

# **Attachment A**

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

### SCHEDULE 1A

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

**Note:** Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

#### (1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2019/822 dated 1 August 2019 and the following drawings prepared by Cubitor Design and drafting:

Drawing Number	Drawing Name	Date
DA 2.01 Revision G	Proposed Ground Floor Plan	15 April 2019
DA 2.02 Revision G	Proposed First Floor Plan	15 April 2019
DA 2.03 Revision G	Proposed Second Floor Plan	15 April 2019
DA 2.04 Revision G	Proposed Roof Plan	15 April 2019
DA 3.01 Revision G	Sections - Long	15 April 2019
DA 3.02 Revision G	Sections - Short	15 April 2019
DA 4.01 Revision G	Street/Maze Elevations	15 April 2019
DA 4.02 Revision G	Internal Elevations	15 April 2019
DA 4.03 Revision G	Side Elevations	15 April 2019
-	Schedule of Finishes	February 2018

and as amended by the conditions of this consent.

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

## **(2) DESIGN MODIFICATIONS**

The design of the building must be modified as follows:

- (a) The glazing to the front, first floor balcony is to be “sashless” glazing with minimal vertical mullions. The vertical mullions should be dark in colour (not black).
- (b) The existing front fence, timber front door and window joinery are all to be retained and should be noted on the plans.

The modifications are to be submitted to and approved by Council’s Area Coordinator Planning Assessments/Area Planning Manager prior to the issue of a Construction Certificate.

## **(3) COMPLIANCE WITH SUBMITTED MATERIALS AND SAMPLES BOARD**

The design details of the proposed building facade including all external finishes, colours and glazing must be in accordance with the materials schedule and sample board, and specifications prepared by Cubitor Design and Drafting dated February 2018.

## **(4) BOARDING HOUSE - USE AND OPERATION**

The use and operation of the premises must comply with the requirements of Schedule 2 (Standards for Places of Shared Accommodation) of the Local Government (General) Regulation, 2005 under the Local Government Act 1993, the Public Health Act, 2010, the Boarding Houses Act 2012 and regulations thereunder and the *Sydney Development Control Plan 2012 – 4.4.1*.

## **(5) ACCOMMODATION - REGISTRATION AND CARETAKER**

Prior to the issuing of an Occupation Certificate or occupation with an Interim Occupation Certificate (whichever is earlier), Council's Health and Building Unit must be advised in writing of the business name, address, owner or company name, 24 hour contact details for the site manager, and the number of occupants approved for the premises. A caretaker/manager must be contactable 24 hours a day.

## **(6) HEALTH DATABASE REGISTRATION**

The business is to be registered with Council's Health and Building Unit prior to the issue of an Occupation Certificate, or the issue of an interim occupation certificate. Registration forms are available on Council's website [www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au) or by calling Council's Health Unit on 02 9265 9333.

## **(7) SIGN DISPLAYING CONTACT DETAILS FOR BOARDING HOUSE MANAGER**

- (a) A sign must be placed in a clearly visible position at the boarding house entrance displaying the name of the manager and mobile phone number. The signage text shall be written in bold letters with a height of no less than 25mm on a contrasting background that can be read without entering the premises.

- (b) Details of the sign design, content and location within the site must be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of a Construction Certificate.

**(8) NEIGHBOURHOOD AMENITY**

- (a) Signs must be placed in clearly visible positions within the premises requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area. The signage shall be in bold letters not less than 25mm in height on a contrasting background.
- (b) The management must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood.

**(9) PLAN OF MANAGEMENT**

The use must always be operated / managed in accordance with the "Operational Plan of Management – 82 City Road, Chippendale" dated August 2019 that has been approved by Council. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.

**(10) USE OF INTRUSIVE APPLIANCES – NOT APPROVED**

This development consent does not extend to the use of appliances which emit noise of a highly intrusive nature (such as pile - drivers and hydraulic hammers) or are not listed in Groups B, C, D, E or F of Schedule 1 of the City of Sydney Code of Practice for Construction Hours/Noise 1992".

A separate Section 4.55 application must be submitted to the Council for the use of any equipment of a highly intrusive nature (such as pile - drivers and hydraulic hammers) or are not listed in Groups B, C, D, E or F of Schedule 1 of the *City of Sydney Code of Practice for Construction Hours/Noise 1992*.

**SCHEDULE 1B**

**PRIOR TO CONSTRUCTION CERTIFICATE/COMMENCEMENT OF WORK/HEALTH AND BUILDING**

**(11) DILAPIDATION REPORT – MINOR**

Subject to the receipt of permission of the affected landowner, dilapidation report/s of adjoining buildings are to be prepared by an appropriately qualified practising structural engineer and submitted for the approval of the Principal Certifier:

- (a) prior to the commencement of demolition/excavation works; and
- (b) on completion of construction demolition/excavation works.

**(12) EROSION AND SEDIMENT CONTROL - LESS THAN 250SQM**

Where less than 250 square metres are being disturbed, no formal plan is required however, the site is to be provided with sediment control measures and these must

be implemented so that sediment, including soil, excavated material, building material or other materials cannot fall, descend, percolate, be pumped, drained, washed or allowed to flow to the street, stormwater system or waterways.

**(13) NUMBER OF ADULTS PER ROOM**

- (a) No more than two adult people shall permanently occupy any bedroom and no bedroom shall contain more than two beds. This excludes children and children's beds, cots or bassinets.
- (b) The total number of adults residing in one unit shall not exceed twice the number of approved bedrooms.

**(14) FLOOR TO CEILING HEIGHT**

Prior to a Construction Certificate being issued, the Principal Certifier must ensure that all living rooms and bedrooms in sole occupancy units must have a minimum finished floor to ceiling height of not less than 2.7 metres.

**(15) ASBESTOS REMOVAL WORKS**

- (a) All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Safework NSW, holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal Licence which ever applies.

A copy of the relevant licence shall be made available to any authorised Council officer on request within 24 hours.

- (b) Five days prior to the commencement of licensed asbestos removal, Safework NSW must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification must identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.
- (c) All work must be carried out in accordance with the *Work Health and Safety Regulation 2011* and the NSW Government and Work Cover document entitled *How to manage and control asbestos in the work place: Code of Practice (Safework NSW) December 2011* and the *City of Sydney Managing Asbestos Policy dated 21 October 2013 and associated guidelines*.
- (d) The asbestos removalist must use signs and barricades to clearly indicate the area where the asbestos removal work is being performed. Signs must be placed in positions so that people are aware of where the asbestos removal work area is and should remain in place until removal is completed and clearance to reoccupy has been granted. Responsibilities for the security and safety of the asbestos removal site and removal must be specified in the asbestos removal control plan (where required). This includes inaccessible areas that are likely to contain asbestos.
- (e) Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs must be placed at all of the main entry points to the asbestos removal work area where asbestos is

present. These signs must be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs must be in accordance with AS 1319 -1994 *Safety Signs for the Occupational Environment* for size, illumination, location and maintenance.

- (f) Asbestos waste must only be transported and disposed of at an EPA licensed waste facility.
- (g) No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc).
- (h) No asbestos laden skips or bins are to be left in any public place without the written approval of Council.
- (i) A site notice board must be located at the main entrance to the site in a prominent position and must have minimum dimensions of 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size.

The site notice board must include the following:

- (i) contact person for the site;
- (ii) telephone and facsimile numbers and email address; and
- (iii) site activities and time frames.

#### **(16) STOCKPILES**

- (a) No stockpiles of soil or other materials shall be placed on footpaths or nature strips unless prior approval has been obtained from the City's Construction Regulation Unit.
- (b) All stockpiles of soil or other materials shall be placed away from drainage lines, gutters or stormwater pits or inlets.
- (c) All stockpiles of soil or other materials likely to generate dust or odours shall be covered.
- (d) All stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining more than 24 hours

#### **(17) WASTE AND RECYCLING MANAGEMENT - MINOR**

The proposal must comply with the relevant provisions of Council's *Guidelines for Waste Management in New Developments 2018* which requires facilities to minimise and manage waste and recycling generated by the proposal.

#### **(18) WASTE/RECYCLING COLLECTION**

- (a) The collection of waste and recycling must only occur during the designated zone collection times as outlined in the City's Waste Policy – Local Approvals Policy for Managing Waste in Public Places 2017.
- (b) Garbage and recycling must not be placed on the street for collection more than half an hour before the scheduled collection time. Bins and containers are to be removed from the street within half an hour of collection.

**(19) BCA COMPLIANCE - ALTERATIONS AND ADDITIONS - UPGRADE OF WHOLE BUILDING IS REQUIRED**

(a) Pursuant to Clause 94 of the Environmental Planning and Assessment Regulation 2000 an assessment of the development proposal has been undertaken and:

- (i) As more than 50 percent of the volume of the building is proposed to be altered or has been altered over the previous 3 year period; and/or
- (ii) The measures contained in the building are inadequate to protect persons using the building and to facilitate their egress from the building in the event of fire, or to restrict the spread of fire from the building to other buildings nearby,

It has been determined that the whole building must be brought into total conformity with the *Building Code of Australia*.

(b) If compliance with (a) above cannot be achieved through the deemed-to-satisfy pathway, an alternative solution in accordance with Part A0 of the BCA must be prepared and submitted to the Principal Certifier illustrating how the relevant performance provisions are to be satisfied, and must form part of the approval prior to a Construction Certificate being issued.

**(20) STRUCTURAL CERTIFICATION FOR EXISTING BUILDING – ALTERATIONS AND ADDITIONS**

A qualified practising certified structural engineer must provide structural certification to Council (where Council is the Principal Certifier) verifying that the existing structure can adequately support the proposed new loads and the structural design complies with the Structural Provisions of Part B1 (Vol 1) and Part 2.1 (Vol 2) of the *Building Code of Australia* prior to a Construction Certificate being issued. The proposed additional loads and/or alterations must not cause a decrease in the existing structural performance of the building including its performance under earthquake actions (AS1170.4).

**(21) STRUCTURAL CERTIFICATION FOR PARTY WALLS**

Prior to a Construction Certificate being issued, a certificate from a qualified practising structural engineer in accordance with Clause A2.2(a)(iii) of the *Building Code of Australia* must be submitted to the satisfaction of Council (where Council is the Principal Certifier). The Certificate must verify the structural integrity of the existing 'Party Wall(s)' as consequence of the additional loads imposed thereon by the proposal.

**(22) FLASHINGS TO BOUNDARY WALLS**

A flashing must be provided to prevent water entering between the proposed and existing external boundary walls of the adjoining properties.

Note: Attachments or connections to party walls may require the consent of the adjoining property owner/s.

### **(23) ANNUAL FIRE SAFETY STATEMENT FORM**

An annual Fire Safety Statement must be given to Council and the NSW Fire Brigade commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued or the use commencing, whichever is earlier.

### **(24) TREES THAT MUST BE RETAINED**

- (a) The existing trees detailed in Table 1 below must be retained and protected in accordance with the conditions of consent throughout the construction and development.

Table 1 – Tree Retention:

<b>Tree No</b>	<b>Species/Common Name</b>	<b>Location</b>
2, 3	<i>Callistemon viminalis</i> / Weeping Bottlebrush	Front yard

NOTE: Reference should be made to Arboricultural Impact Assessment Report prepared by 'EziGrow' dated 6 May 2019 for tree numbering and locations.

### **(25) TREES ON NEIGHBOURING LAND THAT MUST BE PROTECTED**

- (a) The existing trees on neighbouring land detailed in Table 2 below must be protected in accordance with the conditions of consent throughout the construction and development.

Table 2 – Trees on Neighbouring Land:

<b>Tree No</b>	<b>Species/Common Name</b>	<b>Location</b>
1	<i>Ficus coronata</i> / Sandpaper Fig	Rear yard of 80 City Road

NOTE: Reference should be made to Arboricultural Impact Assessment Report prepared by 'EziGrow' dated 6 May 2019 for tree numbering and locations.

### **(26) TREE PROTECTION PLANS**

- (a) All detailed architectural, building, engineering (structural, stormwater and drainage services) and landscape documentation submitted for the Construction Certificate shall clearly show on all drawings the retention of trees as required by these conditions of consent, the position of their trunks, full diameter of their canopies, Structural Root Zones (SRZs) and Tree Protection Zones (TPZs).

### **(27) TREE PROTECTION ZONE**

- (a) Table 3 below shows the Tree Protection Zones (TPZ) that have been calculated for trees to be retained and protected.

Table 3 – TPZ Schedule:

Tree No	Species Name	Location	Radius (m) From Trunk
1	<i>Ficus coronata</i> / Sandpaper Fig	Rear yard of 80 City Road	3.6
2	<i>Callistemon viminalis</i> / Weeping Bottlebrush	Front yard	3.0
3	<i>Callistemon viminalis</i> / Weeping Bottlebrush	Front yard	3.0

- (b) Tree protection must be installed and maintained in accordance with the Australian Standard 'AS4970:2009 Protection of Trees on Development Sites', and as follows:
- (c) The ground surface must be protected if construction access is required through any TPZ, as follows:
- (i) Protective boarding (ie scaffolding board or plywood sheeting or similar material) must be placed over a layer of 75 mm layer of mulch which has been laid over geotextile fabric;
  - (ii) The protective boarding must be left in place for the duration of the construction and development.
- (d) The following works must be excluded from within any TPZs:
- (i) Excavation;
  - (ii) Soil cut or fill including trenching;
  - (iii) Soil cultivation, disturbance or compaction;
  - (iv) Stockpiling, storage or mixing of materials;
  - (v) The parking, storing, washing and repairing of tools, equipment and machinery;
  - (vi) The disposal of liquids and refuelling;
  - (vii) The disposal of building materials;
  - (viii) The siting of offices or sheds;
  - (ix) Any action leading to the impact on tree health or structure.
- (d) Any trenching works for services / hydraulics / drainage etc must not be undertaken within any Tree Protection Zone (TPZ). Alternative installation methods for services, such as directional boring/drilling, or redirection of services shall be employed.

- (e) All work undertaken within or above the TPZ must be:
  - (i) Carried out in accordance with a work methodology statement prepared by an Arborist (AQF Level 5 minimum) which has obtained written approval from Council's Tree Management Officer before its implementation; and
  - (ii) Supervised by a qualified Consultant Arborist (AQF Level 5 minimum).

**(28) TREE TRUNK PROTECTION**

Trees 2 and 3 must be protected in accordance with the Australian Standard 'AS4970:2009 Protection of Trees on Development Sites' during the construction works, as follows:

- (a) Tree trunk and major limb protection shall be undertaken prior to the issuing of the Construction Certificate. The protection shall be installed by a qualified Arborist (AQF 3 minimum) and must include;
  - (i) Tree trunk/s and/or major branches must be protected by wrapped hessian or similar material to limit damage, and
  - (ii) Timber planks (50mm x 100mm or similar) shall be placed around tree trunk/s. The timber planks shall be spaced at 100mm intervals, and must be fixed against the trunk with tie wire, or strapping. The hessian and timber planks must not be fixed to the tree in any instance, or in any fashion.
  - (iii) Tree trunk and major branch protection is to remain in place for the duration of construction and development works, and shall be removed at the completion of the project.

**(29) TREE ROOT PROTECTION**

- (a) Table 4 below shows the Structural Root Zones (SRZ) that have been calculated for trees to be retained and protected;

Table 4 – SRZ Schedule:

Tree No	Species Name	Location	Radius (m) From Trunk
1	<i>Ficus coronata</i> / Sandpaper Fig	Rear yard of 80 City Road	2.1
2	<i>Callistemon viminalis</i> / Weeping Bottlebrush	Front yard	2.0
3	<i>Callistemon viminalis</i> / Weeping Bottlebrush	Front yard	2.0

- (b) Excavation must not occur within the SRZ. If excavation is proposed within this zone, the Council's Tree Management Officer must be contacted immediately and the excavation must be carried out in accordance with Council's direction.

- (c) [Without prejudice to clause (a) above] any excavations within the SRZ must be undertaken using non-destructive methods (such as by hand or with an Airspade) to ensure no tree roots greater than 40mm diameter are damaged, pruned or removed.
- (d) Footings shall be relocated / realigned if any tree root greater than 40mm in diameter is encounter during excavations. A minimum of 150mm clearance shall be provided between the tree root and footing.
- (e) Any trenching works for services / hydraulics / drainage etc must not be undertaken within any SRZ. Alternative installation methods for services, such as directional boring/drilling, or redirection of services shall be employed.
- (f) All excavations located within the TPZ must be must be supervised by a qualified Consultant Arborist (AQF Level 5 minimum).
- (g) All root pruning which has been approved by Council's Tree Management Officer must be undertaken by a qualified Arborist (AQF Level 3 minimum).

### **(30) SITE SUPERVISION AND REPORTING**

- (a) A qualified Consultant Arborist (AQF Level 5 minimum) must oversee various stages of work within the Tree Protection Zone of any tree listed for retention. The Arborist must certify compliance with each key milestone as detailed below:
  - (i) Installation of tree protection measures;
  - (ii) During demolition of any ground surface materials (paving, concrete, grass etc) within the Tree Protection Zone (TPZ) of any tree to be retained and protected;
  - (iii) During construction of any new structures within the Tree Protection Zone (TPZ) of any tree to be retained and protected;
  - (iv) During any excavation and trenching which has been approved by Council within the TPZ of any tree to be retained and protected;
  - (v) During any Landscape works within the TPZ of any tree to be retained and protected.
- (b) An Arboricultural Compliance Report which includes photographic evidence and details of the health and condition of trees, must be submitted to Council's Area Planning Manager at each hold-point listed below:
  - (i) Certification that tree protection measures have been installed in accordance with the conditions prior to the commencement of works;
  - (ii) Certification of compliance with each key milestone listed above within 48 hours of completion;
  - (iii) Monthly reporting for the duration of construction and development within the site;

- (iv) Details of any other works undertaken on any tree to be retained or within TPZ/s of any tree to be retained and protected;
- (v) A final compliance report shall be submitted prior to the issuing of the Occupation Certificate.

### **(31) TREE PRUNING**

- (a) A 'Pruning Specification Report' prepared by a qualified Arborist (AQF Level 5 minimum) must be submitted to and approved by Council's Area Planning Manager prior to the issuing of the Construction Certificate. The report must include:
  - (i) Number of branches and orientation, branch diameter, percentage of canopy to be pruned/removed.
  - (ii) Photos with individual branches which are recommended for pruning/removal to be clearly marked. (Please note reports which include photos with a single vertical line as the area recommended for pruning will not be accepted).
  - (iii) A maximum of 5% canopy removal and maximum of 100mm diameter branches will be permitted by Council.
  - (iv) Pruning work must be specified in accordance with the Australian Standard 'AS4373:2007 Pruning of Amenity Trees'.
  - (v) Tree removal must not be recommended in this report.
- (b) All approved tree pruning works must be carried out by a qualified Arborist (AQF Level 3 minimum), and in accordance with WorkSafe NSW's 'Code of Practice – Amenity Tree Industry'.
- (c) Any pruning works carried out under this consent must not result in the death of the tree, the creation of a hazard or in excessive or inappropriate amounts of pruning, which result in the overall shape of the tree becoming unbalanced and/or unstable.
- (d) This consent does not authorise the applicant, or the contractor engaged to do the tree works to enter a neighbouring property.
- (e) All tree works must be undertaken from within the subject property unless consent from the neighbour is obtained to enter their property.
- (f) The consent from Council's Tree Management Officer must be obtained prior to the undertaking of any additional tree pruning works or pruning of any tree roots greater than 40mm in diameter.

## **SCHEDULE 1C**

### **DURING CONSTRUCTION/PRIOR TO OCCUPATION/COMPLETION**

**(32) BASIX**

All commitments listed in each relevant BASIX Certificate for the development must be fulfilled prior to an Occupation Certificate being issued.

**(33) HOURS OF WORK AND NOISE – OUTSIDE CBD**

The hours of construction and work on the development must be as follows:

- (a) All work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.30am and 5.30pm on Mondays to Fridays, inclusive, and 7.30am and 3.30pm on Saturdays, with safety inspections being permitted at 7.00am on work days, and no work must be carried out on Sundays or public holidays.
- (b) All work, including demolition, excavation and building work must comply with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436 - 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites.
- (c) Notwithstanding the above, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes outside of above hours can occur, subject to a permit being issued by Council under Section 68 of the Local Government Act 1993 and/or Section 138 of the Roads Act 1993.

Note: Works may be undertaken outside of hours, where it is required to avoid the loss of life, damage to property, to prevent environmental harm and/or to avoid structural damage to the building. Written approval must be given by the Construction Regulation Unit, prior to works proceeding

The *City of Sydney Code of Practice for Construction Hours/Noise 1992* allows extended working hours subject to the approval of an application in accordance with the Code and under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

**(34) ENCROACHMENTS – NEIGHBOURING PROPERTIES**

No portion of the proposed structure shall encroach onto the adjoining properties.

**(35) ENCROACHMENTS – PUBLIC WAY**

No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

**(36) SURVEY**

All footings, walls and floor slabs adjacent to a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report, prepared by a Registered Surveyor, must be submitted to the Principal Certifier indicating the position of external walls in relation to the boundaries of the

allotment. Any encroachments by the subject building over adjoining boundaries or roads must be removed prior to continuation of building construction work.

**(37) SURVEY CERTIFICATE AT COMPLETION**

A Survey Certificate prepared by a Registered Surveyor must be submitted at the completion of the building work certifying the location of the building in relation to the boundaries of the allotment.

**(38) CONNECTION TO SEWERS OF SYDNEY WATER CORPORATION**

Waste water arising from the use must be directed to the sewers of the Sydney Water Corporation (SWC) under a Trade Waste License Agreement. The pre-treatment of wastewater may be a requirement of the Corporation prior to discharge to the sewer. Details of the Corporation's requirements should be obtained prior to the commencement of construction work.

**(39) COVERING OF LOADS**

All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

**(40) EROSION AND SEDIMENT CONTROL**

The Soil and Water Management Plan (SWMP) or Erosion and Sediment Control Plan (ESCP) which has been approved by the Principal Certifier must be implemented in full during the construction period.

During the construction period;

- (a) erosion and sediment controls must be regularly inspected, repaired and maintained in working order sufficient for a 10 year Average Recurrence Interval (ARI) rainfall event;
- (b) erosion and sediment control signage available from Council must be completed and attached to the most prominent structure visible at all times when entering the site for the duration of construction; and
- (c) building operations and stockpiles must not be located on the public footway or any other locations which could lead to the discharge of materials into the stormwater system.

**(41) OCCUPATION CERTIFICATE TO BE SUBMITTED**

An Occupation Certificate must be obtained from the Principal Certifier and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

**(42) LOADING AND UNLOADING DURING CONSTRUCTION**

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site, where possible.

- (b) If, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (d) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate approval under Section 68 of the Local Government Act 1993 must be obtained.

**(43) NO OBSTRUCTION OF PUBLIC WAY**

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by Council to stop all work on site.

**(44) USE OF MOBILE CRANES**

The following requirements apply:

- (a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.
- (b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (c) The use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes outside of approved hours of construction can occur, subject to a permit being issued by Council under Section 68 of the Local Government Act 1993 and/or Section 138 of the Roads Act 1993.

**SCHEDULE 3**

**AUSGRID CONDITIONS**

**(45) PROXIMITY TO EXISTING NETWORK ASSETS – OVERHEAD POWERLINES**

- (a) There are existing overhead electricity network assets in Maze Lane. Safework NSW Document – Work Near Overhead Powerlines: Code of

Practice, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction. Special consideration should be given to the positioning and operating of cranes and the location of any scaffolding.

- (b) The “as constructed” minimum clearances to the mains should also be considered. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website, [www.ausgrid.com.au](http://www.ausgrid.com.au).
- (c) The proposed development may encroach the statutory clearances of nearby powerlines as per the requirements set out in AS7000 and Ausgrid Standard NS220. The developer is required to either:
  - (i) Engage an Accredited Service Provider Level 3 (ASP3) to confirm that the development does maintain the statutory clearances to the powerlines (this must include wind impacts). If the ASP3 determines that the proposed structure does encroach the statutory clearances, suitable arrangements must be made to ensure that the structure will not encroach the powerline statutory clearance either by redesign of the encroaching structure or relocation of the powerlines away from the proposed structure.
  - (ii) Make suitable arrangements to have powerlines relocated prior to the commencement of construction so that statutory clearances are not encroached.
- (d) Should the existing overhead mains require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost. It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all types of vehicles that are expected be entering and leaving the site