

# **Attachment A**

<b>Recommended Conditions of Consent</b>
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## DRAFT CONDITIONS OF CONSENT

### SCHEDULE 1

#### APPROVED DEVELOPMENT/DESIGN MODIFICATIONS/COVENANTS AND CONTRIBUTIONS/USE AND OPERATION

##### (1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2019/225 dated 8 March 2019, and the draft subdivision plan prepared by registered surveyor Michael Alexander Brown of Rygate Surveyors dated 22<sup>nd</sup> November 2017, consisting of 1 sheet, reference 78348,

and as amended by the conditions of this consent.

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

##### (2) LAND SUBDIVISION – SUBDIVISION CERTIFICATE

A separate application must be made to Council to obtain the approval of the plan of subdivision and issue of a Subdivision Certificate under Section 109J of the *Environmental Planning and Assessment Act 1979*, for the subdivision approved under this consent.

##### (3) SYDNEY WATER CERTIFICATE - SUBDIVISION

Prior to the issue of a Subdivision/Strata Certificate, 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 Building Developing and Plumbing section on the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

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

The Section 73 Certificate must be submitted to Council prior to a Subdivision Certificate being issued. It should be noted that a Section 73 certificate is not required for the second stage of the subdivision as it will involve dedication of a road only.

##### (4) SURVEY INFRASTRUCTURE

Prior to the issue of the subdivision certificate, sufficient survey infrastructure, including reference marks and permanent marks, must remain in place in order to satisfy the requirements of the Surveying and Spatial Information Regulation 2017, and to the satisfaction of Council.

**(5) VEHICLE FOOTWAY CROSSING**

A separate application is to be made to, and approved by, Council for the construction of any proposed vehicle footway crossing or for the removal of any existing crossing and replacement of the footpath formation where any such crossings are no longer required.

All disused or redundant vehicle crossings and laybacks must be removed and footway, kerb, gutter and road restoration reinstated in accordance with Council's standards, to suit the adjacent finished footway and edge treatment materials, levels and details, or as otherwise directed by Council officers. All construction and replacement works are to be completed in accordance with the approved plans prior to the issue of an Occupation Certificate.

Note: In all cases the construction materials should reinforce the priority of pedestrian movement over that of the crossing vehicle.

**(6) EASEMENT FOR SERVICES**

An easement for services 0.1 metres wide, or of appropriate width as determined by the registered surveyor shall be created pursuant to Section 88B of the *Conveyancing Act 1919*, in terms to the satisfaction of Council, over the encroaching water pipes and other services attached to the south-eastern face of the terrace erected upon Lot 11 in DP 779220, known as No. 178 Church Street. The easement shall burden the proposed Lot 100 and benefit Lot 11 in DP 779220.

**(7) LAND TO BE CONSOLIDATED WITH LOT 1 IN DP 521780**

The proposed Lot 100 must be consolidated with Lot 1 in DP 521780 within 12 months of the date of the title being transferred from the City of Sydney.