|  |  |
| --- | --- |
| **Notice** **of Determination of** **DA-55/2021** |  |
| **Issued under s4.16(1)(a) of the *Environmental Planning & Assessment Act 1979*** |  |
|  |  |
| Dear Sir/Madam,I refer to your Development Application referenced above and advise that it has been **approved** by Canterbury Bankstown Council. The development consent is subject to conditions.All relevant documentation pertaining to this determination notice is available to access through the [NSW Planning Portal](https://pp.planningportal.nsw.gov.au/).  |  |
|  |  |
| Before the commencement of any building works on the site a construction certificate must be obtained. The construction certificate can be issued by Council. An application for a construction certificate accompanied with appropriate building work plans and specifications may be submitted to Council through the [NSW Planning Portal](https://pp.planningportal.nsw.gov.au/). Please contact Council for a competitive fee proposal if you require the assessment of a construction certificate Application and to appoint Council as a principal certifier for the building or subdivision works. |

# NOTICE OF DETERMINATION – CONSENT

Issued under s4.16(1)(a) of the *Environmental Planning & Assessment Act 1979*

|  |  |
| --- | --- |
| Development Application No. | DA-55/2021 |
| Applicant | File Planning & Development ServicesAttention: Anna JohnstonPO Box H219AUSTRALIA SQUARE NSW 1215  |
| Land to be Developed | Lot 1 DP 974686, Lot 2 DP 971844, Lot B DP 365853, Lot B DP 357959, Lot A DP 357959, Lot A1 DP 372287No. 5-7, 7A & 9 Croydon Street, Lakemba  |
| Approved Development | Construction of three residential flat buildings ranging from five to 10 storeys (144 dwellings) with basement level car parking (163 car parking spaces) communal open space areas, and a new roadway to be dedicated (approximately 1,750sqm) to Council. Torrens title subdivision to create separate parcels for the laneway and the development site, and strata subdivision of the apartments. |
| Date of Determination | 23 August 2022 |
| Consent to Operate From | 23 August 2022 |
| Consent to Lapse On | 23 August 2027 |

Index:

|  |  |
| --- | --- |
| Schedule 1 | Conditions |
| Schedule 2 | Reasons |
| Schedule 3 | Notes |

# SCHEDULE 1 – CONDITIONS

These consent conditions have been imposed after taking into account the matters for consideration in determining a development application pursuant to s4.15 and in accordance with s4.17 of the *Environmental Planning & Assessment Act 1979*.

#

1. **Approved Development.**
	1. Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation except where the conditions of this consent expressly require otherwise.

| **Plan Number** | **Plan Name** | **Dated** | **Revision** | **Prepared By** |
| --- | --- | --- | --- | --- |
| DA000 | Drawing Schedule | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA001 | Location Plan and Site Analysis | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA002 | Site Plan | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA010 | GFA Calculation | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA011 | Solar Access Diagrams | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA012 | Natural Ventilation Diagrams | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA013 | Storage Diagrams | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA100 | Basement 2 | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA101 | Basement 1 | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA102 | Plan Lower Ground | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA103 | Plan – Level 1 | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA104 | Plan – Level 2-4 (typical) | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA106 | Plan – Level 5 | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA107 | Plan - Level 6 | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA108 | Plan – Level 7 | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA109 | Plan – Level 8 | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA110 | Plan – Level 9-10 (Typical) | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA111 | Plan - Roof | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA150 | Adaptable Unit Types | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA151 | Silver living Unit Types | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA200 | North and South Elevations | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA201 | East and West Elevations | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA202 | East and West Elevations | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA300 | Sections | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA301 | Sections | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA302 | Sections | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |
| DA400 | Materials and Finishes | 16/05/2022 | C | Studio Hollenstein and Matthew Pullinger Architect |

The recommendations contained within the following supporting documentation are to form part of this Determination Notice except where the conditions of this consent expressly require otherwise.

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

**Note:** an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

* 1. **Water NSW General Terms of Approval**

|  |  |
| --- | --- |
| **Reference Number:** | IDAS1137322 |
| **Issue date of GTA:** | 28 June 2021 |
| **Type of Approval:** | Water Supply Work |
| **Description:** | 80mm submersible pump |
| **Location of work/activity:** | 5-7 CROYDON STREET LAKEMBA 2195 9 CROYDON STREET LAKEMBA2195 7A CROYDON STREET LAKEMBA 2195 |
| **DA Number:** | DA-55/2021 |
| **LGA:** | Canterbury City Council |
| **Water Sharing Plan Area:** | Greater Metropolitan Region Groundwater Sources 2011 |
| **The GTA issued by WaterNSW do not constitute an approval under the *Water Management Act 2000*.** The development consent holder must apply to WaterNSW for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity. |
| **Condition Number** | **Details** |
|  | **Dewatering** |
| GT0115-00001 | Groundwater must only be pumped or extracted for the purpose of temporary construction dewatering at the site identified in the development application. For clarity, the purpose for which this approval is granted is only for dewatering that is required for the construction phase of the development and not for any dewatering that is required once construction is completed. |
| GT0116-00001 | Before any construction certificate is issued for any excavation under the development consent, the applicant must: 1. apply to WaterNSW for, and obtain, an approval under the Water Management Act 2000 or Water Act 1912, for any water supply works required by the development; and 2. notify WaterNSW of the programme for the dewatering activity to include the commencement and proposed completion date of the dewatering activity Advisory Note: 3. An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant, any required Water Access Licence (WAL). A WAL is required to lawfully take more than 3ML of water per water year as part of the dewatering activity. 4. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force. |
| GT0117-00001 | A water access licence, for the relevant water source, must be obtained prior to extracting more than 3ML per water year of water as part of the construction dewatering activity. Advisory Notes: 1. This approval is not a water access licence. 2. A water year commences on 1 July each year. 3. This approval may contain an extraction limit which may also restrict the ability to take more than 3ML per water year without further information being provided to WaterNSW. 4. Note that certain water sources may be exempted from this requirement - see paragraph17A, Schedule 4 of the Water Management (General) Regulation 2018. |
| GT0118-00001 | If no water access licence is obtained for the first 3ML / year (or less) of water extracted, then, in accordance with clause 21(6), Water Management (General) Regulation 2018, the applicant must: (a) record water taken for which the exemption is claimed, and (b) record the take of water not later than 24 hours after water is taken, and (c) make the record on WAL exemption form located on WaterNSW website "Record of groundwater take under exemption", and (d) keepthe record for a period of 5 years, and (e) give the record to WaterNSW either via email to Customer.Helpdesk@waternsw.com.au or post completed forms to - water supply work approval (Approved Monitoring Programme) |

|  |  |
| --- | --- |
| GT0123-00001 | (a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW. (b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW): 1) All results from the Approved Monitoring Programme; and 2) Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website. c) The completion report must be submitted using "Completion Report for Dewatering work form" located on WaterNSW website [www.waternsw.com.au/customer-service/water-](http://www.waternsw.com.au/customer-service/water-) licensing/dewatering |
| GT0150-00001 | The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June). The applicant may apply to WaterNSW to increase the extraction limit under this condition. Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment. Advisory note: Any application to increase the extraction limit should include the following: - Groundwater investigation report describing the groundwater conditions beneath and around the site and subsurface conceptualisation - Survey plan showing ground surface elevation across the site - Architectural drawings showing basement dimensions - Environmental site assessment report for any sites containing contaminated soil or groundwater (apart from acid sulphate soils (ASS)) - Laboratory test results for soil sampling testing for ASS - If ASS, details of proposed management and treatment of soil and groundwater. Testing and management should align with the NSW Acid Sulphate Soil Manual |
| GT0151-00001 | Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval). Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term. |
| GT0152-00001 | This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001. Advisory note: an extension of this approval may beapplied for within 6 months of the expiry of Term. |

* 1. **Sydney Trains Conditions**
* If required by Sydney Trains, prior to the commencement of works, during the works, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required within 10 days following the undertaking of the inspection, unless otherwise notified by Sydney Trains.
* The Applicant shall prepare an acoustic assessment demonstrating how the proposed development will comply with the Department of Planning’s document titled “Development Near Rail Corridors and Busy Roads- Interim Guidelines”. The Applicant must incorporate in the development all the measures recommended in the report. A copy of the report is to be provided to the Principal Certifying Authority and Council prior to the issuing of a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the acoustic assessment are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.
* Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.
* The Applicant shall provide a Geotechnical Engineering report to Sydney Trains for review by Sydney Trains Geotechnical section prior to the commencement of works. The report shall demonstrate that the development has no negative impact on the rail corridor or the integrity of the infrastructure through its loading and ground deformation and shall contain structural design details/analysis for review by Sydney Trains. The report shall include the potential impact of demolition and excavation, and demolition- and excavation- induced vibration in rail facilities, and loadings imposed on Sydney Trains Facilities by the development.
* The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of the rail operator. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
* Prior to the issuing of a Construction Certificate the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
* If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
* No metal ladders, tapes, and plant, machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any aerial power supplies within or adjacent to the rail corridor.
* The Applicant must ensure that all drainage from the development is adequately disposed of and managed and not allowed to be discharged into the railway corridor unless prior written approval has been obtained from Sydney Trains.
* During all stages of the development the Applicant must take extreme care to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
* No scaffolding is to be used facing the rail corridor unless prior written approval has been obtained from Sydney Trains. To obtain approval the Applicant will be required to submit details of the scaffolding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels.
* The Applicant/Developer shall not at any stage block rail corridor access gate/s, and should make provision for easy and ongoing 24/7 access by rail vehicles, plant and equipment to support maintenance and emergency activities.
* All future maintenance activities must not require access to Sydney Trains property or impact on Sydney Trains infrastructure or operations. Prior to the issuing of any Occupation Certificate the Applicant must provide to Sydney Trains for review and endorsement a plan of how future maintenance of the development facing the rail corridor is to be undertaken. The Principal Certifying Authority is not to issue any Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied. The maintenance plan must be implemented for the life of the approved development.
* Prior to the issuing of a Construction Certificate, the following rail specific items are to be submitted to Sydney Trains for review and endorsement:
	+ Machinery to be used during excavation/construction.

The Principal Certifying Authority is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.

* Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, must be permitted to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and the requirements of this consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.
* No work is permitted within the rail corridor, or any easements which benefit Sydney Trains/TAHE (Transport Asset Holding Entity), at any time, or access into the rail corridor, unless the prior approval of, or an Agreement with, Sydney Trains/TAHE (Transport Asset Holding Entity) has been obtained by the Applicant.
* Prior to the issuing of an Occupation Certificate the Applicant is to submit as- built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into TAHE (Transport Asset Holding Entity) property or easements, unless agreed to be TAHE (Transport Asset Holding Entity). The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied
* Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains or TAHE (Transport Asset Holding Entity) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.
* Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.
* The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
	+ oversees the carrying out of the Applicant’s obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
	+ acts as the authorised representative of the Applicant; and
	+ is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.
* Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.
* Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains external party interface team. In this instance the relevant interface team is Central Interface and they can be contacted via email on*Central\_Interface@transport.nsw.gov.au**.*

**END OF SYDNEY TRAINS CONDITIONS**

* 1. The dedication of land as road and associated infrastructure identified in plan 5 to 9 Croydon Street Lakemba, Job No 191329, prepared by Taylor Thomson Whitting dated 17.11.2021 shall be delivered in accordance with these conditions and the Deed Witnessing Voluntary Planning Agreement:5-7,7A and 9 Croydon Street, Lakemba, executed on 12th June 2020 between Samstone Pty Limited and Canterbury-Bankstown Council.

## The subdivision work in accordance with the development consent, including (but not limited) the clearing of the site and any excavation, underpinning or shoring works, must not be commenced until:

## a Subdivision Works Certificate for the subdivision work has been issued by the council or an accredited certifier, and

## the person having benefit of the development consent has appointed a principal certifying authority for the subdivision work, in accordance with the requirements of the Environmental Planning and Assessment Act, 1979, and

## a Notice of Commencement has been submitted to Canterbury Bankstown City Council two (2) days prior to commencement of engineering works or clearing associated with the subdivision.

## The Acoustic Report submitted in support of this application prepared by Acoustic logic Pty Ltd, titled, 5-9 Croydon Street, Lakemba, Noise Impact Assessment, Project ID 20190836.1, dated 6 October 2020, including all the recommendations stated within the report, shall form part of the development consent.

The Principal Certifying Authority shall obtain an acoustic validation report from an appropriately qualified acoustic consultant, not previously involved with the development, stating that the recommendations outlined in the above stated report have been implemented and that relevant noise criteria as well as the recommendations have been satisfied prior to the issue of any Occupation Certificate. A copy of the acoustic validation shall be provide to Canterbury Bankstown Council prior to the issue of any Occupation Certificate.

A detailed assessment of mechanical plant noise is to be prepared for the subject development by an appropriately qualified acoustic consultant prior to construction.

## The Detailed Site Investigation prepared by Aargus Pty Ltd, titled Detailed Site Investigation, 5-9 Croydon Street, Lakemba Suburb NSW, dated 26 August 2021, reference ES8320 and all the recommendations stated within the report forms part of the development consent.

## The Plan of Management submitted in support of this application prepared by FPD Pty Ltd, dated 18 May 2022, forms part of the development consent. In the event of any inconsistency, the conditions of this consent will prevail over the plan of management.

* 1. A separate application shall be submitted to Council before the erection of any additional signage unless the proposed signage is "exempt development" in accordance with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
	2. The substation is to be constructed as per the approved plans noted in condition 1.1
	3. Vehicular crossing access points:
1. The entry driveway off Croydon Street must be 8 metres wide minimum, as shown on the Site Plan prepared by Studio Hollenstein (Dwg DA002-Revision C dated 16/05/2022), and must have a minimum clearance of 1 metre from the vehicular footway crossing (VFC) to the side property to comply with the Council’s VFC Policy and Standard Drawing S-004 location for VFCs and Property Drainage. The splay of the VFC at Croydon Street must not encroach on the adjacent property.
2. The entry and exit driveway to the basement level car parking areas via the laneway must be 9 metres wide minimum including the VFC wings, as shown on the Site Plan prepared by Studio Hollenstein (Dwg DA002-Revision C dated 16/05/2022).
3. The exit driveway on to Railway Parade must be 7.315 metres, as shown on the Site Plan prepared by Studio Hollenstein (Dwg DA002-Revision C dated 16/05/2022), and must have a minimum clearance of 2 metres from the vehicular footway crossing (VFC) to the side property to comply with the Council’s VFC Policy and Standard Drawing S-004 location for VFCs and Property Drainage. The splay of the VFC must not encroach on the adjacent property.
4. All driveways must be provided with the corresponding dimensions and pavement directional arrows.
5. Alternate road configuration accesses may be considered and specified by Council.
	1. Sight triangles are to be marked and provided in accordance with AS 2890.1:2004 (Figure 3.3 – Minimum Sight Lines for Pedestrian Safety) as follows:
6. Driveway access to the basement level car parking areas – on the exit side of the driveway
7. Exit driveway access on to Railway Parade – on both sides of the driveway.

The sight triangles shall extend 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway and are to be kept clear of any permanent obstacles. These shall be illustrated on plans submitted with the construction certificate.

1. **Conditions to be Satisfied Before the Issue of a Construction Certificate.**
	1. Development Contributions of **$2,022,951.65** must be paid for this development before the issue of any construction certificate. The contributions are levied under Canterbury Development Contributions Plan 2013 and Section 7.11 of the *Environmental Planning and Assessment Act 1979*.The contributions will be used to provide, extend or augment public amenities or public services required due to additional demand for these facilities created by the new development. The development contribution will be allocated to the following purposes under the contributions plan:

|  |  |
| --- | --- |
| **Community Facilities** | $182,980.12 |
| **Open Space and Recreation** | $1,788,476.60 |
| **Plan Administration** | $51,494.93 |
| **TOTAL** | $2,022,951.65 |

Indexing of the contribution amount to be paid: The development contribution payable will be adjusted, at the time of payment, to reflect Consumer Price Index increases which have occurred since the “Consent to operate from date” which appears on the front page of this Determination Notice.

No construction certificate is to be issued and no construction is to commence until payment of development contributions. The contribution must be paid to Council before the issue of any Construction Certificate. Construction of the development may NOT commence until the development contributions are paid.

A copy of the development contributions plan is available for inspection on Council's website and at Council's Administration offices in Bankstown and Campsie.

NOTE: Development contribution amounts are non-refundable if you don’t proceed with your development.

## Prior to the issue of a construction certificate, a revised Flood and Stormwater Report must be submitted to and approved by Council, which demonstrates the design’s compliance with:

* Canterbury LEP 2012 (or any subsequent Plan); AND
* Canterbury DCP 2012 (or any subsequent Plan) AND
* The Department of Planning and Environment’s Flood Risk Management Manual (February 2022, or any subsequent Manual).

## Prior to the issue of a construction certificate, a Flood Emergency Response Plan must be developed and implemented that:

* Addresses and manages flood hazards up to the PMF event; and
* Provides details of flood signage, signals and barrier requirements.

This Flood Emergency Response Plan must be submitted to, and approved by Council’s A/P Stormwater division.

## **Flooding - Flood Mitigation Measures** – The flood mitigation recommendations in Flood and Stormwater Report – DA Update prepared by TTW dated 29 July 2022, the Updated Flood and Stormwater Report and Flood Emergency Response Plan are to be incorporated into the construction certificate detailed design. This includes but is not limited to:

* + Emergency overland flow paths for the stormwater system for the major events (100 year ARI – 1% AEP)
	+ Basement carpark entry (and other openings) to be protected to the 100 year ARI + 500 mm freeboard
	+ Removal of fencing between Jubilee Park and the development to be replaced by appropriate landscaped screening
	+ Flood signage
	+ Flood signals/barriers

## All proposed public road pavements shall be designed by a suitably qualified engineer. The pavement design shall be based on actual four-day soaked CBR tests with maximum 100m spacing for samples. The road pavement design shall be in accordance with AustRoads- Guide to Pavement Technology Part 2, Pavement Structural Design. All pavement test reports and design calculations are to be submitted for approval by Council’s City Assets.

## The ESA values, road carriageway widths and wearing courses shall be as described in the Council City Asset Director’s approved plans.

## A written approval shall be obtained from Council City Assets regarding acceptance of pavement design and construction materials proposed to be used in the road pavement construction, prior to commencement of any pavement construction work.

* 1. **Roads Infrastructure - Road Design Submission** - Prior to the issue of any Subdivision Works Certificate, the Certifying Authority shall ensure that engineering plans for the construction of the new roadway through the site are Prior to the issue of any Subdivision Works Certificate, detailed designs and documentation for the proposed new road through the site are to be submitted to Council’s Director of City Assets for approval.

These detailed design drawings shall be consistent with the approved concept plan/s titled 5 to 9 Croydon Street Lakemba, Job No 191329, Revision 2, prepared by Taylor Thomson Whitting dated 17.11.2021 and be prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) and be in accordance with Council's Canterbury DCP (2012) and Bankstown Development Engineering Standards (2009), prior to the issue of the Subdivision Works Certificate.

The design submission shall address the following:

A road layout plan shall be drawn at a scale of 1:500 and shall indicate all elements that interrelate with the road design. These elements would be drainage structures, utility services, vegetation, TPZ, traffic facilities, and other relevant features.

* 1. A road design detail plan shall be drawn at a scale of 1:100 or 1:200 and shall indicate all elements that interrelate with the road design. These elements would be drainage structures, traffic facilities etc.
	2. All elements of the road, footpaths and traffic facilities shall be constructed with reference to Council standard drawings, located at [www.cbcity.nsw.gov.au/development/planning-control-policies/council-standard-drawings](http://www.cbcity.nsw.gov.au/development/planning-control-policies/council-standard-drawings), and engineering draft standard drawings Council may provide.
	3. A road longitudinal section shall be drawn at a scale of 1:100 or 1:200 horizontally and 1:10 or 1:20 vertically and shall indicate locations of associated drainage structures. The section shall indicate grade, location of vertical curves, crests and sags. The associated cross sections shall be at 10m intervals
	4. The connections to Croydon St and Railway Parade shall be designed as intersections, not vehicular crossings. Kerb ramps to be provided in the kerb returns.
	5. Kerb return longsections and pavement connection details from proposed to existing surfaces shall be provided
	6. DDA compliant footpaths and kerb ramps to Council specifications
	7. Stormwater Drainage and Discharge water quality management
	8. Services Plan
	9. Water Sensitive Urban Design & Landscaping Works
	10. Erosion Control Works
	11. Public Lighting Design
	12. NOTE: Australian Height Datum (A.H.D.) shall be used for all levels & all plan views shall be aligned to Geocentric Datum of Australia (G.D.A.).
	13. The provision of overland flow routes shall be indicated on the road design plans and references shall be made to the Drainage design package as required. Design of overland flow provision through lowered kerbs or areas with improved capacity to accommodate surcharge/overland flows shall be indicated on the plans. Locations where overland flow crosses footpaths shall be designed such that ponding can not occur or create a hazard
	14. The road layout shall be designed to accommodate the passage of design vehicles, including HRV and B85 vehicles. Confirmation that a Fire Engine ladder vehicle can traverse the entire length of the lane shall be provided. A traffic report, including swept path plans, shall be provided to confirm the viability of the street layout, in reference to the passage of the design vehicles and the proposed available on- street parking spaces.
	15. The street lighting shall be designed in accordance with AS 1158 P4 lighting category. The lighting shall be provided through below ground conduits and the location of the Street Lighting infrastructure, including the low volt kiosks shall be indicated on a detail plan, showing the relationship to trees, footpaths and vehicular crossings.
	16. The provision and specification of street furniture throughout the site shall be coordinated with and approved by Council
	17. Traffic signage plan for the new road and proposed modifications to the Railway Parade and Croydon Street shall be submitted to Council’s Director of City Assets for review and approval by the Local Traffic Committee.
	18. Croydon Street access to cater for existing vehicular crossing to adjacent property on Croydon street
	19. The road access to Croydon Street shall be incorporated in the civil laneway design (width, levels, crossfall etc)
	20. A flexible road pavement is to be designed and constructed with a minimum of 2 layers of 30mm thick gap graded C320 10mm asphalt {AC10} on DGB20 road base.The final asphalt wearing course layer is to be placed just preceding practical completion of the residential / apartment buildings.
	21. The pavement thickness shall be designed in accordance with Austroads Guide to Pavement Technology Part 2 : Pavement Structural Design for a design life of 40. The pavement is to have a designed ESA of 5x105
	22. Geotechnical investigations logging the subgrade CBR in at least 4 locations along the road are to be taken to validate the pavement design.
	23. Concrete barrier kerb and gutter with minimum grade of 0.7% shall be provided to collect and drain stormwater from the roadway. Flush pavement edging is required where kerb and gutter is not required
	24. Subsoil drainage shall be provided full length along the road and indicated on the stormwater drainage plans for the road.
	25. Prior to the commencement of works on the infrastructure within the proposed public road (or Prior to the issue of a Subdivision Works Certificate) an Asset Handover Agreement with Council’s Director of City Assets shall be entered into covering the delivery of infrastructure within the proposed public road.

This agreement will specify the required inspection and certification requirements for the works and the Defects Security bonds to be provided to Council. The agreement will also identify joint inspections at key stages of construction carried out by representatives of both Council and the Developer. Key stages including:

 Site regrading and clearing

 Installation of erosion control measures

 Preservation measures installed for trees vegetation as determined

 Drainage line installation prior to backfilling

 Subgrade preparation

 Establishment of line and level for kerb and gutter placement

 Road Pavement construction

 Road Pavement surfacing

 Practical Completion

. Final Completion

Following completion of the work, one full set of as constructed drawings & schedule of quantities in an approved electronic format is to be submitted and retained by Council for record purposes. All as constructed drawings & schedule of quantities shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.

* 1. The kerb and gutter and footpath shall be reconstructed along all frontages to the site. Associated verge street tree planting shall be planted in accordance with Council’s Director of City Assets requirements.

##  Prior to the issue of any Construction Certificate for this development, the Principal Certifying Authority must approve a Site Operations Management Plan (SOMP). This Plan must address the measures that will be implemented for the ongoing management of operations on and around the construction site, the protection of adjoining properties, and other requirements as specified below.

This plan shall include details of the following:

* 1. Proposed hoardings, scaffolding and/or fencing to secure the construction site;
	2. Proposed measures to be implemented, under the separately approved Works Permit issued by Council, for the protection of all public roads and footway areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
	3. Proposed method of support of any excavation, adjacent to adjoining buildings or the public road. The proposed method of support is to be certified by a Civil Engineer with National Professional Engineering Registration (NPER) in the construction of civil works.
	4. Proposed measures to be implemented in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the public road.
	5. Proposed measures for protection of the environment, according to the relevant provisions of the Protection of Environment Operations (POEO) Act, 1997 including procedures to control environmental impacts of work e.g. sediment control, proper removal, disposal or recycling of waste materials, protection of vegetation and control/prevention of pollution i.e. water, air noise, land pollution.

A number of the above matters may require separate approval from Council, particularly those relating to works on or adjacent to Council property. These may be covered by separate conditions of consent contained in this Determination Notice. Appropriate approvals will need to be obtained prior to the approval of this plan.

The approved Site Operations Management Plan is to be implemented prior to the commencement of any works on the site, and an approved copy provided to Council for information. Ongoing compliance with the matters detailed in the SOMP shall be monitored by the appointed Principal Certifying Authority

## Prior to commencement of works a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 “Traffic Control Devices for Works on Roads” and the Roads and Traffic Authority’s publication “Traffic Control at Worksites” and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.

## Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

## Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Council.

## Notice of Intention to Commence Council Road Works – Prior to commencement of the Council road works, Council’s City Assets Department shall be notified for written acceptance.

## This Notice shall include the name of the Contractor who will be responsible for the construction works.

* 1. Before the issue of a construction certificate, the principal certifier must ensure the approved construction certificate plans (and specifications) detail the following required amendments to the approved plans (stamped by Council) and supporting documentation:

1. Building design must meet the acoustic criteria outlined in Acoustic Logic report dated 2021.
2. Front fences within the front boundary setback are to be no higher than 1.2m
3. Building services must be integrated within the design of the whole development.
4. Visitor parking must be easily available within the basement
	1. All fees, levies, bonds and/or contributions as required by this Determination Notice must be paid to the relevant authority/entity before the issue of a construction certificate. Development contribution amounts are non-refundable if you don’t proceed with your development.
	2. A long service levy payment which is calculated to be 0.35% of the total cost of the construction work must be paid to the Building and Construction Industry Long Service Payments Corporation.  Payment can be made via the [Long Service Portal](https://www.longservice.nsw.gov.au/bci/levy/about-the-levy/about-the-levy-portal) at <https://www.longservice.nsw.gov.au>.

* 1. Before the issue of the relevant construction certificate, a suitably qualified engineer must review the plans which relate to parking facilities and provide written evidence, to the certifier’s satisfaction, that it complies with the relevant parts of *AS 2890 Parking Facilities- Off- Street Carparking* and Council’s development control plan.
	2. The Council approved plans, including demolition plans, must be submitted to Sydney Water for assessment. This will determine if the proposed structure(s) will affect any Sydney Water infrastructure or if there are additional requirements. Building plan approvals can be submitted online via Sydney Water Tap inTM.

Refer to [www.sydneywater.com.au/tapin](http://www.sydneywater.com.au/tapin) for Sydney Water’s Guidelines for building over or next to assets, visit [www.sydneywater.com.au](http://www.sydneywater.com.au) ‘Plumbing, building & developing’ then ‘Building Plan Approvals’ or call 13000 TAPINTM.

Sydney Water must issue either a Building Plan Assessment letter which states that the application is approved, or the appropriate plans must be stamped by a Water Servicing Coordinator.

* 1. The development must be carried out in accordance with the commitments shown on the submitted BASIX Certificate. The BASIX commitments must be reflected in the construction certificate plans and specifications. Any proposed changes to the BASIX commitments after the construction certificate has been issued will require an updated BASIX Certificate.
	2. Before the issue of the relevant construction certificate, the person having benefit of this Determination Notice must submit the following written evidence of service provider requirements to the principal certifier:
1. a letter of consent from the relevant electricity provider demonstrating that satisfactory arrangements can be made for the installation and supply of electricity; and
2. a response from the relevant water authority, as to whether the plans proposed to accompany the application for a construction certificate would affect any of the relevant water authority infrastructure, and whether further requirements need to be met; and
3. a letter of consent from the relevant telephone and broadband authority demonstrating that satisfactory arrangements can be made for the installation and supply of telephone and internet; and
4. other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, what changes are required to make the development satisfactory to them.
	1. The building must be designed and constructed to provide access and facilities for people with a physical disability in accordance with the Building Code of Australia.

If, in complying with this condition, amendments to the development are required, the design changes must be submitted to and approved by Council through a modification application before to a construction certificate being issued.

* 1. Construction certificate plans must demonstrate that all on-site pedestrian pathways and footpaths open to the public comply with AS/NZS 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials".

* 1. Before the issue of the relevant construction certificate, the applicant must ensure a report from a suitably qualified consultant is prepared and demonstrates, to the certifier’s satisfaction, that any adaptable dwellings specified in the approved plans or supporting documentation comply with the provisions of AS 4299-1995 *Adaptable Housing Standards*.
	2. Before the issue of a construction certificate or, the person having benefit of this Determination Notice is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:
1. Council’s development control plan,
2. the guidelines set out in the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate’ (the Blue Book), and
3. the ‘Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The person having benefit of this Determination Notice must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.

* 1. Before the issue of a construction certificate, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works, and public land, to the satisfaction of the certifier. If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier’s satisfaction that all reasonable steps were taken to obtain access to the adjoining properties:
* 216 Lakemba St Lakemba
* 212,212A, 214 Lakemba St Lakemba
* 206-210 Lakemba St Lakemba
* 194-198 Lakemba St Lakemba
* 11 Croydon St Lakemba
* 54, 54A and 55 Railway Pde Lakemba

A photographic survey must be prepared of the adjoining properties listed above detailing the physical condition of those properties, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items, shall be submitted to the Principal Certifying Authority and Canterbury Bankstown Council if Council is not the Principal Certifying Authority, before the issue of the relevant Construction Certificate. On completion of the excavation and building works and before the occupation of the building, a certificate stating to the effect that no damage has resulted to adjoining premises is to be provided to the Principal Certifying Authority and Canterbury Bankstown Council if Council is not the Principal Certifying Authority.  If damage is identified which is considered to require rectification, the damage shall be rectified or a satisfactory agreement for rectification of the damage is to be made with the affected person(s) as soon as possible and before the occupation of the development. All costs incurred in achieving compliance with this condition shall be borne by the persons entitled to act on this Consent.

* 1. The premises must be ventilated in accordance with the Building Code of Australia and AS1668.1 and 2 - 2012. The Use of Ventilation and Air- Conditioning in Buildings - Mechanical Ventilation in Buildings.

Details of any mechanical ventilation and/or air-conditioning system complying with AS1668.1 and 2 – 2012 *The Use of Ventilation and Air- Conditioning in Buildings - Mechanical Ventilation in Buildings*, the Building Code of Australia and relevant Australian Standards must be prepared by a suitably qualified person and certified in accordance with Clause A2.2 (a) (iii) of the Building Code of Australia, to the satisfaction of the Principal Certifier before the issue of a construction certificate.

* 1. The external walls of the building including attachments must comply with the relevant requirements of the National Construction Code (NCC). Before the issue of a construction certificate and occupation certificate the Principal Certifier must:
1. Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and
2. Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.
	1. Where Council approved cut or fill exceeds 200mm and stable batter of 1 vertical to 3 horizontal maximum grade cannot be achieved, then a masonry or other proprietary material retaining wall, intended and suitable for that purpose, shall be constructed within the development site. Note, filling of the site needs specific approval from Council.
		1. The retaining wall shall be located so that it will not impede or obstruct the natural flow of stormwater. Retaining walls exceeding 600mm in height shall be designed by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020. Plans and details prepared and signed by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020 are to be submitted to the Principal Certifier before the issue of the construction certificate.

All works associated with the construction of the wall, including backfilling and drainage, is to be located wholly within the allotment boundaries.

* 1. The person having benefit of this Determination Notice shall apply for a Work Permit and obtain approval from Council, for any of the following applicable engineering works in front of the site, at their own expense:
1. A medium Duty VFC of maximum width of 8.0 metres at the property boundary with Croydon Street, another medium duty VFC of maximum width of 6.0 metres off the proposed Laneway and another medium duty VFC of maximum width of 3.5metres at the property boundary with Railway Parade.
2. Drainage connection to Council's drainage system,
3. A concrete / full width concrete / special type footway paving along the site’s entire frontage to one side only,
4. Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs,
5. Repair of any damage to the public road including the footway occurring during building works, and
6. Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority.

**Note:** Council is required to prepare a site survey and design in order to determine the necessary information. The person having benefit of this Determination Notice should make application and payment for the Work Permit at least twenty-one (21) days before the information being required and before the issue of the construction certificate. The Work Permit must be approved before any works commencing within the Council Road Reserve or on Council’s assets.

* 1. The basement of the development is located adjacent to a Council public road reserve. Separate approval and Work Permit is to be obtained from Council for any temporary or permanent anchoring works under Council's public road.
	2. As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the *Roads Act 1993* and/or Section 68 of the *Local Government Act* *1993*, Council requires the person having benefit of this Determination Notice to obtain a Works Permit and or a Roadway / Footpath Building Occupation Permit  before the issue of any construction certificate for this development being issued where one or more of the following will occur, within, on or over the public footway or public road:

A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS

WORKS REQUIRING A 'WORKS PERMIT'

1. Dig up, disturb, or clear the surface of a public footway or public road,
2. Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road,
3. Connect a road (whether public or private) to a classified road,
4. Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road,
5. Install utilities in, under or over a public road,
6. Pump water into a public footway or public road from any land adjoining the public road,
7. Erect a structure or carry out a work in, on or over a public road,
8. Require a work zone on the public road for the unloading and or loading of vehicles,
9. Pump concrete from within a public road,
10. Stand a mobile crane within a public road,
11. Store waste and recycling containers, skips, bins and/or building materials on any part of the public road,
12. The work is greater than $25,000, and
13. Demolition is proposed.

The person having benefit of this Determination Notice shall construct all works approved within the public road and footway under the supervision and to the satisfaction of Council and shall arrange for necessary inspections by Council whilst the work is in progress.

The person having benefit of this Determination Notice shall ensure that the person or company carrying out the work will carry public liability insurance to a minimum value of twenty million dollars and shall provide proof of the policy to Council, before commencing any work approved by the Work Permit including the Road Opening Permit. The policy must remain valid for the duration of the works.

Assessment of Works Permits (a to e) includes the preparation of footway design levels, vehicular crossing plans, dilapidation reports and issue of a Road Opening Permit.

All proposed works within the public road and footway shall be constructed under the supervision and to the satisfaction of Council. The applicant/developer shall arrange for necessary inspections by Council whilst the work is in progress.

All Council fees applicable, minimum restoration charges and inspection fees shall be paid prior to the assessment of the Work Permit in accordance with Council's adopted fees and charges. Note: Additional fees after approval will be charged where the Work Permit requires occupation of the Road or Footpath ie Hoardings, Work Zones etc.

In determining a Works Permit, Council can impose conditions and require inspections by Council Officers.

Forms can be obtained from Councils Customer Service counter located on the ground floor of Council's administration building at 66 - 72 Rickard Road, Bankstown or Council's website www.cbcity.nsw.gov.au

Part of any approval will require the person or company carrying out the work to carry public liability insurance to a minimum value of ten million dollars. Proof of the policy is to be provided to Council prior to commencing any work approved by the Work Permit including the Road Opening Permit and must remain valid for the duration of the works.

The commencement of any works on public land, including the footway or public road, may incur an on the spot fine of not less than $1100 per day that work continues without a Works Permit and/or a Roadway/Footpath Building Occupation Permit.

All conditions attached to the permit shall be strictly complied with prior to occupation of the development. Works non-conforming to Council's specification (includes quality of workmanship to Council's satisfaction) shall be rectified by the Council at the applicant's expense.

Note: If a combined Works Permit application is made for all 3 Stages of subdivision, then the same Works Permit can be relied upon to satisfy this condition at the issue of Subdivision Works Certificate for each stage of the subdivision. If the Works Permit only covers the works proposed in each individual stage of the subdivision, then a separate Works Permit will need to be obtained prior to the issue of a Subdivision Works Certificate for each stage of the subdivision.

* 1. Finished surface levels of all internal works and at the street boundary, including driveways, landscaping and drainage structures, must be as shown on relevant construction certificate plans. The levels at the street boundary must be consistent with the Street Boundary Alignment Levels issued by Council.
	2. For this development, stormwater drainage from the development shall be designed so as to comply with Council's Canterbury Development Control Plan 2012 Part B5 and the requirements of the BASIX Certificate. A final detailed stormwater drainage design shall be prepared by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020 in accordance with the above requirements and shall generally be in accordance with the approved concept stormwater plan as shown in the table below and the Flood and Storm Water Report dated 20th August,2021 prepared by Taylor Thomson Whitting, except where varied by the Taylor Thomson Whitting report dated 29th July 2022. The final plan shall be certified by an appropriately qualified person as defined in the Building and Development Certifiers Regulation 2020 that it complies with Council's Canterbury Development Control Plan 2012 Part B5, the BASIX Certificate and the relevant Australian Standards.

|  |  |  |  |
| --- | --- | --- | --- |
| **Plan Name** | **Number** | **Date** | **Prepared By** |
| C01 to C12 | Issue – P2 | 17/11/2021 | Taylor Thomson Whitting |

* 1. The pump out drainage system for the driveway/access ramp and car parking area/open space area shall be provided in accordance with Council's Canterbury Development Control Plan 2012 Part B5. The Engineer must design the Pump out drainage system to be in accordance with the Australian Standards AS 3500. Engineering details and manufacturers specifications for the pumps, switching system and sump pit shall be submitted to the principal certifier for approval before the issue of any construction certificate. The engineer must certify that the hydraulic design complies with the above relevant standards.
	2. Engineering details and manufacturers specifications for the pumps, switching system and sump pit shall be submitted to the principal certifier for approval before the issue of any construction certificate.
	3. Stormwater runoff from all areas proposed for development shall be collected and connected to the existing stormwater system within the site, subject to the existing system being evaluated by a qualified professional Civil Engineer and found to be structurally adequate and to have the required hydraulic capacity, as required in Council's Canterbury Development Control Plan 2012 Part B5. The existing system shall be upgraded or replaced as necessary to comply with the requirements above.

The plan for the proposed drainage system together with the hydraulic evaluations shall be submitted to the principal certifier for approval with the application for the construction certificate.

* 1. The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities. The details must be submitted to and approved by the principal certifier before a construction certificate being issued.

Furthermore, for internal driveways with a gradient exceeding 10% (1 in 10), longitudinal profiles of all vehicular driveways and ramps shall be submitted for approval by the principal certifier before the issue of the construction certificate. The maximum grade of the driveway/ramp shall not exceed 25% and shall comply with AS 2890 parking series. The profile shall be drawn at a reduction ratio of 1 to 25 vertical and horizontal and shall be related to the datum used for the issue of the footway design levels and shall also show the road centre line levels, Council issued footway design levels and gutter levels. Council's Car Clearance Profile in Council's Development Engineering Standards, (Plan No. S 006) shall be used to design the profile.

* 1. An all-weather pavement shall be designed to withstand the anticipated wheel loads for all areas subjected to vehicular movements. Internal pavements specification prepared and certified by a qualified professional Civil Engineer to comply with the relevant Australian Standards, shall be submitted to the principal certifier for approval before the issue of a construction certificate.
	2. The design and layout of all off-street small car parking spaces must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking. The details must be submitted to and approved by the principal certifier before a construction certificate is issued.
	3. Where a car park is accessed by a security gate, that gate must be located at least 6 metres within the site from the property boundary with the street.

* 1. Where a boom gate or barrier control is in place, the visitor spaces must be accessible to visitors by the location of an intercom (or card controller system) at the car park entry, installed at least 4 metres recessed into the site, when measured from the property boundary with the street. The intercom is to be wired to all units.

The intercom must comply with Australian Standard AS 1428.2-1992: Design for access and mobility - Enhance and additional requirements - Building and facilities Sections 22 and 23.

* 1. The minimum number of bicycle parking spaces to be provided for the development must comply with the below.
1. (30) Residential
2. (16) Residential visitor

**Note**: The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking Facilities and ‘Austroads Bicycle Parking Facilities: Guidelines for Design and Installation.’

* 1. Before the issue of any Construction Certificate for this development, the applicant must obtain approval from Council’s Traffic Section for a Site, Pedestrian and Traffic Management Plan (SPTMP). This Plan must address the measures that will be implemented for pedestrian safety and traffic management as specified below.

A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN

This plan shall include details of the following:

1. Proposed ingress and egress points for vehicles to and from the construction site;
2. Proposed protection of pedestrians, adjacent to the constructions site;
3. Proposed pedestrian management whilst vehicles are entering/exiting the construction site;
4. Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;
5. Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc. are required to be displayed and shall be in accordance with Council's and the NSW Roads and Maritime Services requirements and AS1742.3.
6. Proposed route for transportation of bulk and excavation materials to and from the development site.

The routes for transportation to and from the development site of bulk construction and excavation materials shall be by the shortest practical route to the nearest "State  Road", with every effort to avoid school zones on public roads. . Alternate longer routes will only be considered in order to bypass school zones during school zone hours**.** If school zones cannot be avoided **no heavy construction vehicle movements are to arrive or depart the site during signposted school zone periods 8:00am - 9:30am and 2:30pm - 4:00pm on school days.** The applicant shall nominate the routes for approval by Council before commencement of any work on the site. All vehicles are to enter the on-street Works Zone adjacent to the site in a forward direction. U-turn and right-turn movements into the site, are generally not permitted.

An Agreement to Council's satisfaction, signed by the applicant/owner specifying the approved route and acknowledging responsibility to pay Council for damages to public property adjacent to the site and for local roads along the transportation routes shall be lodged with Council before release of any Construction Certificate. All damage must be rectified upon completion of work.

Damage will be rectified as required by Council to remove unsafe conditions. All damage must be rectified upon completion of work to the satisfaction of Council.

The approved Site, Pedestrian and Traffic Management Plan is to be implemented before the commencement of any works on the construction site.

In addition, a TfNSW (formerly RMS) Approval / Road Occupancy Licence will be required for works on Regional or State Roads or within 100m of a traffic facility including roundabouts and traffic signals. Refer to Council's Development Engineering Standards for a list of Regional and State Roads.

Note: Approval by Council of a SPTMP may take up to six (6) moths. Accordingly, it is recommended the application to Council be submitted well in advance of the need for a construction certificate.

* 1. Before the issue of a construction certificate, the applicant must ensure a Construction Site Management Plan (CSMP) is prepared before it is provided to and approved by the certifier. The plan must include the following matters:
1. location and materials for protective fencing and hoardings to the perimeter on the site;
2. provisions for public safety;
3. pedestrian and vehicular site access points and construction activity zones;
4. details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site;
5. protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council’s DCP, if applicable) and trees in adjoining public domain (if applicable);
6. details of any bulk earthworks to be carried out;
7. location of site storage areas and sheds;
8. equipment used to carry out all works;
9. a garbage container with a tight-fitting lid;
10. dust, noise and vibration control measures; and
11. location of temporary toilets.

The person with the benefit of this Determination Notice must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

* 1. The route for transportation to and from the development site of bulk and excavation materials shall generally be by the shortest possible route to the nearest "regional road", with every effort to avoid school zones on public roads. The applicant shall nominate the route for approval by Council before to commencement of any work on the site. An "Agreement" to Council's satisfaction, signed by the person with the benefit of this Determination Notice specifying the approved route and acknowledging responsibility to pay Council for damages to public property adjacent to the site shall be lodged with Council before to release of any construction certificate. All damage must be rectified before the issue of any occupation certificate.
	2. The person with the benefit of this Determination Notice is required to submit to Council the manufacturer’s specifications, design and operation of the ‘traffic signal’ facility to be installed along the driveway access ramp to the basement level. These details shall be illustrated on the plans to be submitted with the construction certificate application. The person with the benefit of this Determination Notice shall be responsible for the installation, operation and maintenance of the ‘traffic signal’ facility at no cost to Council.
	3. Before the issue of a construction certificate, the person having benefit of this Determination Notice is to ensure that a waste management plan is prepared in accordance with the EPA’s Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:
1. Council’s Waste Management Development Control Plan
	1. The construction certificate plans shall include details of the waste bin storage area. The bin storage area shall not be visible from the street. The bin storage area shall be located within the building or screened from the street by dense landscaping.
	2. The principal certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate which identify that the bin carting route from the communal bin storage room to the waste collection point identified on stamped plans complies with the following requirements as well as the requirements of Council’s “Waste Management Guide for New Developments’:
2. Is direct and less than 10.0 / 15.0 metres in length,
3. Has a minimum width of 2.0 metres of hard surface;
4. Is of non-slip material and free from obstacles and steps;
5. Is not located within a driveway or carpark;
6. Has a maximum grade of 1:30 (3%); and
7. Has a layback installed at the collection point.
	1. The principal certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the communal bin storage room that comply with the following requirements as well as the requirements of Council’s “Waste Management Guide for New Developments’:
8. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting;
9. Floors must be finished so as to be non-slip with a smooth and even surface;
10. The room is to be integrated within the design and built-form of the development with a minimum 2.1m unobstructed room height in accordance with the Building Code of Australia;
11. Walls must be constructed of solid impervious material;
12. Ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned;
13. Walls, ceiling and floors must be finished in a light colour;
14. An adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock is to service the room;
15. A self-closing door openable from within the room;
16. Must be constructed to prevent the entry of birds and vermin;
17. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room;
18. Any doorways must be 2 metres wide and open outwards; and
19. Building A Bin Room designed have a minimum area of 45m2 and will house a waste chute with 3 x 1,100L bins on a carousel system;
20. Building B Bin Room designed have a minimum area of 54m2 and will house a waste chute with 3 x 1,100L bins on a carousel system and the bin hoist lift to the temporary bin holding room (Building B Level 1); and
21. Building C Bin Room designed have a minimum area of 54m2 and will house a waste chute with 3 x 1,100L bins on a carousel system.
22. Building A Bulky Waste Room (Basement 2) designed have a minimum area of 7m2;
23. Building B Bulky Waste Room (Basement 2) designed have a minimum area of 6m2;
24. Building B Bulky Waste Holding Room (Level 1) designed have a minimum area of 15m2; and
25. Building C Bulky Waste Room (Basement 2) designed have a minimum area of 10m2.
	1. Prior to the issuing of any construction certificate, the principal certifier must receive written confirmation from Council, that Council has been provided to its satisfaction with the following:
26. Detailed plans showing that the temporary bin holding room (Building B Level 1) identified on stamped plans will be capable of being accessed from the public accessible laneway by a Heavy Rigid Vehicle (HRV) in accordance with AS2890.2-2004. and that a loading area is available for the vehicle when collecting waste that meets the following requirements:
27. Within 5 metres of the temporary bin holding room (Building B Level 1);
28. A separate parking area for the collection vehicle; and
29. Include an extra 2 metres at the rear of the vehicle loading area.
	1. The principal certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the temporary bin collection area that comply with the following requirements as well as the requirements of Council’s “Waste Management Guide for New Developments’:
30. Located less than 30 metres from the communal bin storage room;
31. Located on the ground floor;
32. Within 5 metres from the nominated kerbside collection point;
33. Any doorways a minimum width of 2.0 metres;
34. Be located fully within the property;
35. Be of sufficient size to accommodate all bins with additional room for manoeuvring (minimum aisle space of 1.5 metres and 15cm between bins); and
36. Bins are not stored in the temporary bin holding room; and
37. Be clearly separated from car parking bays, footpaths and landscaped areas.
	1. The principal certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the waste chutes that comply with the following requirements as well as the requirements of Council’s “Waste Management Guide for New Developments”:
38. Chutes, service openings and charging devices are constructed of metal or a smooth faced surface which is fire resistant and of impervious material
39. Chute is cylindrical in section, vertical and without bends as it passes through the floors
40. Chutes must terminate in the waste storage room and discharge into 1,100 waste bins mounted on a carousel system. Chute discharge point is to allow 1,100L bin height (1,500mm) under; and
41. Comply with manufactures technical specifications and operational limitations.
	1. Before to the issuing of any construction certificate, the principal certifier must receive written confirmation from Council, that Council has been provided to its satisfaction with the following:
42. Detailed plans showing that the waste storage rooms identified on stamped plans will be capable of being accessed from the designed access roadway by a Heavy Rigid Vehicle (HRV) in accordance with AS2890.2-2004. and that a loading area is available for the vehicle when collecting waste that meets the following requirements:
	1. Within 5 metres of the all waste storage rooms or temporary holding area;
	2. A separate parking area for the collection vehicle; and
	3. Include an extra 2 metres at the rear of the vehicle loading area.
43. Certification from a suitably qualified engineer that the route of travel, loading area and entry and exit points will be constructed so as to support the following loading requirements:
44. Heavy Rigid Vehicle can enter and exit the site in a forward position;
45. 30 tonne waste collection vehicles;
46. Turning circle of 25 metres;
47. Length of 12 metres;
48. Clearance height of 4.5 metres / 6 metres
49. Waste collection vehicle can access the basement, adequately manoeuvre into position, load bins and exit the basement in a forward position;
50. The collection vehicle must be able to manoeuvre in the basement with limited need for reversing;
51. The floor of the basement has been designed to carry the 30-tonne waste collection vehicle; and
52. The gradient is to be suitable for a Heavy Rigid Vehicle as per AS2890.2-2004.
53. Detailed plans, specifications and other relevant information showing that the turntable identified on stamped plans:
54. Complies with required dimensions for an HRV as per AS2890.2, including the diameter for the turntable and required clearance heights;
55. Will always be available to waste collection vehicles; and
56. Will be installed, operated and serviced on an ongoing basis, at no cost to Council.

## As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the Roads Act 1993 and/or Section 68 of the Local Government Act 1993, Council requires that prior to any Subdivision Works Certificate for this development being issued, a Works Permit and or a Roadway/Footpath Building Occupation Permit shall be obtained where one or more of the following will occur, within, on or over the public footway or public road:

## A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS

## WORKS REQUIRING A 'WORKS PERMIT'

## Dig up, disturb, or clear the surface of a public footway or public road,

## Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road,

## Connect a road (whether public or private) to a classified road,

## Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road,

## Install utilities in, under or over a public road,

## Pump water into a public footway or public road from any land adjoining the public road,

## Erect a structure or carry out a work in, on or over a public road

## Require a work zone on the public road for the unloading and or loading of vehicles

## Pump concrete from within a public road,

## Stand a mobile crane within a public road

## Store waste and recycling containers, skips, bins and/or building materials on any part of the public road.

## The work is greater than $25,000.

## Demolition is proposed.

## Subdivision is proposed.

## A Swimming pool is proposed.

## Assessment of Works Permits (a to e) includes the preparation of footway design levels, vehicular crossing plans, dilapidation reports and issue of a Road Opening Permit.

## All proposed works within the public road and footway shall be constructed under the supervision and to the satisfaction of Council. The applicant/developer shall arrange for necessary inspections by Council whilst the work is in progress.

## All Council fees applicable, minimum restoration charges and inspection fees shall be paid prior to the assessment of the Work Permit in accordance with Council's adopted fees and charges. Note: Additional fees after approval will be charged where the Work Permit requires occupation of the Road or Footpath ie Hoardings, Work Zones etc.

##

## In determining a Works Permit, Council can impose conditions and require inspections by Council Officers.

## Forms can be obtained from Councils Customer Service counter located on the ground floor of Council's administration building at 66 - 72 Rickard Road, Bankstown or Council's website www.cbcity.nsw.gov.au

## Part of any approval will require the person or company carrying out the work to carry public liability insurance to a minimum value of ten million dollars. Proof of the policy is to be provided to Council prior to commencing any work approved by the Work Permit including the Road Opening Permit and must remain valid for the duration of the works.

## The commencement of any works on public land, including the footway or public road, may incur an on the spot fine of not less than $1100 per day that work continues without a Works Permit and/or a Roadway/Footpath Building Occupation Permit.

## All conditions attached to the permit shall be strictly complied with prior to occupation of the development. Works non-conforming to Council's specification (includes quality of workmanship to Council's satisfaction) shall be rectified by the Council at the applicant's expense.

## Note: If a combined Works Permit application is made for all 3 Stages of subdivision, then the same Works Permit can be relied upon to satisfy this condition at the issue of Subdivision Works Certificate for each stage of the subdivision. If the Works Permit only covers the works proposed in each individual stage of the subdivision, then a separate Works Permit will need to be obtained prior to the issue of a Subdivision Works Certificate for each stage of the subdivision.

* 1. A Work Permit shall be applied for and obtained from Council for the following engineering works in front of the site, at the applicant's expense:
1. Connection of internal roadways to Croydon Street and Railway Parade.
2. Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs.
3. Repair of any damage to the public road including the footway occurring during development works.
4. Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority.

Note: As a site survey and design is required to be prepared by Council in order to determine the necessary information, payment for the Work Permit should be made at least twenty-one (21) days prior to the information being required and must be approved prior to the issue of the Subdivision Works Certificate.

* 1. The principal certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the recycling cupboards that comply with the following requirements as well as the requirements of Council’s “Waste Management Guide for New Developments’:
1. Maximum distance of 30 metres from all dwellings;
2. Access is to be in accordance with AS 1428 (Set) - 2003: Design for access and mobility;
3. Located directly adjacent to the chute hopper and contain only recycling bins;
4. Designed so the doors are of sufficient width to allow the transfer/rotation of 2 x 240L bins;
5. The floor is to be constructed of a durable and impervious material with a smooth finish;
6. Building A Recycling Cupboards designed have a minimum size of minimum size 1m deep x 1.6m long;
7. Building B Recycling Cupboards designed have a minimum size of minimum size 2.5m deep x 1.3m long; and
8. Building C Recycling Cupboards designed have a minimum size of minimum size 2.3m deep x 2.5m long (waste chute opening within these cupboards).
	1. The principal certifier must not issue a construction certificate unless provided with detailed plans that form part of the construction certificate for the supplementary recycling rooms (Building B Level 1) that comply with the following requirements as well as the requirements of Council’s “Waste Management Guide for New Developments’:
9. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting;
10. The floors must be finished so that is non-slip and has a smooth and even surface;
11. The walls must be constructed of solid impervious material;
12. A designated room or enclosure and is to have a roof, with a minimum 2.1m unobstructed room height in accordance with the Building Code of Australia;
13. Must be compatible with the overall design of the development;
14. The ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned;
15. Walls, ceiling and floors must be finished in a light colour;
16. Is to be provided with an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock;
17. A self-closing door openable from within the room;
18. Must be constructed to prevent the entry of birds and vermin;
19. Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room;
20. Any doorways must be 2 metres wide; and
21. Designed to a minimum size of 14m2.
	1. Before the issue of a construction certificate, the principal certifier is to ensure that all carpark exhaust does not directly vent into private or common open space.
	2. A Trade Waste Agreement shall be obtained from Sydney Water before to the discharge of trade wastewater to the sewer system. Wastewater treatment equipment is to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund. All wastewater treatment devices shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device must be disposed of in accordance with the *Protection of the Environment Operations Act 1997*.

* 1. Landscaping shall be installed in accordance with the approved landscape plan.
	2. The landscape plan must include a provision for the replacement of all existing boundary fencing where such fencing does not reach a height of 1.8 metres and/or is not of suitable quality or standard, except where specific boundary fencing requirements are identified in the report referred to in Condition 2.4. Replacement fencing must be 1.8 metres high unless otherwise shown on the approved plans or as stipulated within this Determination Notice. The materials and colours of the fence must be selected in consultation with the adjoining property owners unless the design of the fence and the type of material is specified to allow for overland flow. Fencing forward of the building line must not be greater than 1 metre. All costs related to fencing must be borne by the person having the benefit of this Determination Notice.
	3. A site wide landscape management plan is to be submitted to and approved by the principal certifier before the issue of a construction certificate. The plan is to demonstrate who is responsible for and how the landscape features will be installed and detail the responsibility of ongoing maintenance of the landscaping.

* 1. A Construction Certificate shall not be issued until design verification from a qualified designer has been received. The design verification is a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development of which Development Consent was granted, having regard to the design quality principles set out in Schedule 1 of SEPP No. 65.
	2. No air-conditioning equipment is to be visible from the public domain. Equipment and associated wiring shall:
1. Not be located on awnings or attached to the face of the building,
2. Not be located on roofs in such a way that it is visible from any street, footpath or park,
3. Be visually screened if located 1.8 metres above ground level in other locations, and
4. Wiring shall be fully concealed.

All construction certificate documentation is to demonstrate compliance with these requirements.

* 1. All hydrant boosters and associated services and shield walls are to be contained within cabinets and / or designed to match the appearance of the main structure of the development.
	2. All roof-top plant and associated equipment must be located within the approved building envelope and must not be visible from the public domain.
	3. The Applicant is to submit a signage plan showing the appropriate signs to be installed with dimensions / distances marked on the plan and superimposed on the aerial photograph. The final plan is to be referred to Council’s Design Section so that the cost of the works can be determined accordingly.

The Applicant must submit a written application to Council - *council@cbcity,nsw.gov.au*(Attention: Traffic and Transport Services), at least four (4) months prior to the issue of the construction certificate, so that a report can be prepared and referred to the Traffic Committee for consideration at its next available meeting.All costs associated with the supply and installation of the signs and stems are to be paid for by the Applicant prior to Traffic Committee consideration.

The signage plan must include the following;

* + 1. Indented parking spaces, as shown on the Site Plan prepared by Studio Hollenstein (Dwg DA002-Revision C dated 16/05/2022), are to be signposted as ‘1P 8:30am-6:30pm Monday to Friday, 8:30am-12:30pm Saturday’
		2. Waste collection and loading /unloading bays, as shown on the Site Plan prepared by Studio Hollenstein (Dwg DA002-Revision C dated 16/05/2022), are to be signposted as ‘No Parking (on waste collection day and time)’ and ‘Loading Zone - all other times’. Note that the waste collection day and time will be determined by Council prior to submission to Traffic Committee.
		3. ‘No Stopping’ signage and yellow linemarking is to be provided for all remaining sections of the laneway
		4. Statutory ‘No Stopping’ signage and yellow linemarking is to be installed at the intersections of the laneway with Railway Parade and Croydon Street.
		5. One way signage is to be provided at the entrance to the laneway on Croydon Street for vehicles travelling in both directions on Croydon Street
		6. Pavement directional arrows are to be installed along the laneway from the intersections of Crydon Street to Railway Parade
		7. An “Exit Only” – “No Entry” sign is to be installed at the exit to Railway Parade, to be visible for all directions of Traffic at the appropriate locations
		8. Existing signage on Railway Parade and Croydon Street on either side of the access to the laneway are to be included on the plan.

## Speed humps are to be provided on the laneway, the design and configuration of these facilities must be in accordance with the relevant Australian Standard (AS2890.1:2004 or AS1742.13). The Applicant must submit a written application to Council- *council@cbcity,nsw.gov.au* (Attention: Traffic and Transport Services), at least four (4) months prior to the issue of the construction certificate, showing the proposed speed humps to be installed with dimensions / distances marked on the plan, so that a report can be prepared and referred to the Traffic Committee for consideration at its next available meeting.All costs associated with the installation of the speed humps are to be paid for by the Applicant.

## A Construction Traffic Management Plan (CTMP) / Site Pedestrian Traffic Management Plan (SPTMP) shall be required to be submitted six (6) months prior to the commencement of works on the site, for both demolition and construction phases of the development / project.

Prior to the issue of any Construction Certificate for this development, the applicant must obtain approval from Council’s Traffic and Transport Section for a CTMP / SPTMP. This Plan must address the measures that will be implemented for pedestrian safety and traffic management as specified below.

A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN

This plan shall include details of the following:

a) Proposed ingress and egress points for vehicles to and from the construction site;

b) Proposed protection of pedestrians, adjacent to the constructions site;

c) Proposed pedestrian management whilst vehicles are entering/exiting the construction site;

d) Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;

e) Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc. are required to be displayed and shall be in accordance with Council's and the Transport for NSW (TfNSW – formerly RMS) requirements and AS1742.3.

f) Proposed route for transportation of bulk and excavation materials to and from the development site.

The routes for transportation to and from the development site of bulk construction and excavation materials shall generally be by the shortest possible route to the nearest "State Road", with every effort to avoid school zones on public roads. . Alternate longer routes will only be considered in order to bypass school zones during school zone hours. If school zones cannot be avoided no heavy construction vehicle movements are to arrive or depart the site during signposted school zone periods 8:00am - 9:30am and 2:30pm - 4:00pm on school days.

The applicant shall nominate the routes for approval by Council prior to commencement of any work on the site. All vehicles are to enter the on-street Works Zone adjacent to the site in a forward direction. U-turn and right-turn movements into the site, are generally not permitted.

An Agreement to Council's satisfaction, signed by the applicant/owner specifying the approved route and acknowledging responsibility to pay Council for damages to public property adjacent to the site and for local roads along the transportation routes shall be lodged with Council prior to release of any Construction Certificate. All damage must be rectified upon completion of work.

Damage will be rectified as required by Council to remove unsafe conditions. All damage must be rectified upon completion of work to the satisfaction of Council.

The approved Site, Pedestrian and Traffic Management Plan is to be implemented prior to the commencement of any works on the construction site.

In addition a TfNSW Approval / Road Occupancy Licence will be required for works on Regional or State Roads or within 100m of a traffic facility including roundabouts and traffic

signals. Refer to Council's Development Engineering Standards for a list of Regional and State Roads.

* 1. A Professional Engineer (as defined in Volume One of the National Construction Code) must:
1. Prior to the issue of a Construction Certificate, specify filtration and odour control systems as part of the proposed mechanical ventilation design and drawings (including specifications of the proposed mechanical carpark exhaust ventilation system) to ensure that exhaust air can be discharged to the atmosphere in accordance with AS 1668.2 – ‘The Use of Ventilation and Air-Conditioning in Buildings – Mechanical Ventilation in Buildings’, and will not cause a danger or a nuisance to occupants within the building, occupants of neighbouring buildings or members of the public;
2. Certify the design in accordance with the Building Code of Australia and AS1668 - The Use of Mechanical Ventilation and Air Conditioning in Buildings;
3. Prior to the issue of an Occupation Certificate inspect the mechanical ventilation and filtration/odour control systems and certify that the system/s have been installed to the approved design; and
4. Certify the satisfactory performance of the installed system/s.
5. **Conditions to be Satisfied Before Construction.**
	1. A construction certificate is required for the erection of a building in accordance with this Determination Notice.

This Determination Notice does not authorise building work until a principal certifier has been appointed as the principal certifier for the work by (or with the approval of) the person having the benefit of this Determination Notice.

The following requirements apply before the commencement of building work in accordance with this Determination Notice:

* + 1. the principal certifier has, no later than two (2) days before the building work commences, notified the Consent Authority and the Council (if the council is not the Consent Authority) of their appointment as the principal certifier,
		2. the principal certifier has, no later than two (2) days before the building work commences, notified the person having the benefit of this Determination Notice of any inspections that are required to be carried out in respect of the building work,
		3. 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,
		4. the person having the benefit of this Determination Notice, if not carrying out the work as an owner-builder, has:
			1. 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
			2. notified the principal certifier of the appointment, and
			3. unless that person is the principal contractor, notified the principal contractor of any inspections that are required to be carried out in respect of the building work,
		5. the person having the benefit of this Determination Notice has given at least a 2-day notice to the Council, and the principal certifier if not the Council, of the person’s intention to commence the erection of the building.
	1. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water. It is recommended that the person having the benefit of this Determination Notice apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design. Application can be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Section 73 Compliance Certificates or telephone 13 20 92.
	2. A fence must be erected around the area of the development site, except where an existing 1.8 metres high boundary fence is in good condition and can secure the area. Any new fencing must be temporary and at least 1.8 metres high. All fencing must be maintained throughout the construction period to ensure that the work area is secured.

Where the work is located within 3.6m of a public place, then a Type A or Type B hoarding must be constructed appropriate to the work proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval before the commencement of building work/s.

* 1. Prior to the commencement of works the existing physical location of Council drainage assets within the site are to be physically located (e.g. potholed). All relevant plans (civil, architectural, etc) to be amended and submitted to Council’s Director of City Assets.
	2. Prior to the commencement of works a CCTV or physical inspection by qualified operators shall be undertaken to assess the condition of the existing Council stormwater assets in the site. A condition report of the assets shall be submitted to Council’s Director of City Assets.
	3. Prior to the commencement of works a Structural assessment report of the Council drainage assets undertaken by a qualified structural engineer shall to submitted to Council’s Director of City Assets. The report shall determine the condition of the existing culvert and ability to accommodate the proposed loadings from construction and the permanent development (access laneway) including traffic loading. Council’s Director of City Assets shall provide the parameters for the assessment and provide the applicant with Council requirements in regard to the replacement of the existing Council drainage infrastructure.
	4. Prior to the commencement of works the existing Council drainage infrastructure is to be replaced at the applicants cost if the structural integrity is unable to support the loadings from construction and permanent development (access laneway). The applicant is to provide construction plans for the replacement of the assets and submit these plans to Council’s Director of City Assets for approval.

## Stormwater - Pre-Construction CCTV Report - To ensure Council’s stormwater infrastructures are adequately protected, a pre-construction CCTV report on the existing stormwater pipelines, to be retained, within the development site is to be submitted to Council prior to the commencement of any construction works.

## An electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator (with a certificate of attainment in NWP331A Perform Conduit Condition Evaluation) that assesses the condition of the existing drainage line adjacent to the site is required. This report shall include the date of CCTV inspection and shall be submitted to Council’s City Assets Department for approval prior to commencement of any works.

## Stormwater - Council Drainage - Structural Adequacy - Council stormwater pits which are being connected into shall be surveyed and confirmed to be capable as being structurally adequate for receiving the connection from the development and satisfy durability requirements.

## A certificate from a suitably qualified Structural Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority, prior to the commencement of any works, certifying compliance with this condition.

## Notice of Intention to Commence Council Drainage Works – Prior to commencement of the Council drainage works, Council’s City Assets Department shall be notified for written acceptance.

## This Notice shall include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all relevant permits required for the works.

* 1. Prior to the commencement of works on the replacement of the existing Council drainage infrastructure (or Prior to the issue of a Subdivision Works Certificate) an Asset Handover Agreement with Council’s Director of City Assets shall be entered into covering the delivery of replacement drainage infrastructure.

This agreement will specify the required inspection and certification requirements for the works and the Defects Security bonds to be provided to Council. The agreement will also identify joint inspections at key stages of construction carried out by representatives of both Council and the Developer. Key stages including:

* Site regrading and clearing
* Installation of erosion control measures
* Preservation measures installed for trees and vegetation as determined
* Proposed construction methodology indicating functionality of the drainage system during construction
* Base slab construction and culvert placement, if culverts utilised
* Junction chamber construction
* Practical Completion
* Final Completion

Following completion of the work, one full set of as constructed drawings & schedule of quantities in an approved electronic format is to be submitted and retained by Council for record purposes. All as constructed drawings & schedule of quantities shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.

* 1. Before the commencement of any site or building work, the principal certifier must ensure the adjoining building owner(s) is provided with a copy of the dilapidation report for their property(ies) no less than 14 days before the commencement of any site or building works and provide a copy of the report to Council at the same time.
	2. Before to the commencement of work, the person having the benefit of this Determination Notice must provide a temporary on-site toilet if access to existing toilets on site is not adequate/available. Temporary on-site toilet facilities must be installed and be adequately maintained throughout the construction period.
	3. Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by the principal certifier) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).
	4. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
	5. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the following information:
1. In the case of work for which a principal contractor is required to be appointed—
2. the name and licence number of the principal contractor, and
3. the name of the insurer by which the work is insured under Part 6 of that Act,
4. In the case of work to be done by an owner-builder—
	* + 1. the name of the owner-builder, and
			2. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

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

* 1. Before the commencement of any vegetation removal, or site or building work, a registered surveyor must survey the boundaries of the asset protection zone (APZ) and mark these on the ground. The clearing of vegetation to establish the APZ must only occur within the marked APZ boundaries, and in accordance with the supporting documentation approved under this consent.

* 1. Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place.
1. **Conditions to be satisfied during construction.**
	1. In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental consultant appointed to further assess the site. The exposed material/excavation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by Council.

Council may also request that a NSW EPA Accredited Site Auditor is involved to assist with the assessment of any unexpected finds, review any contamination information and prepare a Site Audit Report and Site Audit Statement. The applicant must adhere to any additional conditions which may be imposed by the NSW EPA Accredited Site Auditor.

* 1. All soils and material(s), liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and experienced environmental consultant, in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and related guidelines, in particular the ‘Waste Classification Guidelines’ (NSW EPA, 2014), prior to off-site disposal.

The waste classification report, including the results of testing, must be compiled, or reviewed and approved by an appropriately qualified and certified consultant, and must be submitted to and approved by the Principal Certifying Authority before off-site disposal. A copy of the waste classification report must be submitted to Council prior to issuing of an Occupation Certificate.

All waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste. Receipts for the disposal of the waste must be submitted to Council prior to issuing of an Occupation Certificate.

All waste must be transported by a contractor licensed to transport the specific waste, and in vehicles capable of carting the waste without spillage and meeting relevant requirements and standards. All loads must be covered prior to vehicles leaving the site.

* 1. Any soils to be excavated and disposed of from the site must be analysed and classified by a suitably qualified environmental consultant, in accordance with relevant NSW EPA guidelines including the ‘Waste Classification Guidelines’ (NSW EPA, 2014) prior to off-site disposal.

Any waste material is to be transported to an appropriately licensed waste facility by an EPA licensed waste contractor in accordance with relevant NSW EPA guidelines.

* 1. Any fill imported onto the site must be virgin excavated natural material or excavated natural material, classified as such in accordance the ‘Waste Classification Guidelines’ (NSW EPA, 2014) or excavated natural material meeting the requirements of the Excavated Natural Material Exemption (NSW EPA, 2014).

Certificates verifying that imported fill is virgin excavated natural material or excavated natural material must be provided to Council prior to filling.

All imported fill must be compatible with the existing soil characteristics of the site.

* 1. Council’s warning sign for Soil and Water Management must be displayed throughout the construction period at the most prominent point of the site, visible to both the street and site.
	2. A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:
1. showing the name, address and telephone number of the principal certifier for the work, and
2. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
3. stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed.

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

* 1. If the Duty to Report contamination to the NSW EPA under Section 60 of the Contaminated Land Management Act 1997 is triggered, Council must be notified within seven (7) days of the notification to the NSW EPA.
	2. All excavations must be kept free from the accumulation of water. Prior approval must be sought from Council to discharge any water into the Council’s stormwater drainage system. Other options for the disposal of 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.
	3. All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create offensive odour, offensive noise or pollution of land and/or water as defined under the Protection of the Environment Operations Act 1997. All waste generated must be removed and disposed of by an authorised waste removal contractor. A copy of the waste removal agreement and receipts must be made available to Council on request.
	4. The waste storage room must be provided with smooth and impervious walls and floors and coved at the intersection of the floor and walls. Floor areas must be graded and drained to a floor waste gully connected to the sewer. Waste storage rooms must be well ventilated and proofed against pests. The area or room must be provided with water service hose connectors to enable easy cleaning. Open waste storage areas must be appropriately covered and bunded. The ground must be paved with impervious material and must be graded and drained to a waste water disposal system according to Sydney Water’s requirements. A hose tap connected to a water supply must be provided.
	5. To ensure that waste water is treated in an acceptable manner, a designated car wash bay must be provided and designed and constructed to ensure that waste water is discharged to the sewer in accordance with the requirements of Sydney Water.

## Civil construction, inspections and hold points shall be undertaken in accordance with the below AUS SPEC specifications.

0136 General Requirements (Construction)

0257 Landscape – road reserve and street trees

0319 Auxillary Concrete Works

1112 Earthworks (Roadways)

1121 Open Drains

1140 Wearing Course, base and subbase – unsealed

1141 Flexible pavement base and subbase

1144 Asphalt (Roadways)

1151 Road openings and restoration

1171 Subsurface drainage

1191 Pavement markings

1192 Signposting

1351 Stormwater Drainage (Construction)

1352 Pipe Drainage

1353 Precast Box Culverts

1354 Drainage Structures

## Council City Assets is to undertake critical inspections associated with the future public roads and associated assets. Inspection of boxing subgrade, subbase, base, stormwater drainage trenches (bedding, pipes, backfill), subsoil, stormwater pit structures, bio retention basins, gross pollutant traps, etc. inspection fees are to be paid by the applicant in agreement with Council.

Note: Critical inspections undertaken by Council do not relieve the certifying authority from their duty to confirm compliance with design plans and engineering works within the subdivision works certificate.

* 1. While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
	2. Building work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
	3. The construction and fixing of the signage is to be carried out in accordance with details prepared by a suitably qualified practising structural engineer, in accordance with the structural provisions of the Building Code of Australia.

## **Roadworks:** A survey by a registered surveyor shall be undertaken at the following levels: top of subgrade; sub-base; base; and wearing course, to confirm thickness of constructed pavement, has been achieved in accordance with the approved pavement design.

A copy of the survey report shall be provided to Council.

## Works shall not progress beyond any hold points specified in the relevant Planning Agreement. Sign off from Council of the satisfaction of any relevant Planning Agreement Hold Point shall be provided to the Certifying Authority before works can continue.

## Road Construction related Stormwater - Hold Points during construction – Council Drainage Works – Council requires inspections to be undertaken by a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, for all Council stormwater drainage works.

## The Applicant shall submit to the Principal Certifying Authority, certification from the Engineer, at each stage of the inspection listed below, stating all civil and structural construction works have been executed as detailed in the stamped approved plans, and in accordance with the relevant Australian Standards, Canterbury Bankstown Council standards and specifications within 24 hours following completion of the relevant stage/s.

## The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

## Upon excavation of trenches shown on the approved drainage drawings.

## Upon installation of pit reinforcement but prior to concrete pour for cast in-situ pits.

## Upon installation of pipes and other drainage structures prior to backfilling.

## Upon backfilling of excavated areas and prior to the construction of the final pavement surface.

## Upon construction of the gross pollutant traps (GPTs)

## Upon connection to Council’s existing public drainage pipe.

## Final inspection - upon the practical completion of all drainage and associated works (including road pavements, kerb & gutters, footpaths and driveways) with all disturbed areas satisfactorily restored.

## Any stormwater pit with a depth greater than 1.8 metres shall be certified by a suitably qualified Structural Engineer.

* 1. While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.
	2. The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:
		1. 7.00 am and 5.00 pm on Monday to Saturday.
		2. No construction is to be carried out at any time on a Sunday or a public holiday.

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

**Note:** Any variation to the hours of work requires Council’s approval.

* 1. The applicant shall be responsible to report to the Council any damage to Council’s footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site. The damage shall be reported to Council as soon as the damage becomes apparent to the builder/ site manager. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to the public way until permanent restoration and repair can be organised with Council. All costs for permanent restoration will be borne by the applicant
	2. Prior to the commencement of work, the builder shall prepare a photographic record of the road reserve which clearly shows its condition prior to works occurring on site. For the entirety of demolition, subdivision or construction works, there shall be no stockpiling of building spoil, materials, or storage of equipment on the public road, including the footway and the road reserve shall be maintained in a safe condition at all times. No work shall be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.
	3. All works within the road reserve are to be at the applicant cost and all signage is to be in accordance with the RMS Traffic Control at Worksites Manual and the RMS Interim Guide to Signs and Markings.
	4. If a works zone is required, an application must be made to Council’s Traffic and Transport Services section. The application is to indicate the exact location required and the applicable fee is to be included. If parking restrictions are in place, an application to have the restrictions moved, will need to be made.
	5. Notice must be given to Council’s Traffic and Transport Services section of any interruption to pedestrian or vehicular traffic within the road reserve, caused by the construction of this development. A Traffic Control Plan, prepared by an accredited practitioner must be submitted for approval, 48 hours prior to implementation. This includes temporary closures for delivery of material, concrete pours etc.
	6. Applications must be made to Council’s Traffic and Transport Services section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information.
	7. All vehicles involved in the delivery, demolition or construction process departing from the property shall have their loads fully covered before entering the public roadway.
	8. Building operations such as brick cutting, mixing mortar and the washing of tools, paint brushes, form-work, concrete trucks and the like shall not be performed on the public footway or any other locations which may lead to the discharge of materials into Council’s stormwater drainage system.
	9. The loading and unloading of all vehicles associated with the development must be undertaken within the property boundary of the premises subject to this consent. Measures must be implemented to prevent tracking of sediment by vehicles onto roads. Vehicle loads must be covered when entering and exiting the site with material.
	10. Vehicular access to the site shall be controlled through the installation of wash down bays or shaker ramps to prevent tracking of sediment or dirt onto adjoining roadways. Where any sediment is deposited on adjoining roadways is shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner which will prevent its mobilisation.
	11. All dangerous and/or hazardous material shall be removed by a suitably qualified and experienced contractor, licensed by WorkCover NSW. The removal of such material shall be carried out in accordance with the requirements of WorkCover NSW. The material shall be transported and disposed of in accordance with NSW EPA requirements.
	12. All topsoil, sand, aggregate, spoil or any other material shall be stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface and there shall be measures in place in accordance with the approved erosion and sediment control plan.
	13. The developer is to maintain adjoining public roads to the site in a clean and tidy state, free of excavated “spoil” material.
	14. While building work is being carried out and where no noise and vibration management plan is approved under this consent, the person having the benefit of this Determination Notice is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.
	15. While building work is being carried out, a registered surveyor is to measure and mark the positions of the following and provide them to the principal certifier —
1. All footings/ foundations
2. At other stages of construction – any marks that are required by the principal certifier.
	1. If soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions must be made for drainage. Separate approval may be required for retaining walls should they be required.
	2. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person’s own expense —
3. Protect and support the building, structure or work from possible damage from the excavation, and
4. Where necessary, underpin the building, structure or work to prevent any such damage.

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

* 1. All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Where damage occurs to an adjoining property, all necessary repairs or suitable agreement for such repairs must be undertaken by the person having the benefit of this Determination Notice in consultation with, and with the approval of, the affected property owner as soon as practical. All costs associated in achieving compliance with this condition must be borne by the person having the benefit of this Determination Notice.

* 1. All civil and hydraulic engineering works on site must be carried out in accordance with Council's Canterbury Development Control Plan 2012 Part B5. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must be carried out in accordance with Council's Work Permit requirements and to Council's satisfaction.
	2. The stormwater drainage system shall be constructed in accordance with Council's Canterbury Development Control Plan 2012 Part B5 and the engineering plans and details approved by the Principal Certifier. Should the person having benefit of this Determination Notice encounter any existing, live, underground stormwater drainage pipes, which carry flow from upstream properties, then he / she must maintain the stormwater flow and re-route the stormwater pipes around the subject building or structures at his / her own expense.
	3. A suitably qualified Professional Civil or Structural Engineer shall be engaged by the developer to carry out inspections relating to construction of internal driveways and parking areas. The work shall be carried out in accordance with the approved plans and specifications and certification from the Civil or Structural Engineer is to be provided upon completion.
	4. While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).
	5. No work may be carried out to construct the ground floor slab unless the Certifier is satisfied and provides evidence to Council of that satisfaction that the waste facilities within the basement comply with the specifications of the stamped plans. Council can be contacted on 9707 9000.
	6. While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

* The contact details of the person(s) who removed the waste
* The waste carrier vehicle registration
* The date and time of waste collection
* A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
* The address of the disposal location(s) where the waste was taken
* The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

**Note**: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

* 1. The requirements of the submitted Waste Management Plan shall be complied with at all times that work is being carried out. Without limiting the foregoing, compliance shall include the following:
1. The disposal of any demolition and construction waste must be undertaken in accordance with the requirements of the *Protection of Environment Operations Act 1997*; and
2. All waste on site is to be stored, handled and disposed of in such a manner as to not create air pollution, offensive noise or pollution of land and water as defined by the *Protection of Environment Operations Act 1997*; and
3. Generation, storage, treatment and disposal of hazardous waste is conducted in accordance with the relevant waste legislation administered by the EPA and relevant Occupational Health and Safety legislation administered by WorkCover NSW; and
4. All waste generated (including excavated materials) which cannot be reused or recycled must be transported to a facility which can lawfully accept it; and
5. Records are required regarding the details and location of the disposal of all demolition and construction waste (including excavated material), description of waste and are to be kept on site as evidences of lawful disposal. Records are to include receipts and weighbridge dockets which verify material types and volumes, time and date of disposal, waste vehicle rego, and confirmation of the waste disposal facility. Records/ details are also to be kept of person removing the waste; and
6. All materials and resources that are to be stored on site during construction works are contained on the site; and
7. The provisions of the *Protection of Environment Operations Act 1997* must be complied with when placing/stock piling loose material, disposal of concrete waste or activities which have potential to pollute drains and water courses; and
8. The storage of waste and recycling containers must be within the boundaries of the development site at all times. Public footways and roads must not be used for the storage of any waste and must be kept clear of obstructions during all construction works.
	1. Any new information revealed during building work/s that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the Council and the principal certifier. Works are to cease until the new information is evaluated by an appropriately qualified and experienced environmental consultant and an appropriate response determined by the applicant and/or owner which is agreed to by Council. Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the new contamination information.
	2. While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:
9. All excavated material removed from the site must be classified in accordance with the EPA’s Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.
10. All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material identified as being subject to a resource recovery exemption by the NSW EPA.
	1. There must not be any stockpiling of building spoil, materials, or storage of equipment on the public road during the construction period. The footway and the road reserve must always be maintained in a safe condition. No work can be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.
	2. All excavations must be kept free from the accumulation of water. Before approval must be sought from Council to discharge any water into the Council’s stormwater drainage system. Other options for the disposal of water include disposal to sewer with before approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.
	3. While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times.

The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.

* 1. While site or building work is being carried out, the applicant must maintain all required tree protection measures in good condition in accordance with the construction site management plan required under this consent, the relevant requirements of AS 4970-2009 Protection of trees on development sites and any arborist’s report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.
	2. While building work is being carried out, the applicant must ensure the clearance of vegetation to establish the APZ is confined within the marked APZ boundary, to the satisfaction of the principal certifier.
	3. While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

* “relic” means any deposit, artefact, object or material evidence that:
1. relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
2. is of State or local heritage significance; and
* “Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.
1. **Conditions to be Satisfied Before Occupation.**

* 1. A Loading Management Plan must be submitted to and approved by the principal certifier before the issue of an occupation certificate.

The plan should identify how the loading area will be managed and used by all building tenants including retail and residential use such as for removal vehicles, bulky good deliveries and similar.

The plan must include, but is not limited to, management of deliveries to ensure there is no requirement for any service vehicles to wait on public streets to enter the site.

The plan shall be managed either by a schedule showing all tenants when they can use the area, or by a register managed on site to allow tenants to reserve a time period for their deliveries. Once approved, this management plan will need to be provided to all tenants and external users of the loading area.

* 1. The occupation or use of the building must not commence unless an occupation certificate has been issued.
	2. Before the issue of an occupation certificate, the principal certifier must ensure that no portion of the approved structure, including gates and doors during opening and closing operations, provides for encroachment upon Council’s footpath area.
	3. A report as prepared by a registered surveyor must be submitted to the Principal Certifier verifying that the reduced level (RL) of the finished floor level at each level, the height of external walls, the maximum reduced level (RL) of roof structures / roof eaves overhangs and the external wall setbacks to the property boundaries all conform with the approved plans.
	4. Before the issue of an occupation certificate, a registered surveyor must submit documentation to the principal certifier which demonstrates that:

a. no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or

b. the person having the benefit of this Determination Notice has re-established any survey mark(s) that were damaged, destroyed, obliterated or defaced in accordance with the Surveyor General’s Direction No. 11 – Preservation of Survey Infrastructure.

* 1. Before the issue of an occupation certificate, a suitably qualified engineer must prepare a post-construction dilapidation report, to the satisfaction of the principal certifier, detailing whether:

a. After comparing the pre-construction dilapidation report to the postconstruction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and

b. Where there has been structural damage to any adjoining buildings, that it is a result of the building work approved under this development consent.

Before the issue of an occupation certificate, the principal certifier is to provide a copy of the post-construction dilapidation report to Council (where Council is not the principal certifier) and to the relevant adjoining property owner(s) at the following properties:

* 216 Lakemba St Lakemba
* 212,212A, 214 Lakemba St Lakemba
* 206-210 Lakemba St Lakemba
* 194-198 Lakemba St Lakemba
* 11 Croydon St Lakemba
* 54, 54A and 55 Railway Pde Lakemba
	1. Before the issue of an occupation certificate, the principal certifier must ensure that the car park is ventilated in accordance with the Building Code of Australia and, where necessary, Australian Standard AS1668, Parts 1 and 2. Ventilation must be controlled by carbon monoxide monitoring sensors to ensure compliance with occupant health requirements.
	2. Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority.

Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

* 1. The Section 73 compliance certificate under the Sydney Water Act 1994 must be submitted to the principal certifier before the issue of an occupation certificate.
	2. The wastewater from the car wash bay shall be collected and disposed of, in accordance with the requirements contained in Council's Canterbury Development Control Plan 2012 Part B5.
	3. Before issue of an occupation certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A2.2 (a) (iii) of the Building Code of Australia, must be submitted to the principal certifier.

* 1. An occupation certificate must not be issued until all conditions relating to demolition, building and subdivision works have been satisfied and Council has issued a Work Permit Compliance Certificate (where applicable).
	2. Before the issue of an occupation certificate, the person having the benefit of this Determination Notice must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

**Note:** If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

* 1. Before the issue of the relevant occupation certificate, the person having the benefit of this Determination Notice must submit, to the satisfaction of the principal certifier, works-as-executed plans, any compliance certificates and any other evidence confirming compliance with Canterbury Development Control Plan 2012 Part B5.

The principal certifier must provide a copy of the plans to Council with the occupation certificate.

* 1. The developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of OSD on title", as outlined in Council's Bankstown Development Engineering Standards and in accordance with the appropriate provisions of the *Conveyancing Act 1919*.

Where subdivision is not proposed, the surveyor shall show the location of the "On-Site Stormwater Detention System" on an A4 size site plan attached to the Section 88E Instrument to be registered, on the title of the subject property, before the issue of the Final Occupation Certificate. Alternatively, where subdivision is proposed, the developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of OSD on title", as outlined in Council’s Bankstown Development Engineering Standards and in accordance with the appropriate provisions of the Conveyancing Act. The surveyor shall show the location of the "On-Site Stormwater Detention System" on the plan of subdivision. The developer shall submit evidence of the final registration of the Restriction and Positive Covenant on the title of the property, to Council.

* 1. A suitably qualified professional civil engineer shall certify that the driveways, parking bays, and service areas have been constructed in accordance with the approved plans and specifications. Such Certification shall be submitted before the issue of the occupation certificate or occupation of the site.
	2. 163 off-street car spaces being provided in accordance with the submitted plans (including 14 accessible spaces). This shall comprise:
		1. 134residential spaces
		2. 29residential visitor spaces

**Note:***14* of the required car parking spaces are to be provided for people with mobility impairment in accordance with AS 2890.1. All car parking spaces shall be allocated and marked according to these requirements.

* 1. For residential development, accessible car parking spaces for people with mobility impairment are only to be allocated as visitor parking or to adaptable units. Where allocated to adaptable units, the unit(s) and car spaces must be assigned to the unit in any future strata subdivision of the building.
	2. The following signs must be provided and maintained within the site at the point(s) of vehicle egress:
		1. Compelling drivers to stop before proceeding onto the public way
		2. Compelling drivers to "*Give Way to Pedestrians*" before crossing the footway; or compelling drivers to "*Give Way to Pedestrians and Bicycles*" before crossing a footway on an existing or identified shared path route.
	3. Before the issue of an occupation certificate, the principal certifier is to ensure that the traffic signalling system required has been installed to the following specifications
		1. The system of traffic lights and/or mirrors must be installed at the ends of any single lane ramp(s), to indicate traffic movement on the ramp(s).
		2. The system using traffic light signals must maintain a green signal to entering vehicles at the point of entry and must maintain a red signal when an exiting vehicle is detected upon the ramp or driveway.
	4. No occupation certificate may be issued until such time as written confirmation has been received from Council that all waste management facilities and associated access have been constructed in accordance with the requirements of this consent.
	5. Before the issue of any occupation certificate, an agreement must be entered into with Council on terms satisfactory to Council for the collection of waste.
	6. Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.

Before the issue of a partial occupation certificate, the person having the benefit of this Determination Notice must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier’s satisfaction.

* 1. Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with AS 4373-2007 Pruning of amenity trees and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.
	2. Before the issue of an occupation certificate, the principal certifier must ensure that access to the residential lobby is secured through a key card, swipe card, intercom or other method to restrict access to the lobby to only residents or visitors.
	3. Before the issue of an occupation certificate, the principal certifier must ensure that the letterboxes installed have non-master key locks, to prevent theft and fraud.
	4. Before the issue of an occupation certificate, the principal certifier is to ensure that on-site CCTV surveillance cameras have been strategically installed and that they will operate and be maintained throughout the development with particular coverage to:
	5. principal entrance/s and exits;
	6. all areas within the premise occupied by the public (excluding toilets);
	7. staircases in multilevel premises; and
	8. the area within a 10m radius external to the public entrance(s) to the premise.

Installation of the surveillance system is to ensure suitable and clearly visible signage is displayed at the principal entrance(s) to the premise and in a prominent position on each floor accessible to the public, in lettering not less than 50mm in height with the words “Closed Circuit Television in use on these premises”.

All CCTV recording equipment and cameras shall be of high-grade digital quality capable of establishing the population and identification of patrons, offenders and incidents within the depth of field view of the cameras.

CCTV recording discs or hard drive recordings shall be retained for 28 days before being re-used, destroyed or deleted. Time and date shall be auto recorded on the disc or hard drive. The CCTV recording equipment shall be capable of reproducing a CD, DVD, USB or other appropriate digital copy of recorded footage on demand of Council or Police Officers either immediately or within 12 hours of the request being made. Copy discs must be handed to Council, Police Officer or Special Inspectors as required.

All CCTV recording devices and cameras shall be regularly checked to ensure the equipment is operating correctly. If it is discovered at any time that the equipment is not in full operating order all reasonable steps must be taken to repair the system as soon as practicable. Where the system will not be functioning in full operating order for a period of longer than 24 hours the manager/licensee is to notify the relevant Local Area Commander of the NSW Police.

All CCTV recording devices and cameras shall be operated at all times when the premises are open to the public and, where premises do not operate 24 hours a day, continuously for at least 1 hour before opening and closing times of the premises.

The CCTV recording device shall be secured within the premises and only be accessible to senior management personnel so as to maintain the integrity of the recorded footage.

Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.

* 1. The buildings / dwellings must be readily identified from the street with the allocated house numbers. An official "property numbering" letter is issued to the person having benefit of this Determination Notice indicating the proposed numbering of the new development. House numbering without Council's written approval is not permitted.
	2. A way finding plan must be submitted to and approved by the principal certifier and components installed on site before the issue of an occupation certificate. The plan is to show all resident/visitor signage to/from Croydon St and Railway Parade to allow for safe and efficient on-site circulation. The plan must also show directions to lifts where appropriate. This might include illuminated signage where appropriate.
	3. Lighting must be provided to the entries of the dwellings, driveways and parking areas to promote a high level of safety and security at night and during periods of low light. All lighting must be hooded, shielded or directed away from neighbouring dwellings to minimise glare and associated nuisances to residents.
	4. Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby public roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Interim Australian Standard AS 4282-1997 The Control of the Obtrusive Effects of Outdoor Lighting.
	5. Before the issue of any occupation certificate a design verification from a qualified designer shall be submitted to the principal certifier. The design verification is a statement in which the qualified designer verifies that the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in Part 2 of SEPP No. 65.
	6. The subject sites shall be consolidated in accordance with the approved plan. The plan for consolidation is to be registered before the release of any occupation certificate.
	7. The existing kerb blister island along the site frontage on Railway Parade is to be removed at the Applicant’s cost.
	8. Any redundant driveway along Croydon Street and Railway Parade fronting the development to be removed and reinstated with kerb and gutter and verge to match with remaining at the Applicant’s cost.
	9. The footpath along Croydon Street and Railway Parade fronting the development is to be re-constructed at the Applicant’s cost.
1. **Conditions to be Satisfied before the Issue of a Subdivision Certificate.**

## A Compliance certificate for the relevant stage of the subdivision works shall not be issued until all relevant conditions relating to site works of this development consent are satisfied and Council has issued a Work Permit Compliance Certificate (where applicable).

## **Flooding – Engineering Compliance Certificate –** A certificate from a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the Compliance certificate for the subdivision works, confirming that all requirements of condition *“Flooding - Flood and Overland Flow Protection”* have been satisfied.

The qualified and practising Chartered Civil Engineer shall have experience in the area respective of the certification unless stated otherwise.

## Stormwater - Council Drainage Works – Post Construction Certifications - Following completion of the final stage of the drainage and associated works and prior to the issue of the Compliance certificate for the subdivision works, the applicant shall submit all certifications from the Supervising Engineer for each hold point inspection required for the drainage works, as outlined in the condition for “Stormwater - Hold Points during construction – Council Drainage Works”, to Council’s City Assets Department.

The certificates shall contain photographs of the completed works and commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

This condition shall be read in conjunction with the Asset Handover requirements.

## **Compliance Certificate – Council Drainage Works –** Prior to the issue of any Compliance certificate for the subdivision works, a compliance certificate shall be obtained from Council’s City Assets Department confirming that all Council drainage and associated restoration works have been completed to Council’s satisfaction and in accordance with the Council approved drawings.

## A soil erosion and sediment control plan and details for the whole construction site, must be prepared by a suitably qualified professional, in accordance with the Bankstown Demolition and Construction Guidelines, Council’s Development Engineering Standards and the latest edition of "Managing Urban Stormwater (Soils and Construction)" commonly known as "The Blue Book" by Landcom, and submitted to the certifying authority for approval prior to the issue of a Subdivision Works Certificate.

## Prior to the issue of a subdivision works certificate a Flood impact assessment report specific to the Construction Certificate design, produced by a qualified flood engineer, shall be provided to the Council’s Director of City Assets, certifying that the proposed design meets relevant standards and guidelines including Council LEP, Council DCP and NSW Floodplain Development Manual. The flood levels indicated in this document shall be reference in the construction certificate drawings, specifically elevations that are affected by overland flow with clear dimensions showing appropriate freeboards have been met.

* 1. An application and appropriate fees for the issue of a subdivision certificate shall be submitted to Council upon submission of the information referred to in condition 6.11 of this determination notice.
	2. The following information must be submitted to Council or the principal certifier with an application for a subdivision certificate:
1. Original Plan of Subdivision signed by a registered surveyor, plus five (5) copies,
2. Copy of this Determination Notice and any approved Section 4.55 modifications,
3. Evidence that all conditions of consent relevant to the release of the subdivision certificate have been complied with,
4. A Compliance Certificate (Section 73 of the *Sydney Water Act 1994*) from Sydney Water,
5. Certification by a registered surveyor that all services such as stormwater, drainage, water, gas, electricity and telephone and broadband internet (see [PS-17-005](https://www.planning.nsw.gov.au/-/media/Files/DPE/Circulars/planning-system-circular-telecommunications-infrastructure-17-005-2017-11-17.pdf?la=en)) are contained separately within each lot or within easements created to accommodate such services,
6. A report by a registered surveyor verifying that the external wall setbacks and roof eaves overhang to the proposed subdivision boundaries all conform with the approved plans,
7. A Work As Executed Plan prepared by a registered surveyor, together with certification from a professional engineer as defined in the National Construction Code (NCC), of the constructed on-site drainage and/or stormwater detention system, must be obtained before the release of the linen plans. The Work As Executed plans must be shown on a copy of the approved stormwater drainage plan and must contain all information specified in Council’s Part B5 Canterbury DCP 2012.  The Work As Executed information must be shown in red ink on a copy of the approved drawings. The information must be prepared by a professional engineer as defined in the NCC and completed on Council’s standard form “On-Site Stormwater Detention System – Certificate of Compliance”, contained in Council's Canterbury Part B5 CDCP 2012. A copy of the Work As Executed Plan together with the certification must be submitted to Council for information before issue of the linen plan,
8. A copy of the Work Permit Compliance Certificate, where required,

An application for the issue of a subdivision certificate must submitted to Council on the NSW Planning Portal and appropriate fees must be paid to Council at the time of submitting the information referred to in this condition.

The subdivision certificate must not be issued until the requirements of this condition have been complied with.

## Prior to the release of the subdivision certificate the developer shall create the following easements, where necessary over the relevant lots, on the plan of subdivision under provisions of the Conveyancing Act. A statement shall be placed on the Section 88B Instrument that nominates Canterbury-Bankstown Council as the authority empowered to release, vary or modify the easements created.

## Easements to drain water (for inter-allotment drainage).

## Easement for services (for utilities).

## Right of carriageway (for internal driveway, vehicle manoeuvring).

## Easement for overhang (for eaves and gutters).

## Any other easement required by a condition in this determination notice, for the relevant stage of subdivision,

## Road and associated drainage works - Works-as-Executed Plans - To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, and that the assets to be handed over to Council are accounted for inclusion in Council's Assets Register, Works-as-Executed Plans (in both hard and soft copies - AutoCAD, CivilCAD, Civil 3D, 12D or any other commercially used program), certified by a Registered Surveyor shall be submitted to, and accepted by Council in writing, with any rectifications required by Council to be completed by the Developer prior to the issue of any Subdivision Certificate.

## The Works-as-Executed Plans are to note all departures clearly in red, on a copy of the approved Subdivision Works Certificate drawings, and certification from a suitably qualified Civil Engineer shall be submitted to support all variations from the approved plans.

## Note that this condition requires the provision of Work-as-Executed Plans for all public domain works, including and not limited to, footpath, street lighting, landscape and street furniture.

## This condition shall be read in conjunction with the Asset Handover requirements.

## Prior to the issue of a Subdivision Certificate, the Principal Certifying Authority shall ensure that all relevant subdivision works required by this consent have been satisfactorily completed or that suitable arrangements have been made with Council for any outstanding works. A detailed report prepared by the certifying authority shall be provided to Council to confirm construction compliance for all infrastructure that would become a public asset after subdivision.

## Prior to the issue of a Subdivision Certificate the Principal Certifying Authority shall ensure that the drainage system and overland flow path works:

## Have been satisfactorily completed in accordance with the approved Subdivision Works Certificate and the requirements of this consent.

## Have met the design intent with regard to any construction variations to the approved design.

## Any remedial works required to been undertaken have been satisfactorily completed. Details of the approved a and constructed system/s shall be provided as part of the Works-As-Executed drawings.

## Prior to the issue of a Subdivision Certificate the following compliance documentation shall be submitted to the Principal Certifying Authority. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifying Authority:

## Work as Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council’s Design Guidelines. Electronic copies of the WAE shall be provided in PDF format and soft copies - AutoCAD, CivilCAD, Civil 3D, 12D or any other commercially used program - to Council along with two hard copies of the WAE plans;

## The WAE drawings shall clearly indicate the 1% Annual Exceedance Probability flood lines (local and mainstream flooding),

## The WAE drawings shall be accompanied by plans indicating the depth of fill for the entire development site. The plans must show, by various shadings or cross hatchings, the depth of any fill within 0.3m depth ranges;

## Pavement thickness report prepared by a registered surveyor shall be provided, together with WAE surveys confirming thickness of pavement layers;

## CCTV footage in DVD format to Council’s requirements and a report in “SEWRAT” format for all drainage within future public roads and public land. Inspections are to be carried out in accordance with the Conduit Inspection Reporting Code of Australia WSA 05-2006. Any damage that is identified is to be rectified in consultation with Council;

## Surveyor’s Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries;

## Documentation for all road pavement materials used;

## Structural Engineer’s construction certification of all structures;

## A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Construction specifications.

## The report shall include:

## Compaction reports for road pavement construction,

## Compaction reports for bulk earthworks and lot regrading,

## Soil classification for all residential lots, and

## Statement of Compliance.

## A maintenance schedule for the up keep of all water quality devices associated with the development is to be provided.

## This condition shall be read in conjunction with the Asset Handover requirements.

* 1. A Restriction as to User and Positive Covenant under the provision of Section 88B of the Conveyancing Act 1919 and in accordance with the terms described in Council's Development Engineering Standards shall be registered on the title of the subject property requiring that the "On-Site Stormwater Detention System" within the site as constructed shall not be altered and shall be maintained in good working order to the satisfaction of Council.

**Note:** The location of the “On-Site Stormwater Detention System” shall be shown on the plan of subdivision where subdivision is proposed. Where subdivision is not proposed the location of the "On-Site Stormwater Detention System" shall be included on an A4 size site plan attached to the Section 88E Instrument and registered on the title.

Canterbury Bankstown City Council shall be the only authority empowered to release, vary or modify the Restriction.

Car Parking Restriction

The strata subdivision plan must indicate car parking spaces in terms of the same numbering as the units they have been allotted to.

Visitor/common parking spaces are to remain as common property.

* 1. The Certifying Authority must ensure that any certified plans forming part of the Subdivision Works Certificate are not inconsistent with this Development Consent and accompanying plans.

## Prior to the issue of the relevant subdivision works certificate, a traffic safety audit shall be undertaken for all proposed roads and intersections, any infrastructure identified including but not limited to speed humps, kerb blisters, line markings, signage shall be proposed and included in the construction drawings.

## The applicant shall obtain approval from Council Traffic Committee for all line marking, street and traffic signage, and any traffic calming devices. Approval including detailed plans are to be submitted to the Principal Certifier prior to the issue of any Subdivision Works Certificate.

## A traffic access report shall be submitted to Council’s Director of City Assets analysing the proposed traffic congestion both accessing and departing the site, and provide expected queue lengths and proposed restriction to kerb side parking to ensure through traffic flows in Croydon Street. The report shall include swept path analysis for all vehicles entering the site. The swept path analysis shall be referenced in the design of the access and egress from the site.

* 1. **Stormwater – Drainage Design Submission** - Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to and accepted by Council’s City Assets Department for the proposed drainage works in accordance with Council's Canterbury DCP (2012) and Bankstown Development Engineering Standards (2009), prior to the issue of the Subdivision Works Certificate.

The design submission shall address the following:

1. A drainage system layout plan and structural details shall be drawn at a scale of 1:100, 1:200 or 1:250 and shall show the location of drainage pits and pipe and any other information necessary for the design and construction of the drainage system (i.e. utility services).
2. A drainage system longitudinal section shall be drawn at a scale of 1:100 or 1:200 horizontally and 1:10 or 1:20 vertically and shall show the underground channel and pipe size, class and type, pipe support type in accordance with AS 3725 or AS 2032 as appropriate, pipeline chainages, pipeline grade, hydraulic grade line and any other information necessary for the design and construction of the drainage system (i.e. utility services).
3. Special details including non-standard pits, pit benching and transitions shall be provided on the drawings at scales appropriate to the type and complexity of the detail being shown.
4. Any stormwater pit with a depth greater than 1.8 metres shall be designed and certified by a suitably qualified Structural Engineer and the certification shall be submitted with the drainage design drawings.
5. The drainage system layout plan shall be documented on a detailed features survey plan that describes all existing structures, utility services, vegetation and other relevant features.
6. New stormwater drainage pipes shall be located underneath the kerb & gutter alignment, where practical and feasible, to facilitate future maintenance.
7. The trunk drainage system overland flows from the pre-development to post-development scenario shall be designed to maintain existing site conditions for all events up to the 100 year ARI. Overland flows shall be conveyed in a safe and controlled manner.

## **Conditions of Use.**

* 1. No part of the common property, apart from the visitor vehicle spaces which are to be used only by visitors to the building, and service vehicle spaces which are to be used only by service vehicles, is to be used for the parking or storage of vehicles or boats.
	2. The stormwater detention storage system within the site as constructed shall not be altered and shall be maintained in good working order to the satisfaction of Council.
	3. During occupation and ongoing use of the building, the person having the benefit of this Determination Notice must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective and in accordance with any positive covenant (if applicable).
	4. Any system using traffic light signals must maintain a green signal to entering vehicles at the point of entry and must maintain a red signal when an exiting vehicle is detected upon the ramp or driveway.  This is to ensure that vehicles entering the site do not have to wait at the top of the ramp, and vehicles wishing to exit the site must wait for entering vehicle in the basement at the waiting bay.
	5. All vehicles associated with the development are to enter and exit the site in a forward direction.
	6. The use of all communal areas is subject to the following restrictions:
	7. Hour of use is limited to 7.00am to 10.00pm, Monday to Sunday.
	8. Music and other amplified sound are not permitted.
	9. The requirements of the submitted Waste Management Plan shall be complied with at all times that the approved development is being carried out.
	10. All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create offensive odour, offensive noise or pollution of land and/or water as defined under the *Protection of the Environment Operations Act 1997*. All waste generated shall be removed and disposed of by an authorised waste removal contractor. A copy of the waste removal agreement and receipts shall be made available to Council on request.

* 1. Adequate signage is to be provided and maintained on how to use the waste management system and what materials are acceptable for recycling within all waste storage areas of the development. Signage is also to be provided and maintained which clearly identifies which bins (and containers) are to be used for general waste and recycling and what materials can be placed in each bin.
	2. The development must be carried out in compliance with Council’s “Domestic Waste and Recycling Service Policy and Guideline”.
	3. No waste storage containers are to be located or placed outside the approved waste storage area at any time except for collection purposes.
	4. Any waste facilities approved under this consent must be maintained in a proper and workmanlike state at all times and must be kept clear and accessible to Council to undertake waste collection services. The facilities must not be altered without before Council approval.
	5. The implementation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, ash, dust, waste water, waste products, grit, oil or other harmful products.
	6. Washing of vehicles/boats is to be conducted in a car washbay, which is roofed and bunded to exclude rainwater. All waste water from car washing is to be discharged to the sewer under a Trade Waste Agreement from Sydney Water.
	7. The approved landscaping and external work must be maintained post occupation and must not be altered or changed without Council approval or unless the altered work is carried out in accordance with the relevant provisions of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
	8. Property identification number/s are to be conspicuously displayed at the front of the premises.

## Council Road Works Maintenance – To ensure the viability of planted landscaped and grassed areas, the applicant will be required to maintain the vegetation in the road reserves for 12 months

## **Council Road Works – Bond -** To ensure satisfactory performance of the constructed infrastructure, a defects liability and maintenance period of twelve (12) months shall apply to the Council road works on the issue of the subdivision and dedication of the road reserves to Council.

The maintenance period shall commence from the date of issue of the subdivision plan. Should the works in the proposed road reserves be completed and certified at a time greater than 30 days prior to the issue of the subdivision Certificate, a supplementary inspection by the Council and Council approved Certifier shall take place and a Supplementary Final Condition and Certification provided to Council by the Council Approved Certifier.

The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council’s standard specification, during the twelve (12) months’ maintenance period. Any defects identified during the maintenance period shall be rectified at their cost within a period of thirty (30) days after notification from Council. The details of the defects and repairs shall be documented and certified by a suitably qualified Civil Engineer (registered on the NER of Engineers Australia), or equivalent.

A bond in the form of a cash deposit or Bank Guarantee being 10% of the replacement cost as of the date of issue of the subdivision plan, shall be lodged with Council prior to the issue of a Subdivision Certificate to guarantee this requirement will be met.

Council engineers from the City Assets Department shall be notified in writing three (3) months prior to the expiry of the maintenance period for the inspection of the Council drainage works and restored areas. Details and certifications of the defects and repairs shall be provided to Council’s City Assets Department at this notification. The inspection shall be jointly conducted between Council engineers and the applicant.

A minimum of five (5) working days’ notice shall be given to Council to inspect the works.

The bond will only be refunded when the works are determined to be satisfactory to Council, in writing, after the expiry of the twelve (12) months maintenance period.

## Road construction - Stormwater – Bond - To ensure satisfactory performance of the excavation, laying of pipes, back filling, disposal of excess soil and restoration including new kerb and gutter works, a maintenance period of twelve (12) months shall apply to the Council drainage works following completion of the development.

The maintenance period shall commence from the date of issue by Council, of the Compliance Certificate for the Council Drainage Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council’s standard specification, during the twelve (12) months’ maintenance period. Any defects identified during the maintenance period shall be rectified at their cost within a period of thirty (30) days after notification from Council. The details of the defects and repairs shall be documented and certified by a suitably qualified Civil Engineer (registered on the NER of Engineers Australia), or equivalent.

A bond in the form of a cash deposit or Bank Guarantee being 10% of the replacement cost as of the date of issue of the subdivision plan shall be lodged with Council prior to the issue of a Subdivision Works Certificate to guarantee this requirement will be met.

Council engineers from the City Assets Department shall be notified in writing three (3) months prior to the expiry of the maintenance period for the inspection of the Council drainage works and restored areas. Details and certifications of the defects and repairs shall be provided to Council’s City Assets Department at this notification. The inspection shall be jointly conducted between Council engineers and the applicant’s site engineers.

A minimum of five (5) working days’ notice shall be given to Council to inspect the works.

**The bond will only be refunded when the works are determined to be satisfactory to Council, in writing, after the expiry of the twelve (12) months maintenance period.**

## The operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background LA90, 15min noise level, measured in the absence of the noise source/s under consideration by 5dB(A). The source noise level shall be assess as LAeq, 15min and adjusted in accordance with the NSW Environment Protection Authority’s Industrial Noise Policy and Environmental Noise Control Manual.

## The proposed use of the premises and/or machinery equipment installed must not create noise so as to interfere with the amenity of the neighbourhood or nearby residential or commercial premises. If a noise nuisance occurs, the person in control of the premises must arrange at their cost for an acoustic assessment to be carried out by an accredited Acoustic Consultant, obtain Council’s concurrence for the recommendations of the Acoustic Consultant, and implement those recommendations so as to remove the noise nuisance. The acoustic assessment is to be conducted by a suitably qualified Acoustic Consultant recognised by the Australian Association of Acoustical Consultants (AAAC) and who has not been previously involved with the proposal. The acoustic assessment must be completed within 30 days from the date requested by Council.

## All activity being conducted so that it causes no interference to the existing and future amenity of the adjoining occupations and the neighbourhood in general by the emission of noise, smoke, dust, fumes, grit, vibration, smell, vapour, steam, soot, ash, waste water, waste products, oil, electrical interference or otherwise.

## In the event of Council receiving complaints resulting from odour from the mechanical ventilation system, the owner must at his/her own cost, engage an accredited Air Pollution Control Consultant to upgrade their mechanical ventilation system until the odour and/or air impurity emissions have been mitigated. Details of all mechanical ventilation system upgrades must be provided to Council and all upgrades to the mechanical ventilation system must be completed within 30 days from the date Council requested an accredited Air Pollutant Consultant be engaged.

## The use of the premises shall not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the Protection of the Environment Operations Act 1997 and Regulations. The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage other premises.

## Any lighting of the premises must be installed in accordance with AS/NZS 4282-2019, ‘Control of the obtrusive effects of outdoor lighting’, to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads. Flashing, moving or intermittent lights or signs are prohibited. The intensity, colour or hours of illumination of the lights must be varied at Council’s discretion if Council considers there to be adverse effects on the amenity of the area.

## Should the existing Council drainage infrastructure be retained then following the completion of the development works on the subdivided site a CCTV or physical inspection by qualified operators shall be undertaken to assess the condition of the existing Council stormwater assets in the site. A condition report of the assets shall be submitted to Council’s Director of City Assets.

## Should Council’s Director of City Assets determine that the Council drainage infrastructure has deteriorated during the construction of the development then replacement of Council’s drainage asset shall be required at the cost of the applicant.

## **Stormwater – Maintenance and Operations Manual.** A maintenance and operations manual shall be prepared to clearly state the on-going maintenance regime and requirements for the Council stormwater assets. This includes the stormwater trunk systems and water quality elements (including GPTs) The manual shall be development in accordance with the recommendations as per the Stormwater NSW Guidelines for the Maintenance of Stormwater Treatment Measures (January 2020).

The manual shall be submitted to and accepted by Council’s City Assets Department.

A certificate from a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority stating compliance with this condition prior to the issue of the Subdivision Works Certificate.

## Council Road Works Maintenance – To ensure the viability of planted landscaped and grassed areas, the applicant will be required to maintain the vegetation in the road reserves for 12 months

## Council Road Works – Bond - To ensure satisfactory performance of the constructed infrastructure, a defects liability and maintenance period of twelve (12) months shall apply to the Council road works on the issue of the subdivision and dedication of the road reserves to Council.

The maintenance period shall commence from the date of issue of the subdivision plan. Should the works in the proposed road reserves be completed and certified at a time greater than 30 days prior to the issue of the subdivision Certificate, a supplementary inspection by the Council and Council approved Certifier shall take place and a Supplementary Final Condition and Certification provided to Council by the Council Approved Certifier.

The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council’s standard specification, during the twelve (12) months’ maintenance period. Any defects identified during the maintenance period shall be rectified at their cost within a period of thirty (30) days after notification from Council. The details of the defects and repairs shall be documented and certified by a suitably qualified Civil Engineer (registered on the NER of Engineers Australia), or equivalent.

A bond in the form of a cash deposit or Bank Guarantee being 10% of the replacement cost as of the date of issue of the subdivision plan, shall be lodged with Council prior to the issue of a Subdivision Certificate to guarantee this requirement will be met.

Council engineers from the City Assets Department shall be notified in writing three (3) months prior to the expiry of the maintenance period for the inspection of the Council drainage works and restored areas. Details and certifications of the defects and repairs shall be provided to Council’s City Assets Department at this notification. The inspection shall be jointly conducted between Council engineers and the applicant.

A minimum of five (5) working days’ notice shall be given to Council to inspect the works.

The bond will only be refunded when the works are determined to be satisfactory to Council, in writing, after the expiry of the twelve (12) months maintenance period.

## Stormwater – Council Drainage Works – Bond - To ensure satisfactory performance of the excavation, laying of pipes, back filling, disposal of excess soil and restoration including new kerb and gutter works, a maintenance period of twelve (12) months shall apply to the Council drainage works following completion of the development.

The maintenance period shall commence from the date of issue by Council, of the Compliance Certificate for the Council Drainage Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council’s standard specification, during the twelve (12) months’ maintenance period. Any defects identified during the maintenance period shall be rectified at their cost within a period of thirty (30) days after notification from Council. The details of the defects and repairs shall be documented and certified by a suitably qualified Civil Engineer (registered on the NER of Engineers Australia), or equivalent.

A bond in the form of a cash deposit or Bank Guarantee of $200,000 amount to be determined shall be lodged with Council prior to the issue of a Subdivision Works Certificate to guarantee this requirement will be met.

Council engineers from the City Assets Department shall be notified in writing three (3) months prior to the expiry of the maintenance period for the inspection of the Council drainage works and restored areas. Details and certifications of the defects and repairs shall be provided to Council’s City Assets Department at this notification. The inspection shall be jointly conducted between Council engineers and the applicant’s site engineers.

A minimum of five (5) working days’ notice shall be given to Council to inspect the works.

The bond will only be refunded when the works are determined to be satisfactory to Council, in writing, after the expiry of the twelve (12) months maintenance period.

# *end*

For further information regarding this notice DA-55/2021 please contact Andrew Hargreaves in Development on 9707 5517.

Yours faithfully,

Andrew Hargreaves

**Team Leader Planning East**

*end*

**SCHEDULE 2 – REASONS**

1. To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
2. To ensure appropriate approvals are obtained for any future operations on site.
3. To ensure compliance with the BCA
4. To adequately assess the impacts of the development.
5. To reduce proliferation of signage.
6. To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development.
7. To ensure all relevant fees are paid.
8. To ensure the long service levy is paid.
9. To ensure relevant utility and service providers requirements are provided to the certifier.
10. To ensure consolidation of land.
11. To ensure subdivision of land.
12. To ensure compliance with the relevant development control plan.
13. To ensure long-term compliance of the relevant development control plan.
14. To ensure compliance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.
15. To ensure compliance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.
16. To ensure compliance with the Australian Standard.
17. To ensure parking facilities are designed in accordance with the Australian Standard and Council’s DCP.
18. To manage construction traffic.
19. To require details of measures that will protect the public, and the surrounding environment, during site works and construction.
20. To ensure a range of transportation options are available on site.
21. To ensure safe operations of vehicles on site.
22. To ensure safe earthworks.
23. To establish and document the structural condition of adjoining properties and public land for comparison as building work progresses and is completed.
24. To ensure adequate disposal of waste water.
25. To ensure infrastructure review by the appropriate agency.
26. To ensure no substance other than rainwater enters the stormwater system and waterways
27. To ensure resource recovery is promoted and local amenity protected during construction.
28. To protect the visual amenity of public and private realms.
29. To ensure adaptable units are designed in accordance with the Australian Standard.
30. (Prescribed condition EP&A Regulation, clause 98(1)(b)).
31. (Prescribed condition EP&A Regulation, clause 98B(2) and (3)).
32. To protect and retain trees.
33. To ensure runoff and site debris do not impact local stormwater systems and waterways.
34. To ensure vegetation outside the APZ is not removed.
35. To advise neighbours and Council of any dilapidation report.
36. (Prescribed condition - EP&A Regulation clause 98(1)(a)).
37. To protect the amenity of the surrounding area.
38. To require approval to proceed with building work following each critical stage inspection.
39. To ensure the required site management measures are implemented during construction.
40. To ensure the protection of objects of potential significance during works.
41. To ensure soil removed from the site is appropriately disposed of and soil imported to the site is safe for future occupants.
42. (Prescribed condition - EP&A Regulation clause 98E).
43. To ensure payment of approved changes to public infrastructure.
44. To protect the amenity of the neighbourhood.
45. To require records to be provided, during construction, documenting that waste is appropriately handled.
46. To ensure buildings are sited and positioned in the approved location.
47. To ensure vegetation clearance during construction is confined within the APZ.
48. To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 97A(2) EP&A Regulation).
49. To confirm the location of works once constructed that will become council assets.
50. To protect the State’s survey infrastructure..
51. To ensure any damage to public infrastructure is rectified..
52. To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation..
53. To identify damage to adjoining properties resulting from building work on the development site..
54. To ensure compliance with development consent.
55. To ensure orderly use of the site..
56. To ensure orderly development of land..
57. To protect local amenity and health..
58. To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s).
59. To ensure adequate site identification..
60. To ensure waste material is appropriately disposed or satisfactorily stored..
61. To ensure orderly subdivision of land.
62. To protect sewerage and stormwater systems.
63. To ensure annual checks on fire safety measures.
64. To maintain area amenity.
65. To ensure vegetation management within the APZ.
66. To ensure the good working order of infrastructure..

**SCHEDULE 3 - NOTES**

* 1. Modifications to this Determination Notice may be made in accordance with Section 4.55 of the *Environmental Planning and Assessment Act 1979*.
	2. If you are dissatisfied with this decision, you may apply for a review of determination pursuant to Section 8.2 of the *Environmental Planning and Assessment Act 1979* or appeal to the Land and Environment Court pursuant to Sections 8.7 and 8.10 of the *Environmental Planning and Assessment Act 1979*.  Any application for a review pursuant to Section 8.2 must be received, assessed and determined by Council within 6 months after the date of receipt of this Determination Notice.  It is therefore advisable to lodge the application for review as soon as possible to ensure that assessment is complete within the statutory timeframes. Section 8.10 in the *Environmental Planning and Assessment Act 1979* extends this six-month period to twelve months for determinations made during, or six months before, the Prescribed Period of 25 March 2020 and 25 March 2022.  You should seek advice from your legal advisor on the time limits for the lodgement of any appeal.
	3. Sections 9.37 and 9.50 of the *Environmental Planning and Assessment Act* *1979* confer the authority to direct any person to comply with the terms and conditions of any consent condition and any person failing to comply with such a direction shall be guilty of an offence under that Act.
	4. Failure to comply with this Determination Notice may result in a fine or prosecution by Council.
	5. If the building work is in proximity of any infrastructure (including water, stormwater, sewer mains, electricity power lines, railway lines and telecommunications facilities or the like), then the relevant infrastructure authority must be consulted before commencing the building work to gain their approval. Any impacts must be considered in the design and construction of the building work/s.
	6. Inspections of the development work must be undertaken as determined by the Principal Certifier. If Canterbury-Bankstown Council has been nominated as the Principal Certifier, then details of inspection type and number required will be provided at the time of the issue of a construction certificate.
	7. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (as is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, a Section 4.55 Amendment to this Determination Notice (or a new development application) is required.

Individuals owe asset owners a duty of care that must be observed when working near infrastructure 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.

In accordance with the *Telecommunications Act 1997* (Commonwealth), Telstra (and its authorised contractors) are the only companies that are permitted to conduct work 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* (Commonwealth) and is liable for prosecution.

Damage to Telstra’s infrastructure may result in interruption to the provision or essential services and significant costs. If you are aware of any work or proposed work which may affect or impact on Telstra’s assets in any way, you are required to contact: Telstra’s Network Integrity Team on Phone Number 1800 810 443.

* 1. This Determination Notice does not provide consent to commence building or subdivision work. A construction certificate must be obtained before the commencement of any building work and a Subdivision Works Certificate must be obtained before the commencement of any subdivision work. Council can provide certification services relating to the issue of a construction certificate or subdivision works certificate if required by the development consent. Please contact Council for a fee proposal if you require any of these certification services.