and drain to sewer in accordance with Sydney Water requirements;
- d) A hot and cold hose cock shall be provided within the room;
- e) If there is a mix of residential and commercial uses on site, then separate storage rooms complying with the above requirements must be provided for each.

A detailed waste and recycling management strategy including plans and specifications showing the design and location of all waste/recycling storage rooms; site collection approach including any required waste/recycling collection bays must be submitted to the Principal Certifier prior to the issue of the Construction Certificate.

(Reason: To protect the environment and ensure waste is adequately contained and able to be easily collected)

58. DACCM03 - Mechanical Ventilation - Certification of Compliance

Details of any mechanical ventilation and/or air handling system must be prepared by a suitably qualified person and certified in accordance with Clause A2.2 (a) (iii) of the *National Construction Code 2019*, to the satisfaction of the Council or Registered Certifier prior to the issue of a Construction Certificate. The system must be certified as complying with AS1668.1 and 2 - 2012 The Use of

Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings and relevant Australian Standards.

(Reason: To ensure adequate mechanical ventilation is provided.)

59. DACCZ01 - Bond for Registration of positive covenant and restriction for OSD, WSUD System, overland flow path

The applicant shall lodge with Council a \$7,005.00 cash bond to cover the registration of a Positive Covenant and Restriction as to User over the *On-site Detention system and the basemen pump-out system. This bond is refundable upon the submission of proof of registration of the Restriction on Use and Positive Covenant with the land Property Information NSW.

(Reason: To ensure compliance with the requirements.)

60. DACCZ02 - Access driveway

The access driveway to the loading bay shall be wide enough to allow manoeuvring of largest truck including the garbage trucks from the street into and out of the proposed loading bay without overrunning into any adjacent structure or the vehicle path, and to the satisfaction of council's infrastructure asset/design section. Details shall be submitted to Council together with the application for the Property boundary line level for final approval.

(Reason: Public infrastructure.)

61. DACCZ03 - Flood compatible Structure

All the proposed building-structures, walls, etc. up to Flood planning level, FPL, (i.e the 1%AEP flood level plus 500mm freeboard) shall be designed and constructed of compatible building components to withstand effect of the associated flood and impact of the floating debris.

(Reason: To ensure protection of properties from the overland flood.)

62. DACCZ04 - Structural soundness to withstand impact of flood and floating debris

All the building structures and wall up to the 500mm above 1%APE flood level shall be designed to withstand effect of the flood and impact of the floating debris. The soundness of the structure shall be certified by a qualified practicing structural engineer.

(Reason: To ensure protection of properties from the overland flood.)

63. DACCZ06 - Flood Management Measures as per the recommendation of the flood study Report

The development site has been identified as a flood planning controlled site. In this regard design and construction details shall be submitted to the certifying authority prior to the issue of a construction certificate and the following shall also be addressed: -

- a. All the flood risk management measures as recommended in the flood report shall be incorporated in the design and the architectural plan and complied with.
- b. Any new boundary fencing within the flood-affected area shall be installed in accordance with Council standard detail SD8025.

(Reason: to ensure appropriate flood management measures are in place and protection from the flood.)

64. DACCZ07 - Internal vehicle circulation management system

Appropriate internal traffic circulation and management system comprising of traffic sign, traffic convex mirrors and traffic signal system etc. shall be designed and installed at each critical location such as the corner/bend along the circulation aisle and ramps, where the turning is required, and line of sight is critical (i.e., on either end of the driveway ramp, and at each corner turning of both basement levels where the line of sight is obstructed by the adjacent structures

(Reason: To improve traffic circulation and safety.)

65. DACCZ08 - Water sensitive urban design - Water quality measures

In accordance with the water quality objective and control under section 2.5 of Cumberland DCP2021 Part G4, appropriate Water quality measures / Water reuse measures shall be employed as a part of Site Stormwater Management) to achieve the target. A strategy / measure shall be incorporated into the stormwater management plan. Details shall be submitted to the certifying authority prior to the issue of a Construction Certificate.

(Reason: To ensure appropriate stormwater management.)

66. DACCZ09 - Basement drainage pump out system

The basement car park shall incorporate the basement stormwater pump-out system. The basement pump-out system shall be designed by a suitably qualified practicing Civil Engineer. The design and construction of pump-out system shall be in accordance with Council's standards and specifications. The design shall incorporate the following:

- (a) The basement pump-out system shall be designed include a combination of underground tank storage and aboveground storage for holding the stormwater runoff of up to 12 hours duration of 1%AEP Storm event to allow for pump failure. The underground part of the storage i.e., underground tank shall be designed with the sufficient capacity to store the runoff from 90-minutes duration of 1%AEP storm event, and the remaining balance shall be stored aboveground.
- (b) A two-pump system (operating on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
 - i. The permissible site discharge (PSD) rate; or
 - ii. The rate of inflow for the one hour, 5-year ARI storm event
- (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
- (d) Details of suitable measures to immediately alert the owners of the building (including when the building is not occupied) that a pump failure has occurred.
- (e) The Location of a "pump failure warning sign" and flashing strobe light shall be indicated on the Drawing
- (f) A 100 mm freeboard to all parking spaces and storage areas. Adequate finished surface levels shall be shown for the above ground storage area to ensure it will be constructed correctly as applicable.
- (g) Submission of full hydraulic details and pump manufacturers specifications and switching system including a plot of the System Curve against the Pump Curve.
- (h) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

Plans and design calculations along with certification from the certified stormwater engineer indicating that the design complies with the above requirements are to be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the Construction Certificate.

(Reason: To ensure satisfactory storm water disposal.)

67. DACCZ10 - Splay corner

Prior to the issue of a construction certificate, the architectural plan shall incorporate the following:

- i) a 2.5m x 2.5m splay at the corner of Mark street and lane way (Marsden lane).
- ii) a 3mx3m splay at the corner of Marsden street and Mark street.

The splay area shall be clear of any structures.

(Reason: Facilitate splay corner.)

Conditions which must be satisfied prior to the commencement of any development work

68. DAPCA01 - Appointment of Principal Certifier

No work shall commence in connection with this Development Consent until:

- a) A construction certificate for the building work has been obtained from a Certifier.
- b) the person having the benefit of the development consent has:
 - (i) appointed a principal certifier for the building work, and
 - (ii) given at least 2 days' notice to the Council, and the principal certifier if not the Council, of the person's intention to commence the erection of the building, and
- c) The principal certifier has, no later than 2 days before the building work commences:
 - (i) notified the Council of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d) The person carrying out the building work has notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case
- e) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - (ii) notified the principal certifier of such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and

(Reason: Statutory requirements)

69. DAPCA02 - Home Building Compensation Fund

No residential building work within the meaning of the *Home Building Act 1989* may commence until:

- a) A contract of insurance in accordance with Part 6 of the *Home Building Act 1989* is entered into and is in force, where such a contract is required under that Act;
- b) The Principal Certifier is satisfied that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the *Home Building Act 1989* (unless the work is to be carried out by an owner-builder);
- c) If the work is to be carried out by an owner builder, that the owner builder is the holder of any owner-builder permit required under the *Home Building Act 1989*;
- d) Written notice of the following information has been provided to Council;
 - i. In the case of work for which a principal contractor is required to be appointed:
 - The name and licence number of the principal contractor, and
 - The name of the insurer by which the work is insured under Part 6 of the *Home Building Act 1989*,
 - ii. In the case of work to be done by an owner-builder:
 - The name of the owner-builder, and
 - If the owner-builder is required to hold an owner-builder permit under the *Home Building Act 1989*, the number of the owner-builder permits.

Where Council is not the Principal Certifier, the Principal Certifier is responsible for notifying Council of the above matters.

Where arrangements for doing residential building work change while the work is in progress so that the above information becomes out of date, the Principal Certifier (if not Council) must provide Council with written notice of the updated information.

(Reason: Statutory requirement)

70. DAPCA04 - Principal Certifier Sign

Prior to commencement of any work, signage must be erected in a prominent position on the work site

that:

- shows the name, address and telephone number of the Principal Certifier;
- shows the name and address of the principal contractor (if any) and a telephone number on which that person may be contacted outside of work hours.
- stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained whilst ever the work is being carried out and must be removed when the work has been completed.

(Reason: Statutory requirement.)

71. DAPCA05 - Sydney Water Tap in Approvals

The approved plans must be submitted through the Sydney Water 'Tap in' portal to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Sydney Water 'Tap in' customers will receive an approval receipt. For further details please refer to Sydney Water's web site at www.sydneywater.com.au/tapin or call 1300 082 746.

The Principal Certifier must ensure that the plans have been approved through the Sydney Water 'Tap in' process and an approval receipt is issued prior to the commencement of works.

(Reason: Statutory requirement)

72. DAPCA06 - Toilet Amenities for People Working at the Site

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

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

(Reason: To ensure suitable toilet amenities are provided for workers)

73. DAPCA08 - Footpath Design Levels

Detailed footpath levels shall be obtained from Council before finalisation of the footpath and driveway design with the Construction Certificate application by lodging an 'Application for Property Boundary Line Levels'. Any required adjustments shall be included in the plans and the interface across the street boundaries shall be designed to incorporate smoothly the designated levels.

When lodging the 'Application for Property Boundary Line Levels' fees are payable in accordance with Council's adopted fees and charges.

Unless an alternative specific design is submitted and approved by Council, the footpath levels adjoining the site shall generally be as follows:

- a) The internal driveway levels shall be designed to meet Council's footpath verge levels such that a maximum cross fall of 2.5% is achieved where the footpath meets the driveway.
- b) The level of the boundary line as it crosses the driveway shall incorporate a cross fall equivalent to the general longitudinal grade of the street.
- c) Any required adjustments shall be included in the plans and submitted for approval under Section 138 of the *Roads Act 1993* prior to the release of the Construction Certificate.

Note: Care shall be taken in steep landforms to ensure scraping of vehicles is avoided.

(Reason: Public infrastructure)

74. DAPCA09 - Vehicular Crossings, Redundant Vehicular Crossings and other Works

A separate Council approval is required. The applicant must lodge an application (available from Council's Customer Services Centre or from Council's website) and pay the appropriate fees and charges.

This application will also be required where new pavement, repair or reinstatement of footpath or other

ancillary works such as kerb and gutter and stormwater pit construction is proposed and/or required.

Driveway Setbacks - A minimum of 1.0m clear setback from side property boundary to driveway shall be provided and must be perpendicular to the street frontage.

(Reason: To ensure appropriate access to the site can be achieved)

75. DAPCB03 - Protection of Landscape Features

To limit the potential for damage to the following tree/s to be retained, the area beneath their canopies must be fenced prior to the commencement of demolition, excavation or building works.

Species	Location
Jacaranda Mimosifolia	Rear boundary fence line
Ficus Benjamina	Neighbouring property

The fencing must extend beyond the tree trunks by at least 1.8m high, be kept in place until the completion of the building works and be marked by appropriate signage notifying site workers that the tree is to be retained and protected.

All areas within the perimeter of the safety fencing shall be covered with woodchip mulch to a depth of 100mm (or where steep grades prevent this, the area shall be protected with a suitable material) to facilitate moisture levels. Adequate soil moisture must be maintained during the course of the construction works through the implementation of a permanent or temporary automatic drip irrigation system.

(Reason: Protection of trees to be retained)

76. DAPCB04 - Removal of Trees

The following trees are approved for removal:

Species	Location
Callistemon Linearis x 1	Within property boundary
Cupressus Sempervirens x 1	Within property boundary
Callistemon Viminalis x 1	Within property boundary

(Reason: To clarify which trees are permitted to be removed)

77. DAPCC02 - Dewatering

If it becomes necessary to undertake dewatering activities at the site, prior to the commencement of dewatering, the following actions must be completed to the satisfaction of the Principal Certifier:

- a) Any required approval to dewater must be obtained from Water NSW and adhered to, with a copy of the approval to be kept on site at all times and made available to the Principal Certifier and the Council upon request.
- b) A Dewatering Management Plan (DMP) must be prepared by a qualified water quality expert with a copy submitted to Council. The DMP must:
 - State why de-watering is necessary and confirm any required approvals;
 - Clearly state that the DMP will be used as the basis for approval to enable connection and discharge to the stormwater system;
 - Detail the proposed dewatering technique;
 - Outline anticipated dewatering flow rate and total dewatering duration;
 - Detail the controls (e.g. settling tank, turbidity curtain etc) and the method of discharge to ensure compliance with any conditions of approval and requirements of the Protection of the Environment Operations Act 1997;
 - Explain the measures and techniques to monitor and record groundwater and tailwater quality, water discharges, and monitoring results. Groundwater must be discharged directly to the nearest stormwater pit and not spread over any road or footpath areas. Safe passage for pedestrians must be maintained;
 - Include a requirement that records be kept on site at all times and be available to the Principal Certifier, Council or other appropriate regulatory authority upon request;
 - Provide a contingency plan in case of an emergency situation;
 - Provide details of water quality analysis and testing that has been undertaken by a

NATA accredited laboratory, and demonstrate compliance against relevant water quality criteria including the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ 2018). Where the ANZECC/ARMCANZ 2018 guidelines are silent on any elements or chemicals identified in testing, the water discharge is to comply with relevant endorsed guidelines and recommendations issued by the NSW EPA. The DMP must state that further analysis will be undertaken prior to connection to Council's stormwater system;

- State that the release of water into Council's stormwater system is to halt immediately where water quality does not meet discharge criteria identified above;
- State that the water quality monitoring will be self-certified by an experienced water quality expert.
- State that water quality parameters will be tested bi-weekly.

(Reason: To minimise/prevent impacts on waterways)

78. DAPCZ01 - Protection of Footpath paving, Kerb and Gutter

Protection must be provided for Council footpath paving, kerb and gutter. Wooden mats must also be provided at all entrances where the site fronts paved footpaths.

(Reason: To ensure protection of public asset.)

79. DAPCZ02 - Approval for Connection into existing downstream Kerb Inlet pit

The connection into council's stormwater drainage system into existing council's the kerb inlet pit must comply with the requirements.

- a. The connection into existing stormwater drainage system must be in accordance with the requirements of relevant authority (council).
- b. Drawing showing the connection details including the levels and the details of connecting pipe and the existing pit must be provided.
- c. The information on the existing kerb inlet pit shall be obtained by survey investigation with the survey investigation plan accompanying the connection details.
- d. The connection of outlet pipe into the kerb inlet pit must be made at a level as high from the invert of the pit as possible to avoid the pipe being blocked by sediments deposit and debris that are collected at the base of the pit.
- e. The connecting pipe shall be provided with a sufficient cover depth.

(Reason: To ensure appropriate stormwater connection provisions.)

Conditions which must be satisfied during any development work

80. DADWA01 - Construction Hours

Construction and all related activities including the delivery of materials to the site may only take place between the hours of 7.00am to 6.00pm Mondays to Fridays and 8.00am to 4.00pm Saturdays. No work is to occur on Sundays and public holidays.

Where the development involves the use of jackhammers / rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00am and 6.00pm Monday to Friday, excluding public holidays.

Note: Construction hours may also be regulated through State Legislation and Policies, and any works need to comply with these requirements.

(Reason: To minimise impacts on neighbouring properties)

81. DADWA03 - Site Management

All possible and practical steps shall be taken to prevent nuisance to the occupants of the surrounding neighbourhood from windblown dust, debris, noise and the like during the demolition, excavation and

building works.

(Reason: Health and amenity)

82. DADWA05 - Construction Management Plan

All development activities and traffic movements must be carried out in accordance with the approved Construction Management Plan.

A copy of the Plan must be kept on site at all times and made available to the Principle Certifier or Council on request.

(Reason: Compliance with condition of consent)

83. DADWA06 - Stamped Plans

Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure compliance with approved plans)

84. DADWA07 - General Site Requirements during Demolition and Construction

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- a) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- b) Demolition must be carried out by a registered demolition contractor.
- c) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- d) No blasting is to be carried out at any time during construction of the building.
- e) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- f) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- g) Any demolition and excess construction materials are to be recycled wherever practicable.
- h) The disposal of construction and demolition waste must be in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.
- i) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the *Protection of the Environment Operations Act 1997*. All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- j) Section 143 of the *Protection of the Environment Operations Act 1997* requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- k) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the *Protection of the Environment Operations Act 1997* must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- l) Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
- m) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- n) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
- o) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- p) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.

(Reason: To ensure minimal disruption to the local area and to ensure demolition, building and any other site works are undertaken in accordance with relevant legislation and policy.)

85. DADWA09 - Electricity and Telecommunication Connections

All power connection to the development shall be installed underground.

(Reason: To avoid visual clutter)

86. DADWA12 - Compliance with the Noise Management Plan

All demolition, excavation and construction works carried out on the site pursuant to this consent must be carried out in accordance with the approved Noise Management Plan.

(Reason: To protect residential amenity)

87. DADWA13 - Compliance with Hazardous Materials Survey Report

All of the recommendations for management and/or removal of hazardous materials on the site, as outlined in the Hazardous Materials Survey Report prepared prior to commencement of demolition works, must be complied with.

Prior to the Occupation Certificate being issued, a clearance certificate must be submitted to the Principal Certifier from a suitably qualified person (such as a certified Occupational Hygienist) confirming that all hazardous materials identified have been contained, managed or removed in accordance with the recommendations given in the Hazardous Materials Survey Report, and that the site is safe for future occupation in accordance with the approved use.

(Reason: To ensure controls are in place for hazardous materials)

88. DADWA14 - Classification of Waste

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the NSW EPA's *Waste Classification Guidelines*, Part1: Classifying Waste (2014). The materials must also be transported and disposed of in accordance with the *Protection of the Environment Operations Act 1997* and the requirements of their relevant classification.

(Reason: Environmental protection)

89. DADWA15- Importation of Fill

All fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

Validation shall take place by one or both of the following methods:

- Provision of documentation from the supplier certifying that the material is not contaminated based upon analyses of the material for the known past history of the site from where the material was sourced; and/or
- Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines

(Reason: To ensure controls are in place for contamination management)

90. DADWA17 - Notification of New Contamination Evidence

Any new information which comes to light during site preparation, remediation, demolition or construction works which has the potential to alter previous conclusions about site suitability and contamination must be notified to the Principal Certifier and Council.

Council may require a NSW accredited site auditor to be engaged to review the contamination assessment and remediation/validation process (where applicable). If appropriate, Council may also require a new Remedial Action Plan (RAP) to be prepared and implemented to ensure the site can be made suitable for the approved use in light of the new information.

Where a NSW accredited Site Auditor is engaged in compliance with part (b) above, an occupation

certificate **must not be** issued until a Section A Site Audit Statement has been submitted to Council by the Auditor confirming the site is now suitable for the proposed use.

(Reason: To ensure controls are in place for contamination management)

91. DADWA19 - Excavation Pump-out

Water that has accumulated in any excavation is not to be pumped into any stormwater disposal system unless the prior approval of Council is obtained. The analytical results of any discharge must comply with relevant EPA and ANZECC standards for water quality and be made available to Council upon request. Any water to be discharged to Council's stormwater system shall not contain a concentration of suspended sediment exceeding 50mg/L, shall have a pH of between 6.5-8.0 and shall comply with the ANZECC Guidelines for Fresh and Marine Water Quality and the NSW Department of Housing, Managing Urban Stormwater - Soils and Construction 2004.

Water testing shall be carried out by a suitably qualified environmental scientist. Water that does not comply with the above standards shall not be discharged to the stormwater system, and shall be disposed of using alternative approved means.

Results of water testing shall be provided to Council or, if a validation report is required, within that report. Where water is disposed of by alternate means, details of the off-site disposal shall be provided to Council or, if a validation report is required, included within that report.

Note: Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

(Reason: Environmental amenity)

92. DADWA22 - Dust Control - Major Works

As and when directed by Council, measures identified below are to be implemented to control the emission of dust:

- a) Erection and regular maintenance of dust screens around the perimeter of the site for the duration of the work.
- b) Dust must be suppressed by means of a fine water spray. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system.
- c) Soil and material stockpiles are to be kept damp or covered.
- d) Stockpiles of soil or other materials are to be placed away from drainage lines, gutters or stormwater pits or inlets.
- e) Stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining on site for more than 24 hours.

(Reason: To prevent the movement of dust outside the boundaries of the site.)

93. DADWA23 - Major Works

As and when directed by Council, measures identified below are to be implemented to control the emission of dust:

- a) Erection and regular maintenance of dust screens around the perimeter of the site for the duration of the work.
- b) Dust must be suppressed by means of a fine water spray. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system.
- c) Soil and material stockpiles are to be kept damp or covered.
- d) Stockpiles of soil or other materials are to be placed away from drainage lines, gutters or stormwater pits or inlets.
- e) Stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining on site for more than 24 hours.

(Reason: To prevent the movement of dust outside the boundaries of the site)

94. DADWB01 - Arborist Inspections

Prior to the commencement of works the applicant must engage a suitably qualified and experienced arborist (Australian Qualification Framework Level 5 or above) to assess the impact of the proposed

works and ensure tree protection conditions of this consent, and recommendations of the endorsed arborist report are complied with throughout the duration of the development. This requires the arborist supervising works/attending the site during critical stages of excavation and construction works within the vicinity of tree/s to be retained and is to record the following information:

- a) methods of excavation or construction used to carry out the works;
- b) any damage sustained by the tree/s as a result of the works;
- c) any subsequent remedial works required to be carried out by the consulting arborist as a result of the damage; and
- d) any future or on-going remedial work required to be carried out to ensure the long term retention of the tree/s

(Reason: Qualified assessment of impact of works on trees to be retained)

95. DADWB02 - Tree Protection

To minimise impacts on trees to be retained, no fill shall be placed and no building materials shall be stored under the drip lines of trees to be retained.

(Reason: Tree preservation.)

96. DADWC03 - Progress Survey - Major Development (greater than two stories)

In order to ensure compliance with approved plans, a Survey Certificate, prepared to Australian Height Datum, shall be prepared by a Registered Surveyor showing the following:

- a) At the completion of excavation, prior to the placement of any footings, showing the completed level of the excavation and its relationship to the boundaries;
- b) Prior to placement of concrete, the ground floor level, showing the level of the form work and its relationship to boundaries including relevant footpath and roadway levels;
- c) Prior to placement of concrete at each second floor level showing the principal level of the formwork and the intended relationship of the completed works to the boundary;
- d) Prior to roofing, or completion of the highest point of the building, showing the anticipated level of the completed work and the relationship to the boundary; and
- e) At completion, works showing the relationship of the building to the boundary.

Progress certificates in response to points (a) through to (e) shall be produced to the Council or the Principle Certifier at the time of carrying out relevant progress inspections. Under no circumstances will work be allowed to proceed should such survey information be unavailable or reveals discrepancies between the approved plans and the proposed works.

(Reason: To ensure compliance with approved plans)

97. DADWC10 - Construction within Boundary

All approved construction including but not limited to footings, walls and guttering shall be constructed wholly within the boundaries of the site.

(Reason: To ensure compliance with approved plans)

98. DADWC16 - Waste Management

Requirements of the approved Waste Management Plan shall be complied with during site preparation and throughout demolition and construction phases of the development.

(Reason: Compliance with approval)

99. DADWZ01 - Driveway within the Nature Strip

The vehicle crossing and the driveway between the street and front boundary shall be constructed of plain concrete with no colour or stencilling.

(Reason: To maintain uniformity of driveway. Driveway within the Nature Strip.)

100. DADWZ02 - Inspection of Works (outlet pipe Connection to Public Infrastructure)

The stormwater drainage works connecting into the Council stormwater system shall be inspected by

relevant Authority (Council) during construction. Documentary evidence of compliance with the Authority'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 drainage connection.
- (b) Prior to backfilling of the trench following the laying and connection of the storm water pipe/channel.
- (c) Final Inspection.

The approving authority'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 the Authority.

Note: A private certifier or the PCA cannot be engaged to do this inspection.

(Reason: To protect council's asset and maintain quality.)

101. DADWZ03 - Inspection of Works (OSD system /water reuse system)

The stormwater drainage and/or water reuse devices shall be inspected during construction, 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 devices.
- (b) After completion of storage but prior to installation of fittings (e.g., 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.

(Reason: To ensure work complies with the design standard and maintain quality of works.)

102. DADWZ04 - Access to premise and parking provisions

The access to the premise and parking provision shall comply with the following requirements.

- a. Access to the premise
 - i. An application for the vehicle crossing approval must be made to relevant authority (council) prior to commencement of the work.
 - ii. Any works requiring levels within the road reserve will require the submission of relevant authority's appropriate application form.
 - iii. The vehicle crossing and the driveway between the street and front boundary shall be constructed of plain concrete with no colour or stencilling.
 - iv. A full width heavy duty vehicular crossing shall be provided opposite each vehicular entrance to the site, in accordance with council's requirements including council's design guidelines, policy and shall comply with S2890.1-2004. AS2890.2-2002. The 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.
- b. Parking space
 - i. All parking spaces shall be signposted and line marked in accordance with the endorsed signs and line marking plans and Australian Standards (i.e., AS2890.1 2004, AS2890.1 2002, and 2890.6 2009).
 - ii. The entry / exit driveways shall be indicated with appropriate signage and line marking to avoid traffic conflict at the driveway.
 - iii. Wheel stops shall be provided at appropriate parking locations in accordance with AS2890.1-2004.

(Reason: Provision of access and parking management.)

Conditions which must be satisfied prior to the issue of any Occupation Certificate relating to the use of the building or part

103. DAOCA01 - Occupation Certificate (section 6.9 of the Act)

A person must not commence occupation or use of the whole or any part of a new building or change the use of the whole building or any part of an existing building, unless an Occupation Certificate has been issued in relation to the building or part.

The Principal Certifier is required to be satisfied, amongst other things, that:

- a) All required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- b) Any preconditions to the issue of the certificate required by a development consent have been met.

Note: A new building includes an altered portion of, or an extension to, an existing building.

(Reason: Statutory requirement)

104. DAOCA03 - S73 Compliance Certificate

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained prior to the issue of the Occupation Certificate. Application must be made through Sydney Water or an authorised Water Servicing Coordinator (WSC). An assessment will be made to determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Please refer to Sydney Water's website to learn more about applying through an authorised WSC or Sydney Water.

(Reason: To meet Sydney Water's requirements to adequately service the new subdivision with water, wastewater and stormwater facilities).

105. DAOCA08 - Certification of Engineering Works

Prior to the issue of an Occupation Certificate, the following documents must be submitted to the Principal Certifier and Council.

- Work as executed drawings for completed engineering works from a registered surveyor.
- A Certificate from a qualified practising professional engineer with the Engineers Australia membership under the appropriate professional category, that certifies the following matters have been constructed in accordance with the approved plans:
 - The "As-built" On-Site Detention (OSD) storage volumes are to be prepared based on the as build floor levels.
 - OSD WAE Survey certification form and WAE dimensions form (Refer to UPRCT Handbook).
 - Approved verses installed On-site Detention (OSD) Design Calculation summary Sheet certified by a qualified practicing Hydraulic Engineer.
 - Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.
 - Structural Engineer's Certificate for the OSD tank structure, basement pump out tank structure, OSD basin (retaining) wall certifying structural stability of the structure and the OSD basin wall leak proof capability etc.

- a) the stormwater drainage system, and/or
- b) the car parking arrangement and area including circulating ramps, and/or
- c) any related footpath works, and/or
- d) the basement mechanical pump and/or
- e) the proposed driveway and layback, and/or
- f) other civil works have been constructed in accordance with the Council approved plans and details and satisfies the design intent and complies with the appropriate SAA Codes relevant Standards and Council's Policies and Specifications.

(Reason: Asset management)

106. DAOCA10 - Provision of Street Numbers

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

(Reason: To clearly identify the street number of the property)

107. DAOCA11 - Civil Works on the Footway

The following works are to be carried out at the applicant's expense and to Council's satisfaction prior to the issue of any occupation certificate:

- a) Reconstruct sections of cracked or defective footpath along the full frontage of the site, and/or
- b) Reconstruct existing public drainage pit/pipe system, and/or
- c) Construct a new vehicular crossing, and/or
- d) Remove any redundant vehicular crossings and replace with kerb and gutter to match the adjoining.

Where the Applicant nominates Council to undertake the civil and stormwater works, they must contact Council in order to obtain an estimated cost for construction and contract to undertake the works.

(Reason: To preserve Council's assets and amenity)

108. DAOCA12 - Construction of Concrete Footpath

A concrete footpath 1,200mm wide or as required by Council's Engineering Section shall be constructed across the full length adjacent to the front and side of the property. 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 SD8100 and issued level sheets. All footpath areas within the road reserves that are not concrete shall be turfed with 'ST85 Buffalo' or 'Sir Walter'

The above works must be constructed prior to the release of the Occupation Certificate.

Note: The above works will require the submission of the relevant application for the works to be undertaken.

(Reason: To preserve Council's assets and amenity.)

109. DAOCA13 - Construction of Concrete Kerb and Gutter

A standard 150mm high concrete kerb with gutter shall be constructed across the full length adjacent to the front and side of the property or as required by Council's engineering/infrastructure section. The 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 SD8100 and issued level sheets.

The above works must be completed prior to the issuing of any Occupation Certificate.

Note: The above works will require the submission of the relevant application for the works to be undertaken.

(Reason: To preserve Council's assets and amenity)

110. DAOCB01 - Mechanical Ventilation - Compliance

Prior to issue of an Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, certification must be provided to the satisfaction of the Principal Certifier confirming that the system has been designed, installed and has been tested to show it is operating in accordance with the *National Construction Code 2019*.

(Reason: To ensure correct installation of mechanical ventilation systems)

111. DAOCB04 - Acoustic Verification Report

Prior to the issue of the Occupation Certificate, a suitably qualified acoustic consultant must prepare an acoustic verification report to the satisfaction of the Principal Certifier that confirms the following:

- (a) All recommendations contained in the DA acoustic report prepared by Acousticworks (Ref: 1020175 R01E 1, 1a & 3 Marsden Street and 2 Mark Street Lidcombe ENV RAIL.doc) dated 11

January 2022 have been implemented, and

- b) The project specific noise criteria established in the DA acoustic report and any other noise and vibration criteria specified in this consent are being complied with.

*Note: Suitably qualified Acoustic Consultant being a consultant who holds a current member grade of the Australian Acoustical Society.

(Reason: To protect residential amenity)

112. DAOCB06 - Monitoring of Field Parameters

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

(Reason: To ensure Council is informed as to monitoring of field parameters in the event of an incident.)

113. DAOCD01 - Fire Safety Certificate

A final Fire Safety Certificate shall be obtained in accordance with Part 11 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, prior to the issue of the Occupation Certificate for the building.

A copy of the Fire Safety Certificate and fire safety schedule shall be:

- 1) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- 2) Prominently displayed in the building.

(Reason: Fire safety)

114. DAOCF01 - Landscape

Prior to the issue of an Occupation Certificate all approved landscaping/tree planting works required on the subject site are to be completed to a professional standard in accordance with the endorsed landscape plan/s. At the completion of the landscape works, a final on-site inspection of the works and comparison with the relevant endorsed documents is required by the designer of the approved Landscape Plan or another suitably qualified person (not the person who carried out the landscape works).

Following the inspection and prior to the issue of an Occupation Certificate, certification of completion of all landscape/tree planting works in accordance with the relevant conditions of this Consent and the approved Landscape Plan/s must be provided to the Principal Certifier.

(Reason: Landscape certification)

115. DAOCF03 - Arborist's Report - Follow up

As part of the on-going assessment of the tree/s to be retained, the consulting arborist engaged by the applicant is to assess their health and any associated impacts from the proposed approved development. Findings are to be compiled and provided in a detailed report to the satisfaction of the Principal Certifier at the completion of construction and prior to issue of the Occupation Certificate. This report must document:

- a) methods of excavation or construction used to carry out the works;
- b) any damage sustained by the tree/s as a result of the works;
- c) any subsequent remedial works required to be carried out by the consulting arborist as a result of the damage and
- d) any future or on-going remedial work required to be carried out to ensure the long-term retention of the tree/s.

(Reason: Ensure survival of trees to be retained)

116. DAOCG01 - Certification of the Constructed Stormwater Drainage System

The constructed stormwater drainage system shall be certified by a qualified practising professional engineer with the Engineers Australia membership, as being in accordance with Council's Development Control Plan and relevant policies.

(Reason: Adequate stormwater management.)

117. DAOCH02 - Covenant & Restriction as to User for Stormwater Controlled Systems

Prior to the issue of an Occupation Certificate, a positive covenant and/or a restriction as to user shall be created under section 88B and/or section 88E of the *Conveyancing Act 1919* to the satisfaction of Council for requiring the ongoing retention, maintenance and operation of the stormwater system inclusive of any on-site stormwater detention together with any related mechanical pump-out system. Council shall be identified as the authority with power to release, vary or modify the covenant / restriction.

(Reason: Compliance and adequate maintenance of drainage system)

118. DAOCH03 - OSD Identification Plate

Prior to the issue of an Occupation Certificate, the applicant shall install an identification plate near or on the control structure of the on-site stormwater detention (OSD) system that advises the registered proprietor of their responsibility to maintain the OSD facility and to not tamper with it in any manner without the written consent of Council. The wording and plate shall be in accordance with Council's requirements.

(Reason: To promote the ongoing maintenance of the OSD system)

119. DAOCH04 - Evidence of Consolidation

The existing allotments shall be consolidated into a single lot. Evidence that the plan of consolidation has been registered must be provided to the Principal Certifier prior to the issue of the Occupation Certificate.

(Reason: Information)

120. DAOCH09 - Certificate of Compliance

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 Certifier.

(Reason: Protection of public asset)

121. DAOCH10 - Splay Corner

Prior to the issue of an Occupation Certificate,

- i) a 2.5m x 2.5m splay at the corner of Mark street and lane way (Marsden lane),
- ii) a 3mx3m splay at the corner of Marsden street and Mark street.

Shall be dedicated to Council. The splay area shall be clear of any structures All costs associated with registration of the dedicated land are to be borne by the applicant.

(Reason: Facilitate splay corner)

122. DAOCZ01 - Public Drainage Infrastructure - Post construction dilapidation report

To ensure that the public asset (such as stormwater pipes, pits etc.) are not affected by the development including the construction of the access driveway, a CCTV verification, and no damage such as cracking or settlement of council's stormwater drainage asset, shall be carried out upon the completion the construction works. The CCTV shall extend 10m upstream as well as downstream beyond the work zone. The CCTV shall have the stamp of the date, time, and distance/ chainage in metre. A CCTV inspection report with the table showing the chainage/ distance from the origin and the observed asset condition at critical locations must be prepared and submitted to the approving authority (council) together with the CCTV footage. Any observed or likely damages shall be remedied by the applicant at its own cost to the satisfaction of Council's infrastructure Asset /Design section and must be completed prior to issue of any occupation certificate.

(Reason: Protection of public Asset.)

123. DAOCZ02 - Construction1/ Reconstruction of kerb ramps

The construction or reconstruction of the kerb ramps and associated works at the junction of Marsden Street and Mark Place and at the junction of Mark Street and Marsden Lane. 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 8101 and issued level sheets.

(Reason: To preserve Council's assets and amenity.)

124. DAOCZ03 - On-Site Detention (OSD) area warning Signs

The applicant shall provide a standard OSD area warning sign within the aboveground basin area in accordance with Clause 7.1 (i) of the Council's OSD policy.

(Reason: To provide warning that the stormwater may rise and cause ponding.)

125. DAOCZ04 - Maintenance Schedule for On-Site Detention (OSD) stormwater System

A maintenance schedule for the stormwater and On-site Stormwater Detention including a sketch plan of the components forming the sites stormwater drainage 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.

(Reason: To aware and guide the owners for the required maintenance of the system.)

Conditions which must be satisfied during the ongoing use of the development

126. DAOUA08 - Waste & Recycling Collection

Ongoing waste collection shall be managed at all times in accordance with the approved waste management plan.

(Reason: To regulate noise and garbage collection arrangements.)

127. DAOUA26 - Plan of Management

The co living use must always be operated and managed in accordance with the Plan of Management, prepared by Urban Link (ref - ULA-COM-LTH-001) dated 4/8/2020 that has been approved by Council. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.

(Reason: To protect residential amenity)

128. DAOUA27 - Co living - Use & Operation

The construction and operation of the co living use shall comply with all applicable legislation requirements including those under:

- a) *Local Government (General) Regulation 2005 under the Local Government Act 1993.*
- b) *Public Health Act 2010.*
- c) *Boarding Houses Act 2012.*
- d) *Boarding Houses Regulation 2013.*
- e) *Environmental Planning and Assessment Regulation 2021 at Clause 83(3)(a) to (e).*

(Reason: Statutory compliance)

129. DAOUA29 - Registration of the co living housing

The co living housing part of the development must be registered with NSW Fair Trading within 28 days of commencing operation.

(Reason: Registration and notification to relevant authorities.)

130. DAOUC22 - Car Wash Residential

Washing of vehicles shall be conducted in a car wash bay, which is roofed and bunded to exclude

rainwater. The carwash bay shall be regularly cleaned and maintained

The Owners Corporation or building 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.

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.

(Reason: To protect the environment)

131. DAOUD02- Landscape Maintenance - General

All open space areas are to be regularly maintained in a neat and tidy state. In this regard, lawn areas are to be kept mown and gardens weeded and mulched with any dead plants replaced. Property owners must maintain their trees in a safe growing condition.

(Reason: Safety and landscape amenity)

132. DAOUZ01 - Annual maintenance inspection of OSD & WSUD:

Annual maintenance inspection summary of the onsite detention (OSD) and water quality treatment devices (WSUD measures) 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 logbook 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(s).

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

Advisory Notes

133. DAANN01 - 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 it is recommended that you contact Dial Before You Dig before excavating or erecting structures. 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 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.



134. DAANN02 - Telecommunications Act 1997 (Commonwealth)

Telstra and its authorised contractors are the only companies that are permitted to conduct works on Telstra's mobile 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 should contact Telstra's Network Integrity Team.

135. DAANN03 - Dividing Fences

The erection of dividing fences under this consent does not affect the provisions of the *Dividing Fences Act 1991*. Under that Act, all relevant parties must agree prior to the erection of any approved dividing fence/s under this consent.

Council has no regulatory authority in this area and does not adjudicate civil disputes relating to the provision of or payment for the erection of dividing fences.

If there is a neighbour dispute about the boundary fence, the Community Justice Centre can provide mediation services.

136. DAANN08 - Process for Modification

The plans and/or conditions of this Consent are binding and may only be modified upon approval of an application under s.4.55 of the *Environmental Planning and Assessment Act, 1979*. A modification application shall be accompanied by the appropriate fee, application form and required information. You are not to commence any action, works or the like on the requested modification until Council issues an amended consent.

137. DAANN09 - Review of Determination

In accordance with the provisions of Section 8.2 of the *Environmental Planning and Assessment Act 1979*, you can request a review of a determination not relating to a complying development certificate, application for designated development or application for Crown development. A review application may not be determined after the period within which any appeal may be made to the Court if no appeal was made. To determine a review application within that time limit, the application must be submitted well in advance of the appeal right timeframe. A fee as per Council's current Pricing Policy, Fees and Charges, is payable for a review application.

138. DAANN10 - Right of Appeal

Section 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979*, gives the applicant the right of appeal to the Land and Environment Court within six months after the date the decision appealed against is notified or registered on the NSW Planning Portal occurs.

139. DAANN12 - Works/Construction Zones

All development sites, more than 2 storey, require a 'Works Zone' application. The applicant must apply to Council and pay the respective minimum one (1) week application fees. Provision of a Works Zone is subject to approval by the Cumberland Traffic Committee. The length of works zone approved will be determined by Council.

140. DAANN13 - Work Health and Safety

For information regarding, codes of practice and guidelines regarding demolition and construction work, visit the SafeWork NSW.

141. DAANN16 - Compliance with Disability Discrimination Act

This approval does not necessarily protect or guarantee against a possible claim of discrimination (intentional or unintentional) under the *Disability Discrimination Act 1992*, and the applicant/owner is advised to investigate their liability under that Act.

(Reason: To inform of relevant access requirements for persons with a disability)

142. DAANN17 - Critical Stage Inspections - General

Work must not proceed beyond each critical stage until the Principal Certifier is satisfied that work is proceeding in accordance with this consent, the Construction Certificate(s) and the Act. 'Critical Stage Inspections' means the inspections prescribed by the Regulations for the purposes of section 6.5 of the Act or as required by the Principal Certifier and any Service Agreement.

Note: The Principal Certifier may, in addition to inspections, require the submission of Compliance Certificates, survey reports or evidence of suitability in accordance with Part A2.2 of the NCC in relation to any matter relevant to the development.

(Reason: Statutory requirement)

143. DAANN19 - Inspections for Building Work - Critical Stages (Classes 2, 3 or 4)

The following critical stage inspections must be carried out:

- a) after the commencement of the excavation for, and before the placement of, the first footing;
- b) prior to covering of fire protection at service penetrations to building elements that are required to resist internal fire or smoke spread, inspection of a minimum of one of each type of protection method for each type of service, on each storey of the building comprising the building work;
- c) prior to covering the junction of any internal fire-resisting construction bounding a sole-occupancy unit, and any other building element required to resist internal fire spread, inspection of a minimum of 30% of sole-occupancy units on each storey of the building

- containing sole-occupancy units;
- d) Prior to covering of waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within a building;
- e) Prior to covering any stormwater drainage connections; and
- f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The Principal Certifier may nominate additional inspections which need to be carried out.

Prior to issuing an Occupation Certificate or Subdivision Certificate the Principal Certifier must be satisfied that the work has been inspected on the above occasions.

The last critical stage inspection must be carried out by the Principal Certifier. Earlier critical stage inspections may be carried out by the Principal Certifier or, if the Principal Certifier agrees, by another certifier.

For each inspection the principal contractor or owner-builder must notify the Principal Certifier at least 48 hours before each required inspection needs to be carried out.

(Reason: Statutory Requirements)