

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
DETERMINATION OF DEVELOPMENT APPLICATION NO. 146-6-2004
(FILE NO. S04/01332 PT 3)
MULTI-UNIT HOUSING DEVELOPMENT
9-25 TRYON ROAD, LINDFIELD

I, the Minister for Infrastructure and Planning, pursuant to Section 80 (1) (a) of the *Environmental Planning & Assessment Act, 1979*, and Clause 25 of State Environmental Planning Policy No 53 – Metropolitan Residential Development determine the development application referred to in the attached Schedule 1, by granting consent to the application subject to the conditions of consent in the attached Schedule 2.

The reasons for the imposition of conditions are:

- (1) To encourage good urban design and a high standard of architecture,
- (2) To maintain the amenity of the local area,
- (3) To provide for the orderly and ecologically sustainable use and development of the land,
- (4) To require the provision of a developer contribution due to an increase in the demand for public amenities and services within the area,
- (5) To require high quality landscaping and planting within the public and private domain.

Craig Knowles MP
Minister for Infrastructure and Planning
Minister for Natural Resources

Sydney,

2004

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Diane Beamer MP
Minister for Juvenile Justice
Minister for Western Sydney
Minister Assisting the Minister for Infrastructure and Planning
(Planning Administration)

Sydney,

2004

SCHEDULE 1**PART A—TABLE**

Application made by:	Mirvac Projects Pty Ltd Level 5, 40 Miller Street, North Sydney NSW 2060
Application made to:	Minister for Infrastructure and Planning
Development Application:	No. 146-6-2004
On land comprising:	9-25 Tryon Road, Lindfield Lots 12-16, DP3055; Lot 11, DP1005127; Lots A & B, DP337971; Lot 1, DP914191; and Lot B, DP 326955.
For the carrying out of:	Development described in Condition A1, Part A, Schedule 2
Estimated Cost of Works	\$29,625,000
Type of development:	Local Development
S.119 Public inquiry held:	No
BCA building class:	Class 2 and Class 7a
Approval Body / Bodies:	Not Integrated
Determination made on:	
Determination:	A development consent is granted subject to the conditions in the attached Schedule 2.
Date of commencement of consent:	This development consent commences on the date identified in the formal notification letter accompanying the Determination.
Date consent is liable to lapse	This consent will lapse 5 years from the date of commencement of consent, unless: ▪ a shorter period of time is specified by the Regulations or ▪ a condition in Schedule 2, or ▪ the development has physically commenced.

PART B—NOTES RELATING TO THE DETERMINATION OF DA NO. 146-6-2004***Responsibility for other approvals / agreements***

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The applicant has the right to appeal to the Land and Environment Court under Section 97 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only valid:

- (1) for a development application, within 12 months after the date on which the applicant received this notice, or

Appeals—Third Party

A third party right to appeal to this development consent is available under Section 123, subject to Section 101, of the *Environmental Planning and Assessment Act, 1979*.

Legal notices

Any advice or notice to the consent authority shall be served on the Director-General.

Section 94 Conditions

This development consent contains a levy for development imposed under section 94 of the Act. The imposing of levies where imposed in accordance with Ku-ring-gai Council Section 94 Contributions Plan 2004-2009 – Residential Development. The Ku-ring-gai Section 94 Plan may be inspected at the following locations:

- Ku-ring-gai Council Chambers, 818 Pacific Highway, Gordon

The specific public amenity or service or both are identified in the monetary contributions conditions in Part B of Schedule 2.

PART C—DEFINITIONS

In this consent,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Applicant means Mirvac Projects Pty Ltd or any party acting upon this consent.

Approval Body has the same meaning as within Division 5 of Part 4 of the Act,

BCA means the Building Code of Australia.

Certifying Authority has the same meaning as Part 4A of the Act.

Council means Ku-ring-gai Council.

DA No. 146-6-2004 means the development application and supporting documentation submitted by the applicant on 11 June 2004.

Department means the Department of Infrastructure, Planning and Natural Resources or its successors.

Director means the Director of the Urban Assessments (or its successors) within the Department.

Director-General means the Director-General of the Department.

Minister means the Minister for Infrastructure and Planning.

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

Regulations means the *Environmental Planning and Assessment Regulations, 2000* (as amended).

Road Authority means the road authority identified within the Roads Act 1993.

Subject Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2

CONDITIONS OF CONSENT

DEVELOPMENT APPLICATION NO. 146-6-2004

PART A—ADMINISTRATIVE CONDITIONS

A1 *Development Description*

Development consent is granted only to carrying out the development described in detail below:

- Demolition of existing structures on site;
- Erection of five buildings comprising:
 - Building 1 – 4 Storey Building comprising 7 x 3 bedroom dwellings;
 - Building 2 – 4 Storey Building comprising 6 x 3 bedroom dwellings;
 - Building 3 – 5 Storey Building comprising 3 x 2 bedroom dwellings and 9 x 3 bedroom dwellings;
 - Building 4 – 5 Storey Building comprising 3 x 2 bedroom dwellings and 20 x 3 bedroom dwellings;
 - Building 5 – 5 Storey Building comprising 3 x 2 bedroom dwellings and 23 x 3 bedroom dwellings.
- Construction of a shared basement structure beneath the proposed buildings containing 144 resident car spaces, lift and stair access points and garbage storage rooms;
- Provision of 10 visitor car spaces on grade and accessed from Tryon Lane;
- Associated landscaping works; and
- Strata title subdivision of the completed development.

A2 *Development in Accordance with Plans*

The development shall be generally in accordance with development application number DA146-6-2004 submitted by the applicant on 11 June 2004, supporting documentation submitted with that application, and subsequent amended plans including, but not limited to, the following:

Statement of Environmental Effects entitled 'Multi-Unit Housing Development and Strata Title Subdivision pursuant to Part 4 of SEPP 53', including Appendix A and B prepared by Glendinning Minto & Associates Pty Ltd, dated June 2004.			
Architectural (or Design) Drawings prepared by hpa Architects			
Drawing No.	Revision	Name of Plan	Date
DA01	B	Streetscapes	June 2004
DA02	B	Site Analysis	June 2004
DA03	C	Site Plan	June 2004
DA04	E	Level 1 Plan	5 Nov 2004
DA05	D	Level 2 Plan	5 Nov 2004
DA06	D	Level 3 Plan	5 Nov 2004
DA07	D	Level 4 Plan	5 Nov 2004

DA08	D	Level 5 Plan	5 Nov 2004
DA09	D	Roof Plan	5 Nov 2004
DA10	E	Basement Plan	4 Nov 2004
DA 11	C	Elevations Tryon Rd, Tryon Lane	June 2004
DA12	C	Building Elevations	June 2004
Drainage Concept Plan prepared by Bainbridge Barnett & Partners Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
5001	A	Erosion and Sediment Control Plan	3 June 2004
5002	A	Basement Drainage Plan	3 June 2004
5003	A	Level 1 Drainage Plan	3 June 2004
5004	A	Roof Drainage Plan	3 June 2004
5005	A	Detention Tank Details	3 June 2004
Materials Board, External Finishes, Tryon Road, Lindfield submitted 11 June 2004			
Landscape Concept Plan prepared by dem			
La 0501	A03	Landscape Concept Plan	16 Sep 2004
Survey Drawings prepared by Tasy Moraitis			
Drawing No:	Name of Plan		Date
Sheet 1 of 19 Sheets	Strata Plan Form 1 – DA Plan		25 May 2004 (Draft)
Sheet 2 of 19 Sheets	Strata Plan Form 2 – Location Plan		25 May 2004 (Draft)
Sheet 3 of 19 Sheets	Strata Plan Form 2 – Basement Level		8 Nov 2004 (Draft)
Sheet 4 of 19 Sheets	Strata Plan Form 2 – Basement Level		8 Nov 2004 (Draft)
Sheet 5 of 19 Sheets	Strata Plan Form 2 – Basement Level		8 Nov 2004 (Draft)
Sheet 6 of 19 Sheets	Strata Plan Form 2 – Level 1		25 May 2004 (Draft)
Sheet 7 of 19 Sheets	Strata Plan Form 2 – Level 2		25 May 2004 (Draft)
Sheet 8 of 19 Sheets	Strata Plan Form 2 – Level 3		25 May 2004 (Draft)
Sheet 9 of 19 Sheets	Strata Plan Form 2 – Level 4		25 May 2004 (Draft)
Sheet 10 of 19 Sheets	Strata Plan Form 2 – Level 5		25 May 2004 (Draft)
Sheet 11 of 19 Sheets	Strata Plan Form 2 – Level 1		25 May 2004 (Draft)
Sheet 12 of 19 Sheets	Strata Plan Form 2 – Level 1		25 May 2004 (Draft)
Sheet 13 of 19 Sheets	Strata Plan Form 2 – Level 2		25 May 2004 (Draft)
Sheet 14 of 19 Sheets	Strata Plan Form 2 – Level 2		25 May 2004 (Draft)
Sheet 15 of 19 Sheets	Strata Plan Form 2 – Level 3		25 May 2004 (Draft)
Sheet 16 of 19 Sheets	Strata Plan Form 2 – Level 3		25 May 2004 (Draft)
Sheet 17 of 19 Sheets	Strata Plan Form 2 – Level 4		25 May 2004 (Draft)
Sheet 18 of 19 Sheets	Strata Plan Form 2 – Level 4		25 May 2004 (Draft)
Sheet 19 of 19 Sheets	Strata Plan Form 2 – Level 5		25 May 2004 (Draft)

A3 *Inconsistency between documents*

In the event of any inconsistency between the conditions of consent and the drawings/documents referred to above, the conditions of this consent prevail.

A4 *Prescribed Conditions*

The Applicant shall comply with the prescribed conditions of development consent under clause 98 of the Regulation.

PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Design Details and Changes

B1 Reflectivity

The visible light reflectivity from building materials used on the facades of the buildings shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

B2 Design Verification Statement – Residential Flat Buildings

Prior to the issue of a Construction Certificate, the Applicant shall submit to the Certifying Authority a Design Verification Statement from a qualified designer, verifying that the plans and specifications achieve or improve the design quality of the development, having regard to the design quality principles set out in Part 2 of *State Environmental Planning Policy No. 65—Design Quality of Residential Flat Development*.

B3 Disabled Access

Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA's Access Policy. Prior to the issue of a Construction Certificate, a certificate certifying compliance with this condition from an appropriately qualified person shall be provided to the Certifying Authority.

Storage

B4 Provision of Storage Facilities

Every dwelling within the development is to be provided with storage facilities. These storage facilities should ideally be provided within the dwelling, however, may be located in a secure storage area in the basement. If secure basement storage is provided, this should be exclusive of any space required for resident bicycle spaces required by this consent. The minimum requirements for storage are:

- 2 bedroom unit – minimum 8 cubic metres;
- 3 bedroom unit – minimum 10 cubic metres.

Prior to the issue of a construction certificate, the applicant must demonstrate compliance with this condition to the satisfaction of the PCA.

Noise Mitigation

B5 Mitigation of noise

The development should be designed such that surrounding road traffic noise is mitigated by durable materials, in accordance with the Environmental Protection Authority criteria, 'The Environmental Criteria for Road Traffic Noise, May 1999'.

The applicant shall implement the recommendations contained within the approved 'Acoustic Assessment' prepared by Renzo Tonin & Associates Pty Ltd, dated 4 June 2004.

The cost of noise attenuation measures for all dwellings within the development, for the entire life of the dwellings, shall be at no cost to the RTA, the Department, or their successors. Details of compliance with this condition is to be submitted to the satisfaction of the Certifying Authority prior to the issue of Construction Certificate.

Remediation / Demolition / Earthworks

B6 Erosion and Sedimentation Control

Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater–Soils & Construction* (NSW Department of Housing, 1998.) Details are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

B7 Dilapidation Reports

A Dilapidation Report detailing the current structural condition of the existing adjoining buildings, infrastructure and roads shall be prepared and endorsed by a qualified structural engineer. The report shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

A second Dilapidation Report shall be prepared by a suitably qualified person at the completion of the works to ascertain if any structural damage has occurred to the adjoining buildings, infrastructure and roads. The report shall also be submitted to the satisfaction of the Principal Certifying Authority and should be compared with the earlier report to ascertain if any change has occurred.

A copy of both reports is to be forwarded to the Director and Council.

Traffic & Parking

B8 Traffic Control Devices

In order to ensure that vehicles, pedestrians and bicycles enter and exit the site in a safe manner, the following traffic control measures shall be provided:

- (1) signage and line marking shall be installed, be clearly visible and be maintained at the upper threshold of the driveway on Tryon Lane, including an appropriate 'no right turn' sign;
- (2) signage shall be installed, be clearly visible, and be maintained in the loading area indicating the headroom clearance available for loading and unloading;
- (3) signage and line marking shall be installed, be clearly visible and be maintained at both the Tryon Road and Tryon Lane entrance points to the through site link, and should indicate the public nature of the link;
- (4) signage and line marking shall be installed, be clearly visible and be maintained along the entire length of the site link, to formalise its use as a shared footway/cycle, in accordance with Ausroads Guide to Traffic Engineering Practice Part 14 – Bicycles;
- (5) Signage and line marking shall, be clearly visible and be maintained at the on-grade visitor parking area on Tryon Lane.

Details of the type, location and operation of the devices shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

B9 *Number of Car Spaces*

The maximum number of car spaces to be provided for the development shall comply with the table below. Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

Car parking allocation	Number
Maximum Residential Car Parking Spaces	144
Minimum Residential Car Parking Spaces for Disabled Persons	2
Minimum Visitor Spaces	10
Car Wash Bay	1

B10 *Number of Bicycle Spaces*

A minimum of 25 resident bicycle spaces are to be provided within the basement and 7 visitor bicycle spaces are to be provided on grade, for the development. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

Note: Resident bicycle spaces can be provided at the rear of the caged resident parking spaces, however this must be exclusive of any space required to meet minimum storage requirements in accordance with this consent.

B11 *Car Park and Service Vehicle Layout*

- (1) The layout of the car park, including dimensions of parking, turning circles and overhead clearances, shall comply with Australian Standard AS2890.1: 2004 *Parking Facilities Part 1: Off Street Parking*. All parking spaces are to be linemarked.
- (2) The layout of the service vehicle area shall comply with Ku-ring-gai Council's DCP No 40 – Policy for construction & demolition waste management.
- (3) The applicant should ensure that the maximum gradient over the property line from Tryon Lane is 1 in 20 (5%).
- (4) Details demonstrating compliance with these requirements shall be submitted to the satisfaction of the Certifying Authority prior the issue of a Construction Certificate.

Utility Services

B12 *Utility Service Facilities*

The relocation or adjustment of any utility service facilities are to be carried out by the applicant in accordance with the requirements of the utility authority at no cost to Council or the Department.

Traffic Management Plan

B13 Traffic Management Plan

The applicant shall submit a Traffic Management Plan, to be produced in consultation with the RTA and Council, in general accordance with documents SAA HB81.1-1996-'Field Guide for Traffic Control at Works of Roads – Part 1' and RTA Traffic Control at Worksites Manual (2003). The plan should include:

- (1) A plan view of the entire site and adjacent roadways including:
 - a. Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and vehicles;
 - b. Turning areas within the site for construction vehicles, allowing a forward ingress and egress for all construction vehicles on the site;
 - c. Locations of proposed work zones in the frontage roadways;
 - d. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries. All machinery shall be loaded and unloaded inside the boundary of the site;
 - e. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
 - f. The provision of on-site parking for employees, tradesperson and construction vehicles.
- (2) Stages – the Plan must recognise the different stages of work, including site establishment, bulk excavation, concrete pours and tradesperson and landscaper access, and specify the traffic management requirements of each stage.
- (3) Any likely traffic re-assigning measures required during construction. Approval must be obtained from Ku-ring-gai Council for any temporary road closures.
- (4) Details of proposed route of heavy vehicles servicing the site. Light traffic roads and those subject to a load limit are to be avoided. Lindfield Avenue, adjacent to the retail precinct, shall also be avoided.
- (5) Detailed consideration of potential conflicts between vehicles entering/exiting the site and pedestrians on the footpath and measures to prevent those conflicts.
- (6) Appropriate 'Trucks Entering' signage at all relevant locations.
- (7) The applicant shall ensure that all employees are aware of this plan.

The Traffic Management Plan must be submitted to the Director for approval prior to the release of Construction Certificate. The plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition. Documentary evidence of consultation with the RTA and Council is required to be submitted with the Traffic Management Plan. The applicant is to submit a copy of the approval plan to Council.

NOTE: Should a mobile crane be necessary, the Applicant would be required to forward a Traffic Management Plan/ Traffic Control Plan to Council to assess the traffic impact of the crane in the roadway.

Landscaping

B14 Landscape Plan

In order to ensure appropriate landscaping of the site, a detailed landscape plan incorporating the following:

- 1) A minimum of 3 endemic canopy trees (capable of attaining a height of at least 13m) shall be planted, at no cost to Council, in the nature strip fronting the property along Tryon Road.
- 2) A minimum of 15 endemic canopy trees (capable of attaining a height of at least 13m) shall be planted throughout the site.
- 3) Details of appropriate screen planting of the eastern and western site boundaries, to limit direct views into adjacent properties.
- 4) The landscape plan shall clearly delineate the extent of pervious and impervious paving areas and provide details of proposed pervious paving treatments and materials;
- 5) The landscape plan shall demonstrate the extent of appropriate shade tolerant species to be planted in all courtyard areas located to the south of proposed buildings whereby a limited amount of sunlight is provided to these areas.
- 6) All existing and proposed plantings shall be indicated on the plan.
- 7) In all respects, the landscaping of the site should maintain the existing landscaping character of the Lindfield area, and the overall treed character of Ku-ring-gai, as well as providing appropriate screen and tree replenishment.

The landscape plan shall be submitted to and approved by the Director prior to the issue of a Construction Certificate.

Note 1: Endemic canopy trees appropriate to the Lindfield area include the Turpentine, Sydney Red Gum, Rough Barked Apple, and Ironbark.

Note 2: The use of the Livistona australis (Cabbage Palm) is not consistent with the character of the Lindfield landscape.

Bond for Protection of Tree Species

B15 Bond for Protection of Street Trees

A cash bond / bank guarantee of \$5,000 shall be lodged with the Council prior to the release of the Construction Certificate for below ground works to ensure that the following trees are maintained in the same condition as found prior to commencement site development work.

- Angophora costata (Sydney redgum) located on the Tryon Road frontage (Tree Number 5);
- Jacaranda mimosifolia (Jacaranda) located on the Tryon Road frontage (Tree Number 13).

The bond will be returned following issue of the final Certificate of Compliance, provided the trees are undamaged.

In the event that any specified trees are found damaged, dying or dead as a result of any negligence by the applicant or its agent, or as a result of the construction works at any time during the construction period, the Council will have the option to demand the whole or part therefore of the bond.

Waste Management

B16 Design of Garbage Compactor Rooms and Garbage Bin Store at Basement Level

For the purpose of access, health, safety and cleanliness, the garbage compactor rooms and the garbage bin store at basement level shall be managed in accordance with the '*Waste Management Plan*', prepared by Ryburn Industries Pty Ltd dated May 2004, and shall be designed as follows:

- a) no locking devices on doors or basement shelters are to be installed leading to the garbage bin store. (For safety reasons, garbage compactor rooms would require locking devices);
- b) constructed of masonry having a steel trowel finish to internal walls and floors;
- c) provided with hot and cold hose cocks for cleaning;
- d) provided with lighting and adequate ventilation;
- e) provided with floor waste connected to the sewer.

B17 Design of Garbage Rooms on Levels 1 – 5

For the purpose of access, health, safety and cleanliness, the garbage rooms on levels 1-5 shall be managed in accordance with the '*Waste Management Plan*', prepared by Ryburn Industries Pty Ltd dated May 2004, and shall be designed as follows:

- a) constructed of masonry having a steel trowel finish to internal walls and floors;
- b) provided with lighting and adequate ventilation;

Details are to be provided to, and approved by the PCA prior to issue of the Construction Certificate.

Monetary Contributions

B18 Monetary Contributions

A contribution is to be paid for the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will be, or are likely to be, required as a consequence of development in the area.

The amount of the contributions shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment as set out in the Ku-ring-gai Section 94 Contributions Plan 2004–2009 - Residential Development to reflect changes in land values, construction costs and the consumer price index.

This contribution shall be paid to Ku-ring-gai Council prior to the release of the Construction Certificate and the amount payable shall be in accordance with the Council's adopted Section 94 Contributions Plan for Residential Development, effective from 30 June 2004,

After allowances have been made for existing small, medium and large dwellings on the site that are to be demolished or adapted onsite for non-residential use, the proposed development has been calculated as containing the following dwelling number and sizes:

- 6 medium dwellings (75m² – under 110m²);
- 59 large dwellings (110m² – 150m²);
- 9 very large dwellings (150m² or more).

The above dwelling sizes have been based on net strata areas. Allowances in the form of Section 94 credits have also been made for nine (9) existing very large dwellings (150m² or more) on the site that are to be demolished.

The total contribution for this development is currently \$1,768,823.

Timing and Method of Payment

The contribution shall be paid in the form of cash or bank cheque, made out to Ku-ring-gai Council. For accounting purposes, the contribution may require separate payment for each of the categories above and you are advised to check with Ku-ring-gai Council.

Evidence of the payment to Ku-ring-gai Council shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Indexing

The contribution for land will be adjusted in accordance with the latest annual valuations.

Site Drainage and Stormwater Management

B19 Design of Drainage System

Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction design drawings and calculations for the property drainage system components. The property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence) and shall be compatible with the necessary retention and/or detention devices. Plans and calculations are to be prepared by a suitable qualified and experienced civil/hydraulic engineer in accordance with Council's Water Management Development Control Plan 47 and AS 3500.2 – Plumbing and Drainage Code.

B20 On Site Stormwater Retention

Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principle Certifying Authority (PCA), full construction drawings for the proposed method of achieving Council storage requirements for an on-site stormwater detention and retention system. A rainwater reuse tank system of (minimum) volume 90m³ and an on-site stormwater detention requirement of (minimum) volume 150m³ shall be shown. The design shall be based on the Bainbrigge Barnett and Partners Pty Ltd drainage concept plans and documentation submitted for DA assessment, dated June 2004 which must be advanced for construction issue purposes. The design shall comply with Council's Water Management DCP 47, the manufacturers' specifications and the relevant plumbing codes. Overflow shall revert to the main drainage system. The design and construction plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer.

B21 Stormwater Runoff

Stormwater runoff from the development shall be piped to the street drainage system in Tryon Lane via the on-site stormwater management system comprising retention and detention. New drainage line connections to the street system shall conform and comply with

the requirements described in sections 5.3 and 5.4 of Council's Water Management Development Control Plan 47.

B22 Stormwater Control to Main Driveway

For stormwater control a 200mm wide grate channel/trench drain with a heavy-duty removable galvanised grate is to be provided at the base of the ramped access driveway and be connected to the main stormwater drainage system. The channel drain shall have an outlet of minimum diameter 150mm to prevent blockage by debris.

B23 Stormwater Control to balconies

For stormwater control, all balconies are to be drained to the main drainage system via outlets fitted with surface grills. Overflow devices shall also be incorporated.

B24 Basement Pump-out System

Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction design plans and calculations for provision of a basement stormwater pump-out system for any driveway ramp runoff and groundwater flows. The system shall comprise of both duty and back-up pumps, shall be designed for the 100 year runoff and have an emergency alarm system. The system is to include a holding well which has a storage capacity equivalent to the runoff volume from a 2 hour 100 year ARI storm event so that the basement is safeguarded from flooding during power failure for such a storm over such a period. Plans and details, including but not limited to, holding well volume calculations, inflow and outflow calculations, pump specification and duty curves are to be prepared by a qualified civil/hydraulic engineer. Refer also condition B20.

B25 Stormwater Quality

Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), details for the method of achieving stormwater quality treatment measures in accordance with Council's Water Management DCP 47. The plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer.

Water use

B26 Details of Re-use of Water

The mandatory reuse of water on the site including toilet flushing and garden irrigation shall be in accordance with the approved ESD Report Prepared by HPA Pty Ltd. Prior to the issue of a construction certificate, the applicant shall submit plans, for approval by the Principal Certifying Authority (PCA), showing all necessary pumping, housing filtration and general delivery plumbing equipment for re-use, with all supporting documentation and shall be prepared by a qualified and experienced civil/hydraulic engineer. Refer also Condition B20.

Footpath and Driveway Levels and Grades

B27 Footpath and driveway levels

Prior to issue of the construction certificate footpath and driveway levels for any fully new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment must be obtained from Council. Such levels are only able to be issued by Council under the *Roads Act 1993*. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications 'Construction of Gutter Crossings and Footpath Crossings' or as specified by Council.

B28 *Footpath and driveway gradings*

The grading of such footpaths or driveways outside the property shall comply with Council's standard requirements. The suitability of the grade of such paths or driveways inside the property is the sole responsibility of the applicant and the alignment levels fixed by Council may affect these.

B29 *Materials for construction of footpaths and driveways*

The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment.

B30 *Plan stamping by Sydney Water for new buildings*

The relevant approved plan, which shows the building footprint, must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met prior to the issue of a Construction Certificate.

For Quick Check agent details please refer to the web site www.sydneywater.com.au, see Your Business then Building & Developing then Building & Renovating or telephone 13 20 92.

Compliance**B31 *Compliance Report***

Prior to the issue of a Construction Certificate, the Applicant, or any party acting upon this consent, shall submit to the Department a report addressing compliance with all relevant conditions of this consent.

PART C—PRIOR TO COMMENCEMENT OF WORKS

Demolition Works

C1 Statement of Compliance with Australian Standards

The demolition work shall comply with the provisions of Australian Standard AS2601: 1991 *The Demolition of Structures*. The work plans required by AS2601: 1991 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance shall be submitted to the satisfaction of the PCA prior to the commencement of works.

Excavation Works

C2 Notice to be Given Prior to Excavation

The PCA and Council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the site.

Structural Works

C3 Structural Details

Prior to the commencement of construction, the Applicant shall submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practising Structural Engineer that comply with:

- (1) the relevant clauses of the Building Code of Australia,
- (2) the relevant development consent,
- (3) drawings and specifications comprising the Construction Certificate, and
- (4) the relevant Australian Standards listed in the BCA (Specification A1.3).

Construction Management

C4 Disposal of Stormwater

During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems shall be installed to control runoff as far as the approved point of stormwater discharge. Such measures shall be to the satisfaction of the Principal Certifying Authority (PCA).

C5 Noise and Vibration Management Plan

Prior to the commencement of any works on the site, a Noise and Vibration Management Plan prepared by a suitably qualified person shall be submitted to and approved by the Director. The Plan shall address, but not be limited to, the following matters:

- (1) Identification of the specific activities that will be carried out and associated noise sources,

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- (2) Identification of all potentially affected sensitive receivers including residences, churches, commercial premises, schools, and properties containing noise sensitive equipment,
 - (3) The construction noise objective specified in the conditions of this consent,
 - (4) The construction vibration criteria specified in the conditions of this consent,
 - (5) Determination of appropriate noise and vibration objectives for each identified sensitive receiver,
 - (6) Noise and vibration monitoring, reporting and response procedures,
 - (7) Assessment of potential noise and vibration from the proposed construction activities including noise from construction vehicles and any traffic diversions,
 - (8) Description of specific mitigation treatments, management methods and procedures that will be implemented to control noise and vibration during construction,
 - (9) Justification of any proposed activities outside the construction hours specified in the conditions of this consent,
 - (10) Construction timetabling to minimise noise impacts including time and duration restrictions, respite periods, and frequency,
 - (11) Procedures for notifying residents of construction activities that are likely to affect their amenity through noise and vibration,
 - (12) Contingency plans to be implemented in the event of non-compliances and/or noise complaints,
 - (13) Compliance with Council's Code for the Control and Regulation of Noise on Building Sites.

The Applicant shall submit a copy of the approved plan to Council.

C6 Construction Waste Management Plan

Prior to the commencement of works, the Applicant shall submit to the satisfaction of the PCA a Waste Management Plan prepared by a suitably qualified person in accordance with Council's Development Control Plan No 40 and Policy for Construction and Demolition Waste Management. The Applicant shall submit a copy of the plan to Council and the Director.

C7 Contact Telephone Number

Prior to the commencement of the works, the Applicant shall forward to the Department and Council a 24 hour telephone number to be operated for the duration of the construction works.

Heritage

C8 Archival Record

Prior to any works or demolition on the site 25 Tryon Road, a full archival recording of the property should be completed in accordance with the NSW Heritage Council (1998) 'Minimum requirements for archival recording of items of local significance'. Two (2) copies of this report should be provided to Ku-ring-gai Council, (1) copy provided to the consent authority and one (1) copy to the NSW Heritage Office.

Hazardous Materials

C9 Removal of Hazardous Materials

All hazardous materials shall be removed from the site and shall be disposed of at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works. Details demonstrating compliance with the relevant legislative requirements, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the PCA prior to the removal of any hazardous materials.

Sedimentation and Erosion

C10 Soil and Erosion Control Plan

The provision of temporary sediment and erosion control facilities and measures to be installed, prior to the commencement of any works on the site to minimise and/or eliminate unnecessary erosion and loss of sediment. These facilities are to be maintained in working order during construction works and up to the completion of the maintenance period. All sediment traps are to be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority, with all silt being removed from the site, or to an approved location within the site.

C11 Installation of a Filter Fence

To preserve and enhance the natural environment, a geofabric filter fence shall be installed along contours immediately downslope of construction and disturbed areas prior to any earthworks or construction commencing. Both ends shall be turned uphill by 1.0 metre. Approved geofabric, such as CSR - Humes "Propex" Terram 1000, Polyfelt TS500, Bidim U24 or Terratrack 2415 or equivalent is to be stretched between posts placed at 2.0 to 3.0 metre intervals. The base of the fabric must be buried at least 200mm in the ground on the upslope side. Geofabric material shall be replaced at intervals not exceeding 18 months, or as directed by the Principal Certifying Authority.

The geofabric filter fence shall be maintained in an operational condition until the development activities have been completed and the site fully stabilised. Sediment shall be removed from the structure when 40% capacity has been reached.

C12 Installation of a Perimeter Drainage Structure

To preserve and enhance the natural environment, earthworks shall not commence until a perimeter drainage structure (i.e. diversion bank/catch drain) designed and located to prevent contaminated diffuse runoff from construction and disturbed areas from leaving the site untreated and runoff from entering the site from upslope areas, is established. Such a drain or bank shall be wholly situated on the building site and designed to safely and adequately collect and convey all diffuse runoff from the site to an appropriately designed and located sediment control structure on-site.

Protection of Trees

C13 Protection of Trees – away from approved structures

To preserve all trees that are to be retained, the trunks of which are located more than 6 metres from the site perimeter for any approved structures, no work shall commence until the area outside their canopy driplines are fenced off to prevent any activities, storage or the disposal of materials within the fenced areas. The fences shall be maintained intact until the completion of all demolition/building work on site.

C14 Protection of Trees – near approved structures

To preserve all trees that are to be retained, the trunks of which are located within 6 metres of the site perimeter for any of the following approved structures, no work shall commence until the area 1 metre outside their canopy driplines, or other area as approved by a qualified Arborist, excluding that area of the buildings, driveways and retaining walls shall be fenced off to prevent any activities, storage or the disposal of materials within the fenced area. The fences shall be maintained intact until the completion of all demolition/building work on site.

C15 Tree Protection Fences

The tree protection fences shall be constructed of galvanised pipe at 2.4 metre spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing to the satisfaction of the PCA.

Geotechnical/Civil Engineering**C16 Geotechnical/Civil Engineering**

Prior to the commencement of any works on site the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a detailed Geotechnical / Civil Engineering report which addresses (but is not limited to) the following:

- a. The type and extent of substrata formations by the provision of a minimum of six (6) representative bore hole logs which are to provide a full description of all material from ground surface to 1.0m below the finished basement floor level and include the location and description of any anomalies encountered in the profile. The surface and depth of the bore hole logs shall be related to Australian Height Datum.
- b. The appropriate means of excavation/shoring in light of point (a) above and proximity to adjacent property and structures. Potential vibration caused by method of excavation and potential settlements affecting nearby footings/foundations shall be discussed and ameliorated.
- c. The proposed method to temporarily and permanently support the excavation for the basement adjacent to adjoining property, structures and road reserve if nearby (full support to be provided within the subject site).
- d. The existing groundwater levels in relation to the basement structure, where influenced.
- e. The drawdown effects on adjacent properties (including road reserve), if any, the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater. Where it is considered there is the potential for the development to create a “dam” for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development without a change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flowpath is constructed, artificial drains such as perimeter drains and through drainage may be utilised.
- f. Recommendations to allow the satisfactory implementation of the works.

C17 Details of Geotechnical/Civil Engineering Report

The geotechnical report must be prepared by a consulting geotechnical/hydrogeological engineer with previous experience in such investigations and reporting. It is the responsibility of the engaged geotechnical specialist to undertake the appropriate investigations, reporting

and specialist recommendations to ensure a reasonable level of protection to adjacent property and structures both during and after construction. The report shall contain site specific geotechnical recommendations and shall specify the necessary hold/inspection points by relevant professionals as appropriate. The design principles for the geotechnical report are as follows:

- No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
- No changes to the ground water level are to occur as a result of the development that are sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- No changes to the ground water level are to occur during the construction of the development that are sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- Vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development.
- Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these Design Principles.
- An adverse impact can be assumed to be crack damage which would be classified as Category 2 or greater damage according to the classification given in Table C1 of AS 2870 – 1996.

Compliance

C18 Compliance Report

Prior to the commencement of works, the Applicant, or any party acting upon this consent, shall submit to the Department a report addressing compliance with all relevant conditions of this consent.

PART D—DURING CONSTRUCTION

Site Maintenance

D1 Erosion and Sediment Control

All erosion and sediment control measures are to be effectively maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority (PCA) and Council Officers.

Structural Works

D2 Setting Out of Structures

The buildings shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels. The registered surveyor shall submit a plan to the PCA certifying that the location of the structural works are in accordance with the approved development application.

Construction Management

D3 Approved Plans to be On-site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, Council or the PCA.

D4 Site Notice

Site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details. The notices are to satisfy all but not be limited to, the following requirements:

- (1) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (2) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (3) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (4) The notices are to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

D5 Contact Telephone Number

The applicant shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.

D6 *Protection of Trees – Street Trees*

All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction, shall be replaced, to the satisfaction of Council.

D7 *Rehabilitation of Disturbed areas*

All disturbed areas, which are not to be built upon or otherwise developed, shall be rehabilitated to provide permanent protection from soil erosion within fourteen (14) days of final land shaping of such areas.

D8 *Storage of Materials*

For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.

D9 *Imported Fill*

Any imported fill shall be restricted to material from the local soil landscape on which the site is located or be derived from sandstone geology sites, except for areas that require gravel or sand for drainage purposes.

D10 *Reuse of Materials*

Where possible, the applicant shall reuse materials from the demolition of existing structures, and incorporate these materials into the development's landscaping.

D11 *Dust Control Measures*

Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- (1) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material,
- (2) Covers are to be adequately secured,
- (3) Cleaning of footpaths must be carried out regularly,
- (4) Roadways must be kept clean,
- (5) Gates are closed between vehicle movements,
- (6) Gates are fitted with shade cloth,
- (7) The site is hosed down when necessary, and
- (8) Wheel washes or shaker grids shall be installed for all vehicles exiting the site.

D12 *Dust Control Measures – Demolition*

Dust control measures shall be implemented during demolition works to avoid a nuisance to adjoining properties and harm to the environment.

- (a) A person taking down or demolishing or causing to be taken down or demolished any building work or portion of any building shall:

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- i. Cause the windows or other openings in the external walls to be close boarded or otherwise covered;
 - ii. Cause screens of canvas, Hessian, boards, mats or other suitable material to be fitted in appropriate locations;
 - iii. Cause areas, components and debris to be wetted down in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.
- (b) Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor into any basement of such building any building materials or any other matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.

Noise and Vibration

D13 Hours of Work

The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:

- (1) between 7:00 am and 5:00 pm, Mondays to Fridays inclusive;
- (2) between 8:00 am and 2:00 pm, Saturdays;
- (3) no work on Sundays and public holidays.
- (4) Work may occur up until 5.00pm on Saturdays, provided the activities carried out after 2pm do not generate any noise or require the use of noise generating equipment.

The use of the following items of plant on the site is restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, ranset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Works may be undertaken outside these hours where:

- (1) the delivery of materials is required outside these hours by the Police or other authorities;
- (2) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
- (3) the work is approved through the Construction Noise and Vibration Management Plan; and
- (4) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

D14 Construction Noise Objective

The construction noise objective for the Project is to manage noise from construction activities (as measured by a L_{A10} (15minute) descriptor) so it does not exceed the background L_{A90} noise level by:

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- (1) not more than 20dB(A) for a construction period of four weeks and under;
 - (2) not more than 10dB(A) for a construction period of greater than four weeks and not exceeding 26 weeks; and
 - (3) not more than 5dB(A) for a construction period greater than 26 weeks.

Background noise levels are those identified in the Acoustic Impact Report prepared by Renzo Tonin & Associates or otherwise identified in the approved Construction Noise and Vibration Management Plan. The Applicant shall implement all feasible noise mitigation and management measures with the aim of achieving the construction noise objective.

Any activities that have the potential for noise emissions that exceed the objective must be identified and managed in accordance with the approved Construction Noise and Vibration Management Plan.

If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise objective.

D15 Construction Noise Management

The Applicant shall:

- (1) schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Plan:
 - (a) 9 am to 12 pm, Monday to Friday;
 - (b) 2pm to 5pm Monday to Friday; and
 - (c) 9 am to 12 pm, Saturday
- (2) ensure that wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where approved in the Construction Noise and Vibration Management Plan.

D16 Vibration Criteria

Vibration caused by construction at any residence or structure outside the subject site must be limited to:

- (1) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
- (2) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6841- Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.

These limits apply unless otherwise approved in the Construction Noise and Vibration Management Plan.

D17 Vibration Management

Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.

Excavation /Demolition Works

D18 Excavation

All excavations shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.

D19 Excavation in accordance with Standards

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

D20 Protection of adjoining land during excavation

If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- a. must preserve and protect the building from damage, and
- b. if necessary, must underpin and support the building in an approved manner, and
- c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this condition, allotment of land includes a public road and any other public place.

Pedestrian Safety

D21 Public footways and roadways

The existing public footways and roadways adjacent to the site are to be maintained in a safe condition, at all times, during the course of the works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council Officers. Where circulation is diverted on to the roadway, clear directional signage and protective barricades must be installed in accordance with AS1742-3 1996 'Traffic Control Devices for Work on Roads'. If pedestrian circulation is not satisfactorily maintained, and action is not taken promptly to rectify the defects, Council or the consent authority may undertake proceedings to stop work.

Protection of Council Property

D22 Protection of adjoining Council Property

Council property adjoining the construction site must be fully supported at all times during all excavation, demolition and building construction works. Details of shoring, propping and anchoring of works adjoining Council property, prepared by a qualified Structural Engineer or Geotechnical Engineer, must be submitted for the approval of the Principal Certifying Authority (PCA), before the commencement of the works, and prior to the issue of the Construction Certificate. Backfilling of excavations adjoining Council property or any void remaining at completion of construction between the building and Council property must be fully compacted prior to the completion of works.

Site Management

D23 Provision of amenities

Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Heritage

D24 Impact of Below Ground (Sub-surface) Works – Non-Aboriginal Relics

If any archaeological relics are uncovered during the course of the work, then all works shall cease immediately in that area and the NSW Heritage Office contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the NSW *Heritage Act 1977* may be required before further works can be considered in that area.

D25 Impact of Below Ground (Sub-surface) Works – Aboriginal Relics

If any Aboriginal archaeological relics are exposed during construction works, the Applicant shall immediately notify the National Parks and Wildlife Service and obtain any necessary approvals to continue the work. The Applicant shall comply with any request made by the NPWS to cease work for the purposes of archaeological recording.

Compliance

D26 Compliance Report

The Applicant, or any party acting upon this consent, shall, for the duration of construction period, submit to the Department a three monthly report addressing compliance with all relevant conditions of this consent.

PART E—PRIOR TO SUBDIVISION OR STRATA SUBDIVISION

Easements

E1 Access

Documentary easements for access must be created over the appropriate lots in the subdivision to provide for public access and access to lifts, lobbies, fire stairs, service areas, loading areas and car parking areas, and created pursuant to Section 88B of the *Conveyancing Act 1919*.

E2 Public Access for Through Site Pedestrian Link

A public right of way under Section 88B of the *Conveyancing Act 1919*, burdening the subject property with the requirement to maintain a public right of way and provide 24 hour public access along the entire length of the pedestrian through site link, is to be created. The location of the public right of way is to be in accordance with the plans approved as part of this consent.

E3 Services

Documentary easements for services, drainage, support and shelter, use of plant, equipment, loading areas and service rooms, repairs, maintenance or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision, must be created over the appropriate lots in the subdivision pursuant to Section 88B of the *Conveyancing Act 1919*.

E4 Maintenance of Stormwater Detention and Water Quality Devices

Prior to the issue of the subdivision certificate, the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88B of the *Conveyancing Act 1919*, burdening the property with the requirement to maintain the site on-site stormwater detention facilities and water quality devices. The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" (available in Council Water Management DCP47) and to the satisfaction of Council. The location(s) of the on-site detention facilities are to be denoted on the final plan of subdivision.

E5 Maintenance of Site Retention and Re-use Facilities

Prior to the issue of the subdivision certificate, the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88B of the *Conveyancing Act 1919*, burdening the property with the requirement to maintain the site retention and re-use facilities. The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of retention and re-use facilities" (available in Council Water Management DCP47) and to the satisfaction of Council. The location of the retention and re-use facilities are to be denoted on the final plan of subdivision.

E6 Waste Collection

Prior to the issue of the subdivision certificate, an easement for waste collection is to be created under Section 88B of the *Conveyancing Act 1919*. This is to permit legal access for Council, Council's contractors and their vehicles over the subject property for the purpose of collecting waste from the property. The terms of the easement are to indemnify Council and Council's contractors against damages to private land or property whilst in the course of carrying out waste collection services. The terms of the easement are to be generally in accordance with Council's draft terms for an easement for waste collection.

E7 Car parking restrictions

The on-site car parking spaces, exclusive of service spaces, are not to be used by those other than an occupant or tenant of the subject building. Any occupant, tenant, lessee or registered proprietor of the development site or part thereof shall not enter into an agreement to lease, license or transfer ownership of any car parking spaces to those other than an occupant, tenant or lessee of the building.

These requirements are to be enforced through the following:

- (1) restrictive covenant placed on title pursuant to Section 88B of the *Conveyancing Act, 1919*,
- (2) restriction on use under Section 68 of the *Strata Schemes (Leasehold Development) Act, 1986* to all lots comprising in part or whole car parking spaces, and
- (3) sign visible at exits (excluding fire stairs and individual unit entries) from car parking areas.

All costs associated with the above requirements are to be borne solely by the applicant.

E8 Common areas and facilities

No right of exclusive use and enjoyment of the whole or any specified part of the designated common area or similar in the approved plans will be conferred on any person or persons without the prior consent of the relevant Council.

These requirements are to be made, at no cost to Council, and to the satisfaction of Council and a restrictive covenant placed on title pursuant to Section 88E of the *Conveyancing Act, 1919*.

E9 Public Utility Services to be provided underground

All new public utility services, or appropriate conduits for the same, including gas, electricity, telephone, water and sewerage shall be provided underground by the developer in accordance with specifications of the supply authorities. A plan detailing services trenches, which shows distances from proposed and existing trees, shall be submitted for approval with the Construction Certificate. The provision of these measures is to be certified by a consulting engineer or surveyor prior to the issue of a Subdivision Certificate.

Subdivision

E10 Consolidation of Lots

Prior to issue of the Strata Subdivision Certificate, the Applicant must demonstrate to the Principal Certifying Authority (PCA) consolidation of the following lots and registration with Land and Property Information (LPI):

- Lot 12 in DP3055
- Lot 13 in DP 3055
- Lot 14 in DP 3055
- Lot 15 in DP 3055

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- Lot 16 in DP 3055
 - Lot 11 in DP 1005127
 - Lot A & B in DP 337971
 - Lot 1 in DP 914191
 - Lot B in DP 326955

E11 Plans

All parking spaces and all areas of common property including visitor car parking spaces, on-site detention facilities, water quality treatment devices and on-site retention facilities which are to be common property, must be included on the final plans of subdivision.

PART F—PRIOR TO OCCUPATION

Design Verification Statement – Residential Flat Buildings

F1 Design Verification Statement

Prior to the issue of an Occupation Certificate for each stage of the development, the Applicant shall submit to the Certifying Authority a Design Verification Statement from a qualified designer, verifying that the plans and specifications achieve or improve the design quality of the development, having regard to the design quality principles set out in Part 2 of *State Environmental Planning Policy No. 65—Design Quality of Residential Flat Development*.

Occupation of Building

F2 Issue of Occupation Certificate

The approved building shall not be occupied unless each stage of the development has been completed in accordance with all relevant conditions in sections A, B, C, D and F of this consent and the approved plans and an Occupation Certificate has been issued for each stage.

Engineering

F3 Road Works to Tryon Lane

Prior to the issue of the Occupation Certificate for the final stage of the development, the applicant must complete the following:

- a) Construction of standard upright kerb and gutter on the northern side of Tryon Lane, extending from 9 Tryon Rd to 25 Tryon Road, Lindfield (inclusive).
- b) Half width road construction of the Tryon Lane road surface between 9 Tryon Road and 25 Tryon Road, Lindfield (inclusive). Unless otherwise stated this shall be reconstructed as a 150mm layer DGB 40, followed by a 100mm layer DGB 20, with a 50mm AC10 surface.

Note: To obtain consent under the Roads Act 1993, full engineering drawings (plans, sections and elevations) and specifications for the infrastructure works in Tryon Lane, are to be prepared by a suitably qualified and experienced consulting engineer to the Road Authority specification.

F4 Repair of damage to Infrastructure

Prior to the issue of a Final Occupation Certificate, any infrastructure within the road reserve or within close proximity of the subject site which has been shown to be damaged as a result of construction works must be fully repaired to the satisfaction of the Road Authority and at no cost to the Road Authority.

F5 Driveway Crossings

Prior to the issue of the occupation certificate for the final stage of the development, all redundant driveway crossings, pipe crossings and/or kerb laybacks over the site frontages in Tryon Road and Tryon Lane are to be reinstated as footway and/or turfed verge and/or kerb and gutter to the satisfaction of the Road Authority. Reinstatement works shall generally match surrounding infrastructure with respect to integration of levels and materials. Any

infrastructure within the road reserve along the frontage of the subject site or within close proximity which has been damaged as result of construction works must be repaired to the satisfaction of the Road Authority, at the applicant's cost.

Note: This condition does not effect the release of the occupation certificates for the buildings.

F6 *Grassed verge*

Prior to the issue of the final compliance certificate, any sections of damaged grass verge are to be fully replaced with a variety to match existing, to the satisfaction of the consent authority, at the applicant's cost.

Note: This condition does not effect the release of the occupation certificates for the buildings.

F7 *Treatment of Vehicular Entry*

In order to improve the appearance of the building when viewed from Tryon Lane, any part of the walls and ceilings of vehicular entry points that are visible from Tryon Lane shall be finished in high quality materials and no service ducts or pipes shall be visible.

F8 *Site Audit*

Prior to the issue of the Occupation Certificate for each stage of the development, a Site Audit conducted by a suitably qualified person shall be undertaken to ascertain that all identified hazardous materials have been removed from the site and shall be submitted to the PCA.

F9 *Fire Safety Certificate*

A Fire Safety Certificate for each stage of the development shall be furnished to the PCA for all the Essential Fire or Other Safety Measures forming part of this approval prior to issue of an Occupation Certificate for that stage. A copy of the Fire Safety certificate must be submitted to the consent authority and Council by the PCA.

F10 *Mechanical Ventilation*

Following completion, installation and testing of all the mechanical ventilation systems of each stage of the development, the applicant shall provide evidence to the satisfaction of the PCA, prior to the issue of the Occupation Certificate for that stage, that the installation and performance of the mechanical systems complies with:

- (1) The Building Code of Australia;
- (2) Australian Standard AS1668 and other relevant codes;
- (3) The development consent and any relevant modifications; and,
- (4) Any dispensation granted by the New South Wales Fire Brigade.

F11 *Structural Inspection Certificate*

A Structural Inspection Certificate or a Compliance Certificate for each stage of the development must be submitted to the satisfaction of the PCA prior to the issue of an Occupation Certificate and/or use of the premises. A copy of the Certificate with an electronic set of final drawings (contact consent authority for specific electronic format) shall be submitted to the consent authority and the Council after:

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- (1) The site has been periodically inspected and the Certifier is satisfied that the Structural Works is deemed to comply with the final Design Drawings; and,
 - (2) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Easements

F12 Registration of Easements

Prior to the issue of an Occupation Certificate for each stage of the development, the applicant shall provide to the PCA evidence that all easements required by this consent, approvals, and other consents have been or will be registered on the certificates of title.

F13 Works as Executed – Rainwater Retention Devices

Prior to the issue of an Occupation Certificate for each stage of the development, Certification and a Works-as-Executed (WAE) plan, in relation to the installed rainwater retention devices, are to be submitted to the Principal Certifying Authority (PCA). Certification is to be provided by a suitably qualified consulting civil/hydraulic engineer and the WAE plan is to be prepared by a registered surveyor. The Certificate is to certify:

- Compatibility of the retention system(s) with the approved Construction Certificate plans.
- Compliance with AS 3500.2 & AS3500.3:1998.
- Overflow from the installed retention devices directed to an approved disposal point.
- The capacity of the retention storage as approved.
- Provision of leaf gutter guards to all roof gutters.
- Measures to prevent mosquito breeding nuisance.
- Provision of a readily maintainable “first flush” system to collect sediment/debris before entering the tank(s).
- Installation of proprietary tank products in accordance with manufacturers’ specifications.
- The structural adequacy of tank and supporting structures/slabs.
- Where required by this consent, that all toilet flushing and garden tap water usage for the approved development is sourced from the stormwater retention tank(s).
- All pumping equipment is readily accessible for maintenance and cleaning purposes and the adequacy of the pumping mechanism to achieve delivery rates as required.
- An air gap being provided at the top of the tank(s).
- Mains backflow prevention devices being installed at all relevant locations for reticulated systems
- Sediment sump of 150mm minimum being provided at the base of the tank(s)
- All recycled stormwater outlet points having permanently affixed plaques in readily observable locations which read “Recycled Stormwater – Not For Drinking” or equivalent.
- The provision of water mains back-up system to each collection tank for periods of low rainfall.
- The provision of filtration devices on each system to ensure no blockage of delivery plumbing systems.
- Compliance with relevant sections of the latest “Plumbing and Drainage Code of Practise” issued by the Committee on Uniformity of Plumbing and Drainage Regulations in NSW.

The Works-as-Executed drawing(s) is to be marked up in red on the approved Construction Certificate design, and shall include:

- As constructed levels in comparison to design levels
- As built location of all tanks/retention devices on the property and distances to adjacent boundaries, buildings and easements
- Dimensions of all retention tanks/devices

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- Top water levels of storage areas and RL's at overflow point(s)
 - Storage volume(s) provided and supporting calculations/documentation.

F14 Works as Executed – On-site Detention

Prior to issue of an Occupation Certificate for each stage of the development, certification and a Works-as-Executed (WAE) plan in relation to the as-built on-site detention, are to be submitted to the Principal Certifying Authority (PCA) for approval. Certification is to be provided by a suitably qualified consulting civil/hydraulic engineer and the WAE plan is to be prepared by a registered surveyor. The certificate is to specifically acknowledge compliance of the on-site detention system with the approved Construction Certificate plans and also compliance with the design requirements of appendix 5 in Councils Water Management DCP 47 - "Design of on-site detention systems". The Works-as-Executed details shall be marked in red on the approved Construction Certificate design for the on-site detention system, and shall specifically include:

- As constructed levels in comparison to design levels
- As built location of all detention devices on the property (plan view) and distances to nearest adjacent boundaries, buildings and easements
- As built locations of all pits and grates in the detention system, including dimensions.
- The size of the orifice or pipe control fitted.
- Dimensions of the discharge control pit and access grates
- The achieved capacity of the detention storage and derivative calculation.
- The maximum depth of storage over the outlet control.
- Top water levels of storage areas and RL's at overflow point(s)

F15 Works as Executed – Stormwater Drainage

Prior to issue of an Occupation Certificate for each stage of the development, the applicant shall submit certification from a consulting civil/hydraulic engineer to the Principal Certifying Authority (PCA), that:

- a. Construction of the stormwater drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) has been carried out by a licensed plumbing contractor, and
- b. The works have been completed in accordance with the approved Construction Certificate drainage plans and the Plumbing and Drainage Code AS3500.3.2, and
- c. Water quality devices have been installed in accordance with the approved Construction Certificate drawings, and
- d. All enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices.

A Works-as-Executed (WAE) drawing of the property stormwater drainage system is to be prepared by a registered surveyor and submitted to the Principal Certifying Authority (PCA) prior to the issue of an Occupation Certificate for each stage. The WAE plan shall show the following as built details, marked in red on the approved construction certificate stormwater drawings:

- a. As built reduced surface and invert levels for all drainage pits and connection points.
- b. All water quality treatment devices.
- c. As built reduced level(s) at the approved point of discharge to the public drainage system.
- d. Gradients of drainage lines, materials and dimensions.

F16 *Excavation and Construction of basement level*

Prior to issue of an Occupation Certificate for each stage of the development, a suitably qualified and consulting geotechnical engineer is to provide certification to the Principal Certifying Authority (PCA) that excavation and construction of the basement level, including temporary and permanent shoring and retention measures, have been carried out:

- a. According the relevant Australian Standards and guidelines; and
- b. According to any approved Geotechnical report undertaken for the development; and
- c. In a manner that ensures that the structural amenity of adjoining structures and property is fully maintained.

A contractor with specialist excavation experience must undertake the excavations for the development and a suitably qualified and consulting geotechnical engineer must supervise the excavation procedure.

F17 *Dilapidation Report*

Prior to issue of an occupation certificate for each stage of the development (and at the completion of works) the Applicant shall submit to the Principal Certifying Authority (PCA) a follow up dilapidation report on the visible and structural condition all adjoining buildings, infrastructure and roads.

The Report must be completed by a practicing consulting structural engineer and be submitted for Council records prior to issue of an Occupation Certificate for the final stage of the development.

Stormwater Detention System**F18 *Maintenance Regime for Stormwater***

Prior to issue of an Occupation Certificate for each stage of the development, a maintenance regime shall be prepared for the following and submitted to Principal Certifying Authority:

- The basement and seepage stormwater pump-out system,
- All stormwater quality devices.

The regime shall specify that the systems are to be regularly inspected and checked by qualified practitioners, and shall specify the time frames and procedures for such maintenance. The regime shall be made available to the Owners Corporation for maintenance purposes.

F19 *Maintenance of Council Database*

In order to maintain Council's database of as-constructed on-site stormwater detention systems, if the PCA is not Council then a copy of the approved stormwater detention design, the works-as-executed drawings and the Engineer's certification of the as-constructed system is to be provided to Council, attention Development Engineer, prior to issue of the Final Compliance Certificate.

Management of Waste**F20 *Storage and Handling of Waste***

The management of facilities for the storage and handling of waste must comply with the requirements of any Council policy and the requirements of any contractors engaged by Council to collect waste, to the satisfaction of the PCA.

Landscaping Works

F21 Completion of Landscaping Works

All landscape works shall be completed prior to the issue of an occupation certificate for the final stage of development. On completion of the landscape works including tree planting and screen planting, a Landscape Architect or qualified Landscape Designer shall submit a report certifying that installation was in general accordance with the landscape plan approved by the Director in accordance with Condition B14 and D10 of this consent, to the PCA prior to issue of final Certificate of Compliance.

F22 Protection of Trees on site

The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Regular reports from the Arborist to the PCA are required to be submitted at three monthly intervals. Documentary evidence of compliance with this condition shall be submitted to the PCA with the final Certificate of Compliance.

F23 Removal of Noxious Plant Species

All noxious, urban environmental and nuisance plant species listed in Ku-ring-gai Council's Weed Management Policy, adopted October 2001, shall be removed from the property prior to completion of the proposed building works. Documentary evidence of compliance with this condition shall be submitted to the PCA prior to the release of the final Compliance Certificate.

F24 Removal of Builders' refuse

All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of each stage of the building works.

Directional Signage

F25 Signage

Appropriate signage is to be installed to direct visitors, tradespersons and the like to the visitor car parking within the development and the location of lobby entries for individual apartments.

Lighting

F26 Outdoor Lighting

All outdoor lighting shall comply with, where relevant, AS/NZ1158.3: 1999 *Pedestrian Area (Category P) Lighting* and AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*.

All pathways leading to lobby areas, car park areas, and the through site pedestrian link, shall have appropriate lighting operating from dusk to dawn each day to ensure the safety of pedestrians. This lighting shall not adversely impact on surrounding residential amenity. The outdoor lighting shall be maintained by the landowner or strata corporation.

Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Occupation Certificate for each stage of the development.

Ecologically Sustainable Development (ESD)

F27 Energy Star Ratings

All classes of appliances that are available with an energy label or a Minimum Energy Performance Standard to be installed within the premises are to have an energy star rating of 3 stars or more (excluding clothes dryers which are to have a rating of 2.5 stars or more). The applicant shall submit to the Certifying Authority a statement demonstrating compliance with the requirements of this condition.

F28 Water Ratings

All water fixtures installed within the premises are to have a AAA water rating or more. The applicant shall submit to the Certifying Authority a statement demonstrating compliance with the requirements of this condition.

Compliance

F29 Provision of Compliance Certificate

Prior to the release of any occupation certificate for each stage of the development, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the Regulations.

F30 Registered Surveyor to Certify Work

A survey report shall be submitted to the PCA prior to occupation for each stage of the development, which certifies that the development has been constructed in accordance with the terms of this consent in relation to built upon area, building levels and setbacks.

F31 As-constructed parking car parking spaces

Prior to issue of an occupation certificate for each stage of the development the applicant shall submit to the Principal Certifying Authority (PCA) certification from a suitably qualified and experienced traffic/civil engineer, that the dimensions of all as-constructed private car parking spaces meet the minimum requirements of Australian Standard 2890.1 (2004) 'Off Street car parking'.

Sydney Water

F32 Sydney Water

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the PCA prior to occupation of the development or release of the plan of subdivision.

PART G—POST OCCUPATION

Fire Safety

G1 Annual Fire Safety Certification

The owner of the building shall certify to Council and the NSW Fire Brigade every year that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. This purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.

Traffic and Parking

G2 Loading and Unloading

All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the site at all times.

G3 Unobstructed Driveways and Parking Areas

All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

G4 Vehicular Access

Signs shall be exhibited in a prominent location on the site advising that all vehicles entering or leaving the site are to be driven in a forward direction at all times.

Noise

G5 Noise Control – Plant and Machinery

Noise associated with the operation of any plant, machinery or other equipment on the site, shall not exceed 5dB(A) above the background noise level when measured at the boundary of the site.

Public Access

G6 Public Way to be Unobstructed

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

Engineering

G7 Maintenance Period

A maintenance period of six (6) months shall apply to the work in the public road reserve carried out by the applicant after works have been completed to Council's satisfaction. In that period, the applicant shall be liable for any section of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the operating conditions.

ADVISORY NOTES

AN1 Requirements of Public Authorities for Connection to Services

The applicant shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the applicant. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the PCA prior to the issue of the Construction Certificate.

AN2 Compliance with Building Code of Australia

The applicant is advised to consult with the PCA about any modifications needed to comply with the BCA prior to submitting the application for a Construction Certificate.

AN3 Movement of Trucks Transporting Waste Material

The applicant shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

AN4 Construction Inspections

Compliance certificate/s shall be issued by the Principal Certifying Authority and submitted to Council in accordance with the mandatory inspection requirements of the *Building Legislation Amendment—Quality of Construction Act, 2002* for each stage of construction, such as the following:

- (1) Foundations,
- (2) Footings,
- (3) Damp proof courses and waterproofing installation,
- (4) Structural concrete, including placing of reinforcement and formwork prior to pouring,
- (5) Structural beam and column framing,
- (6) Timber wall and roof framing, and
- (7) Stormwater disposal.

Any Compliance Certificate issued for the above stages of construction shall certify that all relevant ancillary or dependent work has been undertaken in accordance with the Building Code of Australia and any other conditions of consent.

AN5 Application under Section 37 of Strata Schemes (Freehold Development) Act, 1973

Section 37 and 37A of the *Strata Schemes (Freehold Development) Act, 1973* require an application to be submitted to the council or accredited certifier for approval prior to the issue of the certified strata plan of subdivision.

AN6 Compliance with Conditions

The applicant will be required to submit, documentary evidence that the property has been developed in accordance with plans approved by Development Application No. 146-6-2004

and of compliance (or a Compliance Certificate) with the conditions of that consent, prior to the issuing of Strata Plan of Subdivision.

AN7 Street Numbering

Street numbers and the building name(s), if any, will need to be clearly displayed at either end of the ground level frontages in accordance with Council's Requirements, prior to the occupation of the building(s) or commencement of the use.

If street numbers or a change to street numbers are required, a separate application shall be made to Council.

AN8 Stormwater drainage works or effluent systems

A construction certificate for works that involve any of the following:

- (1) water supply, sewerage and stormwater drainage work
- (2) management of waste

as defined by Section 68 of the Local Government Act, 1993 will not be issued until prior separate approval to do so has been granted by Council under Section 68 of that Act. Applications for these works must be submitted on Council's standard Section 68 application form accompanied by the required attachments and the prescribed fees.