



**Burwood** <sup>Inc.1874</sup>

Burwood . Burwood Heights . Croydon . Croydon Park . Enfield . Strathfield

**Attachments Excluded from Agenda**  
**Burwood Local Planning Panel Meeting**  
**Thursday, 19 February, 2026**  
**6:00 PM**

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### **Recommended Conditions of Approval**

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

1. **Approved Plans/Documents.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

<b><i>Document Description</i></b>	<b><i>Date</i></b>	<b><i>Plan No/Reference</i></b>
Site Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 02, Rev B.
Roof Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 03, Rev B.
Basement/Lower Ground Floor Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 04, Rev B.
Basement/Lower Ground Floor Cut and Fill Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 16, Rev B.
Basement/Lower Ground Floor Plan Area Diagram	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 17, Rev B.
Ground Floor Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 05, Rev B.
Attic Floor Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 06, Rev B.
North-East Elevation	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 07, Rev B.
South-East Elevation	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 08, Rev B.
North-West Elevation		
South-West Elevation	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 09, Rev B.
Sections A and B	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 10, Rev B.
Ceiling Details		
Secondary Dwelling Roof Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 11, Rev B.
Secondary Dwelling Ground Floor Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 12, Rev B.
Secondary Dwelling Elevations and Section C	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 13, Rev B.
Fence Details	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. 14, Rev B.
Existing Ground Floor Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. EX01, Rev B.
Existing Attic Floor Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. EX02, Rev B.
Existing Garage Floor Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. EX03, Rev B.
Landscape Calculation Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. AREAS 01, Rev B.

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Built Area Calculation Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. AREAS 02, Rev B.
Gross Floor Area Calculation Plan	16.01.2026	Christopher Jordan Architecture and Design, Drawing No. AREAS 03, Rev B.
Finishes and Existing Vegetation Plan	16.01.2026	A Total Concept Landscape Architects, Drawing No. L/03, Rev E.
Planting Plan	16.01.2026	A Total Concept Landscape Architects, Drawing No. L/04, Rev E.
External Materials and Finishes Schedule	N/D	Prepared by Christopher Jordan Architecture and Design
Stormwater Drainage Plan	October 2025	Prepared by United Consulting Engineers Pty Ltd, Project No. 25MB9646
BASIX Certificate Alterations and Additions	16.01.2026	A1815806_02
BASIX Certificate Single Dwelling	3.10.2025	1815808S
Arboricultural Impact Assessment	8.10.2025	Prepared by Redgum Horticultural Arboriculture and Horticulture Consultants
Tree Management Plan		
Statement of Heritage Impact	October 2025	Prepared by Weir Phillips Heritage
Waste Management Plan	September 2025	Prepared by Christopher Jordan Architecture and Design
Schedule of Conservation Works	September 2025	Prepared by Christopher Jordan Architecture and Design
Geotechnical Report	May 2025	Prepared by ESWNMAN PTY LTD

2. **Inconsistency between documents.** In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.
3. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
4. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered A1815806\_02, amended on 16 January 2026 and 1815808S, dated 8 October 2025.
5. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - (a) Protect and support the adjoining premises from possible damage from the excavation, and
  - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
6. **Hours of work.** No work being carried out other than between the hours of 7:00am – 6:00pm Mondays to Fridays and 7:00am – 4:00pm on Saturdays, with no work at all

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being carried out on Sundays and Public Holidays. Demolition, excavation and/or construction works that involve heavy machinery, noisy trades or the like are not permitted to be carried out from 1:00pm to 4:00pm on Saturdays.

7. **Hoardings**
  - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
  - (b) Any hoarding, fence or awning erected pursuant to this consent is to be removed when the work has been completed.
8. **Illumination of public place.** Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
9. **Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.
10. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.
11. **Service Alterations.** All services or utilities required to be altered in order to complete the development works are to be undertaken in accordance with the requirements of the relevant service provider (e.g. Telstra, Jemena, Ausgrid, etc), with all costs associated with this alteration to be borne by the applicant.
12. **Road Opening Permit.** In accordance with the requirements of the Roads Act, the applicant must obtain consent (*Road opening Permit*) from Council prior to any excavation being undertaken in the road reserve (this includes verge and public footpath areas). No works shall be carried out in the road reserve without this permit being paid and a copy kept on the site.
13. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
14. **Windows.** Translucent or opaque windows must be provided to all bathrooms, en-suites, water closets (i.e. toilet), and stairwells.

#### ENGINEERING CONDITIONS

15. All activities and works external to the site, or that affect public roads, are to be carried out in accordance with Council's Policies including but not limited to the Works on Council's Road Reserve Assets Policy, Rubbish Skips Policy, Work Zone Policy and Temporary Road Closure (Including Standing Plant) Policy.
16. A road-opening permit and/or construction permit shall be obtained for all works carried out on public or Council controlled lands. Restoration of landscaping, roads and paths shall be carried out by Council at the applicant's expense in accordance with Council's **Schedule of Fees and Charges**. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the

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value of \$20 million, and shall provide proof of such cover to the Principal Certifier prior to carrying out the works. Please see **Burwood Council's web site** ([www.burwood.nsw.gov.au](http://www.burwood.nsw.gov.au)) - Go to Rates and Payments/ Works on Council Property/ Application for Works on Council Property.

17. Spoil and building materials shall not be placed, stored, thrown or caused to fall on any public roadway or footpath. Waste containers shall be placed in accordance with Council's Rubbish Skips Policy. Contact Council for a list of approved skip bin suppliers.
18. The builder is to ensure footpaths and roads affected by construction works are kept safe and prevent any damage to Council property. The builder shall erect and maintain where necessary approved barricades, warning signs and night warning lamps to ensure public safety. Pedestrian access across the footpath must be maintained at all times.
19. **Damage Deposit.** Security deposit against damage occurring to Council's assets (footpath, road, stormwater drainage system, kerb and gutter, etc.) during construction work **\$17,660.00**. Payment to be made to Council as a bond prior to issue of a Construction Certificate and/or commencement of demolition/bulk excavation.
20. The following matters shall apply to the damage deposit listed in the Table of Fees:
  - (a) This deposit is refundable if no damage occurs. Any damage caused will be repaired at Council's restoration rates, at the applicant's expense. All or part of the deposit will be forfeited to cover damage to Council's property during the course of demolition and/or construction.
  - (b) Council will carry out two inspections of the Council's footpath, kerb and gutter, stormwater drainage system and roadway, prior to works commencing and at the completion of all work covered by this consent. Council is aware that damage may be caused by individual contractors that culminate in the damage inspected at Council's final inspection. The applicant is responsible for attributing any part of the damage to their individual contractors. Council will not refund any part of a damage deposit until the completion of the work covered by this consent.
  - (c) The applicant shall lodge an application to council for refund of damage deposit after obtaining an occupation certificate (OC). The OC must be formally submitted to Council prior to lodging the application for refund of damage deposit.
21. Internal driveway levels shall be designed and constructed to conform with existing footpath and road profiles such that vehicles are not damaged while accessing the property. Council footpath and road profiles will not be altered for this purpose.
22. Temporary measures shall be provided during demolition, excavation and/or construction to prevent sediment and polluted waters discharging from the construction area onto Council's footpath.
23. An Erosion and Sediment Control Plan (ESCP) is to be prepared by a competent practicing hydraulic/civil engineer in accordance with the publication "Managing Urban Stormwater: Soils & Construction" (Landcom, 2004) and Supplement 10 of Council's Stormwater Management Code prior to the commencement of any demolition, excavation or construction works upon the site.

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24. All relevant erosion and sediment control measures identified in the ESCP must be implemented during and throughout the entire works period to prevent sediment and polluted waters discharging from the site.
25. The applicant shall provide the brick fence footing (foundation) drawing and shall ensure that no part of the footing will cross property boundary.
26. The area surrounding the front fence construction being so treated for excavation, backfilling and compaction as will prevent fall or stockpile of any material to the detriment or inconvenience of the pedestrians and/or occupiers of the adjoining properties.
27. All demolition and excavation materials are to be removed from the site or disposed off site using methods that comply with relevant environmental protection legislation.
28. The stormwater from the new roof and paved surfaces shall be collected and discharged by means of a gravity pipe to Council's street drainage system.
29. Grated drains shall be provided along the property boundary at two vehicular crossings and the drainage shall be connected to property drainage line discharging to Council's Street drainage system.
30. Dual drainage connections are permitted to Council's Street gutter. The steel RHS connection across footpath to street kerb shall be 75mm high. This is to ensure adequate concrete cover,  $\pm 75\text{mm}$  is maintained under footpath and at kerb.

#### **BUILDING**

31. Considerations to compliance with the National Construction Code (BCA) 2022 Volume 2 on construction of Class 1a and 10b structures.
32. Allowable encroachments (any fascias, gutters, and downpipes) will be constructed of non-combustible materials to confirm compliance.
33. The Principal Certifying Authority (PCA) must verify swimming pool barrier compliance prior to issuing the Construction Certificate.

#### **SWIMMING POOL REGISTER**

34. Before the issue of any occupation certificate, documentary evidence must be provided to the satisfaction of the principal certifier confirming that the pool/spa is registered in accordance with the Swimming Pools Act 1992. Registration can be undertaken online at: <http://www.swimmingpoolregister.nsw.gov.au/>.

#### **HERITAGE CONDITIONS**

35. Front Fencing: The fence is to have a maximum height of 1m above ground level.
36. No fencing is to be provided between the main dwelling and the secondary dwelling.
37. Photographic Archival Recording: A Photographic Archival Record for the entire property should be prepared in accordance with Australia ICOMOS Burra Charter and Heritage NSW guidelines. The Archival Recording is to be prepared by a suitable qualified

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heritage consultant and submitted to Council for written approval **prior to the issue of any Construction Certificate.**

38. Schedule of Conservation Works: a detailed Schedule of Conservation Works (SOCW) is to be prepared by a qualified and experienced Heritage Conservation Architect, detailing all conservation works required to repair the house, outbuildings, grounds and other original features. The Schedule of Conservation Works is to include details of any works to original fabric required for NCC or BCA compliance, and is to be supported by specifications, methodologies, drawings and details. The SOCW is to be submitted to Council's Heritage Officer for approval **prior to the approval of the Construction Certificate.**
39. Heritage Architect to be commissioned: an appropriately qualified and experienced Heritage Conservation Architect must be engaged for the duration of the project, to guide the conservation works and ensure the appropriate resolution of all matters relating to the heritage conservation of the property, including its grounds. Written confirmation of the engagement of the heritage architect is to be provided with the application for a Construction Certificate.
40. Salvage of Stair: the balustrade and any other decorative joinery features of the existing stair are to be salvaged and reused on site or on sold to a building recycling business.
41. Experienced Conservation trades to be used: all work to existing heritage fabric must be carried out by suitably qualified tradespeople with practical experience in conservation and restoration of similar structures, materials and methods.
42. Protection of Fabric: all existing heritage fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction. The Heritage Architect should be notified if any damage occurs, and should be repaired to match existing.
43. Implementation of Conservation Works: the appointed Heritage Architect is to provide written confirmation that all works listed in the Schedule of Conservation Works have been completed to the satisfaction of the Heritage Architect and in accordance with the approved Schedule of Conservation Works **prior to the issuing of any Occupation Certificate.**

#### LANDSCAPING & TREE MANAGEMENT CONDITIONS

44. Landscaping to be installed as per the Landscape Plan sheet set by Christopher Jordan / A Total Concept Landscape Architect, dated 16/1/2026 L/03 L/04 Rev E2.
45. **Pruning or root cutting:** No pruning or root cutting is permitted to any street trees without the specific consent of Council.
46. **Neighbouring Trees:** Trees on a neighbour's property must not be pruned without the specific written consent of the tree owner's and of Council.
47. **Street Tree Bond:** A monetary bond/bank guarantee to the value of \$3,000 per tree, where a total of 13 street trees equates to a **Street Tree Bond of \$39,000.00** to be paid to Council, prior to commencement of any works including demolition, to ensure the proper protection of the street trees on Liverpool Road and Appian Way frontages. These trees include (2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, & 17), as per the arborist

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report. The trees will be inspected by Council at completion of the works and the bond released only if the trees are not damaged.

48. **Tree Retention and Protection Measures:** The existing tree/s are required to be retained and protected in accordance with AS4970 (Protection of Trees on Development Sites, 2025). This includes the erection of Tree Protection Fencing, consisting of 1.8m high chain link panels, held in place with concrete feet either side of the trunk, parallel to the kerb, and to the full limits of the nature strip width.
49. **Tree Protection Fencing:** Tree Protection Fencing must be installed **prior to the commencement of any work** including demolition and must remain in place and maintained **until the issue of an Occupation Certificate**.
50. An AQF Level 5 Project Arborist must be engaged to certify the tree protection and ensure the Hold Points listed in the Arborist Report are performed accordingly and recorded.
51. **Monetary Bond Refund.** The thirteen (13) street trees will be inspected by Council and the monetary bond released only if the tree/s are not damaged.

#### DEMOLITION CONDITIONS

The following conditions are imposed to ensure compliance with relevant legislation and Australian Standards, and to ensure that the amenity of the neighbourhood is protected.

A Construction Certificate is not required for Demolition.

52. **Provision of contact details/neighbour notification. At least 7 days before any demolition work commences:**
  - (a) Council must be notified of the following particulars:
    - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
    - (ii) The date the work is due to commence and the expected completion date
  - (b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence
53. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
54. **Excavation.**
  - (a) All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
  - (b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with the Work Cover Authority, in accordance with AS 2601-2001: The Demolition of Structures, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.

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55. **Asbestos.** Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by Work Cover New South Wales.
56. **Asbestos – disposal.** All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental Protection Authority to receive that waste. Copies of the disposal docket must be retained by the person performing the work for at least 3 years and be submitted to Council on request.
57. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.
58. **Disposal of demolition waste.** All demolition waste must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.

**PRIOR TO THE ISSUING OF A CONSTRUCTION CERTIFICATE**

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Unless an alternative approval authority is specified (e.g. Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

59. **Fees:** The fees and/or bonds shown in the Table of Fees, are to be paid to Council or another approved collection agency (the Long Service Levy Corporation and its agents and an approved insurer under the Home Building Act 1989) and suitable evidence of payment is to be provided to the Principal Certifier prior to the issuing of a **Construction Certificate**.

**TABLE OF FEES**  
**FEES/BONDS TO BE PAID TO COUNCIL OR TO THE NOMINATED BODY PRIOR TO**  
**ISSUING A CONSTRUCTION CERTIFICATE**

60. Building and Construction Industry Long Service Corporation Levy **\$5,887.27 (Payment to be made to Council, the Corporation or its Agent).**
61. **Street Tree Bond:** A monetary bond/bank guarantee to the value of \$3,000 per tree, where a total of 13 street trees equates to a **Street Tree Bond of \$39,000.00** to be paid to Council, prior to commencement of any works including demolition, to ensure the proper protection of the street trees on Liverpool Road and Appian Way frontages. These trees include (2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, & 17), as per the arborist report. The trees will be inspected by Council at completion of the works and the bond released only if the trees are not damaged.
62. **Damage Deposit** - security deposit against damage occurring to Council's assets (footpath, road, stormwater drainage system, kerb and gutter, etc.) during building work **\$17,660.00 (Payment to be made to Council as a bond prior to issue of a Construction Certificate and/or commencement of demolition/bulk excavation**

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NOTE: This deposit is refundable if no damage occurs.

- (a) This deposit is refundable if no damage occurs. Any damage caused will be repaired at Council's restoration rates, at the applicant's expense. All or part of the deposit will be forfeited to cover damage to Council's property during the course of demolition and/or construction.
- (b) Council will carry out two inspections of the Council's footpath, kerb and gutter, stormwater drainage system and roadway, prior to works commencing and at the completion of all work covered by this consent. Council is aware that damage may be caused by individual contractors that culminate in the damage inspected at Council's final inspection. The applicant is responsible for attributing any part of the damage to their individual contractors. Council will not refund any part of a damage deposit until the completion of the work covered by this consent.

63. Pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979* and the Section 7.12 Contributions Plan, the following monetary contribution towards public services and amenities is required for land outside the Burwood Town Centre:

Contribution Element			Contribution
A levy of 1% of the cost of carrying out the development, where the cost calculated and agreed by Council is <b>\$2,354,906.51</b> .			<b>\$23,548.07</b>
Index Period	September 2025	CPI <sub>1</sub>	143.9

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**The above contribution will be adjusted at the time of payment. Applicants are advised to contact Council for the adjusted amount immediately prior to arranging payment.**

The contribution will be adjusted in accordance with the following formula:

$$\text{Contribution (at time of payment)} = \frac{C \times \text{CPI}_2}{\text{CPI}_1}$$

Where:

C: the original contributions amount as shown in the development consent;

CPI<sub>2</sub> the Consumer Price Index: All Groups Index for Sydney, for the immediate past quarter

CPI<sub>1</sub> the Consumer Price Index: All Groups Index for Sydney, applied at the time of granting the development consent as shown on the development consent.

**Note:** The minimum payment will not be less than the contribution amount stated on the consent.

The contribution is to be paid to Council, or evidence that payment has been made is to be submitted to the Principal Certifying Authority, **prior to the issuing of a Construction Certificate.**

Council may accept works in kind or other material public benefits in lieu of the contribution required by this condition subject to and in accordance with the requirements specified in the Section 7.12 Contributions Plan.

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**Note:** The payment of a Section 7.12 contribution over an amount of \$5,000 may only be paid by Bank Cheque (i.e. personal or company cheques will not be accepted). Contributions of \$5,000 or less may be paid by cash, EFTPOS, cheque or credit card. Payments by credit card may be subject to a surcharge.

64. All fees, levies, bonds and/or contributions as required by this Determination Notice must be paid to relevant the authority/entity, **prior to the issuing of a Construction Certificate.**
65. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate.**
66. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate.**
67. **Sydney Water – Building Plan Approval.** The plans approved as part of the Construction Certificate must also be approved by Sydney Water prior to excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to [www.sydneywater.com.au/tapin](http://www.sydneywater.com.au/tapin) to apply.
68. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate.**
69. **Fire Safety.** The development is required to consider compliance to the NCC BCA 2022 on fire separation to prevent the spread of fire from adjoining properties.

Details of the method of complying with this requirement must be noted on the plans or in the specifications prior to the issuing of a **construction certificate.**

#### **PRIOR TO COMMENCEMENT OF CONSTRUCTION**

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.
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70. Prior to the commencement of any works, the following is to be carried out:
  - (a) Submit to Council a “Notice of Intention to Commence Building Work and Appointment of a Principal Certifier” via the NSW Planning Portal:
  - (b) Ensure detailed plans and specifications of the building are endorsed with a Construction Certificate by an Accredited Certifier
71. **Site Sign**

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- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
  - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
  - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
  - (iii) stating that unauthorised entry to the work site is prohibited.
- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**72. Excavation adjacent to adjoining land**

- (a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.
- (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
- (c) An 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.

**73. Residential building work – insurance.** In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

**74. Residential building work – provision of information.** Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA has given the Council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
  - (i) the name and licence number of the principal contractor; and
  - (ii) the name of the insurer by which the work is insured under Part 6 of that Act.
- (b) in the case of work to be done by an owner-builder:
  - (i) the name of the owner-builder; and
  - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If any of the above arrangements are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates has given the Council written notice of the updated information (if Council is not the PCA).

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75. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with SafeWork NSW requirements and be a minimum of 1.8m in height.
76. **Dial Before You Dig.** A free national community service to prevent damage and disruption to the vast pipe and cable networks which provides Australia with the essential services we use every day – electricity, gas, communications and water.

Before you dig call "Dial Before You Dig" on 1100 (listen to the prompts) or register on line at [www.1100.com.au](http://www.1100.com.au) for underground utility services information for any excavation areas.

The Dial Before You Dig service is also designed to protect Australia's excavators. Whether you are a backyard renovator, an individual tradesman or an professional excavator, the potential for injury, personal liability and even death exists everyday. Obtaining accurate information about your work site significantly minimises these risks.

77. **Toilet Facilities.** Toilet facilities are to be provided at, or in the vicinity of the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided:
- (a) must be a standard flushing toilet, and
  - (b) must be connected:
    - (i) to a public sewer, or
    - (ii) to an approved chemical closet facility.

The toilet facilities are to be completed before any other work is commenced.

#### DURING CONSTRUCTION

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

78. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
79. **Noise from construction work.** All feasible and reasonable measures must be implemented to minimise the emission of noise from construction work.
80. **Survey of footings/walls.** All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
81. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
82. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:

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- (a) Fill is allowed under this consent;
  - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*,
  - (c) The material is reused only to the extent that fill is allowed by the consent.
83. **Construction materials.** All materials associated with construction must be retained within the site.
84. **Site Facilities**  
The following facilities must be provided on the site:
- (a) Toilet facilities in accordance with SafeWork NSW requirements, at a ratio of one toilet per every 20 employees, and
  - (b) A garbage receptacle for food scraps and papers, with a tight fitting lid.
85. **Site maintenance**  
The applicant must ensure that:
- (a) Approved sediment and erosion control measures are installed and maintained during the construction period;
  - (b) Building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
  - (c) The site is clear of waste and debris at the completion of the works.
86. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".

#### PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (e.g. Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

87. **Works as Executed:** Following completion of all drainage works:
- (a) Works-as-executed plans, prepared and signed by a registered surveyor, shall be prepared. These plans shall include levels and location for all drainage structures and works, buildings (including floor levels) and finished ground and pavement surface levels. These plans are to be reviewed by the competent practicing hydraulic/civil engineer that inspected the works during construction.
  - (b) The Principal Certifying Authority is to be provided with a Certificate from a competent practicing hydraulic/civil engineer. The Certificate shall state that all stormwater drainage and related work has been constructed in accordance with

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the approved plans and consent conditions as shown on the work-as-executed plans, prior to the issuing of an Occupation Certificate.

88. **Registered Surveyors Certificate:** A Registered Surveyor's Certificate being submitted to the Principal Certifier, **prior to the issuing of an Occupation Certificate**, as follows:
- (a) Before proceeding beyond ground floor height to show boundary clearances; and
  - (b) On completion of the building to indicate the heights of the finished floor levels and roof ridge level and to show boundary clearances and areas of the site occupied by the building.
89. **Identification Survey Report:** Prior to the issuing of an Occupation Certificate, A report by a registered surveyor must be submitted to the Principal Certifier verifying that the height of floor structures at each level, the height of external walls, the height of roof structures/roof eaves overhangs and that the external wall setbacks to the property boundaries all conform with the approved plans.

**End of consent.**



































































































































































































































































































































































































































































































































































































































































































































































































































































































































































































































































































































































































































































