Development Consent Conditions
(dwellings and dual occupancies)

Folder /DA No: DA/381/2019

Property: 18-20 Surfside Avenue, CLOVELLY NSW 2031

Proposal: Demolition of existing dwellings at 18 & 20 Surfside Avenue, retention of garages at 20 Surfside Ave, boundary adjustment between both properties, construction of new 3 storey dwelling at 18 Surfside Avenue plus lower level garages, swimming pool to rear and associated works.

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

1. 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:

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<td>Philip Leamon &amp; Associates</td>
<td>18 September 2019</td>
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Amendment of Plans & Documentation

2. The approved plans and documents must be amended in accordance with the following requirements:

a) The first-floor louvers on the western and eastern façades shall be constructed with either:
   - Fixed vertical or horizontal louvres with the individual blades angled and spaced appropriately to prevent overlooking into the private open space or windows of the adjacent dwellings.

b) The north-facing, first floor balcony shall be deleted.

c) The solid, full height walls to the eastern and western sides of the south-facing, ground and first floor balconies shall be deleted and replaced with fixed privacy screens 1.6m high measured above the FFL of the balconies. The privacy screens shall be constructed with either:
   - Fixed lattice/slats with individual openings not more than 30mm wide;
   - Fixed vertical or horizontal louvres with the individual blades angled and spaced appropriately to prevent overlooking into the private open space or windows of the adjacent dwellings.

d) The solid front fence is not approved. The front fence shall have a maximum height of 1200mm, as measured from the footpath level, with the solid portion not exceeding 600mm, except for piers, and the non-solid portion of the fence shall comprise light-weight materials (such as timber panels, slats or the like) that are at least 30% open and evenly distributed along the full length of the fence.
e) The swimming pool coping shall be setback 900mm from the rear and side boundaries.

**Clearstory Window / Roof**
3. The clearstory window shall be deleted and the low-profile pitched roof subsequently continued towards the south with a maximum RL of 32.94. Details shall be submitted to and approved by Council’s Manager, Development Assessments prior to the issue of a Construction Certificate.

**Use of Existing Garage**
4. The existing garage at 20 Surfside Avenue shall not be used for any commercial and/or industrial purposes.

**Pool Pump / Filter**
5. The pool pump and filter shall be contained in acoustically rated enclosure away from neighbouring dwellings.

**Clothes Drying Facilities**
6. Clothes drying facilities shall be located within the rear yard.

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**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 Randwick City Council or an Accredited Certifier. 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.

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**Consent Requirements**
7. The requirements and amendments detailed in the ‘General Conditions’ must be complied with and be included in the construction certificate plans and associated documentation.

**External Colours, Materials & Finishes**
8. The colours, materials and finishes of the external surfaces to the building are to be compatible with the adjacent development to maintain the integrity and amenity of the building and the streetscape.

Details of the proposed colours, materials and textures (i.e. a schedule and brochure/s or sample board) are to be submitted to and approved by Council’s Manager Development Assessments prior to issuing a construction certificate for the development.

**Section 7.12 Development Contributions**
9. In accordance with Council’s Development Contributions Plan effective from 21 April 2015, based on the development cost of $1,355,106 the following applicable monetary levy must be paid to Council: $13,551.05.

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 9093 6999 or 1300 722 542 for the indexed contribution amount prior to payment.

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

\[
\text{IDC} = \text{ODC} \times \frac{\text{CP2}}{\text{CP1}}
\]

Where:

- \(\text{IDC}\) = the indexed development cost
- \(\text{ODC}\) = the original development cost determined by the Council
- \(\text{CP2}\) = 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
- \(\text{CP1}\) = 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 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**

10. A development compliance and enforcement fee of $1,355.10 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**

11. 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 6.8 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 Deposit**

12. 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:

- $20,000.00 - Damage / Civil Works Security Deposit

The damage/civil works security deposit may be provided by way of a cash, cheque, credit card payment or Bank Guarantee 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.

Note: If a Bank Guarantee is lodged for the $20,000.00 then there is to be no expiry date on the Bank Guarantee.
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.

**Sydney Water**

13. 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 a Sydney Water Quick Check agent, 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.

If suitable, the plans will be appropriately stamped. For details please refer to the Sydney Water web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick Check agents details - see *Building and Developing* then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets – see *Building and Development* then *Building and Renovating*, or telephone 13 20 92.

The Principal Certifier must ensure that a Sydney Water Quick Check Agent has appropriately stamped the plans.

**Construction & Structural Details**

14. Prior to the issuing of a Construction Certificate the applicant is to have approved by Council’s Coordinator Engineering Services full construction details for all works on Council’s road reserve. The applicant may wish to liaise with Council’s Coordinator (prior to lodging the construction details for the works.

The following construction details are to be to Council’s standards, specification and requirements:

- New kerb, gutter, layback and minimum 1.00m wide road reknit along the full scope of the site works

  Extension of Council’s stormwater pipeline in Surfside Ave, from the existing drainage pit opposite the eastern side boundary of No 18 Surfside Ave, to in line with the western side boundary of No 18 Surfside Ave.

- New Council driveway details including grades not exceeding 1:10 (10%), the headroom clearance (minimum of 2.20m as per AS/2890.1:2004) from underside of Council footpath to the Council driveway at right angles to the driveway. **In particular at all points along the eastern edge of the Council driveway servicing No 18 Surfside Ave. The Council approved driveway design will determine the garage slab level at the sites front boundary.**

  Note: New Footpath details which are to include a clear travel width of 1.40m along the full scope of the works as well as proposed finished
levels. Also proposed step details with 150mm rises and 300mm treads located outside No 20 Surfside Ave.

Balustrade details including on the footpath bridge, which is to be 1.40m high and of bicycle safety standard. Handrail details for steps outside No 20 Surfside Ave.

Retaining Wall details shall include proposed finishes on the walls, wall heights. Note: planter box walls adjacent to the Council driveways and roadway should not to exceed a height of 150mm above the adjacent driveway/roadway level.

Location of re-installed No Parking/Stopping signs outside No 18 Surfside Avenue.

Note: Council may charge the applicant a checking fee for reviewing the construction detail plans.

15. Prior to the issuing of a Construction Certificate the applicant is to have submitted to Council’s Coordinator Engineering Services full structural details for the work to be carried out on Council property this shall include pier & footing details, footpath details, step details and driveway details. The details are to be designed by a qualified structural engineer.

Note: The proposed suspended Council footpath along the site frontage of No 18 Surfside is to be designed so as to be structurally independent from the developed site’s front walls and so as to allow the footpath to be easily removed if required, without causing structural damage to the redeveloped site frontage. An independent structural engineer shall certify the design prior to the issuing of a Construction Certificate by the Principal Certifier.

Street Tree Management

16. The applicant must submit a payment of $2,276.80 (GST inclusive) to cover the following costs:

a. For Council to remove, stump-grind and dispose of the two Banksia integrifolia (Coastal Banksia’s) from the raised Surfside Avenue verge, being one in front of no.18, and one in front of no.16, so as to allow for the major excavations, lowering of ground levels and associated civil works that are shown for this same area and must be completed prior to the commencement of any site works;

b. A loss of amenity fee in recognition that the only reason these established native coastal trees are being removed from public property is to accommodate the development of private property, with replacements not possible back in this same location given the extent of works, with this fee to be used towards the planting of new street trees elsewhere in the street or surrounding area.

This fee must be paid into Tree Amenity Income at the Cashier on the Ground Floor of the Administrative Centre prior to the issue of a Construction Certificate.

The applicant must contact Council’s Landscape Development Officer on 9093-6613 (quoting the receipt number), and giving a minimum of 6 working weeks-notice (allow longer for public holidays or extended periods of rain) to arrange for removal of the street trees prior to the
commencement of site works, as well as upon completion.

After this, any further enquiries regarding scheduling/timing or completion of tree works are to be directed to Council’s North Area Tree Preservation & Maintenance Coordinator on 9093-6963.

**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.

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

17. In accordance with section 4.17 (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).

**BASIX Requirements**

18. In accordance with section 4.17 (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 Certifier.

The design of the building must not be inconsistent with the development consent and any proposed variations to the building to achieve the BASIX commitments may necessitate a new development consent or amendment to the existing consent to be obtained, prior to a construction certificate being issued.

**Site seepage & Dewatering**

19. Sub-soil drainage (from site seepage & planter boxes etc) must comply with the following requirements:

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 water to drain around the basement garages (to ensure the basement will not dam or slow the movement of the ground water through the development site).

c) Sub-soil drainage systems (if provided) must comply with one or a combination of the following requirements:

   i. The sub-soil drainage system/s may be connected directly to Council’s underground drainage system.
ii. Any sub-soil drainage systems must be restricted from entering the basement areas of the buildings 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 (as applicable) must be prepared or approved by a suitably qualified and experienced Professional Engineer to the satisfaction of the Certifier 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 Certifier.

**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 Certifier’, 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**

20. 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 Certifier* (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, or in relation to residential building work, an *owner-builder* permit may be obtained in accordance with the requirements of the *Home Building Act 1989*, and the PCA and Council are to be notified 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 Certifier*; and
e) at least two days notice must be given to the Council, in writing, prior to commencing any works.

**Home Building Act 1989**

21. In accordance with section 4.17 (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 Certifier and Council.

**Dilapidation Reports**

22. A dilapidation report must be obtained from a Professional Engineer, Building Surveyor or other suitably qualified independent person, in the following cases:

- excavations for new dwellings, additions to dwellings, swimming pools or other substantial structures which are proposed to be located within the zone of influence of the footings of any dwelling, associated garage or other substantial structure located upon an adjoining premises;
- new dwellings or additions to dwellings sited up to shared property boundaries (e.g. additions to a semi-detached dwelling or terraced dwellings);
- excavations for new dwellings, additions to dwellings, swimming pools or other substantial structures which are within rock and may result in vibration and or potential damage to any dwelling, associated garage or other substantial structure located upon an adjoining premises;
- as otherwise may be required by the Principal Certifier.

The dilapidation report shall include details of the current condition and status of any dwelling, associated garage or other substantial structure located upon the adjoining premises and shall include relevant photographs of the structures, to the satisfaction of the Principal Certifier.

The dilapidation report must be submitted to the Council, the Principal Certifier 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 Noise & Vibration Management Plan**

23. 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 and the relevant requirements of the Protection of the Environment Operations Act 1997 and NSW EPA Guidelines must be satisfied at all times.

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.

A Construction Noise Management Plan, prepared in accordance with the NSW EPA Construction Noise Guideline by a suitably qualified person, is to be implemented throughout the works, to the satisfaction of the Council. A copy of
the strategy must be provided to the Principal Certifier and Council prior to the commencement of works on site.

**Construction Site Management Plan**

24. **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 Certifier 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**

25. Demolition Work must be carried out in accordance with Australian Standard AS2601-2001, Demolition of Structures and relevant work health and safety requirements.

A Demolition Work Plan must be prepared for the demolition works which should be submitted to the Principal Certifier (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.

**Demolition & Construction Waste Plan**

26. **Demolition and Construction Waste Management Plan** (WMP) must be development and implemented for the development.

The Waste Management Plan must provide details of the type and quantities of demolition and construction waste materials, proposed re-use and recycling of materials, methods of disposal and details of recycling outlets and land fill sites.
Where practicable waste materials must be re-used or recycled, rather than disposed and further details of Council's requirements including relevant guidelines and pro-forma WMP forms can be obtained from Council’s Customer Service Centre or by telephoning Council on 1300 722 542.

Details and receipts verifying the recycling and disposal of materials must be kept on site at all times and presented to Council officers upon request.

**Construction Traffic Management**

27. A detailed Construction Site Traffic Management Plan must be submitted to and approved by Council’s Integrated Transport Department, prior to the commencement of any site work.

The Construction Site Traffic Management Plan must be prepared by a suitably qualified person and must include the following details, to the satisfaction of Council:

- 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.*

28. 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.

29. The applicant is to liaise with Council’s Integrated Transport Department to see if a ‘Works Zone’ can be provided at an acceptable location for the duration of the demolition & construction works.

**Boundary Adjustment/Subdivision**
30. Following demolition of the existing dwellings and prior to commencement of building works for the new dwelling, the applicant is to have approved by Council a Subdivision Certificate endorsing the proposed boundary adjustment between 18 & 20 Surfside Avenue.

**Sydney Water**

31. 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.

A Section 73 Compliance Certificate must be completed before a subdivision certificate will be issued.

**Civil Works**

32. A separate written approval from Council is required to be obtained in relation to all works which are located externally from the site within the road reserve/public place, in accordance with the requirements of the Roads Act 1993.

All works within the road reserve/public place must be carried out to the satisfaction of Council. Certification from a certified practicing engineer is to be provided to Council upon completion of the relevant stages of construction 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.

33. The applicant is to have their own licensed contractor/builder construct all works as shown on the approved Construction Detail Plan. The applicant’s contractor/builder shall notify Council’s Coordinator Engineering Services prior to the commencement of any demolition/building works and also provide a time frame for relevant stages of construction works.

34. The contractor engaged to undertake the works must hold full public liability in relation to any claims sustained as a result of the works.

The contractor must keep a policy of public risk insurance with respect to the works on Council property. The limit of public risk shall be not less than $20,000,000 or such other sum as the Council may reasonably nominate in writing from time to time as the amount, which may be paid arising out of any one single accident or event.

**NOTES:**

a. The policy shall extend to cover death or injury to any person and damage to property of any person sustained when such person is using or working within the Napper Street road reserve in the area adjacent to the subject works.

b. The policy must name the Council as the owner and the contractors undertaking the work as the insured and must contain a clause that the
The insurer will not change the insurance without first giving the Council ten (10) days prior written notice.

The insurance must be with an insurer approved by the Council and a copy of the policy or a certificate of insurance shall be submitted to Council prior to the commencement of work on Council property.

**Public Utilities**

35. 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.

36. 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 Certifier 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.

**Demolition & Construction Waste**

37. A Demolition and Construction Waste Management Plan (WMP) must be developed and implemented for the development.

The Waste Management Plan must provide details of the type and quantities of demolition and construction waste materials, proposed re-use and recycling of materials, methods of disposal and details of recycling outlets and land fill sites.

Where practicable waste materials must be re-used or recycled, rather than disposed and further details of Council’s requirements including relevant guidelines and pro-forma WMP forms can be obtained from Council’s Customer Service Centre or by telephoning Council on 1300 722 542.

Details and receipts verifying the recycling and disposal of materials must be kept on site at all times and presented to Council officers upon request.

**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**

38. Building works are required to be inspected by the Principal Certifier, in accordance with section 6.5 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.
Site Signage
39. 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 Certifier,
- a statement stating that “unauthorised entry to the work site is prohibited”.

Restriction on Working Hours
40. Building, demolition and associated site works must be carried out in accordance with the following requirements:

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<tr>
<th>Activity</th>
<th>Permitted working hours</th>
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| All building, demolition and site work, including site deliveries (except as detailed below) | • 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 | • Monday to Friday - 8.00am to 5.00pm  
• Saturday - No work permitted  
• Sunday & public holidays - 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.

Removal of Asbestos Materials
41. 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 Certifier.
- 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 Certifier.

- 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 Certifier 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**

42. 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 Certifier.

**Support of Adjoining Land**

43. In accordance with section 4.17 (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.

44. Prior to undertaking any demolition, excavation or building work in the following circumstances, a report must be obtained from a professional engineer which details the methods of support for the dwelling or associated structure on the adjoining land, to the satisfaction of the Principal Certifier:

- when undertaking excavation or building work within the zone of influence of the footings of a dwelling or associated structure that is located on the adjoining land;
- when undertaking demolition work to a wall of a dwelling that is built to a common or shared boundary (e.g. semi-detached or terrace dwelling);
- when constructing a wall to a dwelling or associated structure that is located within 900mm of a dwelling located on the adjoining land;
- as may be required by the Principal Certifier.

The demolition, excavation and building work and the provision of support to the dwelling or associated structure on the adjoining land, must also be carried out in
accordance with the abovementioned report, to the satisfaction of the Principal Certifier.

**Sediment & Erosion Control**

45. 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 of the sediment and erosion control measures to be implemented on the site must be included in with the Construction Management Plan and be provided to the Principal Certifier and Council. A copy must also be maintained on site and be made available to Council officers upon request.

**Public Safety & Site Management**

46. Public safety and convenience must be maintained at all times during demolition, excavation and construction works and the following requirements must be complied with:

a) Public access to the building site and materials must be restricted by existing boundary fencing or temporary site fencing having a minimum height of 1.5m, to Council’s satisfaction.

   Temporary site fences are required to be constructed of cyclone wire fencing material and be structurally adequate, safe and constructed in a professional manner. The use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

b) 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.

c) 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.

d) 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.*

e) Access gates and doorways within site fencing, hoardings and temporary site buildings or amenities must not open out into the road or footway.

f) Site fencing, building materials, bulk bins/waste containers and other articles 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.
g) 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.

h) 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. Please contact Council’s Road/Asset Openings officer on 9093 6691 for further details.

i) Temporary toilet facilities are to be provided, at or in the vicinity of the work site throughout the course of demolition and construction, to the satisfaction of WorkCover NSW and the toilet facilities must be connected to a public sewer or other sewage management facility approved by Council.

Site Signage
47. 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 Certifier,
- a statement stating that “unauthorised entry to the work site is prohibited”.

Survey Requirements
48. 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 Certifier (PCA):

- prior to construction (pouring of concrete) of the footings or first completed 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 Certifier and a copy is to be forwarded to the Council, if the Council is not the Principal Certifier for the development.

Building Encroachments
49. There must be no encroachment of any structures or building work onto Council’s road reserve, footway, nature strip or public place.

Road/Asset Opening Permit
50. 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 1300 722 542 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 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

51. 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.

52. 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.

53. All conditions and requirements of the NSW Police, Roads & Maritime Services, Transport and Council must be complied with at all times.

**Stormwater Drainage**

54. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the Principal Certifier. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council’s stormwater drainage system or street gutter.

**Landscaping**

55. Landscaping shall be provided throughout no.18 to enhance its amenity and reduce the impact of the development upon both the streetscape and neighbouring properties, with a high quality selection and arrangement of decorative species that are not reliant on high quantities of moisture and fertilizer for survival, and can withstand salt laden winds to be provided throughout both the front and rear setbacks so as to assist with presentation of the development to the streetscape.

**Vegetation**

56. Approval is granted for the removal of any vegetation within the front setback of no.18, including the Bottlebrush and Camelia along the western boundary, as well as those in the rear setback, along with the Kentia Palm against the eastern dwelling wall of no.20, as part of works that have been shown for these same areas.

**Landscaping of Surfside Avenue**

57. As part of the approved external civil works, the applicant must also liaise with Council's Landscape Development Officer (9093-6613) over the extent of landscaping and planting (if any) to be provided within the two separate garden beds on either side of the new vehicle crossing, at street level, so as to assist with integration of this development into the streetscape, and will be wholly at the applicant’s cost, and completed to Council's satisfaction, prior to any Occupation Certificate. In this regard, Council may even request that additional details and a Concept Plan be provided to ensure compliance.

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**REQUIREMENTS PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

The following conditions of consent must be complied with prior to the ‘Principal Certifier’ issuing an ‘Occupation 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 and to maintain reasonable levels of public health, safety and amenity.

**Occupation Certificate Requirements**

58. An Occupation Certificate must be obtained from the Principal Certifier 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*.

**BASIX Requirements & Certification**
59. In accordance with Clause 154B of the Environmental Planning & Assessment Regulation 2000, a Certifier 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 Certifier and Council upon issuing an Occupation Certificate.

Swimming Pool Safety

60. Swimming pools are to be designed and installed in accordance with the relevant requirements of the Building Code of Australia and be provided with childproof fences and self-locking gates, in accordance with the Swimming Pools Act 1992 and the Swimming Pools Regulation 2008.

The swimming pool is to be surrounded by a child-resistant barrier (e.g. fence), that separates the pool from any residential building (as defined in the Swimming Pools Act 1992) that is situated on the premises and from any place (whether public or private) adjoining the premises; and that is designed, constructed and installed in accordance with Australian Standard AS 1926.1 – 2012 (Swimming Pool Safety Part 1 - Safety Barriers for Swimming Pools).

Gates to pool area must be self-closing and latching at all times and, the gate is required to open outwards from the pool area and prevent a small child opening the gate or door when the gate or door is closed.

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

A ‘warning notice’ must be erected in a prominent position in the immediate vicinity of the swimming pool, in accordance with the provisions of the Swimming Pools Regulation 2008, detailing pool safety requirements, resuscitation techniques and the importance of the supervision of children at all times.

Swimming Pool & Spa Pool Requirements

61. Swimming pools (and spa pools) are to be designed, installed and operated in accordance with the following general requirements:

a) Backwash of the pool filter and other discharge of water is to be drained to the sewer in accordance with the requirements of the Sydney Water Corporation; and

b) All pool overflow water is to be drained away from the building and adjoining premises, so as not to result in a nuisance or damage to premises; and

c) Water recirculation and filtrations systems are required to comply with AS 1926.3 – 2010: Swimming Pool Safety – Water Recirculation and Filtration Systems; and

c) Pool plant and equipment is to be enclosed in a sound absorbing enclosure or installed within a building, to minimise noise emissions and possible nuisance to nearby residents.
62. The owner of the premises must ‘register’ the swimming pool [or spa pool] on the NSW Swimming Pool Register, in accordance with the Swimming Pools Act 1992.

The Swimming Pool Register is administered by the NSW Office of Local Government and registration on the Swimming Pool Register may be made on-line via their website www.swimmingpoolregister.nsw.gov.au.

Registration must be made prior to the issue of an Occupation Certificate for the pool and a copy of the NSW Swimming Pool Certificate of Registration must be forwarded to the Principal Certifier and Council accordingly.

**Street and/or Sub-Address Numbering**

63. 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.

**Council’s Infrastructure, Vehicular Crossings & Road Openings**

64. Prior to the issuing of any form of Occupation Certificate the applicant is to have obtained written approval from Council’s Coordinator Engineering Services that all of civil work requirements on Council’s road reserve, as per the Construction Detail Plan, have been constructed to Council’s satisfaction and that all certification details have been submitted to Council.

65. Prior to issuing a occupation certificate, 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.

**Stormwater Drainage**

66. The applicant shall submit to the Principal Certifier (PCA) and Council certification from a suitably qualified and experienced professional engineer, confirming that the walls of the basement have been fully tanked and waterproofed to prevent the entry of all groundwater in the basement level/s and that any required sub-soil drainage systems have been provided in accordance with the conditions of this consent.

**Landscaping of Public Property**

67. Prior to Occupation Certificate, written approval from Council’s Landscape Development Officer (9399-0613) must be submitted to, and be approved by, the PCA, confirming that all landscape works/planting on public property in Surfside Avenue has been inspected, and that it has been completed in accordance with any approved plan and conditions of consent.

**Landscaping of Private Property**

68. The PCA must also ensure that landscaping within no.18 has been installed in
accordance with any approved plan and relevant conditions of consent, prior to any Occupation Certificate, with the owner to maintain it in a healthy and vigorous state until maturity.

**Pedestrian Footbridge Positive Covenant**

69. Prior to the issuing of any form of Occupation Certificate the applicant/owners of the subject properties are to have a "positive covenant" (under section 88E of the Conveyancing Act 1919) placed on the title of the subject properties to ensure that all supporting elements of the footbridge including balustrading, retaining walls and approved signage are maintained and repaired by the proprietors to Council’s requirements. Such positive covenant shall not be released, varied or modified without the consent of the Council.

Notes:

a) The “positive covenant” is to be to the satisfaction of Council. A copy of Council’s wording for the positive covenant may be obtained from Council’s Development Engineer Coordinator.

b) A works as executed plan for the Construction Detail Plans (works carried out on Council property, must be submitted to Council prior to the “positive covenant” being executed by 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.

**External Lighting**

70. 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.

**Waste Management**

71. Adequate provisions are to be made within the premises for the storage and removal of waste and recyclable materials, to the satisfaction of Council.

**Plant & Equipment – Noise Levels**

72. The operation of all plant and equipment on the premises 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 plant and equipment shall not give rise to an \( \text{L}_{\text{Aeq}, 15 \text{ min}} \) sound pressure level at any affected premises that exceeds the background \( \text{L}_{\text{A90}, 15 \text{ min}} \) noise level, measured in the absence of the noise source/s under consideration by more than 5dB(A) in accordance with relevant NSW Environment Protection Authority (EPA) Noise Control Guidelines.

**Swimming/Spa Pools**

73. The pool plant and equipment shall not be operated during the following hours if the noise emitted can be heard within a habitable room in any other residential premises, or, as otherwise specified in relevant Noise Control Regulations:
Air Conditioners

74. Air conditioning plant and equipment shall not be operated during the following hours if the noise emitted can be heard within a habitable room in any other residential premises, or, as otherwise specified in relevant Noise Control Regulations:

- before 8.00am or after 10.00pm on any Saturday, Sunday or public holiday; or
- before 7.00am or after 10.00pm on any other day.

Rainwater Tanks

75. The operation of plant and equipment associated with rainwater tanks are to be restricted to the following hours if the noise emitted can be heard within a habitable room in any other residential premises:

- before 8.00am or after 8.00pm on weekends or public holiday; or
- before 7.00am or after 8.00pm on weekdays.

Landscaping

76. All planting installed as part of these works must be maintained in a healthy and vigorous state, in accordance with the approved plan, and wholly at the subject residents cost, for the life of the development.

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 4.17 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 $3,000) 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 Certifier for the development,
- Council and the Principal Certifier have been given at least 2 days notice (in writing) prior to commencing any works.
A3 Council can issue your Construction Certificate and be your Principal Certifier for the development, to undertake inspections and ensure compliance with the development consent and relevant building regulations. 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) and other relevant Standards. All new building work (including alterations and additions) must comply with the BCA and relevant Standards and 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 4.55 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 6971.

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 The finished ground levels external to the building must 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.
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.

Council’s assessment of this application does not include an assessment of compliance with the Swimming Pool Act 1992. All pool barriers, fences and structures within properties containing a swimming pool must comply with the requirements of the Swimming Pool Act 1992, BCA and relevant Australian Standards.

Details of compliance with the Swimming Pool Act 1992, Building Code of Australia and relevant Standards must be included in the Construction Certificate to the satisfaction of the Certifier.

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.

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.

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.