

**MINUTES OF THE HEALTH, BUILDING AND PLANNING COMMITTEE
MEETING OF THE COUNCIL OF THE CITY OF RANDWICK
HELD ON TUESDAY, 12TH MARCH, 2002 AT 6:52 P.M.**

PRESENT:

His Worship the Mayor, Cr D. Sullivan (North Ward)

Councillor M. Daley (South Ward) (Chairperson)

North Ward	-	Crs J. Greenwood and P. Tracey
South Ward	-	Crs C. Matthews and A. White
East Ward	-	Cr M. Matson
West Ward	-	Crs P. Schick, M. Whitehead and J. Procopiadis
Central Ward	-	Crs C. Bastic, T. Seng and A. Andrews (Deputy Chairperson)

OFFICERS PRESENT:

General Manager	Mr. G. Messiter.
Director Assets & Infrastructure Services	Mr. M. Savage.
Acting Director Planning & Environment	Ms. S. Truuvert.
Director Governance Management & Information Services	Mr. M. Hummerston.
Assistant Public Officer	Mr. D. Kelly.
Acting Manager Development Assessment	Mr. K. Kyriacou.

1. APOLOGIES.

Apologies were received from Crs Backes and Notley-Smith.

RESOLVED: (Andrews/His Worship the Mayor, Cr D. Sullivan) that the apologies be received and accepted and leave of absence be granted to Crs Backes and Notley-Smith from the Health, Building and Planning Committee Meeting of the Council held on Tuesday, 12th March, 2002.

2. MINUTES.

CONFIRMATION OF THE MINUTES OF THE HEALTH, BUILDING AND PLANNING COMMITTEE MEETING HELD ON TUESDAY, 12TH FEBRUARY 2002.

H13 **RESOLUTION:** (Andrews/Schick) that the Minutes of the Meeting of the Health, Building and Planning Committee held on Tuesday, 12th February, 2002 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

RESOLVED: (Andrews/Schick) that the meeting be adjourned at 6.53 p.m. and be further adjourned at 7.35 p.m.

3. ADDRESSES TO THE COMMITTEE BY THE PUBLIC.

Prior to consideration of the Agenda by the Committee, the following deputations were received in respect of the following matters:

5.1 10 LIGURIA STREET, SOUTH COOGEE.

The Objector Miss Toni Lockyer 16 Duncan Street, Maroubra

5.4 16 SCOTT STREET MAROUBRA.

The Applicant Mr Rob Zikmann 16 Scott Street, Maroubra

5.5 19 DARLEY ROAD, RANDWICK.

The Applicant Mr John Evans 19A Darley Road, Randwick

5.6 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 10/2002 - MASTER PLAN AND DEVELOPMENT APPLICATIONS FOR 35 DUDLEY STREET, COOGEE.

The Objectors Mr Robert Bradley 127 Mount Street, Coogee
 Mr Simon Bartlett 11/4 Edgecombe Ave, Coogee

The Applicant Mr Neil Ingham 34 Wolseley Rd, Linfield

The meeting was resumed at 7.57 p.m.

4. MAYORAL MINUTES.

Nil.

5. DEVELOPMENT APPLICATIONS.

5.1 DEVELOPMENT APPLICATION REPORT - 10 LIGURIA STREET, SOUTH COOGEE. (DA/1222/2001)

H14 *RESOLUTION: (Andrews/Whitehead) that this application be deferred to the next Ordinary Council Meeting to allow an examination of the appropriateness of the conditions that have been placed on this application and to reconsider the issues raised by the objector to the application.*

MOTION: (Andrews/Whitehead) SEE RESOLUTION.

5.2 DEVELOPMENT APPLICATION REPORT - 102-106 BROOK STREET, COOGEE (RANDWICK RUGBY CLUB). (D/0295/2000)

H15 *RESOLUTION: (Matthews/Procopiadis) that:*

- A. Council as the responsible authority grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to Modify Development Consent No. 295/2000 on property No. 102-104 Brook Street, Coogee in the following manner:

! Amend Condition No. 1 to read:

- “1. The development must be implemented substantially in accordance with the plans numbered DA 01 B – DA 15 B, dated 6.12.2000 and received by Council on 12 .12 .2001, as amended by drawings SK 01 and SK 02, dated Jan 2001 and received by Council on 22.01.2001 and shadow diagrams numbered DA 23 A and DA 24 A, dated 22.01.2001 and received by Council on 22.01.2001, as amended by the Section 96 “B” plan numbered 01-063 SKA003 G, dated October 2001 and received by Council on 24 December 2001, and the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans.”

MOTION: (Matthews/Procopiadis) SEE RESOLUTION.

5.3 DEVELOPMENT APPLICATION REPORT - 669-677 ANZAC PARADE, MAROUBRA. (D/0100/2002)

H16 **RESOLUTION: (Matthews/Procopiadis) that:**

- A. Council grant development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. 100/02 for permission to relocate the microwave telecommunication antennae to the western elevation of Bowen Library subject to the following conditions: -
1. The development must be implemented substantially in accordance with the plans numbered T1412-0010 & T1412-0011, dated 1st February 2002 and received by Council on the 8th February 2002, the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans:

The following conditions are applied to satisfy the provisions of section 79C of the Environmental Planning and Assessment Act 1979 and to maintain reasonable levels of environmental amenity:

2. The colour of the mount to the antennae is to match the colour of the external surfaces to the building to be compatible with and maintain the integrity and amenity of the building and the streetscape.

The following conditions are applied to ensure that the development satisfies the provisions of the Environmental Planning and Assessment Act 1979 and Regulations:

3. All new building work must be carried out in accordance with the provisions

of the Building Code of Australia (BCA), in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000.

The following conditions are applied to ensure that the development satisfies relevant standards of construction, and to maintain adequate levels of health, safety and amenity during construction:

4. *Prior to the commencement of any building works, a construction certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
5. *Prior to the commencement of any building work, a principal certifying authority must be appointed and Council is to be notified accordingly and, at least 2 days notice of the intention to commence building work must be given to Council, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
6. *A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.*
7. *The antennae is to be installed only between the hours of 7.00am to 5.00pm on Monday to Friday inclusive, between 8.00am to 5.00pm on Saturdays and all building activities are strictly prohibited on Sundays and public holidays, except with the specific written authorisation of Council's Manager of Environmental Health and Building Services.*
8. *Noise emissions during the construction of the building and associated site works must comply with the relevant provisions of the Protection of the Environment Operations Act 1997 & the Noise Control Manual published by the Environment Protection Authority, except as may be amended by the conditions of this approval.*

MOTION: (Matthews/Procopiadis) SEE RESOLUTION.

5.4 DEVELOPMENT APPLICATION REPORT - 16 SCOTT STREET MAROUBRA. (D/0414/2001)

H17 **RESOLUTION: (Matthews/Procopiadis) that:**

- A. *Council as the responsible authority grant its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to Modify Development Consent No 414/2001 seeking the deletion of condition 2 requiring the deletion of the proposed front garage at 16 Scott Street Maroubra in the following manner:*

Amend Condition No. 1 to read:

1. *Development of the site must be implemented substantially in accordance with the plans comprising of six (6) sheets prepared by A Amour dated FEB 2001, received by Council on 21 May 2001, as amended by plans designated DBA 01 (A) to DBA 06 (A) dated and received by Council on 9 January 2002, the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans:*

B. *Condition 2 is amended to read:*

2. *The trees to be used for the proposed plant screening between the western elevation of the proposed garage and the side boundary setback of No 14 Scott Street (3.5m long from the street alignment) are to be Cupressus Sempervirens 'Stricta' (Pencil Pines).*

MOTION: (Matthews/Procopiadis) SEE RESOLUTION.

5.5 DEVELOPMENT APPLICATION REPORT - 19 DARLEY ROAD, RANDWICK. (D/1004/2000)

H18 **RESOLUTION: (Tracey/His Worship the Mayor, Cr D. Sullivan)** *that Council approve the lowered roof line sought in the Section 82A Review of the Section 96 approval dated 17th January, 2002 for 19A Darley Road.*

MOTION: (Tracey/His Worship the Mayor, Cr D. Sullivan) SEE RESOLUTION.

5.6 DIRECTOR PLANNING & ENVIRONMENT'S REPORT 10/2002 - MASTER PLAN AND DEVELOPMENT APPLICATIONS FOR 35 DUDLEY STREET, COOGEE (98/S/4337 xr D/1048/2001 xr D/01049/2001 xr D/1050/2001)

(NB: Recommendations are in 'A' 'B' 'C' 'D' & 'E' below. There are pages of conditions between each recommendation.

H19 **RESOLUTION: (Bastic/Andrews) that:**

- A. *It is recommended that Council Adopt the Master Plan for 35 Dudley Street, Coogee in accordance with the following variations:*
 1. *The Master plan currently before Council, with a recommendation for adoption, is not to include the landscape plan as part of the adopted plans. The submitted landscape plan is in concept form only. A number of issues were raised in relation to the proposed landscape works as well as construction in relation to existing trees, and were not to Council's landscape technician's satisfaction. The associated Development Applications (1049/01 & 1050/01) are to be recommended as deferred commencement consent so as to allow for landscape plan details to be submitted to Council prior to the commencement of the consent.*
 2. *The Master plan currently before Council considers the placement of the swimming pool in a position adjacent to the eastern boundary of the site, a revised plan was received which relocated this structure 3m west of the*

original position. This amendment is not shown on the development application plans and amended details will need to be received at construction certificate stage as will be covered by conditions of consent.

3. *The proposed internal layout of the Novitiate car park does not comply with Council's Parking DCP. The master plan will need to be varied in relation to the internal layout and the development application (1049/01) subject of deferred commencement consent.*
- B. *Council resolve to prepare a draft Local Environmental Plan under s.54 of the Environmental Planning and Assessment Act to give effect to the Master plan provisions and remove any zoning anomaly arising from the adoption of the Master Plan and to implement the land-use and planning controls of the Master Plan. The LEP will only be prepared and exhibited on receipt of a rezoning application and payment of appropriate rezoning fees.*
- C. *THAT Council, grant development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 to Development Application No. 1048/01 for permission for Demolition of the Mount Dudley extensions and subdivision of two lots into two Torrens title lots for 35 Dudley Street, Coogee subject to the following conditions:*
1. *The development must be implemented substantially in accordance with the plans numbered 0133, dated 22/10/01 and received by Council on 5/11/01, the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans:*

The following conditions are applied to provide adequate security against damage to Council's infrastructure:

2. *The following security deposit requirements are to be complied with prior to a construction certificate being issued for the development, as security for making good any damage caused to the roadway, footway, verge or any public place; or as security for completing any public work; and for remedying any defect on such public works, in accordance with section 80A(6) of the Environmental Planning and Assessment Act 1979:*

a) \$2000.00 - Security damage deposit

The damage deposit may be provided by way of a cash or cheque with the Council and is refundable upon the applicant advising Council, in writing, of the completion of all building works and/or obtaining an occupation certificate, if required.

The applicant is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.

The following conditions are applied to provide adequate provisions for access, transport and infrastructure:

3. *The internal driveway must be a minimum of 5 metres wide for at least the first 5 metres inside the property and shall be suitably designed such that entering/exiting vehicles can pass for the majority of the driveway. The available clear width for vehicle movements along the access handle attached to proposed Lot 2 shall not be less than 3.5 metres at any point along the internal driveway. The access handle shall be of a suitable width to comply with the combined requirements for vehicular entry/exit movements, landscaping along the western site boundary and to accommodate the proposed easement for maintenance / services / fire separation. The applicant shall contact Council's Development Engineer to discuss the width/geometry of the proposed access handle attached to propose Lot 2 **prior to preparation of the linen Plan of Subdivision.***

The following conditions are applied to provide adequate consideration for service authority assets:

4. *A public utility impact assessment must be carried out on all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the development/building works and include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of service.*
5. *The applicant must meet the full cost for Telstra, Energy Australia, Sydney Water or Natural Gas Company to adjust/repair/relocate their services as required. The applicant must make the necessary arrangements with the service authority.*

The following conditions are applied to satisfy the provisions of Council's environmental plans, policies and codes for subdivision works:

6. *The applicant shall create suitable rights of carriageway, easements for services and internal stormwater lines, as required. The applicant is advised that the minimum easement width for any internal stormwater line is 0.9 metres however any proposed drainage easement should be of sufficient width to accommodate a pipeline capable of draining stormwater flows for up to the 1 in 20 year storm event and conveying overland flows for storms up to the 1 in 100 year event.*
7. *A Plan of Subdivision shall be submitted to Council for approval with the Subdivision Application.*
8. *Prior to release of the Plan of Subdivision the applicant shall provide Council with a subdivider/developer certificate for the proposed lots. The certificate is obtained from Sydney Water.*
9. *The applicant shall submit a developer/subdividers certificate under Section 73 of the Water Board (Corporation) Act 1994 to the Council prior to a) the release of the subdivision plans (or) b) occupation of the development and the applicant is advised to make immediate application to a Water Servicing Co-ordinator authorised by Sydney Water for this certificate to avoid problems in servicing the development.*

10. *A formal subdivision application is required to be submitted to and approved by the Council and all conditions of a) this development consent are required to be satisfied prior to the release of the subdivision plans.*
11. *The registered proprietor of the land the subject of this consent shall enter into a positive covenant that no right of exclusive use and enjoyment of the whole or any specified part of the area or areas designated as common area or similar in the approved plans will be conferred on any person or persons without the prior approval of Randwick City Council.*

OCCUPATIONAL HEALTH AND SAFETY

12. *The following conditions are applied to ensure adequate environmental protection.*
13. *All hazardous or intractable wastes (including asbestos) shall be removed and disposed of in accordance with the requirements of WorkCover and the Environmental Protection Authority, and with the provisions of:*
 - *Occupational health and Safety Act 1983 (NSW)*
 - *Construction Safety Act 1912; Regulation 84A-J Construction Work Involving Asbestos or Asbestos Cement 1983 (NSW)*
 - *Occupational Health and Safety (Hazardous Substances) Regulation 1996 (NSW).*
 - *Occupational Health and Safety (Asbestos Removal Work) Regulation 1996 (NSW); and*
 - *Waste Minimisation and Management Act 1995 and Regulations (NSW).*
14. *All site works shall comply with the occupational health and safety requirements of the NSW WorkCover Authority. In this regard all contractors and employees shall adopt work practices in accordance with the requirements of WorkSafe's Control of Inorganic Lead at Work (NOHSC:102(1994) and NOHSC:2015(1994).*
15. *All site works shall comply with the occupational health and safety requirements of WorkCover NSW.*

Hazardous dust must not be allowed to escape from the site. The use of fine mesh dust proof screens or other relevant measures is recommended. Any existing accumulations of dust (eg, ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter. All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during high winds, which may cause dust to spread beyond site boundaries.

16. *Following demolition activities, soil must be tested by a person of suitable expertise, to ensure the soil lead levels are below acceptable health criteria for residential areas. Full certification is to be furnished to Council and the*

Principal Certifying Authority prior to final inspection.

The following conditions are applied to provide adequate provisions for landscaping and to maintain reasonable levels of environmental amenity:

17. *The applicant shall ensure the long term health and stability of all trees covered by Council's Tree Preservation Order during the course of the proposed demolition works. Protective fencing shall be installed around all trees in the vicinity of the demolition works and/or likely to be affected by vehicle movements associated with the demolition works. There shall be no storage of building materials or demolished materials within the drip line of trees covered by Council's Tree Preservation Order and excavation within the drip lines of the trees shall be kept to a minimum.*

The following conditions are applied to ensure that adequate provisions are made for the management of waster from the development:

18. *Adequate provisions are to be made within the premises for the storage, collection and disposal of waste and recyclable materials.*

A Waste Management Plan is to be submitted to Council and approved by Council's Manager of Waste Services, in accordance with section 80A (2) of the Environmental Planning and Assessment Act 1979,

- a) *prior to the commencement of any works*
- b) *prior to a construction certificate being issued for the proposed development.*

The plan shall detail the type and quantity of waste to be generated by the development; demolition waste; construction waste; materials to be re-used or recycled; facilities/procedures for the storage, collection recycling & disposal of waste and the on-going management of waste.

The following conditions are applied to ensure that the development satisfies relevant standards of construction, and to maintain adequate levels of health, safety and amenity during construction:

19. *All demolition work is to be carried out in accordance with the provisions of AS2601-1991. The Demolition of Structures, as in force at 1 July, 1993.*
20. *All demolition work is to be carried out in accordance with the provisions of AS2601-1991. The Demolition of Structures, as in Force at 1 July, 1993 and details of compliance are to be prepared by a suitably qualified person and be submitted to the principal certifying authority, **prior to the commencement of any demolition works.***
21. *A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.*
22. *Building and demolition works must only be carried out between the hours of*

7.00am to 5.00pm on Monday to Friday inclusive, between 8.00am to 5.00pm on Saturdays and all building activities are strictly prohibited on Sundays and public holidays, except with the specific written authorisation of Council's Manager of Environmental Health and Building Services.

23. *A sign must be erected on the site in a prominent, visible position, prior to commencing any demolition, excavation or building works, stating that 'unauthorised entry to the site is prohibited' and showing the name of the person in charge of the work site and a telephone number at which the person may be contacted outside working hours.*

In the case of residential building work, the sign is also required to detail the licence number of the building contractor or the permit number of the owner-builder, in accordance with the Home Building Act 1989 and Regulations.

24. *Noise emissions during the construction of the building and associated site works must comply with the relevant provisions of the Protection of the Environment Operations Act 1997 & the Noise Control Manual published by the Environment Protection Authority, except as may be amended by the conditions of this approval.*

25. *Building materials, sand, soil, waste materials or construction equipment must not be placed upon the footpath, roadway or nature strip at any time and the footpath, nature strip and road must be maintained in a clean condition and free from any obstructions at all times.*

26. *Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written consent of the Council, unless the waste container is located upon the road in accordance with the Roads & Traffic Authority Guidelines and Requirements, and the container is exempt from an approval under Council's Local Approvals Policy.*

27. *Any building/demolition works involving asbestos cement are to be carried out in accordance with the Work Cover New South Wales "Guidelines for Practices Involving Asbestos Cement in Buildings".*

28. *A Construction Site Management Plan is to be submitted to and approved by the principal certifying authority **prior to the commencement of demolition, excavation or building works.** The site management plan must include the following measures, as applicable to the type of development:*

- *location and construction of protective fencing / hoardings to the perimeter of the site;*
- *location of site storage areas/sheds/equipment;*
- *location of building materials for construction;*
- *provisions for public safety;*
- *dust control measures;*
- *site access location and construction*
- *details of methods of disposal of demolition materials;*
- *protective measures for tree preservation;*
- *provisions for temporary sanitary facilities;*

- *location and size of waste containers/bulk bins;*
- *details of proposed sediment and erosion control measures;*
- *construction noise and vibration management.*

The site management measures are to be implemented prior to the commencement of any site works and be maintained throughout the works, to maintain adequate levels of public health and safety. A copy of the approved Construction Site Management Plan must be maintained on site and be made available to Council officers upon request.

During construction stages, sediment laden stormwater run-off shall be controlled using the sediment control measures outlined in the manual for Managing Urban Stormwater – Soils and Construction, published by the NSW Department of Housing.

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

A temporary safety fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Temporary fences are to have a minimum height of 1.8 metres and be constructed of cyclone wire fencing with geotextile fabric attached to the inside of the fence to provide dust control, or other material approved by Council.

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

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

ADVISORY CONDITIONS:

- A1. *The applicant is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.*
- A2. *The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's footpath and roadway.*
- D. *THAT Council as the responsible authority grant its development consent under the provisions of Section 80 (3) of the Environmental Planning and Assessment Act 1979 (as amended), "Deferred Commencement" to Development Application No. 1049/01 Plans numbered 0133 DA-201 A. 02, 08, dated 22/10/01 and received by Council on 5/11/01 to undertake alterations and additions to Novitiate building at 35 Dudley Street, Coogee.*

The consent shall not operate until the applicant satisfies Council as to the following

matter, and will lapse within 12 months from the date of this notice if the following requirements have not been adequately addressed to the satisfaction of the Director of Planning and Environment:-

- a) The revised swimming pool plans shall be submitted as part of amended plans for the development.*
- b) A landscape plan shall be prepared and submitted to Council for approval in accordance with the requirements of Council's Department of Assets and Infrastructure.*
- c) Details of proposed on-site detention shall be prepared and submitted to Council for approval in accordance with the requirements of the Department of Assets and Infrastructure.*
- d) The internal car-parking layout shall be revisited so that the car space dimensions comply with Council Parking DCP. The revised plans shall be submitted to Council for approval.*
- e) Details of the proposed finishes, colours and materials be submitted to Council for approval.*
- f) Details of the proposed privacy screening for the balconies to the Novitiate building and an alternative design to the indicated glass balustrade details to be submitted to Council for approval.*

DEFERRED COMMENCEMENT

The colours, materials and finishes of the external surfaces to the building are to be compatible with the adjacent development to maintain the integrity and amenity of the building and the streetscape.

*Details of the proposed colours, materials and textures (ie. a schedule and brochure/s or sample board) are to be submitted to and approved by Council's Director of Planning & Environment, in accordance with section 80A (2) of the Environmental Planning and Assessment Act 1979 **prior to:***

- a) a construction certificate being issued for the proposed development.*

Subject to compliance with the deferred commencement requirement, approval shall be granted subject to the following conditions:

- 1. The development must be implemented substantially in accordance with the plans numbered 0133 DA-201 A. 02, 08, dated 22/10/01 and received by Council on 5/11/01 the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans:*

The following conditions are applied to satisfy the provisions of section 79C of the Environmental Planning and Assessment Act 1979 and to maintain reasonable levels of environmental amenity:

2. *The proposed glass balustrades to the balconies shall be replaced with a translucent material to preserve privacy to the adjoining neighbours.*
3. *Adequate provisions are to be made within the premises for the storage, collection and disposal of waste and recyclable materials, to the satisfaction of the certifying authority.*
4. *The consumption of water within the building shall be minimised by the use of triple A rated water efficient plumbing fixtures (taps and shower roses) and water efficient dual flush toilets. Details of compliance are to be provided in the construction certificate plans or specifications.*
5. *Power supply and telecommunications cabling to the development shall be underground.*
6. *The reflectivity index of glass used in the external façade of the development must not exceed 20 percent. The details and samples of the glass to be used are to be submitted with the colour and material schedule for the approval of Council's Director of Planning and Environment, **prior to the commencement of works.***
7. *Internal or external clothes drying facilities are to be provided in accordance with the provisions of the Building Code of Australia. Should external clothes drying facilities be provided, the facilities must be adequately screened by vegetation and details are to be incorporated into the landscaping plans, to the satisfaction of the certifying authority.*
8. *The provisions of Councils tree preservation order are strictly to be observed and it is a requirement that the applicant or their representative obtain any necessary consent required under the tree preservation order.*

*Should compliance require amendment to the plan an amended development application is required to be submitted for consideration and approval **prior to work commencing.***

9. *Landscaping shall be provided to the site to reduce the impact of the development upon the amenity of the environment and a landscape plan shall be submitted to and approved by the Director of Planning & Environment, in accordance with section 80A(2) of the Environmental Planning and Assessment Act 1979, **prior to the commencement of any works.***
10. *The finished ground levels external to the building are to be consistent with the development consent and are not to be raised (other than for the provision of paving or the like on the ground) without the written consent of Council.*
11. *Lighting to the premises shall be designed so as not to cause a nuisance to nearby residents or motorists and to ensure that light overspill does not affect the amenity of the area.*
12. *The development must be designed and constructed to achieve a minimum*

*energy efficiency NatHERS rating of 3.5 stars or equivalent and a NatHERS certificate or equivalent, prepared by a suitably qualified person, is to be submitted to the certifying authority with the **construction certificate** application.*

The design of the building must be consistent with the development consent and any proposed variations to the building to achieve the energy efficiency rating may necessitate a new or amendment to the development consent prior to the issuing of a construction certificate.

13. *Upon completion of the development and prior to the issuing of the strata subdivision, documentary evidence is to be submitted to the Council by the Principal Certifying Authority (or other suitably qualified person on behalf of the owner of the premises, to the satisfaction of Council) which confirms that the development has been carried out in accordance with the relevant development consent conditions.*
14. *A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water. Application must be made through an authorised Water Servicing Co-ordinator, for details see the Sydney Water web site www.sydneywater.com.au/customer/urban/index or telephone 13 20 92.*

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact with the Water Servicing Co-ordinator, as building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

*The Section 73 Certificate must be submitted to the Principal Certifying Authority **prior to occupation** of the development or release of the linen plan, as applicable.*

The following group of conditions have been applied to ensure that adequate provisions are made for vehicular access, parking and public infrastructure:

15. *All crossings, repairs and ancillary works on the footway and roadway are to be carried out by the Council and the cost borne by the applicant.*

The following group of conditions have been applied to ensure that adequate provisions are made for vehicular access, parking and public infrastructure:

16. *All crossings, repairs and ancillary works on the footway and roadway are to be carried out by the Council and the cost borne by the applicant.*
17. *Vehicular access driveways are not to exceed a gradient of 1:6 with a maximum gradient of 1:8 for first 5 metres from the street alignment.*

The following conditions are applied to ensure that adequate provisions are made for the management of waste from the development: Adequate provisions are to be made within the premises for the storage, collection and disposal of waste and recyclable materials, to the satisfaction of the certifying authority.

18. *Adequate provisions are to be made within the premises for the storage, collection and disposal of waste and recyclable materials.*

A Waste Management Plan is to be submitted to Council and approved by Council's Manager of Waste Services, in accordance with section 80A (2) of the Environmental Planning and Assessment Act 1979,

- a) *prior to the commencement of any works*
- b) *prior to a construction certificate being issued for the proposed development.*

The plan shall detail the type and quantity of waste to be generated by the development; demolition waste; construction waste; materials to be re-used or recycled; facilities/procedures for the storage, collection recycling & disposal of waste and the on-going management of waste.

The following conditions are applied to satisfy the relevant pollution control criteria and to maintain reasonable levels of health, safety and amenity to the locality:

19. *The location of the discharge point serving the car park mechanical ventilation system is to be not less than 6m from a property boundary and it must discharge vertically and satisfy the relevant provisions of the Building Code of Australia and AS 1668.*

*Details of compliance are to be provided in the plans and specifications for the **construction certificate**.*

20. *All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA), in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000.*

The following group of conditions have been applied to ensure the structural adequacy and integrity of the proposed building and adjacent premises:

21. *A report shall be prepared by a professional engineer and submitted to the certifying authority **prior to the issuing of a construction certificate**, detailing the proposed methods of excavation, shoring or pile construction, including details of vibration emissions and detailing any possible damage which may occur to adjoining or nearby premises that may be caused by the proposed building, excavation and shoring works.*

*Any practices or procedures specified in the engineer's report in relation to the avoidance or minimisation of structural damage to nearby premises, are to be fully complied with and incorporated into the plans and specifications for the **construction certificate**.*

22. *A copy of the engineers report is to be submitted to the Council, if the Council is not the certifying authority. A Certificate of Adequacy supplied by a professional engineer shall be submitted to the certifying authority (and the Council is not the certifying authority) **prior to a construction certificate being issued** for the development, certifying the structural adequacy of the*

existing structure to support the proposed building works.

The following conditions are applied to ensure that the development satisfies relevant standards of construction, and to maintain adequate levels of health, safety and amenity during construction:

23. *A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request. The building works are to be inspected by the principal certifying authority (or other suitably qualified person on behalf of the applicant) to monitor compliance with Council's approval and the relevant standards of construction.*

Documentary evidence of compliance with Council's approval and relevant building inspections, is to be maintained by the principal certifying authority.

24. *All excavations and backfilling associated with the erection or demolition of a building must be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and protected to prevent them from being dangerous to life or property. Prior to the commencement of any building works, a construction certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
25. *Prior to the commencement of any building work, a principal certifying authority must be appointed and Council is to be notified accordingly and, at least 2 days notice of the intention to commence building work must be given to Council, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
26. *An Occupation Certificate must be obtained from the principal certifying authority prior to any occupation of the building work encompassed in this development consent in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.*
27. *Building and demolition works must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive, between 8.00am to 5.00pm on Saturdays and all building activities are strictly prohibited on Sundays and public holidays, except with the specific written authorisation of Council's Manager of Environmental Health and Building Services. A sign must be erected on the site in a prominent, visible position, prior to commencing any demolition, excavation or building works, stating that 'unauthorised entry to the site is prohibited' and showing the name of the person in charge of the work site and a telephone number at which the person may be contacted outside working hours.*

In the case of residential building work, the sign is also required to detail the licence number of the building contractor or the permit number of the owner-builder, in accordance with the Home Building Act 1989 and Regulations.

28. *Temporary toilet facilities are to be provided, at or in the vicinity of the work site throughout the course of demolition and construction, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site and the toilet facilities must be connected to a public sewer or other sewage management facility approved by Council. Noise emissions during the construction of the building and associated site works must comply with the relevant provisions of the Protection of the Environment Operations Act 1997 & the Noise Control Manual published by the Environment Protection Authority, except as may be amended by the conditions of this approval.*
29. *Building materials, sand, soil, waste materials or construction equipment must not be placed upon the footpath, roadway or nature strip at any time and the footpath, nature strip and road must be maintained in a clean condition and free from any obstructions at all times.*
30. *Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written consent of the Council, unless the waste container is located upon the road in accordance with the Roads & Traffic Authority Guidelines and Requirements, and the container is exempt from an approval under Council's Local Approvals Policy.*
31. *Any building/demolition works involving asbestos cement are to be carried out in accordance with the Work Cover New South Wales "Guidelines for Practices Involving Asbestos Cement in Buildings".*
32. *A Construction Site Management Plan is to be submitted to and approved by the principal certifying authority **prior to the commencement of demolition, excavation or building works.** The site management plan must include the following measures, as applicable to the type of development:*
 - *location and construction of protective fencing / hoardings to the perimeter of the site;*
 - *location of site storage areas/sheds/equipment;*
 - *location of building materials for construction;*
 - *provisions for public safety;*
 - *dust control measures;*
 - *site access location and construction*
 - *details of methods of disposal of demolition materials;*
 - *protective measures for tree preservation;*
 - *provisions for temporary sanitary facilities;*
 - *location and size of waste containers/bulk bins;*
 - *details of proposed sediment and erosion control measures;*
 - *construction noise and vibration management.*

The site management measures are to be implemented prior to the commencement of any site works and be maintained throughout the works, to maintain adequate levels of public health and safety. A copy of the approved Construction Site Management Plan must be maintained on site and be made available to Council officers upon request.

33. *During construction stages, sediment laden stormwater run-off shall be controlled using the sediment control measures outlined in the manual for Managing Urban Stormwater – Soils and Construction, published by the NSW Department of Housing.*
34. *Construction, published by the NSW Department of Housing Details of the proposed sediment control measures must be submitted to and approved by the principal certifying authority **prior to the commencement of any site works.** The sediment and erosion control measures must be implemented prior to the commencement of any site works and a copy of the approved details must be made available to Council officers upon request.*

Details of proposed sediment and erosion control measures shall include; a site plan; indicating the slope of land, access points & access control measures, location and type of sediment & erosion controls, location of existing vegetation to be retained, location of material stockpiles and storage areas, location of building operations and equipment.

35. *During construction stages, sediment laden stormwater run-off shall be controlled using the sediment control measures outlined in the manual for Managing Urban Stormwater – Soils and Construction, published by the NSW Department of Housing.*

A soil and water management plan (SWMP) must be submitted to and approved by the principal certifying authority and implemented prior to the commencement of any site works or activities.

The soil and water management plan must contain a site plan, detailing:

- *the slope of the land*
- *site access points and access control measures*
- *location and type of all sediment control measures*
- *location of existing vegetation, to be retained*
- *material stockpile or storage areas and methods of sediment control*
- *location of existing and proposed drainage systems*
- *proposed disposal of site water*
- *location of building operations and equipment*
- *proposed re-vegetation details*

All soil and water management measures must be maintained at all times throughout demolition, excavation, building and site works and a copy of the soil and water management plan is to be kept on-site and be made available to Council officers upon request.

36. *Stockpiles of soil, sand, aggregate or other materials must not be located on any drainage line, natural watercourse, footpath, roadway or any public place and the stockpiles must be protected with adequate sediment control measures.*

Building operations such as brick cutting, washing tools or equipment and mixing mortar are not permitted on public footpaths, roadways, in any public place or any

location which may lead to the discharge of materials into the stormwater drainage system.

37. *A warning sign for soil and water management must be displayed in a prominent position on the building site, visible to both the public and site workers. The sign must be displayed throughout the construction period. Copies of a suitable warning sign are available at Council's Customer Service Centre for a nominal fee.*
38. *If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient or the building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.*

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

The public place adjacent to the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place and any such hoarding, fence or awning is to be removed upon completion of the work.

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

If it is proposed to locate any hoardings, site fencing or amenities upon a footpath or public place, the written consent from Council's Building Services section must be obtained beforehand and detailed plans are to be submitted to Council for consideration, together with payment of the weekly charge in accordance with Council's adopted fees and charges.

The following conditions are applied to provide access and facilities for people with disabilities:

39. *Access and facilities for people with disabilities must (as a minimum) be provided in accordance with the relevant provisions of the Building Code of Australia.*

FIRE SAFETY:

40. *The building is required to be provided with a smoke alarm system complying with Clause 3 of Specification E2.2a of the B.C.A. or a smoke detection system complying with Clause 4 of Specification E2.2a of the B.C.A. or a combination of a smoke alarm system within the sole-occupancy units and a smoke detection system in areas not within the sole-occupancy units.*

SWIMMING POOLS:

41. *The following conditions are applied to ensure compliance with the Swimming Pools Act 1992 and to maintain public safety and amenity:*

42. *Swimming pools are to be provided with childproof fences and self-locking gates, in accordance with the Swimming Pools Act 1992 and regulations.*

The swimming pool is to be surrounded by a fence having a minimum height of 1.2m, that separates the pool from any residential building, situated on the premises and from any place (whether public or private) adjoining the premises; and that is designed, constructed and installed in accordance with AS 1926-1986.

Gates to pool area shall be a maximum width of 1 metre, and be self-closing and latching; the gate is required to open outwards from the pool area and prevent a small child opening the gate or door when the gate or door is closed.

Temporary pool safety fencing is to be provided pending the completion of all building work and the pool must not be filled until a fencing inspection has been carried out and approved by the principal certifying authority.

A sign shall be erected in a prominent position in the immediate vicinity of the swimming pool, in accordance with the document entitled "Policy Statement No.9.4.1: Guidelines for the Preparation of Posters on Resuscitation", published in 1985 by the Australian Resuscitation Council and the sign must bear a notice that contains the words "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL", together with details of resuscitation techniques (for adults, children and infants) set out in accordance with the document entitled "Cardio Pulmonary Resuscitation" published by the Australian Resuscitation Council.

43. *Swimming pools are to be designed and installed in accordance with the following general requirements:-*

- *Backwash of the pool filter and other discharge of water is to be drained to the sewer in accordance with the requirements of the Sydney Water Corporation.*
- *All pool overflow water is to be drained away from the building and adjoining premises, so as not to result in a nuisance or damage to premises.*
- *Pool plant and equipment is to be enclosed in a sound absorbing enclosure or installed within a building, to minimise noise emissions and possible nuisance to nearby residents. SECTION 94: (Planning Assessment Officer)*

44. *The following condition/s are applied to satisfy the increased demand for public amenities and public services:*

45. *In accordance with Council's Section 94 Contributions Plan effective from 2 September 1999, the following monetary contribution is to be paid to Council.*

- a) *for the provision or improvement of open space* \$24, 502.64
- b) *for the provision or improvement of community facilities* \$10, 834.16

i) Administration fee \$425.00

\$425.00

The contribution must be paid in cash or by bank cheque prior to

a) a construction certificate being issued

for the proposed development, together with payment of the required Section 94 Administration Fee of \$425.00. Council's Section 94 Contribution Plans may be inspected at the Customer Service Centre, Administrative Centre, 30 Frances Street, Randwick.

The following conditions are applied to provide adequate provisions for parking to the development:

46. *A sign legible from the street must be permanently displayed to indicate that visitor parking is available on the site and these parking spaces must be clearly marked and accessible at all times.*
47. *The car parking spaces and driveways must be kept clear of goods at all times and must not be used for storage purposes.*
48. *The car park layout is to be redesigned to satisfy the following requirements of Council's Development Control Plan – Parking:-
Public access to the visitor's car parking spaces is to be maintained at all times and an intercom system is to be provided adjacent to the vehicular entrance to the car park, together with appropriate signage providing instructions for use.*

The following conditions are applied to satisfy the provisions of Council's environmental plans, policies and codes for subdivision works:

49. *A "restriction as to user and positive covenant" shall be placed on the title of the subject property in conjunction with the registration of the proposed plan of subdivision for this property. This restriction as to user shall indicate the location and dimensions of the detention area. (This is to ensure that no works which could affect the design function of the detention system shall be permitted to be carried out without the prior consent in writing of the Council).*
50. *Such restriction and positive covenant shall not be released, varied or modified without the consent of the Council. The applicant shall submit a developer/subdividers certificate under Section 73 of the Water Board (Corporation) Act 1994 to the Council prior to a) the release of the subdivision plans (or) b) occupation of the development and the applicant is advised to make immediate application to a Water Servicing Co-ordinator authorised by Sydney Water for this certificate to avoid problems in servicing the development. A formal subdivision application is required to be submitted to and approved by the Council and all conditions of this development consent are required to be satisfied prior to the release of the subdivision plans.*

The following conditions are applied to ensure adequate environmental protection:

51. *All hazardous or intractable wastes (including asbestos) shall be removed and disposed of in accordance with the requirements of WorkCover and the Environmental Protection Authority, and with the provisions of:*
- *Occupational health and Safety Act 1983 (NSW)*
 - *Construction Safety Act 1912; Regulation 84A-J Construction Work Involving Asbestos or Asbestos Cement 1983 (NSW)*
 - *Occupational Health and Safety (Hazardous Substances) Regulation 1996 (NSW).*
 - *Occupational Health and Safety (Asbestos Removal Work) Regulation 1996 (NSW); and*
 - *Waste Minimisation and Management Act 1995 and Regulations (NSW).*
52. *All site works shall comply with the occupational health and safety requirements of the NSW WorkCover Authority. In this regard all contractors and employees shall adopt work practices in accordance with the requirements of WorkSafe's Control of Inorganic Lead at Work (NOHSC:102(1994) and NOHSC:2015(1994).*
53. *All site works shall comply with the occupational health and safety requirements of WorkCover NSW.*

The following conditions are applied to provide adequate security against damage to Council's infrastructure:

54. *The following security deposit requirements are to be complied with prior to a construction certificate being issued for the development, as security for making good any damage caused to the roadway, footway, verge or any public place; or as security for completing any public work; and for remedying any defect on such public works, in accordance with section 80A(6) of the Environmental Planning and Assessment Act 1979:*
- a) \$2000.00 - *Security damage deposit*

The damage deposit may be provided by way of a cash or cheque with the Council and is refundable upon the applicant advising Council, in writing, of the completion of all building works and/or obtaining an occupation certificate, if required.

The applicant is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.

55. *The following vehicular crossing deposit requirement is to be complied with prior to a construction certificate being issued for the development, as security for Council or a Council approved subcontractor to construct the vehicular crossing.*
- a) \$1000.00 - *Vehicular crossing deposit*

The vehicular crossing deposit may be provided by way of cash or cheque with the Council and is refundable upon the completion of the Council vehicular crossing by Council or a Council approved subcontractor.

The following conditions are applied to provide adequate provisions for access, transport and infrastructure

56. *The applicant must meet the full cost for Council or a Council approved contractor to:
 - a) *Remove the existing vehicular crossing and to reconstruct a full width heavy duty vehicular crossing opposite the vehicular entrance point. The applicant shall note that construction of the new vehicular crossing is likely to require “pick up and run off” of the gutter and associated roadworks.*
 - b) *Remove the existing stone kerb and gutter and to construct new kerb and gutter for the full site frontage except opposite the vehicular entrance and exit point, (Note: the full site frontage in this instance refers to the width of the access handle for the proposed allotment on which the development is to be constructed).*
 - c) *Carry out a full depth, minimum 1.5 metre wide, road construction in front of the kerb and gutter along the full site frontage.*
 - d) *Remove the existing concrete footpath and construct a new footpath to similar dimensions along the full site frontage. Any unpaved areas on the nature strip must be turfed and landscaped to Council’s specification.**
57. *All new walls adjacent to vehicular crossings must be lowered to a height of 600mm above the internal driveway level and/or splayed 1.5 metre by 1.5 metre and/or suitably setback from the property alignment so that a driver of a stopped vehicle 2 metres behind the street boundary line can observe pedestrians up to 2 metres from the crossings. Details, showing compliance with this requirement, are to be submitted to the Certifying Authority for approval prior to the release of the construction certificate.*
58. *The internal driveway must be a minimum of 5 metres wide for the first 5 metres inside the property and must be a minimum clear width of 3.5 metres at all points along the driveway. The external driveway in Dudley Street shall be a minimum of 5 metres wide and located at least 1 metre clear of the side property boundary.*
59. *The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's footpath and roadway.*
60. *The applicant shall note that all external work, carried out on Council*

property, shall be in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works". An application for the cost of the Council civil works is to be submitted to Council at the completion of the internal building works. An application fee shall be payable to Council for the quotation of the required works. The applicant may elect to use his contractor for the required works, subject to Council approval, however a design and supervision fee based on the lowest quotation from Council's nominated contractor will be required to be paid prior to the commencement of any works.

The following conditions are applied to provide adequate provisions for future civil works in the road reserve:

- 61. The Council's Department of Asset & Infrastructure Services has inspected the above site and has determined that the design alignment level at the property boundary for driveways, access ramps and pathways or the like, must match the back of the existing footpath along the full site frontage.*
- 62. The design alignment levels issued by Council and their relationship to the roadway/kerb/footpath must be indicated on the building plans for the construction certificate. The design alignment level at the street boundary, as issued by the Council, must be strictly adhered to.*
- 63. The above alignment levels have been issued at a prescribed fee of \$108.00 calculated at \$16.50 (inclusive of GST) per metre of site frontage. This amount is to be paid prior to a construction certificate being issued for the development.*

The following conditions are applied to provide adequate consideration for service authority assets:

- 64. A public utility impact assessment must be carried out on all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the development/building works and include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of service.*
- 65. The applicant must meet the full cost for Telstra, Energy Australia, Sydney Water or Natural Gas Company to adjust/repair/relocate their services as required. The applicant must make the necessary arrangements with the service authority.*
- 66. Documentary evidence from the relevant public utility authorities confirming that their requirements have been satisfied, must be submitted to the certifying authority prior to a construction certificate being issued for the development.*

Any electricity substation required for the site is to be located within the site and is to be screened from view. The proposed location and elevation shall be shown on all detailed landscape drawings and specifications. The applicant is to liaise with Sydney Electricity prior to lodging the construction certificate to see if an electricity

substation will be required for the development.

The following conditions are applied to provide adequate provisions for drainage and associated infrastructure:

67. *Engineering calculations and plans with levels reduced to Australian Height Datum in relation to site drainage shall be submitted to and approved by the Certifying Authority prior to a construction certificate being issued for the development. A copy of the engineering calculations and plans are to be forwarded to Council, prior to a construction certificate being issue, if the Council is not the certifying authority. The drawings and details shall include the following information:*
 - a) *A detailed drainage design supported by a catchment area plan, at a scale of 1:100 or as considered acceptable to the Council or an accredited certifier, and drainage calculations prepared in accordance with the Institution of Engineers publication, Australian Rainfall and Run-off, 1987 edition.*
 - b) *A layout of the proposed drainage system including pipe sizes, type, grade, length, invert levels, etc., dimensions and types of all drainage pipes and the connection into Council's stormwater system. This may involve either connection to the Council's street gutter, or into a Council stormwater pit. Note: All proposals should indicate the location of the closest Council stormwater pit and line regardless of the point of discharge. This information can be obtained by a visual inspection of the area and perusing Council's drainage plans.*
 - c) *Generally all internal pipelines must be capable of discharging a 1 in 20 year storm flow. However the minimum pipe size for pipes that accept stormwater from a surface inlet pit must be 150mm diameter. The site must be graded to direct any surplus run-off (ie. above the 1 in 20 year storm) to the proposed drainage system.*
 - d) *The separate catchment areas within the site, draining to each collection point or surface pit are to be classified into the following categories:*
 - i. *Roof areas*
 - ii. *Paved areas*
 - iii. *Grassed areas*
 - iv. *Garden areas*
 - e) *Where buildings abut higher buildings and their roofs are "flushed in" to the higher wall, the area contributing must be taken as: the projected roof area of the lower building, plus one half of the area of the vertical wall abutting, for the purpose of determining the discharge from the lower roof.*
 - f) *Proposed finished surface levels and grades of car parks, internal driveways and access aisles, which are to be related to Council's*

design alignment levels.

- g) The details of any special features that will affect the drainage design eg. the nature of the soil in the site and/or the presence of rock etc.*
- h) All stormwater run-off naturally draining to the site must be collected and discharged through this property's stormwater system. Such drainage must, if necessary, be constructed prior to the commencement of building work.*

68. Onsite stormwater detention must be provided for the redeveloped portion of the site to ensure that the maximum discharge from the above site is not to exceed that which would occur during a 1 in 10 year storm of 1 hour duration for the existing site conditions. All other stormwater run-off from the above site for all storms up to the 1 in 20 year storm is to be retained on the site for gradual release to the kerb and gutter or drainage system as required by the Director of Assets and Infrastructure Services. Provision is to be made for satisfactory overland flow should a storm in excess of the above parameters occur.

For small areas up to 0.5 hectares, determination of the required cumulative storage must be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the Australian Rainfall and Run-off Volume 1, 1987 Edition.

Where possible the detention tank must have an open base to infiltrate stormwater to the groundwater. Note that the ground water and any rock stratum has to be a minimum of 2.0 metres below the base of the tank.

69. All site stormwater must be discharged by gravity via a private drainage easement through an adjoining private property (or properties) to the kerb and gutter or drainage system. This condition is required to provide a satisfactory overland flow route should a storm in excess of the above parameters occur.

Should the applicant demonstrate that all reasonable attempts to procure the private drainage easement referred to above have failed, a pump system (or infiltration system subject to Council's requirements and a satisfactory Geotechnical Engineers report) will be permitted. However the detention required must have a minimum factor of safety of 1.5 larger than the volume required for a 1 in 100 year storm event under these circumstances. The pump system must be designed with a minimum of two pumps being installed, connected in parallel (with each pump capable of discharging at the permissible discharge rate) and connected to a control board so that each pump will operate alternatively.

The pump system must also be designed and installed strictly in accordance with "Section 8.4 PUMP SYSTEMS" as stipulated in Randwick City Council's Private Stormwater Code.

70. The applicant must provide for a detention volume of up to the 1 in 100 year, plus an additional 50% of storage volume should no overland escape route be provided for storms greater than the design storm.

71. A "restriction as to user and positive covenant" must be placed on the title of the subject property in conjunction with the registration of any future plan of subdivision or strata subdivision for this property. Such restriction and positive covenant shall relate to the onsite stormwater detention system and shall not be released, varied or modified without the consent of the Council.

Notes:

- a. The "restriction as to user and positive covenant" are to be to the satisfaction of Council. A copy of Council's standard wording/layout for the restriction and positive covenant may be obtained from Council's Asset and Infrastructure Services Department.
- b. The linen plans shall indicate the location and dimensions of the detention/infiltration areas.

This condition is to ensure that no works which could affect the design function of the detention system are undertaken without the prior consent (in writing) from Council.

72. The detention area must be regularly cleaned and maintained to ensure it functions as required by the design.
73. The floor level of all habitable and storage areas adjacent to the detention area must be a minimum of 300mm above the maximum water level for the design storm or alternately a permanent 300mm high water proof barrier is to be constructed.

(In this regard, it must be noted that this condition must not result in any increase in the heights or levels of the building. Any variations to the heights or levels of the building will require a new or amended development consent from the Council prior to a construction certificate being issued for the development).

74. Should a pump system be required to drain any portion of the site the system must be designed with a minimum of two pumps being installed, connected in parallel (with each pump capable of discharging at the permissible discharge rate) and connected to a control board so that each pump will operate alternatively. The pump system must also be designed and installed strictly in accordance with "Section 8.4 PUMP SYSTEMS" as stipulated in Randwick City Council's Private Stormwater Code.
75. A work-as-executed plan prepared and signed by the hydraulic engineer or a registered surveyor, (and approved of by the Certifying Authority in instances where Council is not the Certifying Authority), must be submitted to Council's Director of Asset and Infrastructure Services prior to the issuing of an occupation certificate, detailing the location of the detention basin with finished surface levels, contours at 0.2 metre intervals and volume of storage available. The outlet pipe from the detention basin to its connection with Council's drainage system, must be indicated on this plan in conjunction with the following information:

- a) location

- b) pipe diameter
- c) gradient
- d) pipe material ie PVC or EW etc
- e) orifice size (if applicable)

76. A sediment/silt arrester pit must be provided within the site at or near the property boundary prior to the site stormwater discharging by gravity to the kerb/street drainage system/absorption system. The sediment/silt arrester pit shall be constructed with:-

- The base of the pit located a minimum 300mm under the invert level of the outlet pipe.
- The pit must be constructed from cast in-situ concrete, precast concrete or double brick.
- The grate is to be a galvanised heavy-duty grate that has a provision for a child proof fastening system.
- A minimum of 4 x 90 mm diameter weep holes located in the walls of the pit at the floor level with a suitable geotextile material with a high filtration rating located over the weep holes.
- A galvanised heavy-duty screen (Lysaght RH3030 Maximesh or similar) located over the outlet pipe. (Similar to a Mascot GRC stormwater discharge control pit, product code DS3SDC).
- A child proof and corrosion resistant fastening system for the access grate (e.g. similar to a Weldlock spring loaded jay-bolt).
- The inlet pipeline located on the side of the pit so that the stormwater will discharge across the face of the screen.
- A sign adjacent to this pit stating that:

“This sediment/silt arrester pit shall be regularly inspected and cleaned.”

Note: *Sketch details of a standard sediment/silt arrester pit can be obtained from Council’s Drainage Engineer.*

77. A ‘V’ drain is to be constructed along the perimeter of the property, where required, to direct all stormwater to the detention area.

78. Any Absorption Trenches/Pits must be designed in accordance with "Section 8.5 ABSORPTION TRENCHES" as stipulated in Randwick City Council's Private Stormwater Code.

79. One covered car washing bay shall be provided for this development.

- a) The car washing bay must be drained to sewer to the requirements of Sydney Water and proof of compliance is to be submitted to the

Certifying Authority, prior to a construction certificate being issued for the proposed development.

- b) The car washing bay must be located outside any required/approved stormwater detention system and must be suitably signposted.*
 - c) The car washing bay must be constructed with a minimum 20mm bund around the perimeter of the car washing bay/s (or equivalent)*
 - d) A water tap shall be located adjacent to the car washing bay.*
- 80. The internal floor area of any proposed garbage area must be graded and drained to the sewer to the approval and requirements of the Sydney Water Corporation and a copy of the consent must be forwarded to the certifying authority and the Council.*
- 81. All drainage details for the site shall be prepared by a suitably qualified hydraulic consultant who shall, at the completion of the works, certify that the drainage works have been constructed in accordance with the approved drainage plans.*
- 82. Any subsoil drainage is to be disposed of within the site and is not to be discharged to Council's kerb & gutter and/or underground drainage system. Adequate provision is to be made for the ground water to drain around the basement carpark (to ensure that the basement will not dam or slow the movement of the ground water through the development site).*

The following conditions are applied to provide adequate provisions for landscaping and to maintain reasonable levels of environmental amenity:

- 83. The landscaped areas shown on the landscape plan number LSK21A dated 22 Oct 2001 shall be the subject of detailed landscape drawings and specifications, which are to be submitted to, and approved by, a certifying authority, prior to the issue of a construction certificate. The landscape drawings and specifications are to be prepared by a suitably qualified landscape designer with relevant qualifications in landscape architecture or horticulture. The documentation is to include:*
- a. A site plan at an appropriate scale showing existing site boundaries, existing trees within the property (clearly identified as being retained or removed), existing street trees (clearly identified as being retained or removed), features on adjoining sites (buildings, trees, other structures etc), council's footway, existing and proposed ground levels shown as spot heights and/or contours over the site, at site boundaries, and at the base of the tree/s to be retained, proposed building envelope, proposed areas of pavement, and proposed landscaped areas.*

The plan shall clearly show the position, canopy spread (location of dripline), trunk diameter, height and names of all existing trees upon the site and adjoining sites which are likely to be affected by the development.

- b. *A planting plan at a scale of 1:100 or 1:200 indicating the location of all proposed planting and existing trees to be retained. All plants are to be drawn at their mature size with a dense planting of shrubs, accent plants and ground covers within all garden beds so that a continuous planted cover is achieved. Plant spacings are to be clearly indicated for all accent and groundcovers.*
- c. *A planting schedule listing all plants by botanic & common names, plant numbers, plant spacings for groundcovers and accent planting, pot sizes, the estimated size of the plant at maturity (height & spread) and proposed staking methods when applicable.*
- d. *Additional notation showing soil and mulch details, irrigation details, edging, paving, fencing details, surface finishes, retaining wall details, and any other landscape elements in sufficient detail to fully describe the proposed landscape works.*
- e. *Position of existing and proposed site services including water, gas, electricity, sewer, stormwater, etc.*
- f. *Sectional elevations through the site showing the existing and proposed groundlines, building elevations, and mature height of proposed planting.*
- g. *All planter boxes and garden beds constructed on slab must have a minimum soil depth of 600mm and all lawn areas must have a minimum soil depth of 300mm. Planter box details shall be submitted with the detailed landscape elevations through the site showing the existing and proposed groundlines, building elevations and mature height of proposed planting.*
- h. *Location of easements within the site and upon adjacent sites (if any).*

The landscaping shall be installed in accordance with the approved documentation prior to the issue of an occupation certificate and shall be maintained in accordance with those plans.

- 84. *To ensure satisfactory maintenance of the landscaped areas, an automatic irrigation system shall be installed throughout all the landscaped areas. Such system shall provide full coverage to all the landscaped areas with no overspray onto driveways and pathways.*

Details of the automatic irrigation system shall be shown on the detailed landscape plans and specifications. The system shall comply with all Sydney Water requirements, and relevant Australian Standards.

- 85. *The naturestrip upon Council's footway shall be excavated to a depth of 150mm, backfilled with topsoil equivalent with 'Organic Garden Mix' as supplied by Australian Native Landscapes, and re-turfed. Such works shall be installed prior to the issue of the Occupation Certificate.*

86. *The naturestrip upon Council's footway shall be maintained by the applicant in accordance with Council guidelines. Such maintenance shall include, but not be limited to, watering, mowing, fertilising, and the removal of weeds.*
87. *Any substation required shall be screened from view. The proposed location and elevation shall be shown on all detailed landscape drawings and specifications.*
88. *All detention tanks and stormwater infiltration systems located within the landscaped areas shall have a minimum soil cover of 600mm to ensure sufficient soil depth to permit the establishment of landscaping on top of these services as stipulated by these conditions of development consent.*

All stormwater documentation submitted for the construction certificate application shall show the top of the detention tanks and stormwater infiltration devices being 600mm below the finished ground level of the landscaped areas.

TREE MANAGEMENT:

89. *Approval is granted for the removal of the following trees subject to the planting of 1 x 75 litre broad canopied replacement tree (not palm) within the site. The species selected shall be one that will attain a minimum height of 6 metres at maturity.*
 - a. *One Cinnamomum camphora (Camphor Laurel) located along the eastern property boundary, close to the northern end of the site.*
90. *The applicant shall be required to ensure the retention and long term health of all trees located on adjoining properties adjacent to the proposed development. As a general guide there shall be minimal excavation or root pruning within the driplines of the subject trees.*

TREE PROTECTION MEASURES:

91. *In order to ensure the retention of the Lophostemon confertus (Brush Box) located in the north eastern corner of the site in good health, the following measures are to be undertaken:*
 - a. *All detailed architectural, building, demolition, engineering (structural, stormwater & drainage, services), and landscape documentation submitted for the construction certificate application shall show the retention of the existing tree specimen with the position of the tree trunk and full diameter of the tree canopy clearly shown on all drawings.*
 - b. *All detailed architectural, building, demolition, engineering (structural, stormwater & drainage, services), and landscape documentation submitted for the construction certificate application shall show no alteration in the existing soil levels or the location of any structures, services, footings, paving, detention tanks, stormwater*

infiltration systems, pipes, cutting or battering of the existing soil profile, or any excavations within a radius of 3 metres from the outside edge of the tree trunk.

- c. The tree is to be physically protected by the installation of protective fencing around the tree using 1.8 metre high steel mesh/chainwire fencing. This fencing shall be located to a minimum radius of 2 metres from the outside edge of the tree trunk.*

This fencing shall be installed prior to the commencement of demolition and construction works and shall remain in place until all works are completed.

- d. Within this zone there is to be no storage of materials or machinery or site office/sheds, nor is cement to be mixed or chemicals spilt/disposed of in the area, no stockpiling of soil or rubble, or any works listed in Point b.*

Any works required within this zone (only as approved on the construction certificate) shall be under the direction of, and to the satisfaction of, a suitably qualified Arborist.

- e. The installation of woodchip mulch to a depth of 75mm within the fenced off protection area as described in Point c.*
- f. Watering of the tree (within the fenced off area) three times a week for the duration of the period of the refundable deposit described in Point i.*
- g. The erection of signage on the fence with the following words clearly displayed: "TREE PROTECTION ZONE", "DO NOT ENTER".*

- 92. In order to ensure the retention of the trees located within the adjoining property/properties to the east of the site, within 3 metres of the eastern property boundary of the site, in good health, the following measures are to be undertaken:*

- a. All detailed architectural, building, demolition, engineering (structural, stormwater & drainage, services), and landscape documentation submitted for the construction certificate application shall show the retention of the existing tree specimens with the position of the tree trunks and full diameter of the tree canopies clearly shown on all drawings.*
- h. All detailed architectural, building, demolition, engineering (structural, stormwater & drainage, services), and landscape documentation submitted for the construction certificate application shall show no alteration in the existing soil levels or the location of any structures, services, footings, detention tanks, stormwater infiltration systems, pipes, cutting or battering of the existing soil profile, basement carparks or any excavations within a 2 metres from the outside edge of the tree trunks.*

93. *A refundable deposit in the form of cash or cheque, or bank guarantee for the amount of \$10,000.00 shall be lodged with Council prior to a construction certificate being issued for the proposed development to ensure the implementation and maintenance of the landscape works in accordance with the approved landscape documentation.*
- a. *The refundable deposit will be released twelve (12) months after the issue of a final occupation certificate by the principle certifying authority providing the landscape works have been successfully implemented and maintained in accordance with the approved landscape documentation. Throughout the maintenance/bond period, the applicant shall be responsible for all routine maintenance such as grass cutting, weeding, watering, fertilising, spraying, staking and replacement of all failed plant stock. There must be no alteration to the original design, including substitution of trees and shrubs, without the prior approval of Council.*
 - b. *Any contravention of Council's landscape conditions at any time during the construction period or prior to the expiration of a period of twelve (12) months from the date a final occupation certificate is issued will result in the Council claiming all or part of the lodged security.*
 - c. *In order to organise for a final inspection for the Occupation Certificate or for the release of the security deposit, the applicant shall contact the Town Planning Department to advise that the site is ready to be inspected. Town Planning will then organise for a final inspection to be carried out. Should the landscaping be found to be unsatisfactory, thus necessitating further inspections, the applicant is advised that each additional inspection will be charged at \$55.00 (including GST) and that this amount shall be paid into Account Number 41901939, Code RGJ at the Cashier on the Ground Floor of the Administrative Centre prior to any further inspection being carried out.*

The applicant shall present the receipt at the Asset and Infrastructure Services counter on the First Floor to organise for a further inspection to be undertaken.

The following conditions are applied to provide adequate provisions for waste management:

94. *Prior to the issuing of a construction certificate for the proposed development the applicant is to submit to Council for approval, and have approved by Council's Manager of Waste, a Waste Management Plan detailing waste and recycling storage and disposal for the residential development, post construction.*

The following conditions have been applied to ensure that noise emissions from the development satisfy legislative requirements and maintain reasonable levels of amenity to the area:

95. *The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations.*

In this regard, the use of the premises and the operation of any plant or equipment on the site shall not give rise to an L10 sound pressure level which is 5dB(A) greater than the A-weighted L90 background sound pressure level, measured at any point on a residential boundary or within any residential dwelling.

The following conditions are applied to ensure that adequate provisions are made for the management of waste from the development:

96. *Adequate provisions are to be made within the premises for the storage, collection and disposal of waste and recyclable materials.*

A Waste Management Plan is to be submitted to Council and approved by Council's Manager of Waste Services, in accordance with section 80A (2) of the Environmental Planning and Assessment Act 1979, prior to a construction certificate being issued for the proposed development.

The plan shall detail the type and quantity of waste to be generated by the development; demolition waste; construction waste; materials to be re-used or recycled; facilities/procedures for the storage, collection recycling & disposal of waste and the on-going management of waste.

The following conditions are applied to ensure that the development satisfies the provisions of the Environmental Planning and Assessment Act 1979 and Regulations:

97. *All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA), in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000.*
98. *In accordance with clause 98 of the Environmental Planning and Assessment Regulation 2000, it is a prescribed condition, that in the case of residential building work, a contract of insurance must be obtained and in force, in accordance with the requirements of the Home Building Act 1989.*

Where the work is to be done by a licensed contractor, excavation or building work must not be carried out unless the Principal Certifying Authority (PCA):

- *has been informed in writing of the licensee's name and contractor number; and*
- *is satisfied that the licensee has complied with the insurance requirements of Part 6 of the Home Building Act 1989, or*

Where the work to be done by any other person (i.e. an owner builder), excavation or building work must not be carried out unless the Principal Certifying Authority:

- *has been informed of the person's name and owner-builder permit number, or*
- *has been given a declaration, signed by the owner of the land that states that*

the market cost of the labour and materials involved in the work does not exceed \$3,000.

Details of the builder and compliance with the provisions of the Home Building Act 1989 are to be submitted to Council prior to the commencement of works, on the notice of appointment of the PCA / Intention to commence building work.

The following conditions are applied to ensure that the development satisfies the terms of Council's approval and relevant standards of construction, and to maintain adequate levels of health, safety and amenity during construction:

99. *A sign must be erected on the site in a prominent, visible position, prior to commencing any demolition, excavation or building works, stating that 'unauthorised entry to the site is prohibited' and showing the name of the person in charge of the work site and a telephone number at which the person may be contacted outside working hours, in accordance with clause 78H of the Environmental Planning and Assessment Regulation 1994.*

In the case of residential building work, the sign is also required to detail the licence number of the building contractor or the permit number of the owner-builder, in accordance with the Home Building Act, 1989 and Regulations.

100. *All demolition work is to be carried out in accordance with the provisions of AS2601-1991. The Demolition of Structures, as in Force at 1 July, 1993 and details of compliance are to be prepared by a suitably qualified person and be submitted to the principal certifying authority, **prior to the commencement of any demolition works.***

101. *Prior to the commencement of any building works, a construction certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*

102. *Prior to the commencement of any building work, a principal certifying authority must be appointed and Council is to be notified accordingly and, at least 2 days notice of the intention to commence building work must be given to Council, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*

103. *A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.*

104. *The building works are to be inspected by the principal certifying authority (or other suitably qualified person on behalf of the applicant) to monitor compliance with Council's approval and the relevant standards of construction.*

Documentary evidence of compliance with Council's approval and relevant building inspections, is to be maintained by the principal certifying authority.

Upon inspection of each stage of construction, the principal certifying authority (or other suitably qualified person on behalf of the applicant) is also required to ensure that adequate provisions are made for the following measures (as applicable), to ensure compliance with the terms of Council's approval:

- *Sediment control measures.*
 - *Provision of perimeter fences or hoardings for public safety and restricted access to building sites.*
 - *Maintenance of the public place free from unauthorised materials, waste containers or other obstructions.*
105. *All excavations and backfilling associated with the erection or demolition of a building must be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and protected to prevent them from being dangerous to life or property.*
106. *Retaining walls or shoring must be provided to support land which is excavated in association with the erection or demolition of a building, to prevent the movement of soil and to support the adjacent land, if the soil conditions require it, and adequate provisions are to be made for drainage.*

Retaining walls and shoring are to be designed and installed in accordance with the relevant requirements of the Building Code of Australia and Australian Standards and details of any proposed retaining walls are to be submitted to the Principal Certifying Authority for consideration prior to installation.

107. *An Occupation Certificate must be obtained from the principal certifying authority prior to any occupation of the building work encompassed in this development consent in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.*
108. *In addition to the matters contained in the Environmental Planning and Assessment Regulation 2000, the following matters are to be completed in accordance with the terms and conditions of this development consent, **prior to the occupation** of the building:*
- a) *car parking and vehicular access*
 - b) *landscaping*
 - c) *stormwater drainage*
 - d) *external finishes and materials*
109. *A coloured works-as-executed fire services plan is to be submitted to the Council **prior to occupation** of the development, detailing the location of the essential fire safety measures installed within the building premises.*
110. *Building and demolition works must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive, between 8.00am to 5.00pm on Saturdays and all building activities are strictly prohibited on Sundays and public holidays, except with the specific written authorisation of Council's Manager of Environmental Health and Building Services.*

111. *Temporary toilet facilities are to be provided, at or in the vicinity of the work site throughout the course of demolition and construction, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site and the toilet facilities must be connected to a public sewer or other sewage management facility approved by Council.*
112. *Building materials, sand, soil, waste materials or construction equipment must not be placed upon the footpath, roadway or nature strip at any time and the footpath, nature strip and road must be maintained in a clean condition and free from any obstructions at all times.*
113. *Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written consent of the Council, unless the waste container is located upon the road in accordance with the Roads & Traffic Authority Guidelines and Requirements, and the container is exempt from an approval under Council's Local Approvals Policy.*
114. *Any building/demolition works involving asbestos cement are to be carried out in accordance with the Work Cover New South Wales "Guidelines for Practices Involving Asbestos Cement in Buildings".*
115. *A Construction Site Management Plan is to be submitted to and approved by the principal certifying authority **prior to the commencement of demolition, excavation or building works.** The site management plan must include the following measures, as applicable to the type of development:*
- *location and construction of protective fencing / hoardings to the perimeter of the site;*
 - *location of site storage areas/sheds/equipment;*
 - *location of building materials for construction;*
 - *provisions for public safety;*
 - *dust control measures;*
 - *site access location and construction*
 - *details of methods of disposal of demolition materials;*
 - *protective measures for tree preservation;*
 - *provisions for temporary sanitary facilities;*
 - *location and size of waste containers/bulk bins;*
 - *details of proposed sediment and erosion control measures;*
 - *construction noise and vibration management.*

The site management measures are to be implemented prior to the commencement of any site works and be maintained throughout the works, to maintain adequate levels of public health and safety. A copy of the approved Construction Site Management Plan must be maintained on site and be made available to Council officers upon request.

116. *During construction stages, sediment laden stormwater run-off shall be controlled using the sediment control measures outlined in the manual for Managing Urban Stormwater – Soils and Construction, published by the NSW Department of Housing.*

A soil and water management plan (SWMP) must be submitted to and approved by the principal certifying authority and implemented prior to the commencement of any site works or activities.

The soil and water management plan must contain a site plan, detailing:

- *the slope of the land*
- *site access points and access control measures*
- *location and type of all sediment control measures*
- *location of existing vegetation, to be retained*
- *material stockpile or storage areas and methods of sediment control*
- *location of existing and proposed drainage systems*
- *proposed disposal of site water*
- *location of building operations and equipment*
- *proposed re-vegetation details*

All soil and water management measures must be maintained at all times throughout demolition, excavation, building and site works and a copy of the soil and water management plan is to be kept on-site and be made available to Council officers upon request.

117. *Stockpiles of soil, sand, aggregate or other materials must not be located on any drainage line, natural watercourse, footpath, roadway or any public place and the stockpiles must be protected with adequate sediment control measures.*

Building operations such as brick cutting, washing tools or equipment and mixing mortar are not permitted on public footpaths, roadways, in any public place or any location which may lead to the discharge of materials into the stormwater drainage system.

118. *A warning sign for soil and water management must be displayed in a prominent position on the building site, visible to both the public and site workers. The sign must be displayed throughout the construction period. Copies of a suitable warning sign are available at Council's Customer Service Centre for a nominal fee.*

The following conditions are applied to ensure that reasonable levels of fire safety are provided in the building:

119. *The building is required to be provided with a smoke alarm system complying with Clause 3 of Specification E2.2a of the B.C.A. or a smoke detection system complying with Clause 4 of Specification E2.2a of the B.C.A. or a combination of a smoke alarm system within the sole-occupancy units and a smoke detection system in areas not within the sole-occupancy units.*

ADVISORY MATTERS:

- A1. *The applicant is advised that the Construction Certificate plans and specification must comply with the provisions of the Building Code of Australia (BCA).*

In this regard, the development consent plans do not show compliance with the deemed-to-satisfy provisions of the BCA, including:

- a) Part D3 - Access for people with disabilities*
- b) Part E2 - Smoke Hazard Management*
- c) Part E3 - Lift Installations*
- d) Part E4 - Emergency lighting, exit signs and warning systems*

Details of compliance with the relevant provisions of the Building Code of Australia and conditions of development consent are to be provided in the plans and specifications for the construction certificate.

NB: The applications should be referred to the Regulatory Unit regarding any orders that may need to be served upon the building owners with respect to Fire Safety

- A2 The applicant is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.*
- A3. The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's footpath and roadway.*
- E. THAT Council as the responsible authority grant its development consent under the provisions of Section 80 (3) of the Environmental Planning and Assessment Act 1979 (as amended), "Deferred Commencement" to Development Application No. 1050/01 Plans numbered 0133 DA-201 A. 02, 08, dated 22/10/01 and received by Council on 5/11/01 to undertake alterations and additions to Mount Dudley at 35 Dudley Street, Coogee.*
 - a. The consent shall not operate until the applicant satisfies Council as to the following matter, and will lapse within 12 months from the date of this notice if the following requirements have not been adequately addressed to the satisfaction of the Director of Planning and Environment:-*
 - b. An Arborist's report must be submitted to Council for approval, **and be approved**, prior to the lodgement of a Construction Certificate Application. The Arborist's report shall be prepared by a suitably qualified and experienced person/s and shall provide Council with the following information:*
 - c. A detailed assessment of the health and stability of all trees covered by Council's Tree Preservation Order, that are to be retained in conjunction with the proposed development.*
 - d. Recommended tree protection measures for ensuring the long term health and stability of those trees that are to be retained.*

- e. *Amenity values for all trees that are to be retained in conjunction with the proposed development, such amenity values are to be calculated using the draft Australian Standard.*
 - f. *The applicant shall contact Council's Landscape Technician to discuss Council's requirements for the Arborist's Report prior to preparation of it.*
 - g. *Subject to compliance with the deferred commencement requirement, approval shall be granted subject to the following conditions:*
 - h. *Details of the proposed finishes, colours and materials of the Mount Dudley addition be submitted to Council for approval.*
1. *The development must be implemented substantially in accordance with the plans numbered 0133 DA-201 A. 02, 08, dated 22/10/01 and received by Council on 5/11/01 to undertake alterations and additions to Mount Dudley building at 35 Dudley Street, Coogee, the application form and on any supporting information received with the application, except as may be amended by the following conditions and as may be shown in red on the attached plans:*

The following conditions are applied to provide adequate security against damage to Council's infrastructure:

2. *The following security deposits requirements are to be complied with prior to a construction certificate being issued for the development, as security for making good any damage caused to the roadway, footway, verge or any public place; or as security for completing any public work; and for remedying any defect on such public works, in accordance with section 80A(6) of the Environmental Planning and Assessment Act 1979:*

a) \$2000.00 - Security damage deposit

The damage deposit may be provided by way of a cash or cheque with the Council and is refundable upon the applicant advising Council, in writing, of the completion of all building works and/or obtaining an occupation certificate, if required.

The applicant is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.

3. *The following vehicular crossing deposit requirement is to be complied with prior to a construction certificate being issued for the development, as security for Council or a Council approved subcontractor to construct the vehicular crossing.*

a) \$1000.00 - Vehicular crossing deposit

The vehicular crossing deposit may be provided by way of cash or cheque with the Council and is refundable upon the completion of the Council vehicular crossing by Council or a Council approved subcontractor.

The following conditions are applied to provide adequate provisions for access, transport and infrastructure:

4. *Prior to lodgement of the construction certificate application the applicant shall submit for approval, and have approved by the Certifying Authority, a traffic related assessment of the proposed vehicular entry/exit point. The assessment shall be prepared by a suitably qualified consultant and shall demonstrate that the sight distance available to the drivers of vehicles exiting the site and travelling to the west is in general compliance with the relevant sections of AS 2890.1.*
5. *The applicant must meet the full cost for Council or a Council approved contractor to:*
 - e) *Remove the existing vehicular crossing and to reconstruct a full width heavy duty vehicular crossing opposite the vehicular entrance point. The applicant shall note that construction of the new vehicular crossing is likely to require "pick up and run off" of the gutter and associated roadworks.*
 - f) *Remove the existing stone kerb and gutter and to construct new kerb and gutter for the full site frontage except opposite the vehicular entrance and exit point.*
 - g) *Carry out a full depth, minimum 1.5 metre wide, road construction in front of the new kerb and gutter along the full site frontage.*
 - h) *Remove the existing concrete footpath and construct a new footpath to similar dimensions along the full site frontage. Any unpaved areas on the nature strip must be turfed and landscaped to Council's specification.*
6. *The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's footpath and roadway.*
7. *The applicant shall note that all external work, carried out on Council property, shall be in accordance with Council's Policy for "Vehicular Access and Road and Drainage Works". An application for the cost of the Council civil works is to be submitted to Council at the completion of the internal building works. An application fee shall be payable to Council for the quotation of the required works. The applicant may elect to use his contractor for the required works, subject to Council approval, however a design and supervision fee based on the lowest quotation from Council's nominated contractor will be required to be paid prior to the commencement of any works.*
8. *A work zone with a minimum length of 12 metres is to be provided in Dudley Street fronting the development site. Details of the work zone location, together with payment for its installation, are to be received by Council at least four (4) weeks prior to the commencement of building works.*
9. *The vehicular crossing in Dudley Street must be a minimum of 5 metres wide and located at least 1.0 metre clear of the side property boundary.*

10. *The internal driveway must be a minimum of 5 metres wide for the first 5 metres inside the property and must be a minimum clear width of 3.5 metres at all points along the driveway.*
11. *All new walls adjacent to vehicular crossings must be lowered to a height of 600mm above the internal driveway level and/or splayed 1.5 metre by 1.5 metre and/or suitably setback from the property alignment so that a driver of a stopped vehicle 2 metres behind the street boundary line can observe pedestrians up to 2 metres from the crossings. Details, showing compliance with this requirement, are to be submitted to the Certifying Authority for approval prior to the release of the construction certificate.*

The following conditions are applied to provide adequate provisions for future civil works in the road reserve:

12. *The Council's Department of Asset & Infrastructure Services has inspected the above site and has determined that the design alignment level at the property boundary for driveways, access ramps and pathways or the like, must match the back of the existing footpath along the full site frontage.*
13. *The design alignment levels issued by Council and their relationship to the roadway/kerb/footpath must be indicated on the building plans for the construction certificate. The design alignment level at the street boundary, as issued by the Council, must be strictly adhered to.*
14. *The above alignment levels have been issued at a prescribed fee of \$915.00 calculated at \$16.50 (inclusive of GST) per metre of site frontage. This amount is to be paid prior to a construction certificate being issued for the development.*

The following conditions are applied to provide adequate consideration for service authority assets:

15. *A public utility impact assessment must be carried out on all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the development/building works and include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of service.*
16. *The applicant must meet the full cost for Telstra, Energy Australia, Sydney Water or Natural Gas Company to adjust/repair/relocate their services as required. The applicant must make the necessary arrangements with the service authority.*
17. *Documentary evidence from the relevant public utility authorities confirming that their requirements have been satisfied, must be submitted to the certifying authority prior to a construction certificate being issued for the development.*

Any electricity substation required for the site is to be located within the site and is to be screened from view. The proposed location and elevation shall be shown on all detailed landscape drawings and specifications. The applicant is to liaise with Sydney Electricity prior to lodging the construction certificate to see if an electricity

substation will be required for the development.

The following conditions are applied to provide adequate provisions for drainage and associated infrastructure:

18. *Engineering calculations and plans with levels reduced to Australian Height Datum in relation to site drainage shall be submitted to and approved by the certifying authority prior to a construction certificate being issued for the development. A copy of the engineering calculations and plans are to be forwarded to Council, prior to a construction certificate being issue, if the Council is not the certifying authority. The drawings and details shall include the following information:*
 - a) *A detailed drainage design supported by a catchment area plan, at a scale of 1:100 or as considered acceptable to the Council or an accredited certifier, and drainage calculations prepared in accordance with the Institution of Engineers publication, Australian Rainfall and Run-off, 1987 edition.*
 - b) *A layout of the proposed drainage system including pipe sizes, type, grade, length, invert levels, etc., dimensions and types of all drainage pipes and the connection into Council's stormwater system. This may involve either connection to the Council's street gutter, or into a Council stormwater pit. Note: All proposals should indicate the location of the closest Council stormwater pit and line regardless of the point of discharge. This information can be obtained by a visual inspection of the area and perusing Council's drainage plans.*
 - c) *Generally all internal pipelines must be capable of discharging a 1 in 20 year storm flow. However the minimum pipe size for pipes that accept stormwater from a surface inlet pit must be 150mm diameter. The site must be graded to direct any surplus run-off (ie. above the 1 in 20 year storm) to the proposed drainage system.*
 - d) *The separate catchment areas within the site, draining to each collection point or surface pit are to be classified into the following categories:*
 - i. *Roof areas*
 - ii. *Paved areas*
 - iii. *Grassed areas*
 - iv. *Garden areas*
 - e) *Where buildings abut higher buildings and their roofs are "flushed in" to the higher wall, the area contributing must be taken as: the projected roof area of the lower building, plus one half of the area of the vertical wall abutting, for the purpose of determining the discharge from the lower roof.*
 - f) *Proposed finished surface levels and grades of car parks, internal driveways and access aisles which are to be related to Council's design alignment levels.*
 - g) *The details of any special features that will affect the drainage design eg. the nature of the soil in the site and/or the presence of rock etc.*

- h) *All stormwater run-off naturally draining to the site must be collected and discharged through this property's stormwater system. Such drainage must, if necessary, be constructed prior to the commencement of building work.*
19. *Onsite stormwater detention must be provided for the redeveloped portion of the site to ensure that the maximum discharge from the above site is not to exceed that which would occur during a 1 in 10 year storm of 1 hour duration for the existing site conditions. All other stormwater run-off from the above site for all storms up to the 1 in 20 year storm is to be retained on the site for gradual release to the kerb and gutter or drainage system as required by the Director of Assets and Infrastructure Services. Provision is to be made for satisfactory overland flow should a storm in excess of the above parameters occur.*

For small areas up to 0.5 hectares, determination of the required cumulative storage must be calculated by the mass curve technique as detailed in Technical Note 1, Chapter 14 of the Australian Rainfall and Run-off Volume 1, 1987 Edition.

Where possible the detention tank must have an open base to infiltrate stormwater to the groundwater. Note that the ground water and any rock stratum has to be a minimum of 2.0 metres below the base of the tank.

20. *All site stormwater leaving the site must be discharged by gravity to the kerb and gutter or drainage system at the front of the property.*

and/or

by gravity via a private drainage easement through an adjoining private property (or properties) to the kerb and gutter or drainage system. This condition is required to provide a satisfactory overland flow route should a storm in excess of the above parameters occur.

21. *The applicant must provide for a detention volume of up to the 1 in 100 year, plus an additional 50% of storage volume should no overland escape route be provided for storms greater than the design storm.*
22. *A "restriction as to user and positive covenant" shall be placed on the title of the subject prior to the issuing of an occupation certificate. Such restriction and positive covenant shall relate to the onsite stormwater detention system and shall not be released, varied or modified without the consent of the Council.*

Notes:

- c. *The "restriction as to user and positive covenant" are to be to the satisfaction of Council. A copy of Council's standard wording/layout for the restriction and positive covenant may be obtained from Council's Asset and Infrastructure Services Department.*
- d. *The linen plans shall indicate the location and dimensions of the detention/infiltration areas.*

This condition is to ensure that no works which could affect the design function of the detention system are undertaken without the prior consent (in writing) from Council.

23. *The detention area must be regularly cleaned and maintained to ensure it functions as required by the design.*
24. *The floor level of all habitable and storage areas adjacent to the detention area must be a minimum of 300mm above the maximum water level for the design storm or alternately a permanent 300mm high water proof barrier is to be constructed.*
- (In this regard, it must be noted that this condition must not result in any increase in the heights or levels of the building. Any variations to the heights or levels of the building will require a new or amended development consent from the Council prior to a construction certificate being issued for the development).*
25. *Should a pump system be required to drain any portion of the site the system must be designed with a minimum of two pumps being installed, connected in parallel (with each pump capable of discharging at the permissible discharge rate) and connected to a control board so that each pump will operate alternatively. The pump system must also be designed and installed strictly in accordance with "Section 8.4 PUMP SYSTEMS" as stipulated in Randwick City Council's Private Stormwater Code.*
26. *A work-as-executed plan prepared and signed by the hydraulic engineer or a registered surveyor, (and approved of by the Certifying Authority in instances where Council is not the Certifying Authority), must be submitted to Council's Director of Asset and Infrastructure Services prior to the issuing of an occupation certificate, detailing the location of the detention basin with finished surface levels, contours at 0.2 metre intervals and volume of storage available. The outlet pipe from the detention basin to its connection with Council's drainage system, must be indicated on this plan in conjunction with the following information:*
- a) location*
 - b) pipe diameter*
 - c) gradient*
 - d) pipe material ie PVC or EW etc*
 - e) orifice size (if applicable)*
27. *A sediment/silt arrester pit must be provided within the site at or near the property boundary prior to the site stormwater discharging by gravity to the kerb/street drainage system/absorption system. The sediment/silt arrester pit shall be constructed with:-*
- The base of the pit located a minimum 300mm under the invert level of the outlet pipe.*
 - The pit must be constructed from cast in-situ concrete, precast concrete or double brick.*
 - The grate is to be a galvanised heavy-duty grate that has a provision for a child proof fastening system.*
 - A minimum of 4 x 90 mm diameter weep holes located in the walls of the pit at the floor level with a suitable geotextile material with a high filtration rating*

located over the weep holes.

- *A galvanised heavy-duty screen (Lysaght RH3030 Maximesh or similar) located over the outlet pipe. (Similar to a Mascot GRC stormwater discharge control pit, product code DS3SDC).*
- *A child proof and corrosion resistant fastening system for the access grate (e.g. similar to a Weldlock spring loaded jay-bolt).*
- *The inlet pipeline located on the side of the pit so that the stormwater will discharge across the face of the screen.*
- *A sign adjacent to this pit stating that:*

“This sediment/silt arrester pit shall be regularly inspected and cleaned.”

Note: *Sketch details of a standard sediment/silt arrester pit can be obtained from Council’s Drainage Engineer.*

28. *A ‘V’ drain is to be constructed along the perimeter of the property, where required, to direct all stormwater to the detention area.*
29. *Any Absorption Trenches/Pits must be designed in accordance with "Section 8.5 ABSORPTION TRENCHES" as stipulated in Randwick City Council's Private Stormwater Code.*
30. *The internal floor area of any proposed garbage area must be graded and drained to the sewer to the approval and requirements of the Sydney Water Corporation and a copy of the consent must be forwarded to the certifying authority and the Council.*
31. *All drainage details for the site shall be prepared by a suitably qualified hydraulic consultant who shall, at the completion of the works, certify that the drainage works have been constructed in accordance with the approved drainage plans.*
32. *Any subsoil drainage is to be disposed of within the site and is not to be discharged to Council’s kerb & gutter and/or underground drainage system. Adequate provision is to be made for the ground water to drain around the basement carpark (to ensure that the basement will not dam or slow the movement of the ground water through the development site).*

The following conditions are applied to provide adequate provisions for landscaping and to maintain reasonable levels of environmental amenity:

33. *The landscaped areas shown on the landscape plan number LSK20A dated 22 Oct 2001 shall be the subject of detailed landscape drawings and specifications, which are to be submitted to, and approved by, a certifying authority, prior to the issue of a construction certificate. The landscape drawings and specifications are to be prepared by a suitably qualified landscape designer with relevant qualifications in landscape architecture or horticulture. The documentation is to include:*
 - a. *A site plan at an appropriate scale showing existing site boundaries, existing*

trees within the property (clearly identified as being retained or removed), existing street trees (clearly identified as being retained or removed), features on adjoining sites (buildings, trees, other structures etc), council's footway, existing and proposed ground levels shown as spot heights and/or contours over the site, at site boundaries, and at the base of the tree/s to be retained, proposed building envelope, proposed areas of pavement, and proposed landscaped areas.

The plan shall clearly show the position, canopy spread (location of dripline), trunk diameter, height and names of all existing trees upon the site and adjoining sites which are likely to be affected by the development.

- b. A planting plan at a scale of 1:100 or 1:200 indicating the location of all proposed planting and existing trees to be retained. All plants are to be drawn at their mature size with a dense planting of shrubs, accent plants and ground covers within all garden beds so that a continuous planted cover is achieved. Plant spacings are to be clearly indicated for all accent and groundcovers.*
- d. A planting schedule listing all plants by botanic & common names, plant numbers, plant spacings for groundcovers and accent planting, pot sizes, the estimated size of the plant at maturity (height & spread) and proposed staking methods when applicable.*
- e. Additional notation showing soil and mulch details, irrigation details, edging, paving, fencing details, surface finishes, retaining wall details, and any other landscape elements in sufficient detail to fully describe the proposed landscape works.*
- f. Position of existing and proposed site services including water, gas, electricity, sewer, stormwater, etc.*
- g. Sectional elevations through the site showing the existing and proposed groundlines, building elevations, and mature height of proposed planting.*
- h. All planter boxes and garden beds constructed on slab must have a minimum soil depth of 600mm and all lawn areas must have a minimum soil depth of 300mm. Planter box details shall be submitted with the detailed landscape elevations through the site showing the existing and proposed groundlines, building elevations and mature height of proposed planting.*
- i. Location of easements within the site and upon adjacent sites (if any).*
- j. The amendment of landscape plan LSK20A to show no hard landscaping within 2 metres from the trunk of the existing Ficus species (Fig Tree) located within the front (southern) end of the site, close to the existing 'Mt Dudley' timber building, to any form of hard landscaping.*

The landscaping shall be installed in accordance with the approved documentation prior to the issue of an occupation certificate and shall be maintained in accordance with those plans.

34. *To ensure satisfactory maintenance of the landscaped areas, an automatic irrigation system shall be installed throughout all the landscaped areas. Such system shall provide full coverage to all the landscaped areas with no over spray onto driveways and pathways.*

Details of the automatic irrigation system shall be shown on the detailed landscape plans and specifications. The system shall comply with all Sydney Water requirements, and relevant Australian Standards.

35. *The naturestrip upon Council's footway shall be excavated to a depth of 150mm, backfilled with topsoil equivalent with 'Organic Garden Mix' as supplied by Australian Native Landscapes, and re-turfed. Such works shall be installed prior to the issue of the Occupation Certificate.*
36. *The naturestrip upon Council's footway shall be maintained by the applicant in accordance with Council guidelines. Such maintenance shall include, but not be limited to, watering, mowing, fertilising, and the removal of weeds.*
37. *Any substation required shall be screened from view. The proposed location and elevation shall be shown on all detailed landscape drawings and specifications.*
38. *All detention tanks and stormwater infiltration systems located within the landscaped areas shall have a minimum soil cover of 600mm to ensure sufficient soil depth to permit the establishment of landscaping on top of these services as stipulated by these conditions of development consent.*

All stormwater documentation submitted for the construction certificate application shall show the top of the detention tanks and stormwater infiltration devices being 600mm below the finished ground level of the landscaped areas.

39. *A refundable deposit in the form of cash or cheque, or bank guarantee for the amount of \$6,000.00 shall be lodged with Council prior to a construction certificate being issued for the proposed development to ensure the implementation and maintenance of the landscape works in accordance with the approved landscape documentation.*
- a. *The refundable deposit will be released twelve (12) months after the issue of a final occupation certificate by the principle certifying authority providing the landscape works have been successfully implemented and maintained in accordance with the approved landscape documentation. Throughout the maintenance/bond period, the applicant shall be responsible for all routine maintenance such as grass cutting, weeding, watering, fertilising, spraying, staking and replacement of all failed plant stock. There must be no alteration to the original design, including substitution of trees and shrubs, without the prior approval of Council.*
- b. *Any contravention of Council's landscape conditions at any time during the construction period or prior to the expiration of a period of twelve (12) months from the date a final occupation certificate is issued will result in the Council claiming all or part of the lodged security.*
40. *In order to organise for a final inspection for the Occupation Certificate or for the*

release of the security deposit, the applicant shall contact the Town Planning Department to advise that the site is ready to be inspected. Town Planning will then organise for a final inspection to be carried out. Should the landscaping be found to be unsatisfactory, thus necessitating further inspections, the applicant is advised that each additional inspection will be charged at \$55.00 (including GST) and that this amount shall be paid into Account Number 41901939, Code RGJ at the Cashier on the Ground Floor of the Administrative Centre prior to any further inspection being carried out.

The applicant shall present the receipt at the Asset and Infrastructure Services counter on the First Floor to organise for a further inspection to be undertaken.

TREE MANAGEMENT:

41. *The applicant shall submit payment of \$290.00 to Council,*
- a. *Being the cost for Council to supply and install 2 x 45 litre street trees at the completion of all works.*

The contribution shall be paid into Account Number 43450030 at the Cashier on the Ground Floor of the Administrative Centre prior to an occupation certificate being issued for the development.

The applicant shall present the receipt at the Asset and Infrastructure Services counter on the First Floor to organise for the works to be undertaken.

42. *Approval is granted for the removal of the following trees subject to the planting of 2 x 75 litre broad canopied replacement trees (not palms) within the site. The species selected shall be those that will attain a minimum height of 6 metres at maturity.*
- i) *Two (2) *Metrosideros excelsa* (New Zealand Christmas Bushes) located within the front (southern) end of the site.*

43. *The applicant shall be required to ensure the retention and long term health of all trees located on adjoining properties adjacent to the proposed development. As a general guide there shall be minimal excavation or root pruning within the driplines of the subject trees.*

TREE PROTECTION MEASURES:

44. *The applicant shall ensure that those trees identified for retention in the as approved Arborist's report, (referred to in the deferred commencement condition of consent), are retained and protected in conjunction with the proposed development. The approved tree protection measures shall be strictly followed.*
45. *Prior to the issuing of a Construction Certificate for this development the applicant shall lodge with Council a refundable deposit in the amount of the Council approved amenity values for the trees to be retained, (as referred to in the deferred commencement condition of consent).*

The refundable deposit is placed to ensure that the Council approved tree protection measures are undertaken throughout the demolition and construction period. The

refundable deposit will be released twelve (12) months from the time of issue of a final occupation certificate by the certifying authority providing the tree protection measures (including amendments to the plans) have been undertaken throughout the demolition and construction period and the trees have been retained in good health.

Any contravention of Council's conditions relating to the trees at any time during the demolition and construction period or prior to the issue of a final occupation certificate will result in the Council claiming all of the lodged security.

The following conditions are applied to provide adequate provisions for waste management:

46. *Prior to the issuing of a construction certificate for the proposed development the applicant is to submit to Council for approval, and have approved by Council's Manager of Waste, a Waste Management Plan detailing waste and recycling storage and disposal for the residential development, post construction.*

The following conditions have been applied to ensure that noise emissions from the development satisfy legislative requirements and maintain reasonable levels of amenity to the area:

47. *The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations.*

In this regard, the use of the premises and the operation of any plant or equipment on the site shall not give rise to an L10 sound pressure level which is 5dB(A) greater than the A-weighted L90 background sound pressure level, measured at any point on a residential boundary or within any residential dwelling.

The following conditions are applied to ensure that adequate provisions are made for the management of waste from the development:

48. *Adequate provisions are to be made within the premises for the storage, collection and disposal of waste and recyclable materials.*

A Waste Management Plan is to be submitted to Council and approved by Council's Manager of Waste Services, in accordance with section 80A (2) of the Environmental Planning and Assessment Act 1979, prior to a construction certificate being issued for the proposed development.

The plan shall detail the type and quantity of waste to be generated by the development; demolition waste; construction waste; materials to be re-used or recycled; facilities/procedures for the storage, collection recycling & disposal of waste and the on-going management of waste.

The following conditions are applied to ensure that the development satisfies the provisions of the Environmental Planning and Assessment Act 1979 and Regulations:

49. *All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA), in accordance with Clause 98 of the*

Environmental Planning and Assessment Regulation 2000.

50. *In accordance with clause 98 of the Environmental Planning and Assessment Regulation 2000, it is a prescribed condition, that in the case of residential building work, a contract of insurance must be obtained and in force, in accordance with the requirements of the Home Building Act 1989.*

Where the work is to be done by a licensed contractor, excavation or building work must not be carried out unless the Principal Certifying Authority (PCA):

- has been informed in writing of the licensee's name and contractor number; and*
- is satisfied that the licensee has complied with the insurance requirements of Part 6 of the Home Building Act 1989, or*

Where the work to be done by any other person (i.e. an owner builder), excavation or building work must not be carried out unless the Principal Certifying Authority:

- has been informed of the person's name and owner-builder permit number, or*
- has been given a declaration, signed by the owner of the land that states that the market cost of the labour and materials involved in the work does not exceed \$3,000.*

Details of the builder and compliance with the provisions of the Home Building Act 1989 are to be submitted to Council prior to the commencement of works, on the notice of appointment of the PCA / Intention to commence building work.

The following conditions are applied to ensure that the development satisfies the terms of Council's approval and relevant standards of construction, and to maintain adequate levels of health, safety and amenity during construction:

51. *A sign must be erected on the site in a prominent, visible position, prior to commencing any demolition, excavation or building works, stating that 'unauthorised entry to the site is prohibited' and showing the name of the person in charge of the work site and a telephone number at which the person may be contacted outside working hours, in accordance with clause 78H of the Environmental Planning and Assessment Regulation 1994.*

In the case of residential building work, the sign is also required to detail the licence number of the building contractor or the permit number of the owner-builder, in accordance with the Home Building Act, 1989 and Regulations.

52. *All demolition work is to be carried out in accordance with the provisions of AS2601-1991. The Demolition of Structures, as in Force at 1 July, 1993 and details of compliance are to be prepared by a suitably qualified person and be submitted to the principal certifying authority, **prior to the commencement of any demolition works.***
53. *Prior to the commencement of any building works, a construction certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*

54. *Prior to the commencement of any building work, a principal certifying authority must be appointed and Council is to be notified accordingly and, at least 2 days notice of the intention to commence building work must be given to Council, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
55. *A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.*
56. *The building works are to be inspected by the principal certifying authority (or other suitably qualified person on behalf of the applicant) to monitor compliance with Council's approval and the relevant standards of construction.*

Documentary evidence of compliance with Council's approval and relevant building inspections, is to be maintained by the principal certifying authority.

Upon inspection of each stage of construction, the principal certifying authority (or other suitably qualified person on behalf of the applicant) is also required to ensure that adequate provisions are made for the following measures (as applicable), to ensure compliance with the terms of Council's approval:

- *Sediment control measures.*
- *Provision of perimeter fences or hoardings for public safety and restricted access to building sites.*
- *Maintenance of the public place free from unauthorised materials, waste containers or other obstructions.*

57. *All excavations and backfilling associated with the erection or demolition of a building must be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and protected to prevent them from being dangerous to life or property.*
58. *Retaining walls or shoring must be provided to support land which is excavated in association with the erection or demolition of a building, to prevent the movement of soil and to support the adjacent land, if the soil conditions require it, and adequate provisions are to be made for drainage.*

Retaining walls and shoring are to be designed and installed in accordance with the relevant requirements of the Building Code of Australia and Australian Standards and details of any proposed retaining walls are to be submitted to the Principal Certifying Authority for consideration prior to installation.

59. *An Occupation Certificate must be obtained from the principal certifying authority prior to any occupation of the building work encompassed in this development consent in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.*
60. *In addition to the matters contained in the Environmental Planning and Assessment Regulation 2000, the following matters are to be completed in accordance with the*

terms and conditions of this development consent, **prior to the occupation** of the building:

- e) *car parking and vehicular access*
 - f) *landscaping*
 - g) *stormwater drainage*
 - h) *external finishes and materials*
61. *A coloured works-as-executed fire services plan is to be submitted to the Council **prior to occupation** of the development, detailing the location of the essential fire safety measures installed within the building premises.*
62. *Building and demolition works must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive, between 8.00am to 5.00pm on Saturdays and all building activities are strictly prohibited on Sundays and public holidays, except with the specific written authorisation of Council's Manager of Environmental Health and Building Services.*
63. *Temporary toilet facilities are to be provided, at or in the vicinity of the work site throughout the course of demolition and construction, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site and the toilet facilities must be connected to a public sewer or other sewage management facility approved by Council.*
64. *Building materials, sand, soil, waste materials or construction equipment must not be placed upon the footpath, roadway or nature strip at any time and the footpath, nature strip and road must be maintained in a clean condition and free from any obstructions at all times.*
65. *Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written consent of the Council, unless the waste container is located upon the road in accordance with the Roads & Traffic Authority Guidelines and Requirements, and the container is exempt from an approval under Council's Local Approvals Policy.*
66. *Any building/demolition works involving asbestos cement are to be carried out in accordance with the Work Cover New South Wales "Guidelines for Practices Involving Asbestos Cement in Buildings".*
67. *A Construction Site Management Plan is to be submitted to and approved by the principal certifying authority **prior to the commencement of demolition, excavation or building works**. The site management plan must include the following measures, as applicable to the type of development:*
- *location and construction of protective fencing / hoardings to the perimeter of the site;*
 - *location of site storage areas/sheds/equipment;*
 - *location of building materials for construction;*
 - *provisions for public safety;*
 - *dust control measures;*
 - *site access location and construction*

- *details of methods of disposal of demolition materials;*
- *protective measures for tree preservation;*
- *provisions for temporary sanitary facilities;*
- *location and size of waste containers/bulk bins;*
- *details of proposed sediment and erosion control measures;*
- *construction noise and vibration management.*

The site management measures are to be implemented prior to the commencement of any site works and be maintained throughout the works, to maintain adequate levels of public health and safety. A copy of the approved Construction Site Management Plan must be maintained on site and be made available to Council officers upon request.

68. *During construction stages, sediment laden stormwater run-off shall be controlled using the sediment control measures outlined in the manual for Managing Urban Stormwater – Soils and Construction, published by the NSW Department of Housing.*

A soil and water management plan (SWMP) must be submitted to and approved by the principal certifying authority and implemented prior to the commencement of any site works or activities.

The soil and water management plan must contain a site plan, detailing:

- *the slope of the land*
- *site access points and access control measures*
- *location and type of all sediment control measures*
- *location of existing vegetation, to be retained*
- *material stockpile or storage areas and methods of sediment control*
- *location of existing and proposed drainage systems*
- *proposed disposal of site water*
- *location of building operations and equipment*
- *proposed re-vegetation details*

All soil and water management measures must be maintained at all times throughout demolition, excavation, building and site works and a copy of the soil and water management plan is to be kept on-site and be made available to Council officers upon request.

69. *Stockpiles of soil, sand, aggregate or other materials must not be located on any drainage line, natural watercourse, footpath, roadway or any public place and the stockpiles must be protected with adequate sediment control measures.*

Building operations such as brick cutting, washing tools or equipment and mixing mortar are not permitted on public footpaths, roadways, in any public place or any location which may lead to the discharge of materials into the stormwater drainage system.

70. *A warning sign for soil and water management must be displayed in a prominent position on the building site, visible to both the public and site workers. The sign must be displayed throughout the construction period. Copies of a suitable warning*

sign are available at Council's Customer Service Centre for a nominal fee.

The following conditions are applied to ensure that reasonable levels of fire safety are provided in the building:

71. *The building is required to be provided with a smoke alarm system complying with Clause 3 of Specification E2.2a of the B.C.A. or a smoke detection system complying with Clause 4 of Specification E2.2a of the B.C.A. or a combination of a smoke alarm system within the sole-occupancy units and a smoke detection system in areas not within the sole-occupancy units.*

The following conditions are applied to satisfy the provisions of section 79C of the Environmental Planning and Assessment Act 1979 and to maintain reasonable levels of environmental amenity:

72. *The colours, materials and finishes of the external surfaces to the building are to be compatible with the existing building and adjacent development to maintain the integrity and amenity of the building and the street scape, to the satisfaction of Council's Director of Planning and Environment.*
73. *The consumption of water within the building shall be minimised by the use of triple A rated water efficient plumbing fixtures (taps and shower roses) and water efficient dual flush toilets. Details of compliance are to be provided in the construction certificate plans or specifications.*
74. *Power supply and telecommunications cabling to the development shall be underground. The reflectivity index of glass used in the external façade of the development must not exceed 20 percent. The details and samples of the glass to be used are to be submitted with the colour and material schedule for the approval of Council's Director of Planning and Environment, **prior to the commencement of works.** Internal or external clothes drying facilities are to be provided in accordance with the provisions of the Building Code of Australia.*
75. *Should external clothes drying facilities be provided, the facilities must be adequately screened by vegetation and details are to be incorporated into the landscaping plans, to the satisfaction of the certifying authority. Landscaping shall be provided to the site to reduce the impact of the development upon the amenity of the environment and a landscape plan shall be submitted to and approved by the Director of Planning & Environment, in accordance with section 80A(2) of the Environmental Planning and Assessment Act 1979, **prior to the commencement of any works.** The development must be designed and constructed to achieve a minimum energy efficiency NatHERS rating of 3.5 stars or equivalent and a NatHERS certificate or equivalent, prepared by a suitably qualified person, is to be submitted to the certifying authority with the **construction certificate** application.*

The design of the building must be consistent with the development consent and any proposed variations to the building to achieve the energy efficiency rating may necessitate a new or amendment to the development consent prior to the issuing of a construction certificate.

76. *The fence on the street alignment is to be a maximum height of 1.8m and be designed*

so that the upper two thirds of the fence is at least 50% open, to maintain reasonable levels of amenity to the adjoining residential development and the streetscape.

77. *The use of the premises shall not include that as a place of public worship other than within acceptable guidelines consistent with the proposed use.*

PARKING/ACCESS CONDITIONS (Class 1 & 10 buildings): (Assessment Officer)

78. *The following group of conditions have been applied to ensure that adequate provisions are made for vehicular access, parking and public infrastructure: All crossings, repairs and ancillary works on the footway and roadway are to be carried out by the Council and the cost borne by the applicant. Vehicular access driveways are not to exceed a gradient of 1:6 with a maximum gradient of 1:8 for first 5 metres from the street alignment.*

The following conditions are applied to ensure that adequate provisions are made for the management of waste from the development:

79. *Adequate provisions are to be made within the premises for the storage, collection and disposal of waste and recyclable materials, to the satisfaction of the certifying authority.*

The following conditions are applied to ensure that the development satisfies relevant standards of construction, and to maintain adequate levels of health, safety and amenity during construction:

80. *All demolition work is to be carried out in accordance with the provisions of AS2601-1991. The Demolition of Structures, as in force at 1 July, 1993.*
81. *All demolition work is to be carried out in accordance with the provisions of AS2601-1991. The Demolition of Structures, as in Force at 1 July, 1993 and details of compliance are to be prepared by a suitably qualified person and be submitted to the principal certifying authority, **prior to the commencement of any demolition works.***
82. *A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.*
83. *The building works are to be inspected by the principal certifying authority (or other suitably qualified person on behalf of the applicant) to monitor compliance with Council's approval and the relevant standards of construction.*

Documentary evidence of compliance with Council's approval and relevant building inspections, is to be maintained by the principal certifying authority.

84. *The building works are to be inspected by the principal certifying authority (or other suitably qualified person on behalf of the applicant) to monitor compliance with Council's approval and the relevant standards of construction.*

Documentary evidence of compliance with Council's approval and relevant building inspections, is to be maintained by the principal certifying authority.

Upon inspection of each stage of construction, the principal certifying authority (or other suitably qualified person on behalf of the applicant) is also required to ensure that adequate provisions are made for the following measures (as applicable), to ensure compliance with the terms of Council's approval:

- *Sediment control measures.*
- *Provision of perimeter fences or hoardings for public safety and restricted access to building sites.*
- *Maintenance of the public place free from unauthorised materials, waste containers or other obstructions.*

85. *All excavations and backfilling associated with the erection or demolition of a building must be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and protected to prevent them from being dangerous to life or property.*

The following conditions are applied to ensure that the development satisfies relevant standards of construction, and to maintain adequate levels of health, safety and amenity during construction:

86. *All demolition work is to be carried out in accordance with the provisions of AS2601-1991. The Demolition of Structures, as in force at 1 July, 1993.*
87. *All demolition work is to be carried out in accordance with the provisions of AS2601-1991. The Demolition of Structures, as in Force at 1 July, 1993 and details of compliance are to be prepared by a suitably qualified person and be submitted to the principal certifying authority, **prior to the commencement of any demolition works.***
88. *A copy of the construction certificate, the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.*
89. *The building works are to be inspected by the principal certifying authority (or other suitably qualified person on behalf of the applicant) to monitor compliance with Council's approval and the relevant standards of construction.*

Documentary evidence of compliance with Council's approval and relevant building inspections, is to be maintained by the principal certifying authority.

90. *The building works are to be inspected by the principal certifying authority (or other suitably qualified person on behalf of the applicant) to monitor compliance with Council's approval and the relevant standards of construction.*

Documentary evidence of compliance with Council's approval and relevant building inspections, is to be maintained by the principal certifying authority.

Upon inspection of each stage of construction, the principal certifying authority (or other suitably qualified person on behalf of the applicant) is also required to ensure that adequate provisions are made for the following measures (as applicable), to ensure compliance with the terms of Council's approval:

- *Sediment control measures.*
 - *Provision of perimeter fences or hoardings for public safety and restricted access to building sites.*
 - *Maintenance of the public place free from unauthorised materials, waste containers or other obstructions.*
91. *Prior to the commencement of any building works, a construction certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
92. *Prior to the commencement of any building work, a principal certifying authority must be appointed and Council is to be notified accordingly and, at least 2 days notice of the intention to commence building work must be given to Council, in accordance with the provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000.*
93. *An Occupation Certificate must be obtained from the principal certifying authority prior to any occupation of the building work encompassed in this development consent in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.*
94. *Building and demolition works must only be carried out between the hours of 7.00am to 5.00pm on Monday to Friday inclusive, between 8.00am to 5.00pm on Saturdays and all building activities are strictly prohibited on Sundays and public holidays, except with the specific written authorisation of Council's Manager of Environmental Health and Building Services. A sign must be erected on the site in a prominent, visible position, prior to commencing any demolition, excavation or building works, stating that 'unauthorised entry to the site is prohibited' and showing the name of the person in charge of the work site and a telephone number at which the person may be contacted outside working hours.*
- In the case of residential building work, the sign is also required to detail the licence number of the building contractor or the permit number of the owner-builder, in accordance with the Home Building Act 1989 and Regulations.*
95. *Temporary toilet facilities are to be provided, at or in the vicinity of the work site throughout the course of demolition and construction, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site and the toilet facilities must be connected to a public sewer or other sewage management facility approved by Council.*
96. *Building materials, sand, soil, waste materials or construction equipment must not be placed upon the footpath, roadway or nature strip at any time and the footpath, nature strip and road must be maintained in a clean condition and free from any obstructions at all times.*
97. *Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written consent of the Council, unless the waste container is located upon the road in accordance with the Roads & Traffic Authority*

Guidelines and Requirements, and the container is exempt from an approval under Council's Local Approvals Policy.

98. *Any building/demolition works involving asbestos cement are to be carried out in accordance with the Work Cover New South Wales "Guidelines for Practices Involving Asbestos Cement in Buildings".*
99. *A Construction Site Management Plan is to be submitted to and approved by the principal certifying authority **prior to the commencement of demolition, excavation or building works.** The site management plan must include the following measures, as applicable to the type of development:*
- *location and construction of protective fencing / hoardings to the perimeter of the site;*
 - *location of site storage areas/sheds/equipment;*
 - *location of building materials for construction;*
 - *provisions for public safety;*
 - *dust control measures;*
 - *site access location and construction*
 - *details of methods of disposal of demolition materials;*
 - *protective measures for tree preservation;*
 - *provisions for temporary sanitary facilities;*
 - *location and size of waste containers/bulk bins;*
 - *details of proposed sediment and erosion control measures;*
 - *construction noise and vibration management.*

The site management measures are to be implemented prior to the commencement of any site works and be maintained throughout the works, to maintain adequate levels of public health and safety. A copy of the approved Construction Site Management Plan must be maintained on site and be made available to Council officers upon request.

100. *During construction stages, sediment laden stormwater run-off shall be controlled using the sediment control measures outlined in the manual for Managing Urban Stormwater – Soils and Construction, published by the NSW Department of Housing*

Details of the proposed sediment control measures must be submitted to and approved by the principal certifying authority prior to the commencement of any site works. The sediment and erosion control measures must be implemented prior to the commencement of any site works and a copy of the approved details must be made available to Council officers upon request.

Details of proposed sediment and erosion control measures shall include; a site plan; indicating the slope of land, access points & access control measures, location and type of sediment & erosion controls, location of existing vegetation to be retained, location of material stockpiles and storage areas, location of building operations and equipment.

101. *Stockpiles of soil, sand, aggregate or other materials must not be located on any drainage line, natural watercourse, footpath, roadway or any public place and the stockpiles must be protected with adequate sediment control measures.*

102. *Building operations such as brick cutting, washing tools or equipment and mixing mortar are not permitted on public footpaths, roadways, in any public place or any location which may lead to the discharge of materials into the stormwater drainage system.*
103. *A warning sign for soil and water management must be displayed in a prominent position on the building site, visible to both the public and site workers. The sign must be displayed throughout the construction period. Copies of a suitable warning sign are available at Council's Customer Service Centre for a nominal fee.*
104. *If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient or the building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.*

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

The public place adjacent to the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place and any such hoarding, fence or awning is to be removed upon completion of the work.

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

If it is proposed to locate any hoardings, site fencing or amenities upon a footpath or public place, the written consent from Council's Building Services section must be obtained beforehand and detailed plans are to be submitted to Council for consideration, together with payment of the weekly charge in accordance with Council's adopted fees and charges.

The following conditions are applied to provide access and facilities for people with disabilities:

105. *Access and facilities for people with disabilities must (as a minimum) be provided in accordance with the relevant provisions of the Building Code of Australia.*

The following conditions are applied to maintain the heritage significance and amenity of the premises and locality:

106. *A Conservation Plan must be prepared in accordance with the principles embodied in the Australia ICOMOS Burra Charter and the methodology outlined in J.S. Kerr's The Conservation Plan. This Plan must be prepared by a suitably qualified and experienced architect. The Plan must be submitted and approved by the Director of Planning and Environment, in accordance with section 80A (2) of the Environmental Planning and Assessment Act 1979, **prior to a construction certificate being issued for the development.***

The conservation policies and maintenance program outlined in the approved

Conservation Plan must be adopted and the recommendation implemented.

An architect qualified and experienced in heritage conservation must oversee the implementation of the approved Conservation Plan on an ongoing basis.

107. *Three (3) copies of an archival recording of the property must be prepared and be submitted to, and approved by the Director of Planning and Environment, in accordance with section 80A (2) of the Environmental Planning and Assessment Act 1979, **prior to a construction certificate being issued for the proposed development.** This recording must be in accordance with the Guidelines for the preparation of archival recordings set out by the NSW Heritage Officer.*
108. *Colour, texture, style, size and type of finish of the materials to be used on the exterior of the building (including paint schemes) are to be compatible with those of the existing building/s in the Heritage Conservation Area. Unpainted surfaces, eg. – brickwork/stonework are to remain unpainted. A colour and materials schedule / brochures or samples must be submitted to, and approved by the Director of Planning and Environment, in accordance with section 80A (2) of the Environmental Planning and Assessment Act 1979, **prior to a construction certificate being issued for the building.***

Fencing / gates must be compatible with the architectural style of the existing dwelling and streetscape. Details of the design, height, materials and structure of the front fence and gates must be submitted to, and approved by the Director of Planning and Environment prior to a construction certificate being issued for the fencing / gates.

The following conditions are applied to ensure adequate environmental protection.:

109. *All hazardous or intractable wastes (including asbestos) shall be removed and disposed of in accordance with the requirements of WorkCover and the Environmental Protection Authority, and with the provisions of:*
- *Occupational health and Safety Act 1983 (NSW)
Construction Safety Act 1912; Regulation 84A-J Construction Work Involving Asbestos or Asbestos Cement 1983 (NSW)*
 - *Occupational Health and Safety (Hazardous Substances) Regulation 1996 (NSW).*
 - *Occupational Health and Safety (Asbestos Removal Work) Regulation 1996 (NSW); and*
 - *Waste Minimisation and Management Act 1995 and Regulations (NSW).*
110. *All site works shall comply with the occupational health and safety requirements of the NSW WorkCover Authority. In this regard all contractors and employees shall adopt work practices in accordance with the requirements of WorkSafe's Control of Inorganic Lead at Work (NOHSC:102(1994) and NOHSC:2015(1994).*
111. *All site works shall comply with the occupational health and safety requirements of WorkCover NSW.*
112. *Hazardous dust must not be allowed to escape from the site. The use of fine mesh*

dust proof screens or other relevant measures is recommended. Any existing accumulations of dust (eg, ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter. All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during high winds, which may cause dust to spread beyond site boundaries.

113. *Following demolition activities, soil must be tested by a person of suitable expertise, to ensure the soil lead levels are below acceptable health criteria for residential areas. Full certification is to be furnished to Council and the Principal Certifying Authority prior to final inspection.*

A ADVISORY MATTERS:

A1 The applicant is advised that the Construction Certificate plans and specification must comply with the provisions of the Building Code of Australia (BCA).

In this regard, the development consent plans do not show compliance with the deemed-to-satisfy provisions of the BCA, including:

- | | | | |
|-----------|----------------|----------|---|
| <i>a)</i> | <i>Part D3</i> | <i>-</i> | <i>Access for people with disabilities</i> |
| <i>b)</i> | <i>Part E2</i> | <i>-</i> | <i>Smoke Hazard Management</i> |
| <i>c)</i> | <i>Part E3</i> | <i>-</i> | <i>Lift Installations</i> |
| <i>d)</i> | <i>Part E4</i> | <i>-</i> | <i>Emergency lighting, exit signs
and warning systems</i> |

Details of compliance with the relevant provisions of the Building Code of Australia and conditions of development consent are to be provided in the plans and specifications for the construction certificate.

NB: The applications should be referred to the Regulatory Unit regarding any orders that may need to be served upon the building owners with respect to Fire Safety

The applicant is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.

The applicant must meet the full cost for Council or a Council approved contractor to repair/replace any damaged sections of Council's footpath, kerb & gutter, nature strip etc which are due to building works being carried out at the above site. This includes the removal of cement slurry from Council's footpath and roadway.

MOTION: (Bastic/Andrews) SEE RESOLUTION.

(Cr Matson requested that his name be recorded as opposed to the resolution.)

AMENDMENT: (Matson/Greenwood) that the adoption of DA 1049/01 be deferred to allow for greater mediation on the possibility of reducing further and clarifying the degree of potential overshadowing. **LOST.**

GENERAL BUSINESS.

Nil.

7. NOTICE OF RESCISSION MOTIONS.

Nil.

The Meeting closed at 8.15 p.m.

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CHAIRPERSON