

Development Consent Conditions



Folder /DA No:	DA/502/2017
Property:	149-155 Malabar Road, South Coogee
Proposal:	Demolition of existing structures, construction of part 3, part 4 storey residential flat building containing 16 dwellings, basement parking for 22 cars, landscaping and associated works (variation to height control).
Recommendation:	Approval

Development Consent Conditions

GENERAL CONDITIONS

The development must be carried out in accordance with the following conditions of consent.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979, Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of environmental amenity.

Approved Plans & Supporting Documentation

- The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp, except where amended by Council in red and/or by other conditions of this consent:

Plan	Drawn/prepared by	Dated
DA00, Cover Sheet and Context Plan (Rev D)	Edifice Design	03.04.18
DA01, Site Analysis (Rev B)	Edifice Design	12.12.17
DA02, Basement Level (Rev B)	Edifice Design	12.12.17
DA03, Ground/Podium Level (Rev D)	Edifice Design	03.04.18
DA04, Level 1 (Rev D)	Edifice Design	03.04.18
DA05, Level 2 (Rev D)	Edifice Design	03.04.18
DA06, Level 3 (Rev D)	Edifice Design	03.04.18
DA07, Site and Roof Plan (Rev C)	Edifice Design	03.04.18
DA08, North and West Elevation (Rev D)	Edifice Design	03.04.18
DA09, East and South Elevation (Rev D)	Edifice Design	03.04.18
DA10, Section A-a Section B-B (Rev D)	Edifice Design	03.04.18
DA11 External Colours Materials and Finishes (Rev C)	Edifice Design	12.12.17
Landscape Plan -L01, L02 (Rev A)	Zenith	9.12.17
Drainage Plans Rev E Sheets STW001-502	LP Consulting Pty Ltd	6.12.17

BASIX Certificate	No.	Dated
	842457M_02	14 December 2017

Amendment of Plans & Documentation

2. The approved plans and documents must be amended in accordance with the following requirements and details are to be included in the *Construction Certificate*:
 - a. Planter boxes having a minimum width of 900mm and a minimum height of 600mm shall be installed along the entire outer perimeter of the roof terrace. The plans including associated landscaped plan shall be amended to reflect this detail and also include details of the proposed vegetation to be installed in the planter boxes.

Civil Works

3. A separate written approval from Council is required to be obtained in relation to all works which are located externally from the site within Garie Place Lane. Detailed plans and specifications of the proposed works are to be submitted to and approved by the Director of City Services prior to commencing of any works within Garie Place Lane.

All works within the lane must be carried out to the satisfaction of Council and certification from a certified practicing engineer is to be provided to Council upon completion of the works.

Relevant Council assessment and inspection fees, as specified in Council's adopted Pricing Policy, are required to be paid to Council prior to commencement of the works.

4. A contribution of \$163,900 is required for the purpose of mitigating the loss of low-rental accommodation proposed by the DA pursuant to Clause 51 of the State Environmental Planning Policy (Affordable Rental Housing) 2009. This amount is payable to Council in one complete payment prior to the construction certificate being issued.
5. The current tenants in Unit 2 and 3 shall be:
 - i) Provided with a minimum of 3 months' Notice to Vacate.
 - ii) Assisted to find alternative comparable accommodation. This shall include making of enquiries with local real estate agents and or relevant community housing providers; and
 - iii) Provided with a \$1,000 one-off payment to assist with relocation expenses.

The applicant shall inform the current tenants of these units the subject of this condition and documentary evidence shall be submitted to Council prior to the issue of a construction certificate.

REQUIREMENTS BEFORE A CONSTRUCTION CERTIFICATE CAN BE ISSUED

The following conditions of consent must be complied with before a '*Construction Certificate*' is issued by either an Accredited Certifier or Randwick City Council. All necessary information to demonstrate compliance with the following conditions of consent must be included in the documentation for the construction certificate.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent conditions and to achieve reasonable levels of environmental amenity.

Consent Requirements

6. The requirements and amendments detailed in the 'General Conditions' must be complied with and be included in the construction certificate plans and associated documentation.

Section 94A Development Contributions

7. In accordance with Council's Section 94A Development Contributions Plan effective from 21 April 2015, based on the development cost of \$5,200,000 the following applicable monetary levy must be paid to Council: \$52,000.

The levy must be paid in **cash, bank cheque** or by **credit card** prior to a construction certificate being issued for the proposed development. The development is subject to an index to reflect quarterly variations in the Consumer Price Index (CPI) from the date of Council's determination to the date of payment. Please contact Council on telephone 9399 0999 or 1300 722 542 for the indexed contribution amount prior to payment.

To calculate the indexed levy, the following formula must be used:

$$\mathbf{IDC = ODC \times CP2/CP1}$$

Where:

IDC = the indexed development cost

ODC = the original development cost determined by the Council

CP2 = the Consumer Price Index, All Groups, Sydney, as published by the ABS in respect of the quarter ending immediately prior to the date of payment

CP1 = the Consumer Price Index, All Groups, Sydney as published by the ABS in respect of the quarter ending immediately prior to the date of imposition of the condition requiring payment of the levy.

Council's Section 94A Development Contribution Plans may be inspected at the Customer Service Centre, Administrative Centre, 30 Frances Street, Randwick or at www.randwick.nsw.gov.au.

Compliance Fee

8. A development compliance and enforcement fee of \$5,000 shall be paid to Council in accordance with Council's adopted Fees & Charges Pricing Policy, prior to the issue of a Construction Certificate for development.

Long Service Levy Payments

9. The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, must be forwarded to the Long Service Levy Corporation or the Council, in accordance with Section 109F of the *Environmental Planning & Assessment Act 1979*.

At the time of this development consent, Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works.

Security Deposits

10. The following damage / civil works security deposit requirement must be complied with, as security for making good any damage caused to the roadway, footway, verge or any public place; and 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:

\$15,000.00 - Damage / Civil Works Security Deposit

The damage/civil works security deposit may be provided by way of a cash, cheque or credit card payment and is refundable upon a satisfactory inspection by Council upon the completion of the civil works which confirms that there has been no damage to Council's infrastructure.

The owner/builder is also requested 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.

To obtain a refund of relevant deposits, a Security Deposit Refund Form is to be forwarded to Council's Director of City Services upon issuing of an occupation certificate or completion of the civil works.

Electricity Substation

11. The applicant must liaise with Ausgrid prior to obtaining a construction certificate (for any above ground works), to determine whether or not an electricity substation is required for the development. Any electricity substation required for the site as a consequence of this development shall be located within the site and shall be screened from view. The proposed location and elevation shall be shown on relevant construction certificate and landscape plans.

Sydney Water Requirements

12. All building, plumbing and drainage work must be carried out in accordance with the requirements of the Sydney Water Corporation.

The approved plans must be submitted to the Sydney Water **Tap in™** online service, to determine whether the development will affect Sydney Water's waste water and water mains, stormwater drains and/or easements, and if any further requirements need to be met.

*The Sydney Water **Tap in™** online service replaces the Quick Check Agents as of 30 November 2015*

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

- Building plan approvals
- Connection and disconnection approvals
- Diagrams
- Trade waste approvals
- Pressure information
- Water meter installations
- Pressure boosting and pump approvals
- Change to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's **Tap in™** online service is available at:
<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

The Principal Certifying Authority must ensure that the developer/owner has submitted the approved plans to Sydney Water Tap in online service.

Street Tree Protection Measures

13. In order to ensure the retention of those juvenile trees located on Council's Malabar Road verge, being a Eucalyptus sp. (Gum, T1) in front of no.149, then two Banksia integrifolia (Coastal Banksias, T2-3), being one each in front of both no.153 &

no.155, as well as the *Callistemon viminalis* (Bottlebrush, T4) and *Banksia integrifolia* (Coastal Banksia, T5) to their north, in front of no.147 in good health, the following measures are to be undertaken:

- a. All documentation submitted for the Construction Certificate application must show their retention, with the position and diameter of both their trunks, canopies and tree identification numbers to be clearly and accurately shown on all plans in relation to the proposed works.
- b. Any excavations associated with the installation of new services, pipes, stormwater systems or similar over public property can only be located an equal distance between each of their trunks, so as to minimise root damage as well as avoid future maintenance issues.
- c. Prior to the commencement of any site works, the Certifying Authority/PCA must ensure that an AQF Level 5 Arborist (who is eligible for membership with a nationally recognized organization/association) has been engaged as 'the Project Arborist' for the duration of works, and will be responsible for both implementing and monitoring the conditions of development consent, as well as any Recommendations from the Arboricultural Impact Assessment by Jacksons Nature Works, dated 28 July 2017 ("the Arborists Report").
- d. The Project Arborist must be present on-site at the relevant stages of works, and must keep a log of the dates of attendance and the works performed, which is to be presented as a Final Compliance Report, for the approval of the PCA, prior to the issue of any Occupation Certificate.
- e. Each of these trees are to be physically protected by the installation of 1.8 metre high steel mesh/chainwire fencing, which shall be located a minimum distance of 1.5 metres to their north and south (measured off the outside edge of their trunks at ground level), matching up with the back of the kerb to their west, and pedestrian footpath to their east, in order to completely enclose each tree for the duration of works.
- f. This fencing shall be installed prior to the commencement of demolition and construction works and shall remain in place until all works are completed, to which, signage containing the following words shall be clearly displayed and permanently attached: "TREE PROTECTION ZONE (TPZ), DO NOT REMOVE/ENTER".
- g. In order to prevent soil/sediment being washed over their root systems, erosion control measures must be provided at ground level around the perimeter of the TPZ.
- h. Other than the approved works, the applicant is not authorised to perform any other works to these public trees, and must contact Council's Landscape Development Officer on 9093-6613 should pruning or similar works appear necessary. If approval is given, it can only be performed by Council, wholly at the applicants cost, with payment to be received prior to the issue of an Occupation Certificate.
- i. Within the TPZ's, there is to be no storage of materials, machinery or site office/sheds, nor is cement to be mixed or chemicals spilt/disposed of and no stockpiling of soil or rubble, with all Site Management Plans needing to acknowledge these requirements.
- j. The PCA must ensure compliance with all of these requirements, both on

the plans as well as on-site during the course of construction, and prior to issuing any type of Occupation Certificate.

- k. A refundable deposit in the form of cash, credit card or cheque for an amount of \$2,000.00 must be paid at the Cashier on the Ground Floor of the Administrative Centre, prior to a Construction Certificate being issued for the development, in order to ensure compliance with the conditions listed in this consent, and ultimately, preservation of the trees.

The refundable deposit will be eligible for refund following the issue of an Occupation Certificate, subject to completion and submission of Council's 'Security Deposit Refund Application Form', and pending a satisfactory inspection by Council's Landscape Development Officer (9093-6613).

Any contravention of Council's conditions relating to the trees at any time during the course of the works, or prior to the issue of an Occupation Certificate, may result in Council claiming all or part of the lodged security in order to perform any rectification works necessary, as per the requirements of 80A (6) of the Environmental Planning and Assessment Act 1979.

Protection of trees within site

14. In order to ensure retention of the *Howea fosteriana* (Kentia Palm, T23) and *Lophostmeon confertus* (Brush Box, T27) located within the subject site, around the southeast corner in good health, the following measures are to be undertaken:
 - a. All documentation submitted for the Construction Certificate application must show their retention, with the position and diameter of both their trunks and canopies/crowns and tree identification numbers to be clearly and accurately shown on all plans in relation to the proposed works.
 - b. All plans submitted for the Construction Certificate must show that the Basement Level will be consistent with the footprint and setbacks that are currently shown on dwg DA02, Rev B, dated 12.12.17, with the same also applying to the Ground/Podium Level, dwg DA03, rev C, dated 12.12.17, and are to be constructed on-site in accordance with these referenced plans.
 - c. A site specific Tree Protection Plan (TPP) must be prepared by an AQF Level 5 Arborist (who is eligible for membership with a nationally recognised organisation/association) for these two specimens, and must comply with the requirements of Section 5 of AS4970:2009.
 - d. This TPP must be submitted to, and be approved by, the Certifying Authority/PCA, with all recommendations to be fully implemented and complied with on-site throughout the course of the works.
 - e. Prior to the commencement of any site works, the Certifying Authority/PCA must also ensure that an AQF Level 5 Arborist (who is eligible for membership with a nationally recognized organization/association) has been engaged as 'the Project Arborist' for the duration of works, and will be responsible for both implementing and monitoring the conditions of development consent, the Tree Protection Plan, and any other instructions issued on-site.
 - f. The Project Arborist must be present on-site at the relevant stages of works, and must keep a log of the dates of attendance and the works performed,

which is to be presented as a Final Compliance Report, for the approval of the PCA, prior to the issue of any Occupation Certificate.

- g. In the event of any discrepancy between the TPP and conditions of consent, the Project Arborist must contact Council's Landscape Development Officer on 9093-6613 to reach agreement on the outcome before proceeding further with any works.
- h. Any new common boundary fencing, within either of their TPZ's, as listed in Annexure A of the Arborist Report, can only be a system which is supported on localised pad footings, not strip footings, with details confirming compliance to be shown on the Construction Certificate plans.
- i. If roots are encountered during installation of footings for new fencing, these footings must be re-positioned to allow their preservation.
- j. Both trees are to be physically protected by the installation of 1.8 metre high steel mesh/chainwire fencing, which shall be located at the extent of each of their TPZ's, matching up with the respective property boundaries in order to completely enclose them for the duration of works.
- k. This fencing shall be installed prior to the commencement of demolition and construction works and shall remain in place until such time as the landscape works are being carried out, to which, signage containing the following words shall be clearly displayed and permanently attached: "TREE PROTECTION ZONE (TPZ), DO NOT REMOVE/ENTER".
- l. In order to prevent soil/sediment being washed over their root systems, erosion control measures must be provided at ground level around the perimeter of the TPZ.
- m. Within the TPZ's, there is to be no storage of materials, machinery or site office/sheds, nor is cement to be mixed or chemicals spilt/disposed of and no stockpiling of soil or rubble, with all Site Management Plans needing to acknowledge these requirements.
- n. Ground levels within each of their TPZ's must not be altered by more than 200mm, with no other structures such as continuous strip footings, planter boxes or similar to be located in these areas, and must remain as undisturbed, deep soil.
- o. Where roots are encountered which are in direct conflict with the approved works, they may be cut cleanly by hand (using only hand held tools, not machinery), with the affected area to be backfilled with clean site soil as soon as practically possible.
- p. The PCA must ensure compliance with all of these requirements, both on the plans as well as on-site during the course of construction, and prior to issuing any type of Occupation Certificate.

Protection of neighbouring trees

15. In order to ensure retention of those trees that are located beyond the eastern site boundary, wholly on adjoining private properties, close to the common boundary, being from north to south, a *Persea amerciana* (Avocado, T15), within the rear of 10 Garie Place, adjacent the new vehicle access, then further to the south, two *Lophostemon confertus* (Brush Box, T21 & 25), an *Archontophoenix*

cunninghamiana (Bangalow Palm, T24), and an Acacia sp. (Wattle, T26) within the rear of 8 Garie Place, the following measures are to be undertaken:

- a. All documentation submitted for the Construction Certificate application must show their retention, with the position and diameter of both their trunks, canopies/crowns and tree identification numbers to be clearly and accurately shown on all plans in relation to the proposed works.
- b. All plans submitted for the Construction Certificate must show that the Basement Level will be consistent with the footprint and setbacks that are currently shown on dwg DA02, Rev B, dated 12.12.17, with the same also applying to the Ground/Podium Level, dwg DA03, rev C, dated 12.12.17, and are to be constructed on-site in accordance with these plans.
- c. A site specific Tree Protection Plan (TPP) must be prepared by an AQF Level 5 Arborist (who is eligible for membership with a nationally recognised organisation/association) dealing with these neighbouring specimens, and must comply with the requirements of Section 5 of AS4970:2009.
- d. This TPP must be submitted to, and be approved by, the Certifying Authority/PCA, with all recommendations to be fully implemented and complied with on-site throughout the course of the works.
- e. Prior to the commencement of any site works, the Certifying Authority/PCA must also ensure that an AQF Level 5 Arborist (who is eligible for membership with a nationally recognized organization/association) has been engaged as 'the Project Arborist' for the duration of works, and will be responsible for both implementing and monitoring the conditions of development consent, the Tree Protection Plan, and any other instructions issued on-site.
- f. The Project Arborist must be present on-site at the relevant stages of works, and must keep a log of the dates of attendance and the works performed, which is to be presented as a Final Compliance Report, for the approval of the PCA, prior to the issue of any Occupation Certificate.
- g. In the event of any discrepancy between the TPP and conditions of consent, the Project Arborist must contact Council's Landscape Development Officer on 9093-6613 to reach agreement on the outcome before proceeding further with any works.
- h. Prior to commencing any works associated with the new vehicle entry or basement level, the Project Arborist must firstly excavate (only by hand, not machinery), those areas that fall within the TPZ of T15 that will require footings, piling or similar, with these trenches to measure a minimum depth of 800mm, and a minimum width of 200mm, with no roots to be damaged during this process.
- i. Council's Landscape Development Officer (9093-6613) must then be contacted, prior to forming or pouring footings or proceeding further with any works, and giving at least 2 working days-notice, to inspect the trenches, with the applicant to comply with any instructions issued.
- j. Where major roots with a diameter of 50mm or more are encountered, and Council's officer determines they must be retained, a cantilevered, pier and beam style footing must be used for these relevant areas to allow their preservation.

- k. The Construction Certificate plans must acknowledge (through the inclusion of construction notes, details and similar) that the site inspection may result in the need to alter the footing design away from a traditional strip footing, with a suitably qualified engineer needing to have the required design approved by the PCA, prior to installation.
- l. Where roots with a diameter of less than 50mm are found which are in direct conflict with the works, and permission is given for their pruning, they are to be cut cleanly by hand, with the affected area to be backfilled with clean site soil as soon as practically possible.
- m. Following this process, the Project Arborist must then ensure that a layer of 40-60mm sized structural soil/crushed blue metal (macro-pores) is provided in the void between the existing ground level and underside of the new driveway/basement entry ramp, to which, a layer of filter fabric will also be added, in accordance with Recommendation 4.f in the Arborist Report.
- n. Any new common boundary fencing within any of their TPZ's, as listed in Annexure A of the Arborist Report, can only be a system which is supported on localised pad footings, not strip footings, with details confirming compliance to be shown on the Construction Certificate plans.
- o. If roots are encountered during installation of footings for new fencing, these footings must be re-positioned to allow their preservation.
- p. These trees are to be physically protected by the installation of 1.8 metre high steel mesh/chainwire fencing, which shall be located at each of their TPZ radius (where possible whilst still allowing for the approved works), and matching up with the respective boundaries in order to completely exclude these trees from the works.
- q. This fencing shall be installed prior to the commencement of demolition and construction works and shall remain in place until such time as the landscape works are being carried out, to which, signage containing the following words shall be clearly displayed and permanently attached: "TREE PROTECTION ZONE (TPZ), DO NOT REMOVE/ENTER".
- r. In order to prevent soil/sediment being washed over their root systems, erosion control measures must be provided at ground level around the perimeter of their TPZ's; or; along the common boundaries.
- s. Within the TPZ's, there is to be no storage of materials, machinery or site office/sheds, nor is cement to be mixed or chemicals spilt/disposed of and no stockpiling of soil or rubble, with all Site Management Plans needing to acknowledge these requirements.
- t. Ground protection comprising either strapped together rumble boards, plywood, a 50mm layer of mulch or similar may also be provided where deemed necessary by the Project Arborist so as to avoid compaction and root damage, and must remain in place for the duration of works, until such time as the approved landscaping is being installed.
- u. Ground levels within each of their TPZ's must not be altered by more than 200mm, and other than the approved works, there must be no other structures such as continuous strip footings, planter boxes or similar to be located in these areas, and must remain as undisturbed, deep soil.

- v. The PCA must ensure compliance with all of these requirements, both on the plans as well as on-site during the course of construction, and prior to issuing any type of Occupation Certificate.

REQUIREMENTS TO BE INCLUDED IN THE CONSTRUCTION CERTIFICATE

The requirements contained in the following conditions of consent must be complied with and details of compliance must be included in the construction certificate for the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Councils development consent conditions and to achieve reasonable levels of environmental amenity.

Traffic conditions

16. Adequate provisions are to be made to provide pedestrian visibility and safety. All new walls (and/or landscaping) adjacent to vehicular crossings should not exceed a height of 600mm above the internal driveway level for a distance of 1.5m within the site or new walls (including landscaping) should splayed 1.5 metres by 1.5 metres. Details of compliance, to the satisfaction of the certifying authority, are to be included in the construction certificate documentation.
17. The vehicular access driveways, internal circulation ramps and the carpark areas, (including, but not limited to, the ramp grades, carpark layout and height clearances) are to be in accordance with the requirements of AS 2890.1:2004. The Construction Certificate plans must demonstrate compliance with these requirements.

Flood Management & Stormwater Drainage

18. The written approval of Council is required to be obtained in relation to all drainage and infrastructure works which are located externally from the site within the road reserve/public place, in accordance with the requirements of the Roads Act 1993. Detailed plans and specifications of the proposed works are to be submitted to and approved by the Director of City Services prior to commencing any works within the road reserve/public place.

All works within the road reserve/public place must be carried out to the satisfaction of Council and certification from a professional engineer is to be provided to Council upon completion of the works.

Relevant Council Assessment and Inspection fees, as specified in Council's adopted Pricing Policy, are required to be paid to Council prior to commencement of the works.

19. Any Windows, vents and other openings into the basement carpark (excluding the driveway opening) are to be located at least 500 mm above the adjacent determined 1 in 100 year flood level. Details demonstrating compliance with this condition are to be included in the construction certificate documentation.
20. Adequate provision is to be made for overland flow to drain around the western and northern portion of the site and protect the ground floor units from flooding on the western frontage in accordance with the recommendations in the Overland Flow analysis by LP Consulting and minimum freeboard requirements specified in Part B8 of Council's DCP.

21. The ground floor level located along the Garie Place lane site frontages shall be designed to structurally withstand hydrostatic pressure/stormwater inundation from floodwater during the probable maximum flood (PMF) event as defined in the Floodplain Management Manual (New South Wales Government, January 2001). Structural Engineering certification confirming that this condition has been complied with shall be submitted to the certifying authority with the construction certificate.

This requirement does not necessitate the development being flood proof/water tight up to the PMF event, rather the requirement is to ensure that the development will not be structurally damaged in manner that could endanger lives during the PMF event.

22. With the exception of the site discharge pipe, all new pipelines constructed within council's road reserve shall be minimum 375 mm diameter, spigot and socket rubber ringed jointed, steel reinforced concrete pipeline (RRRCP). Prior to backfilling, all pipelines in council's road reserve shall be inspected and approved by the Hydraulic Engineer certifying the works and Council.
23. Stormwater drainage plans prepared for the construction certificate shall be in general accordance with the approved drainage plans by LP Consulting drawing number DA-STW-001-401, the recommendations in the overland Flow analysis stamped by Council 15th August 2017 and conditions of this consent. A copy of the engineering calculations and plans are to be forwarded to Council, prior to a construction certificate being issued, if the Council is not the certifying authority.
24. The site stormwater drainage system is to be provided in accordance with the following requirements;
 - a) The stormwater drainage system must be provided in accordance with the relevant requirements of Building Code of Australia and the conditions of this consent, to the satisfaction of the Certifying Authority and details are to be included in the construction certificate.
 - b) The stormwater must be discharged (by gravity) ;
 - i. Directly into Council's underground drainage system located in Garie Place via a new junction/kerb inlet pit and new section of concrete pipeline in Garie Place Lane as detailed in the approved drainage plans
 - c) The maximum discharge from the site must not exceed what would occur on the site for existing conditions for all storm events up to the 1 in 100 year storm event. All stormwater run-off from the site exceeding this amount is to be retained on the site for gradual release to the street drainage system, to the satisfaction of the certifying authority.
 - d) Determination of the required cumulative storage (in the on-site detention and/or infiltration system) 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 any detention tanks should have an open base to infiltrate stormwater into the ground. Infiltration should not be used if ground water and/or any rock stratum is within 2.0 metres of the base of the tank.
 - e) 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 wet well shall be sized for the 1% AEP (1 in 100 year), 2 hour storm assuming both pumps are not working.

The pump system must also be designed and installed strictly in accordance with Randwick City Council's Private Stormwater Code.

- f) Generally all internal pipelines must be capable of discharging a 1% AEP (1 in 100 year) storm flow in accordance with approved drainage plans & recommendations in the overland flow analysis by LP Consulting. 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 to the proposed drainage (detention) system.
- g) A sediment/silt arrestor pit must be provided within the site near the street boundary prior to discharge of the stormwater to Council's drainage system

Sketch details of a standard sediment/silt arrestor pit may be obtained from Council's Drainage Engineer.

Site seepage & Groundwater

25. The development must comply with the following requirements to ensure the adequate management of any site seepage and sub-soil drainage:

- a) Sub-soil drainage must not be connected or discharged directly or indirectly to Council's street gutter.
- b) Adequate provision is to be made for the ground/seepage water to drain around the basement carpark (to ensure the basement will not dam or slow the movement of the ground water through the development site).
- c) Sub-soil drainage systems must comply with the following requirements:-
 - i. The system may be connected directly to Council's underground drainage system (but only with the prior written approval of Council, as required under the Roads Act 1993).
 - ii. Any sub-soil drainage systems must be restricted from entering the basement areas of the building and the stormwater drainage system, by tanking/waterproofing the basement areas of the building.
 - iii. Sub-soil drainage systems may discharge via infiltration subject to the hydraulic consultant/engineer being satisfied that the site and soil conditions are suitable and the seepage is able to be fully managed within the site, without causing a nuisance to any premises and ensuring that it does not drain or discharge (directly or indirectly) to the street gutter.
- d) Details of the proposed stormwater drainage system including methods of sub-soil drainage, tanking/waterproofing must be prepared or approved by a suitably qualified and experienced Professional Engineer to the satisfaction of the Certifying Authority and details are to be included in the construction certificate. **A copy of the proposed method for tanking the basement levels must be forwarded to Council if Council is not the Certifying Authority**

26. **Compliance with the Building Code of Australia & Relevant Standards**

In accordance with section 80A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, it is a *prescribed condition* that all building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).

27. Access and facilities for people with disabilities must be provided in accordance with the relevant requirements of the Building Code of Australia, Disability (Access to Premises – Buildings) Standards 2010, relevant Australian Standards and conditions of consent, to the satisfaction of the Certifying Authority.

BASIX Requirements

28. In accordance with section 80A (11) of the *Environmental Planning & Assessment Act 1979* and clause 97A of the *Environmental Planning & Assessment Regulation 2000*, the requirements and commitments contained in the relevant BASIX Certificate must be complied with.

The required commitments listed and identified in the BASIX Certificate must be included on the construction certificate plans, specifications and associated documentation, to the satisfaction of the Certifying Authority.

Site stability, Excavation and Construction work

29. A report must be obtained from a suitably qualified and experienced *professional engineer*, which includes the following details, to the satisfaction of the Certifying Authority for the development:-

- a) Geotechnical details which confirm the suitability and stability of the site for the development and relevant design and construction requirements to be implemented to ensure the stability and adequacy of the development and adjacent land.
- b) Details of the proposed methods of excavation and support for the adjoining land (including any public place) and buildings.
- c) Details to demonstrate that the proposed methods of excavation, support and construction are suitable for the site and should not result in any damage to the adjoining premises, buildings or any public place, as a result of the works and any associated vibration.
- d) The adjoining land and buildings located upon the adjoining land must be adequately supported at all times throughout demolition, excavation and building work, to the satisfaction of the *Principal Certifying Authority*.
- e) Written approval must be obtained from the owners of the adjoining land to install any ground or rock anchors underneath the adjoining premises (including any public roadway or public place) and details must be provided to the *Certifying Authority*.

Design Alignment levels

30. The design alignment level (the finished level of concrete, paving or the like) at the property boundary for driveways, access ramps and pathways or the like, shall be:
- To be provided in writing by Council's Development Engineering section upon receipt of approved design for civil works in Garie Place Lane.

The design alignment levels at the property boundary as issued by Council 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.

Any enquiries regarding this matter should be directed to Council's Development Engineer on 9093-6881.

31. Alignment levels and the site inspection by Council's Development Engineering Section will be issued at a prescribed fee of \$798 calculated at \$57.00 (inclusive of GST) per metre of site frontage. This amount is to be paid prior to a construction certificate being issued for the development.

Waste Management

32. A Waste Management Plan detailing the waste and recycling storage and removal strategy for all of the development, is required to be submitted to and approved by Council's Director of City Planning.

The Waste Management plan is required to be prepared in accordance with Council's Waste Management Guidelines for Proposed Development and must include the following details (as applicable):

- The use of the premises and the number and size of occupancies.
- The type and quantity of waste to be generated by the development.
- Demolition and construction waste, including materials to be re-used or recycled.
- Details of the proposed recycling and waste disposal contractors.
- Waste storage facilities and equipment.
- Access and traffic arrangements.
- The procedures and arrangements for on-going waste management including collection, storage and removal of waste and recycling of materials.

Further details of Council's requirements and guidelines, including pro-forma Waste Management plan forms can be obtained from Council's Customer Service Centre.

33. The garbage room shall be sized to contain a minimum of 19 x 240 litre bins (comprising 8 garbage bins & 8 recycle bins & 3 green waste) and with adequate provisions for access to all bins. Details showing compliance are to be included in the construction certificate.
34. The waste storage areas are to be provided with a tap and hose and the floor is to be graded and drained to the sewer to the requirements of Sydney Water.

Landscape Plans

35. The Certifying Authority/PCA must ensure that the Landscape Plans submitted as part of the approved Construction Certificate are substantially consistent with the Landscape Plans by Zenith Landscape Designs, dwg's 17-3509, L01-02, rev A, dated 09.12.17.
36. A report/correspondence prepared by a suitably qualified and experienced consultant in acoustics shall be submitted to Council **prior to a construction certificate being issued for the development**, which demonstrates that noise and vibration emissions from the development satisfies the relevant provisions of the *Protection of the Environment Operations Act 1997*, Environmental Protection Authority Noise Control Manual & Industrial Noise Policy, relevant conditions of consent (including any relevant approved acoustic report and recommendations). The assessment and report must include all relevant fixed and operational noise sources.

REQUIREMENTS PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent must be complied with prior to the commencement of any works on the site. The necessary documentation and information must be provided to the Council or the 'Principal Certifying Authority', as applicable.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of public health, safety and environmental amenity.

Certification and Building Inspection Requirements

37. Prior to the commencement of any building works, the following requirements must be complied with:

- a) 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*.

A copy of the construction certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment.

- b) a *Principal Certifying Authority* (PCA) must be appointed to carry out the necessary building inspections and to issue an *occupation certificate*; and
- c) a *principal contractor* must be appointed for the building work and the requirements of the *Home Building Act 1989* must be satisfied accordingly; and
- d) the *principal contractor* must be advised of the required *critical stage inspections* and other inspections to be carried out, as specified by the *Principal Certifying Authority*; and
- e) at least two days notice must be given to the Council, in writing, prior to commencing any works.

Home Building Act 1989

38. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, the relevant requirements of the *Home Building Act 1989* must be complied with.

Details of the Licensed Building Contractor and a copy of the relevant Certificate of Home Warranty Insurance or a copy of the Owner-Builder Permit (as applicable) must be provided to the Principal Certifying Authority and Council.

Dilapidation Reports

39. A dilapidation report (incorporating photographs of relevant buildings) must be obtained from a *Professional Engineer*, detailing the current condition and status of all of the buildings and structures located upon all of the properties adjoining the subject site and any other property or public land which may be affected by the works, to the satisfaction of the *Principal Certifying Authority*.

The dilapidation report must be submitted to the Council, the *Principal Certifying Authority* and the owners of the adjoining/nearby premises encompassed in the

report, prior to commencing any site works (including any demolition work, excavation work or building work).

Construction Site Management Plan

40. A *Construction Site Management Plan* must be developed and implemented prior to the commencement of any works. The construction site management plan must include the following measures, as applicable to the type of development:

- location and construction of protective site fencing / hoardings;
- location of site storage areas/sheds/equipment;
- location of building materials for construction;
- provisions for public safety;
- dust control measures;
- details of proposed sediment and erosion control measures;
- site access location and construction
- details of methods of disposal of demolition materials;
- protective measures for tree preservation;
- location and size of waste containers/bulk bins;
- provisions for temporary stormwater drainage;
- construction noise and vibration management;
- construction traffic management details;
- provisions for temporary sanitary facilities.

The site management measures must be implemented prior to the commencement of any site works and be maintained throughout the works, to the satisfaction of Council.

A copy of the Construction Site Management Plan must be provided to the Principal Certifying Authority and Council prior to commencing site works. A copy must also be maintained on site and be made available to Council officers upon request.

Demolition Work Plan

41. A Demolition Work Plan must be prepared for the development in accordance with Australian Standard AS2601-2001, Demolition of Structures and relevant environmental/occupational health and safety requirements.

The Demolition Work Plan must include the following information (as applicable):

- The name, address, contact details and licence number of the Demolisher/Asbestos Removal Contractor
- Details of hazardous materials (including asbestos)
- Method/s of demolition (including removal of any asbestos)
- Measures and processes to be implemented to ensure the health & safety of workers and community
- Measures to be implemented to minimise any airborne dust and asbestos
- Methods and location of disposal of any hazardous materials (including asbestos)
- Other relevant details, measures and requirements to be implemented
- Details of re-use, recycling and disposal of waste demolition/building materials
- Date the demolition works will commence

The Demolition Work Plan must be submitted to the Principal Certifying Authority (PCA), not less than two (2) working days before commencing any demolition work. A copy of the Demolition Work Plan must be maintained on site and be made available to Council officers upon request.

If the work involves asbestos products or materials, a copy of the Demolition Work Plan must also be provided to Council not less than 2 days before commencing those works.

Construction Noise & Vibration Management Plan

42. A *Construction Noise & Vibration Management Plan*, prepared in accordance with the Environment Protection Authority (EPA) Guidelines for Construction Noise and Assessing Vibration, by a suitably qualified person, is to be developed and implemented prior to commencing site work and throughout the course of construction, in accordance with the following requirements:

- a) Noise and vibration emissions during the construction of the building and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents.

Noise and vibration from any rock excavation machinery, pile drivers and all plant and equipment must be minimised, by using appropriate plant and equipment, silencers and the implementation of noise management strategies.

- b) The *Construction Noise & Vibration Management Plan* must include details of measurements, analysis and relevant criteria and demonstrate that the noise and vibration emissions from the work satisfy the relevant provisions of the *Protection of the Environment Operations Act 1997*, current EPA Guidelines for Construction Noise and Assessing Vibration and Councils conditions of consent.

- c) A further report/correspondence must be obtained from the consultant as soon as practicable upon the commencement of works, which reviews and confirms the implementation and suitability of the noise and vibration strategies in the *Construction Noise & Vibration Management Plan* and which demonstrates compliance with relevant criteria.

- d) Any recommendations and requirements contained in the *Construction Noise & Vibration Management Plan* and associated reports are to be implemented accordingly and should noise and vibration emissions not comply with the terms and conditions of consent, work must cease forthwith and is not to recommence until details of compliance are submitted to Council and the PCA.

A copy of the *Construction Noise & Vibration Management Plan* and associated acoustic/vibration report/s must be maintained on-site and a copy must be provided to Council and the Principal Certifying Authority accordingly.

Public Liability

43. The owner/builder is required to hold Public Liability Insurance, with a minimum liability of \$10 million and a copy of the Insurance cover is to be provided to the Principal Certifying Authority and Council.

Construction Traffic Management

44. An application for a 'Works Zone' and Construction Traffic Management Plan must be submitted to Councils Integrated Transport Department, and approved by the Randwick Traffic Committee, for a 'Works Zone' to be provided in Arden Street for the duration of the demolition & construction works.

The 'Works Zone' must have a minimum length of 12m and extend for a minimum duration of three months. The suitability of the proposed length and duration is to be demonstrated in the application for the Works Zone. The application for the Works Zone must be submitted to Council at least six (6) weeks prior to the commencement of work on the site to allow for assessment and tabling of agenda for the Randwick Traffic Committee.

The requirement for a Works Zone may be varied or waived only if it can be demonstrated in the Construction Traffic Management Plan (to the satisfaction of Council's Traffic Engineers) that all construction related activities (including all loading and unloading operations) can and will be undertaken wholly within the site. The written approval of Council must be obtained to provide a Works Zone or to waive the requirement to provide a Works Zone prior to the commencement of any site work.

45. A detailed Construction Site Traffic Management Plan must be submitted to and approved by Council's Intergrated Transport Department, prior to the commencement of any site work.
- A description of the demolition, excavation and construction works
 - A site plan/s showing the site, roads, footpaths, site access points and vehicular movements
 - Any proposed road and/or footpath closures
 - Proposed site access locations for personnel, deliveries and materials
 - Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site)
 - Provision for loading and unloading of goods and materials
 - Impacts of the work and vehicular movements on the road network, traffic and pedestrians
 - Proposed hours of construction related activities and vehicular movements to and from the site
 - Current/proposed approvals from other Agencies and Authorities (including NSW Roads & Maritime Services, Police and State Transit Authority)
 - Any activities proposed to be located or impact upon Council's road, footways or any public place
 - Measures to maintain public safety and convenience

The approved Construction Site Traffic Management Plan must be complied with at all times, and any proposed amendments to the approved Construction Site Traffic Management Plan must be submitted to and be approved by Council in writing, prior to the implementation of any variations to the Plan.

46. Any necessary approvals must be obtained from NSW Police, Roads & Maritime Services, Transport, and relevant Service Authorities, prior to commencing work upon or within the road, footway or nature strip.

Public Utilities

47. A public utility impact assessment must be carried out on all public utility services located on the site, roadway, nature strip, footpath, public reserve or any public areas associated with and/or adjacent to the building works. The assessment should include relevant information from public utility authorities and exploratory trenching or pot-holing, if necessary, to determine the position and level of services.
48. Documentary evidence from the relevant public utility authorities confirming they have agreed to the proposed works and that their requirements have been or are

able to be satisfied, must be submitted to the Principal Certifying Authority prior to the commencement of any demolition, excavation or building works.

The owner/builder must make the necessary arrangements and meet the full cost for telecommunication companies, gas providers, Ausgrid, Sydney Water and other service authorities to adjust, repair or relocate their services as required.

REQUIREMENTS DURING CONSTRUCTION & SITE WORK

The following conditions of consent must be complied with during the demolition, excavation and construction of the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000* and to provide reasonable levels of public health, safety and environmental amenity during construction.

Inspections during Construction

49. Building works are required to be inspected by the *Principal Certifying Authority*, in accordance with sections 109 E (3) of the *Environmental Planning & Assessment Act 1979* and clause 162A of the *Environmental Planning & Assessment Regulation 2000*, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

Building & Demolition Work Requirements

50. The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with Randwick City Council's Asbestos Policy and the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including:

- Work Health and Safety Act 2011;
- Work Health and Safety Regulation 2011;
- SafeWork NSW Code of Practice for the Safe Removal of Asbestos;
- Australian Standard 2601 (2001) – Demolition of Structures;
- The Protection of the Environment Operations Act 1997;
- Randwick City Council Asbestos Policy (adopted 13 September 2005).

A copy of Council's Asbestos Policy is available on Council's web site or a copy can be obtained from Council's Customer Service Centre.

Removal of Asbestos Materials

51. Any work involving the demolition, storage or disposal of asbestos products and materials must be carried out in accordance with the following requirements:

- Occupational Health & Safety legislation and WorkCover NSW requirements
- Randwick City Council's Asbestos Policy
- A WorkCover licensed demolition or asbestos removal contractor must undertake removal of more than 10m² of bonded asbestos (or as otherwise specified by WorkCover or relevant legislation). Removal of friable asbestos material must only be undertaken by contractor that holds a current friable asbestos removal licence. A copy of the relevant licence must be provided to the Principal Certifying Authority.
- On sites involving the removal of asbestos, a sign must be clearly displayed in a prominent visible position at the front of the site, containing the words

'DANGER ASBESTOS REMOVAL IN PROGRESS' and include details of the licensed contractor.

- Asbestos waste must be stored, transported and disposed of in compliance with the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2005*. Details of the landfill site (which must be lawfully able to receive asbestos materials) must be provided to the Principal Certifying Authority.
- A Clearance Certificate or Statement, prepared by a suitably qualified person (i.e. an occupational hygienist, licensed asbestos assessor or other competent person), must be provided to Council and the Principal certifying authority upon completion of the asbestos related works which confirms that the asbestos material have been removed appropriately and the relevant conditions of consent have been satisfied.

A copy of Council's Asbestos Policy is available on Council's web site at www.randwick.nsw.gov.au in the Building & Development Section or a copy can be obtained from Council's Customer Service Centre.

Excavations, Back-filling & Retaining Walls

52. 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 must be properly guarded and supported to prevent them from being dangerous to life, property or buildings.

Retaining walls, shoring or piling 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 and buildings, if the soil conditions require it. Adequate provisions are also to be made for drainage.

Details of proposed retaining walls, shoring, piling or other measures are to be submitted to and approved by the Principal Certifying Authority.

Support of Adjoining Land

53. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 E of the *Environmental Planning & Assessment Regulation 2000*, it is a prescribed condition that the adjoining land and buildings located upon the adjoining land must be adequately supported at all times.

Sediment & Erosion Control

54. Sediment and erosion control measures, must be implemented throughout the site works in accordance with the manual for Managing Urban Stormwater – Soils and Construction, published by Landcom.

Details must be included in the Construction Site Management Plan and a copy must be provided to the Principal Certifying Authority and Council. A copy must also be maintained on site and be made available to Council officers upon request.

Dust Control

55. During demolition excavation and construction works, dust emissions must be minimised, so as not to result in a nuisance to nearby residents or result in a potential pollution incident.

Adequate dust control measures must be provided to the site prior to the works commencing and the measures and practices must be maintained throughout the demolition, excavation and construction process, to the satisfaction of Council.

Dust control measures and practices may include:-

- *Provision of geotextile fabric to all perimeter site fencing (attached on the prevailing wind side of the site fencing).*
- *Covering of stockpiles of sand, soil and excavated material with adequately secured tarpaulins or plastic sheeting.*
- *Installation of a water sprinkling system or provision hoses or the like.*
- *Regular watering-down of all loose materials and stockpiles of sand, soil and excavated material.*
- *Minimisation/relocation of stockpiles of materials, to minimise potential for disturbance by prevailing winds.*
- *Landscaping and revegetation of disturbed areas.*

Temporary Site Fencing

56. Temporary site safety fencing or site hoarding must be provided to the perimeter of the site throughout demolition, excavation and construction works, to the satisfaction of Council, in accordance with the following requirements:

- a) Temporary site fences or hoardings must have a height of 1.8 metres and be a cyclone wire fence (with geotextile fabric attached to the inside of the fence to provide dust control), or heavy-duty plywood sheeting (painted white), or other material approved by Council.
- b) Hoardings and site fencing must be designed to prevent any substance from, or in connection with, the work from falling into the public place or adjoining premises and if necessary, be provided with artificial lighting.
- c) All site fencing and hoardings must be structurally adequate, safe and be constructed in a professional manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.
- d) An overhead ('B' Class) type hoarding is required to be provided to protect the public (unless otherwise approved by Council) if:
 - materials are to be hoisted (i.e. via a crane or hoist) over a public footway;
 - building or demolition works are to be carried out on buildings which are over 7.5m in height and located within 3.6m of the street alignment;
 - it is necessary to prevent articles or materials from falling and causing a potential danger or hazard to the public or occupants upon adjoining land;
 - as may otherwise be required by WorkCover, Council or the PCA.

Notes:

- *Temporary site fencing may not be necessary if there is an existing adequate fence in place having a minimum height of 1.5m.*
- *If it is proposed to locate any site fencing, hoardings, amenities or articles upon any part of the footpath, nature strip or public place at any time, a separate Local Approval application must be submitted to and approved by Council's Health, Building & Regulatory Services before placing any fencing, hoarding or other article on the road, footpath or nature strip.*

Public Safety & Site Management

57. Public safety and convenience must be maintained at all times during demolition, excavation and construction works and the following requirements must be complied with to the satisfaction of Council:
- a) Building materials, sand, soil, waste materials, construction equipment or other articles must not be placed upon the footpath, roadway or nature strip at any time.
 - b) The road, footpath, vehicular crossing and nature strip must be maintained in a good, safe, clean condition and free from any excavations, obstructions, trip hazards, goods, materials, soils or debris at all times. Any damage caused to the road, footway, vehicular crossing, nature strip or any public place must be repaired immediately, to the satisfaction of Council.
 - c) All building and site activities (including storage or placement of materials or waste and concrete mixing/pouring/pumping activities) must not cause or be likely to cause 'pollution' of any waters, including any stormwater drainage systems, street gutters or roadways.
- Note: It is an offence under the Protection of the Environment Operations Act 1997 to cause or be likely to cause 'pollution of waters', which may result in significant penalties and fines.*
- d) Access gates and doorways within site fencing, hoardings and temporary site buildings or amenities must not open outwards into the road or footway.
 - e) Bulk bins/waste containers must not be located upon the footpath, roadway or nature strip at any time without the prior written approval of the Council. Applications to place a waste container in a public place can be made to Council's Health, Building and Regulatory Services department.
 - f) Adequate provisions must be made to ensure pedestrian safety and traffic flow during the site works and traffic control measures are to be implemented in accordance with the relevant provisions of the Roads and Traffic Manual "Traffic Control at Work Sites" (Version 4), to the satisfaction of Council.

Site Signage

58. A sign must be erected and maintained in a prominent position on the site for the duration of the works, which contains the following details:
- name, address, contractor licence number and telephone number of the *principal contractor*, including a telephone number at which the person may be contacted outside working hours, or *owner-builder* permit details (as applicable)
 - name, address and telephone number of the *Principal Certifying Authority*,
 - a statement stating that "unauthorised entry to the work site is prohibited".

Restriction on Working Hours

59. Building, demolition and associated site works must be carried out in accordance with the following requirements:

Activity	Permitted working hours
All building, demolition and site work, including site deliveries (except as detailed below)	<ul style="list-style-type: none"> • Monday to Friday - 7.00am to 5.00pm • Saturday - 8.00am to 5.00pm • Sunday & public holidays - No work permitted

Excavating or sawing of rock, use of jack-hammers, pile-drivers, vibratory rollers/compactors or the like	<ul style="list-style-type: none"> Monday to Friday - 8.00am to 1.00pm only Saturday - No work permitted Sunday & public holidays - No work permitted
Additional requirements for all development	<ul style="list-style-type: none"> Saturdays and Sundays where the preceding Friday and/or the following Monday is a public holiday - No work permitted

An application to vary the abovementioned hours may be submitted to Council's Manager Health, Building & Regulatory Services for consideration and approval to vary the specified hours may be granted in exceptional circumstances and for limited occasions (e.g. for public safety, traffic management or road safety reasons). Any applications are to be made on the standard application form and include payment of the relevant fees and supporting information. Applications must be made at least 10 days prior to the date of the proposed work and the prior written approval of Council must be obtained to vary the standard permitted working hours.

Survey Requirements

60. A Registered Surveyor's check survey certificate or other suitable documentation must be obtained at the following stage/s of construction to demonstrate compliance with the approved setbacks, levels, layout and height of the building to the satisfaction of the Principal Certifying Authority (PCA):

- prior to construction (pouring of concrete) of footings and boundary retaining structures,
- prior to construction (pouring of concrete) of each floor slab,
- upon completion of the building, prior to issuing an *Occupation Certificate*,
- as otherwise may be required by the PCA.

The survey documentation must be forwarded to the Principal Certifying Authority and a copy is to be forwarded to the Council, if the Council is not the Principal Certifying Authority for the development.

Road/Asset Opening Permit

61. Any openings within or upon the road, footpath, nature strip or in any public place (i.e. for proposed drainage works or installation of services), must be carried out in accordance with the following requirements, to the satisfaction of Council:

- a) A *Road / Asset Opening Permit* must be obtained from Council prior to carrying out any works within or upon a road, footpath, nature strip or in any public place, in accordance with section 138 of the *Roads Act 1993* and all of the conditions and requirements contained in the *Road / Asset Opening Permit* must be complied with.
- b) Council's Road / Asset Opening Officer must be notified at least 48 hours in advance of commencing any excavation works and also immediately upon completing the works (on 9399 0691 or 0409 033 921 during business hours), to enable any necessary inspections or works to be carried out.
- c) Relevant *Road / Asset Opening Permit* fees, construction fees, inspection fees and security deposits, must be paid to Council prior to commencing any works within or upon the road, footpath, nature strip or other public place,
- d) The owner/developer must ensure that all works within or upon the road reserve, footpath, nature strip or other public place are completed to the satisfaction of Council, prior to the issuing of a *final occupation certificate* or occupation of the development (whichever is sooner).

- e) Excavations and trenches must be back-filled and compacted in accordance with AUSPEC standards 306U.
- f) Excavations or trenches located upon a road or footpath are required to be provided with 50mm depth of cold-mix bitumen finish, level with the existing road/ground surface, to enable Council to readily complete the finishing works at a future date.
- g) Excavations or trenches located upon turfed areas are required to be back-filled, compacted, top-soiled and re-turfed with Kikuyu turf.
- h) The work and area must be maintained in a clean, safe and tidy condition at all times and the area must be thoroughly cleaned at the end of each days activities and upon completion.
- i) The work can only be carried out in accordance with approved hours of building work as specified in the development consent, unless the express written approval of Council has been obtained beforehand.
- j) Sediment control measures must be implemented in accordance with the conditions of development consent and soil, sand or any other material must not be allowed to enter the stormwater drainage system or cause a pollution incident.
- k) The owner/developer must have a Public Liability Insurance Policy in force, with a minimum cover of \$10 million and a copy of the insurance policy must be provided to Council prior to carrying out any works within or upon the road, footpath, nature strip or in any public place.

Traffic Management

- 62. Adequate provisions must be made to ensure pedestrian safety and traffic flow during the site works and traffic control measures are to be implemented in accordance with the relevant provisions of the Roads and Traffic Manual "Traffic Control at Work Sites" (Version 4), to the satisfaction of Council.
- 63. All work, including the provision of barricades, fencing, lighting, signage and traffic control, must be carried out in accordance with the NSW Roads and Traffic Authority publication - 'Traffic Control at Work Sites' and Australian Standard AS 1742.3 – Traffic Control Devices for Works on Roads, at all times.
- 64. All conditions and requirements of the NSW Police, Roads & Maritime Services, Transport and Council must be complied with at all times.

65. Stormwater Drainage

Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the principal certifying authority.

The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

Tree Removal

- 66. Approval is granted for removal of the following trees, subject to full implementation of the approved Landscape Plans:
 - a) The group in the front setback of no.149, being a *Cupressus sempervirens* (Swanes Golden Cypress, T10), along with the variety of other smaller

shrubs in this same area, being T6-9, 11 & 35, comprising *Cameila's*, NSW Xmas Trees and a *Banksia*;

- b) The established group around the northwest corner of the existing building at no.149, in the northern side setback, due to a combination of their condition, restricted growing environment and direct conflict with the works, being from west to east, a *Pterandra elegantissima* (False Aralia, T12), a larger *Liquidambar styraciflua* (Liquidambar, T13), an *Agonis flexuosa* (Willow Myrtle, T14) and a *Howea fosteriana* (Kentia Palm), consistent with advice that was provided for the pre-lodgement PL/18/2017;
- c) In the rear yard of the subject site, halfway across the width of the eastern boundary, the two over-mature *Agonis flexuosa* (Willow Myrtles, T18 & 20) as despite being the most significant specimens assessed for this application, have both been assigned a very short life-span due to their distorted and included trunks, with bracing and cables tied between the co-dominant trunks of T20 the only way this tree has remained upright in the ground, with both seen to pose a threat to the future safety of person and property as they continue their natural senescence, and is consistent with the advice that was provided for the pre-lodgement PL/18/2017;
- d) The various shrubs in this same vicinity due to their insignificance, including the *Schefflera arboricola* (Dwarf Umbrella, T16), *Strelitzia nicholii* (Giant Bird of Paradise, T17), the small *Agonis flexuosa* (Willow Myrtle, T19), *Cordyline australis* (Cordyline, T22), as shown.

Pruning

- 67. Permission is granted for the minimal and selective pruning of only those lower growing, lower order branches/fronds from the following:
 - i) Those various perimeter screening shrubs and trees that are located beyond the northern site boundary, past the northern side of the existing Laneway, wholly in the rear yard of the private property at 147 Malabar Road, only where they overhang the Laneway, and need to be pruned in order to avoid damage from trucks, machinery and similar that are associated with the approved works;
 - ii) Those growing beyond the eastern site boundary, wholly within the adjoining private properties at 8 & 10 Garie Place (refer to 'Protection of Neighbours Trees' condition earlier in this report), only where they overhang into the subject site and need to be pruned in order to avoid damage from trucks, machinery and similar.
- 68. These approvals do not imply any right of entry onto a neighbouring property nor does it allow pruning beyond a common boundary; however, where such measures are desirable in the best interests of correct pruning procedures, and ultimately, the ongoing health of these trees, the applicant must negotiate with the neighbours/tree owners for access to perform this work.
- 69. All pruning can only be undertaken by the Project Arborist, or, by a practising Arborist, under the direct supervision of the Project Arborist, to the requirements of Australian Standard AS 4373-2007 'Pruning of Amenity Trees,' and NSW Work Cover Code of Practice for the Amenity Tree Industry (1998).
- 70. The project Arborist must also contact Council's Landscape Development Officer on 9093-6613 (giving at least 2 working days-notice) to arrange a joint site meeting, prior to pruning, to determine the exact location and extent of pruning that is

permissible to these neighbouring trees, with the Arborist required to comply with any instructions issued by Council's Officer.

REQUIREMENTS PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent must be complied with prior to the 'Principal Certifying Authority' issuing an 'Occupation Certificate'.

Note: For the purpose of this consent, any reference to 'occupation certificate' shall also be taken to mean 'interim occupation certificate' unless otherwise stated.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, Council's development consent and to maintain reasonable levels of public health, safety and amenity.

Occupation Certificate Requirements

71. An Occupation Certificate must be obtained from the Principal Certifying Authority prior to any occupation of the building work encompassed in this development consent (including alterations and additions to existing buildings), in accordance with the relevant provisions of the *Environmental Planning & Assessment Act 1979*.

An Occupation Certificate must not be issued for the development if the development is inconsistent with the development consent. The requirements of the *Environmental Planning & Assessment Act 1979* and conditions of development consent must be satisfied prior to the issuing of an occupation certificate.

Widening of Garie Place Lane

72. At no cost to Council, a minimum 1.5m wide strip of land will be required to be dedicated to Council along the full Garie Place Lane frontage for widening of roadway and to facilitate construction of a 1.3m wide pedestrian footpath. An application for a subdivision certificate in respect to the road widening is required to be endorsed by Council and the plans registered at NSW LPI prior to the issuing of a final occupation certificate.

NOTE: Additional widening shall be required at the Malabar Road intersection to fully incorporate the passing bay within Garie Place Lane within Council property.

Fire Safety Certificates

73. Prior to issuing an interim or final Occupation Certificate, a single and complete *Fire Safety Certificate*, encompassing all of the essential fire safety measures contained in the *fire safety schedule* must be obtained and be submitted to Council, in accordance with the provisions of the *Environmental Planning and Assessment Regulation 2000*. The *Fire Safety Certificate* must be consistent with the *Fire Safety Schedule* which forms part of the Construction Certificate.

A copy of the *Fire Safety Certificate* must be displayed in the building entrance/foyer at all times and a copy must also be forwarded to Fire and Rescue NSW.

Structural Certification

74. A Certificate must be obtained from a *professional engineer*, which certifies that the building works satisfy the relevant structural requirements of the Building Code of Australia and approved design documentation, to the satisfaction of the *Principal Certifying Authority*. A copy of which is to be provided to Council with the Occupation Certificate.

Sydney Water Certification

75. A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water's assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to their mains, and if required, will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC).

Go to sydneywater.com.au/section73 or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

The Section 73 Certificate must be submitted to the Principal Certifying Authority and the Council prior to issuing an Occupation Certificate.

BASIX Requirements & Certification

76. In accordance with Clause 154B of the *Environmental Planning & Assessment Regulation 2000*, a Certifying Authority must not issue an Occupation Certificate for this development, unless it is satisfied that any relevant BASIX commitments and requirements have been satisfied.

Relevant documentary evidence of compliance with the BASIX commitments is to be forwarded to the *Principal Certifying Authority* and Council upon issuing an Occupation Certificate.

77. A report, prepared by a suitably qualified and experienced consultant in acoustics, shall be submitted to the Council **prior to an occupation certificate** being issued for the development, which demonstrates and certifies that noise and vibration from the development satisfies the relevant provisions of the *Protection of the Environment Operations Act 1997*, NSW EPA Noise Control Manual & Industrial Noise Policy, Council's conditions of consent (including any relevant approved acoustic report and recommendations), to the satisfaction of Council. The assessment and report must include all relevant fixed and operational noise sources.

Council's Infrastructure, Vehicular Crossings & Road Openings

78. The owner/developer must meet the full cost for a Council approved contractor to:
- a) Extend/Reconstruct vehicle access & layback to Garie Place Lane at the Malabar Road intersection & replace/repair footpath and verge as required.
 - b) Construct a full width concrete heavy duty vehicular crossing and layback at kerb opposite the vehicular entrance to the premises in Garie Place Lane.
 - c) Construct kerb and gutter for the full site frontage in Garie Place Lane except opposite the vehicular entrance and exit points, to Council's specifications and requirements.
 - d) Carry out a full depth, minimum 1.5m metre wide, road construction in front of the kerb and gutter along the full site frontage in Garie Place Lane, to Council's specifications and requirements.
 - e) Construct a 1.3m wide concrete footpath along the full site frontage in Garie Place Lane.
 - f) Reconstruct 1.3m wide footpath along the full Malabar Road frontage, as required

NOTE: All work to Council's specifications and requirements.

79. Prior to issuing a final occupation certificate or occupation of the development (whichever is sooner), the owner/developer 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.
80. All external civil work to be carried out on Council property (including the installation and repair of roads, footpaths, vehicular crossings, kerb and guttering and drainage works), must be carried out in accordance with Council's "Crossings and Entrances – Contributions Policy" and "Residents' Requests for Special Verge Crossings Policy" and the following requirements:
- a) Details of the proposed civil works to be carried out on Council land must be submitted to Council in a Civil Works Application Form. Council will respond, typically within 4 weeks, with a letter of approval outlining conditions for working on Council land, associated fees and workmanship bonds. Council will also provide details of the approved works including specifications and construction details.
 - b) Works on Council land, must not commence until the written letter of approval has been obtained from Council and heavy construction works within the property are complete. The work must be carried out in accordance with the conditions of development consent, Council's conditions for working on Council land, design details and payment of the fees and bonds outlined in the letter of approval.
 - c) The civil works must be completed in accordance with the above, prior to the issuing of an occupation certificate for the development, or as otherwise approved by Council in writing.

Undergrounding of Power

81. The existing overhead power feed between the nearest mains distribution pole in Malabar Road and the development site shall be relocated to an underground (UGOH) connection. All work shall be to the requirements and satisfaction of Ausgrid.

Stormwater Drainage

82. Should a detention, infiltration, pump-out system be provided a "restriction on the use of land" and "positive covenant" (under section 88E of the Conveyancing Act 1919) shall be placed on the title of the subject property to ensure that the onsite detention/infiltration/pump-out system is maintained and that no works which could affect the design function of the detention/infiltration/pump-out system are undertaken without the prior consent (in writing) from Council. Such restriction and positive covenant shall not be released, varied or modified without the consent of the Council.

Notes:

- a. The "restriction on the use of land" 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 Development Engineer.
- b. The works as executed drainage plan and hydraulic certification must be submitted to Council prior to the "restriction on the use of land" and "positive covenant" being executed by Council.

83. A works-as-executed drainage plan prepared by a registered surveyor and approved by a suitably qualified and experienced hydraulic consultant/engineer must be forwarded to the Principal Certifying Authority and the Council. The works-as-executed plan must include the following details (as applicable):

- The location of any detention basin/s with finished surface levels;
- Finished site contours at 0.2 metre intervals;
- Volume of storage available in any detention areas;
- The location, diameter, gradient and material (i.e. PVC, RC etc) of all stormwater pipes;
- The orifice size/s (if applicable);
- Details of any infiltration/absorption systems; and
- Details of any pumping systems installed (including wet well volumes).

84. The applicant shall submit to the Principal Certifying Authority (PCA) and Council, certification from a suitably qualified and experienced Hydraulic Engineer, which confirms that the design and construction of the stormwater drainage system complies with the Building Code of Australia, Australian Standard AS3500.3:2003 (Plumbing & Drainage- Stormwater Drainage) and conditions of this development consent.

The certification must be provided following inspection/s of the site stormwater drainage system by the Hydraulic Engineers to the satisfaction of the PCA.

85. The applicant shall submit to the Principal Certifying Authority (PCA) and Council certification from a suitably qualified and experienced professional engineer, confirming that the requirements in relation to management of any seepage/ground water including tanking of basement, have been met and that any required sub-soil drainage systems have been provided in accordance with the conditions of this consent. There must be no dry weather seepage/groundwater flows discharging to Council's street gutter.

Landscaping

86. Prior to issuing any type of Occupation Certificate, certification from a qualified professional in the landscape/horticultural industry must be submitted to, and be approved by, the PCA, confirming the date that the completed landscaping was inspected, and that it has been installed substantially in accordance with the Landscape Plans by Zenith Landscape Designs, dwg's 17-3509, L01-02, rev A, dated 09.12.17.

87. Suitable strategies shall be implemented to ensure that the landscaping is maintained in a healthy and vigorous state until maturity, for the life of the development.

88. The nature-strip upon Council's footway shall be re-graded and re-turfed with Kikuyu Turf rolls, including turf underlay, wholly at the applicant's cost, to Council's satisfaction, prior to the issue of any Occupation Certificate.

Site Arborist Certification

89. Prior to the issue of any Occupation Certificate, the site Arborist must submit to, and have approved by, the PCA, written certification which confirms compliance with the conditions of development consent and Arborists Report/TPP Recommendations; the dates of attendance and works performed/supervised relating to the retention of T1-5, 15, 21, 23-24 & 26-27.

Tree Protection Certification

90. Prior to the PCA issuing any Occupation Certificate, written certification must also be obtained from Council's Landscape Development Officer (9093-6613) confirming that the requirement for joint site inspections was complied with in relation to both the Protection of neighbours trees & Pruning conditions.

91. Waste Management

Prior to the occupation of the development, the owner or applicant is required to contact Council's City Services department, to make the necessary arrangements for the provision of waste services for the premises.

92. The waste storage areas shall be clearly signposted.

Street and/or Sub-Address Numbering

93. Street numbering must be provided to the front of the premises in a prominent position, in accordance with the Australia Post guidelines and AS/NZS 4819 (2003) to the satisfaction of Council.

If this application results in an additional lot, dwelling or unit, an application must be submitted to and approved by Council's Director of City Planning, together with the required fee, for the allocation of appropriate street and/or unit numbers for the development. The street and/or unit numbers must be allocated prior to the issue of an occupation certificate.

Please note: any Street or Sub-Address Numbering provided by an applicant on plans, which have been stamped as approved by Council are not to be interpreted as endorsed, approved by, or to the satisfaction of Council.

OPERATIONAL CONDITIONS

The following operational conditions must be complied with at all times, throughout the use and operation of the development.

These conditions have been applied to satisfy the relevant requirements of the *Environmental Planning & Assessment Act 1979, Environmental Planning & Assessment Regulation 2000*, Council's development consent and to maintain reasonable levels of public health and environmental amenity.

Residential Parking Permits

94. All prospective owners and tenants of the building must be notified that Council will not issue any residential parking permits to occupants/tenants of this development.

95. A notice shall be placed in the foyer/common areas of the building advising tenants/occupiers that they are in a building which does not qualify for on-street resident parking permits.

Stormwater Detention/Infiltration System

96. Any detention/stormwater system must be regularly cleaned and maintained to ensure it functions as required by the design.

Fire Safety Statements

97. A single and complete *Fire Safety Statement* (encompassing all of the fire safety measures upon the premises) must be provided to the Council in accordance with the requirements of the *Environmental Planning & Assessment Regulation 2000*.

The *Fire Safety Statement* must be provided on an annual basis each year following the issue of the *Fire Safety Certificate*, and other period if any of the fire safety measures are identified as a *critical fire safety measure* in the *Fire Safety Schedule*.

The *Fire Safety Statement* is required to confirm that all the fire safety measures have been assessed by a properly qualified person and are operating in accordance with the standards of performance specified in the *Fire Safety Schedule*.

A copy of the *Fire Safety Statement* must be displayed in the building entrance/foyer at all times and a copy must also be forwarded to Fire & Rescue NSW.

Environmental Amenity

98. External lighting to the premises must be designed and located so as to minimise light-spill beyond the property boundary or cause a public nuisance.

99. 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 operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background (L_{A90}), 15 min noise level, measured in the absence of the noise source/s under consideration by more than 5dB(A). The source noise level shall be assessed as an $L_{Aeq, 15 \text{ min}}$ and adjusted in accordance with the NSW Environmental Protection Authority's Industrial Noise Policy 2000 and Environmental Noise Control Manual (sleep disturbance).

100. There are to be no emissions or discharges from the premises which give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations.

GENERAL ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, or other relevant legislation and requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

A1 The requirements and provisions of the *Environmental Planning & Assessment Act 1979* and *Environmental Planning & Assessment Regulation 2000*, must be fully complied with at all times.

Failure to comply with these requirements is an offence, which renders the responsible person liable to a maximum penalty of \$1.1 million. Alternatively, Council may issue a penalty infringement notice (for up to \$6,000) for each offence. Council may also issue notices and orders to demolish unauthorised or non-complying building work, or to comply with the requirements of Council's development consent.

A2 In accordance with the requirements of the *Environmental Planning & Assessment Act 1979*, building works, including associated demolition and excavation works (as applicable) must not be commenced until:

- A *Construction Certificate* has been obtained from an Accredited Certifier or Council,
- An Accredited Certifier or Council has been appointed as the *Principal Certifying Authority* for the development,
- Council and the Principal Certifying Authority have been given at least 2 days notice (in writing) prior to commencing any works.

A3 Council's Building Certification & Fire Safety team can issue your *Construction Certificate* and be your *Principal Certifying Authority* for the development, to undertake inspections and ensure compliance with the development consent, relevant building regulations and standards of construction. For further details contact Council on 9093 6944.

A4 This determination does not include an assessment of the proposed works under the Building Code of Australia (BCA), Disability (Access to Premises – Buildings) Standards 2010 and other relevant Standards. All new building work (including alterations and additions) must comply with the BCA and relevant Standards. You are advised to liaise with your architect, engineer and building consultant prior to lodgement of your construction certificate.

A5 Any proposed amendments to the design and construction of the building may require a new development application or a section 96 amendment to the existing consent to be obtained from Council, before carrying out such works

A6 A Local Approval application must be submitted to and be approved by Council prior to commencing any of the following activities on a footpath, road, nature strip or in any public place:-

- Install or erect any site fencing, hoardings or site structures
- Operate a crane or hoist goods or materials over a footpath or road
- Placement of a waste skip or any other container or article.

For further information please contact Council on 9093 6944.

A7 Specific details of the location of the building/s should be provided in the Construction Certificate to demonstrate that the proposed building work will not encroach onto the adjoining properties, Council's road reserve or any public place.

A8 This consent does not authorise any trespass or encroachment upon any adjoining or supported land or building whether private or public. Where any underpinning, shoring, soil anchoring (temporary or permanent) or the like is proposed to be carried out upon any adjoining or supported land, the land owner or principal contractor must obtain:

- the consent of the owners of such adjoining or supported land to trespass or encroach, or
- an access order under the *Access to Neighbouring Land Act 2000*, or
- an easement under section 88K of the *Conveyancing Act 1919*, or
- an easement under section 40 of the *Land & Environment Court Act 1979*, as appropriate.

Section 177 of the *Conveyancing Act 1919* creates a statutory duty of care in relation to support of land. Accordingly, a person has a duty of care not to do anything on or in relation to land being developed (the supporting land) that removes the support provided by the supporting land to any other adjoining land (the supported land).

A9 External paths and ground surfaces are to be constructed at appropriate levels and be graded and drained away from the building and adjoining premises, so as not to result in the entry of water into the building, or cause a nuisance or damage to any adjoining land.

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 approved paving or the like on the ground.

A10 Prior to commencing any works, the owner/builder should contact *Dial Before You Dig* on 1100 or www.dialbeforeyoudig.com.au and relevant Service Authorities, for information on potential underground pipes and cables within the vicinity of the development site.

A11 The necessary development consent and a construction certificate or a complying development certificate (as applicable) must be obtained for proposed external plant and equipment, if not included in this consent.

A12 An application must be submitted to an approved by Council prior to the installation and operation of any proposed greywater or wastewater treatment systems, in accordance with the *Local Government Act 1993*.

Greywater/Wastewater treatment systems must comply with the relevant requirements and guidelines produced by NSW Health, NSW Office of Environment and Heritage and other relevant regulatory requirements.

A13 Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

A14 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.

A15 Further information and details on Council's requirements for trees on development sites can be obtained from the recently adopted Tree Technical Manual, which can be downloaded from Council's website at the following link, <http://www.randwick.nsw.gov.au> - Looking after our environment – Trees – Tree Management Technical Manual; which aims to achieve consistency of approach and compliance with appropriate standards and best practice guidelines.