



STANDARD CONDITIONS OF DEVELOPMENT CONSENT

Residential development

May 2021



Published by NSW Department of Planning, Industry and Environment

dpie.nsw.gov.au

Title: Standard conditions of development consent – Residential development

First published: May 2021

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Residential development standard conditions

PART A – GENERAL CONDITIONS

CONDITION	REASON																		
<p>Approved plans and supporting documentation</p> <p>Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.</p> <table border="1" data-bbox="148 712 1150 887"> <thead> <tr> <th>Plan No.</th> <th>Revision No.</th> <th>Plan Title.</th> <th>Drawn By.</th> <th>Dated.</th> </tr> </thead> <tbody> <tr> <td><DETAILS></td> <td><DETAILS></td> <td><DETAILS></td> <td><DETAILS></td> <td><DETAILS></td> </tr> </tbody> </table> <table border="1" data-bbox="148 952 1150 1122"> <thead> <tr> <th>Document Title.</th> <th>Version No.</th> <th>Prepared By.</th> <th>Dated.</th> </tr> </thead> <tbody> <tr> <td><DETAILS></td> <td><DETAILS></td> <td><DETAILS></td> <td><DETAILS></td> </tr> </tbody> </table> <p>In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.</p> <p>Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.</p>	Plan No.	Revision No.	Plan Title.	Drawn By.	Dated.	<DETAILS>	<DETAILS>	<DETAILS>	<DETAILS>	<DETAILS>	Document Title.	Version No.	Prepared By.	Dated.	<DETAILS>	<DETAILS>	<DETAILS>	<DETAILS>	<p>To ensure all parties are aware of the approved plans and supporting documentation that applies to the development</p>
Plan No.	Revision No.	Plan Title.	Drawn By.	Dated.															
<DETAILS>	<DETAILS>	<DETAILS>	<DETAILS>	<DETAILS>															
Document Title.	Version No.	Prepared By.	Dated.																
<DETAILS>	<DETAILS>	<DETAILS>	<DETAILS>																
<p>Design amendments</p> <p>Before the issue of a construction certificate, the certifier must ensure the approved construction certificate plans (and specifications) detail the following required amendments to the approved plans and supporting documentation stamped by Council.</p>	<p>To require minor amendments to the approved plans and supporting documentation following assessment of the development</p>																		
<p>Payment of security deposits (if applicable)</p> <p>Before the commencement of any works on the site or the issue of a construction certificate, the applicant must make all of the following payments to Council and provide written evidence of these payments to the certifier:</p>	<p>To ensure any damage to public infrastructure is rectified and public</p>																		

CONDITION		REASON									
<table border="1"> <tr> <td>Security deposit</td> <td>\$<INSERT AMOUNT></td> </tr> <tr> <td>Inspection fee</td> <td>\$<INSERT AMOUNT></td> </tr> <tr> <td>Other fees</td> <td>\$<INSERT AMOUNT></td> </tr> </table> <p>The payments will be used for the cost of:</p> <ul style="list-style-type: none"> making good any damage caused to any council property (including street trees) as a consequence of carrying out the works to which the consent relates, completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property. <p>Note: The inspection fee includes Council's fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the <i>Roads Act 1993</i>). The amount payable must be in accordance with council's fees and charges at the payment date.</p>	Security deposit	\$<INSERT AMOUNT>	Inspection fee	\$<INSERT AMOUNT>	Other fees	\$<INSERT AMOUNT>	works can be completed.				
Security deposit	\$<INSERT AMOUNT>										
Inspection fee	\$<INSERT AMOUNT>										
Other fees	\$<INSERT AMOUNT>										
<p>Payment of building and construction industry long service levy</p> <p>Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy of \$<INSERT AMOUNT> as calculated at the date of this consent to the Long Service Corporation or Council under section 34 of the <i>Building and Construction Industry Long Service Payments Act 1986</i> and provides proof of this payment to the certifier.</p>	To ensure the long service levy is paid.										
<p>Payment of development contributions</p> <p>Payment of section 7.11 contributions</p> <p>Choose one of the following conditions depending on the estimated value:</p> <p>For developments with an estimated cost of less than \$10 million:</p> <p>Before the issue of a construction certificate or <INSERT ALTERNATIVE TIMING>, the applicant must pay the following contributions to Council for:</p> <table border="1"> <tr> <td>Open space</td> <td>\$<INSERT AMOUNT></td> </tr> <tr> <td>Roads and traffic facilities</td> <td>\$<INSERT AMOUNT></td> </tr> <tr> <td>Community facilities</td> <td>\$<INSERT AMOUNT></td> </tr> <tr> <td>Drainage and stormwater management</td> <td>\$<INSERT AMOUNT></td> </tr> <tr> <td>Administration</td> <td>\$<INSERT AMOUNT></td> </tr> </table>	Open space	\$<INSERT AMOUNT>	Roads and traffic facilities	\$<INSERT AMOUNT>	Community facilities	\$<INSERT AMOUNT>	Drainage and stormwater management	\$<INSERT AMOUNT>	Administration	\$<INSERT AMOUNT>	To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development
Open space	\$<INSERT AMOUNT>										
Roads and traffic facilities	\$<INSERT AMOUNT>										
Community facilities	\$<INSERT AMOUNT>										
Drainage and stormwater management	\$<INSERT AMOUNT>										
Administration	\$<INSERT AMOUNT>										

CONDITION	REASON										
<p>The total contribution payable to Council under this condition is <INSERT \$ TOTAL AMOUNT> as calculated at the date of this consent, in accordance with <INSERT CONTRIBUTIONS PLAN REFERENCE>.</p> <p>(If applicable) The total contribution payable includes <INSERT \$ DISCOUNT AMOUNT> in discount given for <INSERT REASON E.G. REDEMPTION OF CONTRIBUTIONS CREDITS OF EQUIVALENT AMOUNT>.</p> <p>The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the <INSERT CONTRIBUTIONS PLAN REFERENCE>.</p> <p>A copy of the development contributions plan is available for inspection at <INSERT LOCATION>.</p> <p>For developments with an estimated cost of more than \$10 million:</p> <ol style="list-style-type: none"> 1) Before the issue of the first occupation certificate in respect of any building to which this consent relates, a section 7.11 contribution calculated in accordance with subclause (3) must be paid, except as provided by subclause (2). 2) If no construction certificate in respect of the erection of any building to which the consent relates has been issued on or before 25 September 2022, the monetary contribution must be paid before the issue of the first construction certificate after that date for any such building. 3) The applicant must pay the following contributions to Council for: <table border="1" data-bbox="145 1146 1145 1516"> <tbody> <tr> <td>Open space</td> <td>\$<INSERT AMOUNT></td> </tr> <tr> <td>Roads and traffic facilities</td> <td>\$<INSERT AMOUNT></td> </tr> <tr> <td>Community facilities</td> <td>\$<INSERT AMOUNT></td> </tr> <tr> <td>Drainage and stormwater management</td> <td>\$<INSERT AMOUNT></td> </tr> <tr> <td>Administration</td> <td>\$<INSERT AMOUNT></td> </tr> </tbody> </table> <p>The total contribution payable to Council under this condition is <INSERT \$ TOTAL AMOUNT> as calculated at the date of this consent, in accordance with <INSERT CONTRIBUTIONS PLAN REFERENCE>.</p> <p>(If applicable) The total contribution payable includes <INSERT \$ DISCOUNT AMOUNT> in discount given for <INSERT REASON E.G. REDEMPTION OF CONTRIBUTIONS CREDITS OF EQUIVALENT AMOUNT>.</p> <p>The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the <INSERT CONTRIBUTIONS PLAN REFERENCE>.</p> <p>A copy of the development contributions plan is available for inspection at <INSERT LOCATION>.</p> <p>OR</p>	Open space	\$<INSERT AMOUNT>	Roads and traffic facilities	\$<INSERT AMOUNT>	Community facilities	\$<INSERT AMOUNT>	Drainage and stormwater management	\$<INSERT AMOUNT>	Administration	\$<INSERT AMOUNT>	
Open space	\$<INSERT AMOUNT>										
Roads and traffic facilities	\$<INSERT AMOUNT>										
Community facilities	\$<INSERT AMOUNT>										
Drainage and stormwater management	\$<INSERT AMOUNT>										
Administration	\$<INSERT AMOUNT>										

PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

CONDITION	REASON
<p>Construction site management plan</p> <p>Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:</p> <ul style="list-style-type: none"> • location and materials for protective fencing and hoardings to the perimeter on the site • provisions for public safety • pedestrian and vehicular site access points and construction activity zones • details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site • protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council’s DCP, if applicable) and trees in adjoining public domain (if applicable) • details of any bulk earthworks to be carried out • location of site storage areas and sheds • equipment used to carry out all works • a garbage container with a tight-fitting lid • dust, noise and vibration control measures • location of temporary toilets. <p>The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.</p>	<p>To require details of measures that will protect the public, and the surrounding environment, during site works and construction</p>
<p>Erosion and sediment control plan</p> <p>Before the issue of a construction certificate or <INSERT ALTERNATIVE TIMING (E.G BEFORE THE DEMOLITION OF ANY EXISTING STRUCTURES OR CLEARING OF ANY VEGETATION)>, the applicant is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:</p> <ul style="list-style-type: none"> • Council’s development control plan, • the guidelines set out in the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate’ (the Blue Book), and • the ‘Do it Right On-Site, Soil and Water Management for the Construction Industry’ (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust). <p>The applicant must ensure the erosion and sediment control plan is kept on-site at all times during site works and construction.</p>	<p>To ensure no substance other than rainwater enters the stormwater system and waterways</p>

CONDITION	REASON
<p>Waste management plan</p> <p>Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:</p> <p>(a) Council's Waste Management Development Control Plan</p> <p>OR</p> <p>(b) details the following:</p> <ul style="list-style-type: none"> • the contact details of the person(s) removing the waste • an estimate of the waste (type and quantity) and whether the waste is expected to be reused, recycled or go to landfill • the address of the disposal location(s) where the waste is to be taken <p>The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.</p>	<p>To ensure resource recovery is promoted and local amenity protected during construction.</p>
<p>Utilities and services</p> <p>Before the issue of the relevant construction certificate, the applicant must submit the following written evidence of service provider requirements to the certifier:</p> <p>(a) a letter of consent from <INSERT ELECTRICITY SUPPLY AUTHORITY> demonstrating that satisfactory arrangements can be made for the installation and supply of electricity</p> <p>(b) a response from <INSERT WATER AUTHORITY> as to whether the plans proposed to accompany the application for a construction certificate would affect any <INSERT WATER AUTHORITY> infrastructure, and whether further requirements need to be met.</p> <p>(c) other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, what changes are required to make the development satisfactory to them.</p>	<p>To ensure relevant utility and service providers requirements are provided to the certifier</p>
<p>Dilapidation report (if applicable)</p> <p>Before the issue of a construction certificate, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works, and public land, to the satisfaction of the certifier. If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier's satisfaction that all reasonable steps were taken to obtain access to the adjoining properties.</p>	<p>To establish and document the structural condition of adjoining properties and public land for comparison as building work progresses and is completed</p>

CONDITION	REASON
<p>Adaptable units (if applicable)</p> <p>Before the issue of the relevant construction certificate, the applicant must ensure a report from a suitably qualified consultant is prepared and demonstrates, to the certifier's satisfaction, that any adaptable dwellings specified in the approved plans or supporting documentation comply with the provisions of <i>AS 4299-1995 Adaptable Housing Standards</i>.</p>	<p>To ensure adaptable units are designed in accordance with the Australian Standard.</p>
<p>Car parking details (if applicable)</p> <p>Before the issue of the relevant construction certificate, a suitably qualified engineer must review the plans which relate to parking facilities and provide written evidence, to the certifier's satisfaction, that it complies with the relevant parts of <i>AS 2890 Parking Facilities- Off- Street Carparking</i> and Council's development control plan.</p>	<p>To ensure parking facilities are designed in accordance with the Australian Standard and Council's DCP</p>

PART C - BEFORE THE COMMENCEMENT OF BUILDING WORK

CONDITION	REASON
<p>Erosion and sediment controls in place</p> <p>Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by the principal certifier) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).</p>	To ensure runoff and site debris do not impact local stormwater systems and waterways
<p>Tree protection measures (if applicable)</p> <p>Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place.</p>	To protect and retain trees
<p>Signs on site</p> <p>A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:</p> <p>(a) showing the name, address and telephone number of the principal certifier for the work, and</p> <p>(b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and</p> <p>(c) stating that unauthorised entry to the work site is prohibited.</p> <p>Any such sign is to be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed.</p> <p>Note: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.</p>	(Prescribed condition EP&A Regulation, clauses 98A (2) and (3))
<p>Compliance with Home Building Act (if applicable)</p> <p>In the case of residential building work for which the <i>Home Building Act 1989</i> 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.</p>	(Prescribed condition EP&A Regulation, clause 98(1)(b))
<p>Home Building Act requirements</p> <p>Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifier for the development to which the work relates (not being the council) has given the council written notice of the following information —</p>	(Prescribed condition EP&A Regulation, clause 98B(2) and (3))

CONDITION	REASON
<p>(a) In the case of work for which a principal contractor is required to be appointed—</p> <ul style="list-style-type: none"> (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, <p>(b) In the case of work to be done by an owner-builder—</p> <ul style="list-style-type: none"> (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. <p>If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.</p>	
<p>Notice regarding dilapidation report (if applicable)</p> <p>Before the commencement of any site or building work, the principal certifier must ensure the adjoining building owner(s) is provided with a copy of the dilapidation report for their property(ies) no less than <INSERT NUMBER OF DAYS> before the commencement of any site or building works and provide a copy of the report to Council at the same time.</p>	<p>To advise neighbours and Council of any dilapidation report</p>
<p>Bushfire asset protection zones (if applicable)</p> <p>Before the commencement of any vegetation removal, or site or building work, a registered surveyor must survey the boundaries of the asset protection zone (APZ) and mark these on the ground. The clearing of vegetation to establish the APZ must only occur within the marked APZ boundaries, and in accordance with the supporting documentation approved under this consent.</p>	<p>To ensure vegetation outside the APZ is not removed</p>

PART D – WHILE BUILDING WORK IS BEING CARRIED OUT

CONDITION	REASON
<p>Hours of work</p> <p>The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:</p> <p style="color: red;"><insert time>am to <insert time>pm on <insert day> to <insert day></p> <p style="color: red;"><insert time>am to <insert time>pm on <insert day> to <insert day></p> <p>The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.</p> <p>Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.</p> <p>Note: Any variation to the hours of work requires Council's approval.</p>	<p>To protect the amenity of the surrounding area</p>
<p>Compliance with the Building Code of Australia</p> <p>Building work must be carried out in accordance with the requirements of the BCA.</p>	<p>(Prescribed condition - EP&A Regulation clause 98(1)(a))</p>
<p>Procedure for critical stage inspections</p> <p>While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p>	<p>To require approval to proceed with building work following each critical stage inspection</p>
<p>Implementation of the site management plans</p> <p>While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times.</p> <p>The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.</p>	<p>To ensure the required site management measures are implemented during construction</p>
<p>Implementation of BASIX commitments</p> <p>While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.</p>	<p>To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed</p>

CONDITION	REASON
	condition under clause 97A(2) EP&A Regulation)
<p>Surveys by a registered surveyor</p> <p>While building work is being carried out, a registered surveyor is to measure and mark the positions of the following and provide them to the principal certifier —</p> <p>(a) All footings/ foundations</p> <p>(b) At other stages of construction – any marks that are required by the principal certifier.</p>	To ensure buildings are sited and positioned in the approved location
<p>Construction noise</p> <p>While building work is being carried out, and where a noise and vibration management plan is approved under this consent, the applicant must ensure that any noise generated from the site is controlled in accordance with the requirements of that plan.</p> <p>OR</p> <p>While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.</p>	To protect the amenity of the neighbourhood
<p>Tree protection (if relevant)</p> <p>While site or building work is being carried out, the applicant must maintain all required tree protection measures in good condition in accordance with the construction site management plan required under this consent, the relevant requirements of <i>AS 4970-2009 Protection of trees on development sites</i> and any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.</p>	To protect trees during construction
<p>Responsibility for changes to public infrastructure</p> <p>While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).</p>	To ensure payment of approved changes to public infrastructure
<p>Shoring and adequacy of adjoining property (if applicable)</p> <p>If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person's own expense —</p>	(Prescribed condition - EP&A Regulation clause 98E)

CONDITION	REASON
<p>(a) Protect and support the building, structure or work from possible damage from the excavation, and</p> <p>(b) Where necessary, underpin the building, structure or work to prevent any such damage.</p> <p>This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.</p>	
<p>Uncovering relics or Aboriginal objects</p> <p>While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.</p> <p>In this condition:</p> <ul style="list-style-type: none"> • “relic” means any deposit, artefact, object or material evidence that: <ul style="list-style-type: none"> (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and (b) is of State or local heritage significance; and • “Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains. 	<p>To ensure the protection of objects of potential significance during works</p>
<p>Cut and fill (if applicable)</p> <p>While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <p>(a) All excavated material removed from the site must be classified in accordance with the EPA’s Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.</p> <p>(b) All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> or a material identified as being subject to a resource recovery exemption by the NSW EPA.</p>	<p>To ensure soil removed from the site is appropriately disposed of and soil imported to the site is safe for future occupants</p>

CONDITION	REASON
<p>Waste management</p> <p>While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.</p> <p>Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:</p> <ul style="list-style-type: none"> • The contact details of the person(s) who removed the waste • The waste carrier vehicle registration • The date and time of waste collection • A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill • The address of the disposal location(s) where the waste was taken • The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. <p>Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.</p>	<p>To require records to be provided, during construction, documenting that waste is appropriately handled</p>
<p>Clearing for asset protection zones (APZ) (if required)</p> <p>While building work is being carried out, the applicant must ensure the clearance of vegetation to establish the APZ is confined within the marked APZ boundary, to the satisfaction of the principal certifier.</p>	<p>To ensure vegetation clearance during construction is confined within the APZ</p>

PART E - BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

CONDITION	REASON
<p>Works-as-executed plans and any other documentary evidence</p> <p>Before the issue of the relevant occupation certificate, the applicant must submit, to the satisfaction of the principal certifier, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works:</p> <p>(a) All stormwater drainage systems and storage systems</p> <p>(b) The following matters that Council requires to be documented <INSERT COUNCIL REQUIREMENTS></p> <p>The principal certifier must provide a copy of the plans to Council with the occupation certificate.</p>	<p>To confirm the location of works once constructed that will become council assets</p>
<p>Completion of public utility services</p> <p>Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority.</p> <p>Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.</p>	<p>To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation</p>
<p>Post-construction dilapidation report (if relevant)</p> <p>Before the issue of an occupation certificate, a suitably qualified engineer must prepare a post-construction dilapidation report, to the satisfaction of the principal certifier, detailing whether:</p> <p>(a) after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and</p> <p>(b) where there has been structural damage to any adjoining buildings, that it is a result of the building work approved under this development consent.</p> <p>Before the issue of an occupation certificate, the principal certifier is to provide a copy of the post-construction dilapidation report to Council (where Council is not the principal certifier) and to the relevant adjoining property owner(s).</p>	<p>To identify damage to adjoining properties resulting from building work on the development site</p>

CONDITION	REASON
<p>Preservation of survey marks</p> <p>Before the issue of an occupation certificate, a registered surveyor must submit documentation to the principal certifier which demonstrates that:</p> <p>(a) no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced, or</p> <p>(b) the applicant has re-established any survey mark(s) that were damaged, destroyed, obliterated or defaced in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure.</p>	<p>To protect the State's survey infrastructure</p>
<p>Repair of infrastructure</p> <p>Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.</p> <p>Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.</p>	<p>To ensure any damage to public infrastructure is rectified</p>
<p>Removal of waste upon completion</p> <p>Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.</p> <p>Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.</p>	<p>To ensure waste material is appropriately disposed or satisfactorily stored</p>
<p>Completion of landscape and tree works</p> <p>Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with <i>AS 4373-2007 Pruning of amenity trees</i> and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.</p>	<p>To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s)</p>

PART F – OCCUPATION AND ONGOING USE

CONDITION	REASON
<p>Release of securities / bonds (if required)</p> <p>When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held in accordance with <INSERT COUNCIL POLICY REFERENCE>. Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Council's requirements.</p>	<p>To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction</p>
<p>Annual fire safety certificate (if applicable)</p> <p>During occupation and ongoing use of the building, the applicant must provide an annual fire safety statement to Council and the Commissioner of Fire and Rescue NSW in accordance with clause 177 of the EP&A Regulation.</p>	<p>To ensure annual checks on fire safety measures</p>
<p>Location of mechanical ventilation (if applicable)</p> <p>During occupation and ongoing use of the building, the applicant must ensure all subsequently installed noise generating mechanical ventilation system(s) or other plant and equipment that generates noise are in an appropriate location on the site (including a soundproofed area where necessary) to ensure the noise generated does not exceed 5dBa at the boundary adjacent to any habitable room of an adjoining residential premises.</p>	<p>To protect the residential amenity of neighbouring properties</p>
<p>Maintenance of wastewater and stormwater treatment device (if applicable)</p> <p>During occupation and ongoing use of the building, the applicant must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective and in accordance with any positive covenant (if applicable).</p>	<p>To protect sewerage and stormwater systems</p>
<p>Management of asset protection zones (if applicable)</p> <p>During occupation and ongoing use of the building, the applicant must ensure the site is managed, in accordance with <INSERT DOCUMENT REFERENCE> / Planning for Bushfire Protection 2019 and the NSW Rural Fire Service's document Standards for Asset Protection Zones.</p>	<p>To reduce the impact of bushfires</p>

Appendix 1

Dictionary

The following terms have the following meanings for the purpose of this consent (except where the context clearly indicates otherwise):

Applicant means the applicant for development consent or any person having the benefit of the consent (including, but not limited to, the owner of the property from time to time).

Approved plans means the plans endorsed by Council and specified in Part A of this consent.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the relevant work is undertaken.

BCA means the Building Code of Australia published by the Australian Building Codes Board.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018* and principal certifier means the certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation.

Council means <INSERT COUNCIL NAME>.

Court means the NSW Land and Environment Court.

Emergency means an actual or imminent occurrence which endangers or threatens to endanger the safety or health of any person(s), property or the environment above the normal state of affairs.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2000*.

LG Act means the *Local Government Act 1993*.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Owner-builder means a person who does 'owner-builder work' as defined in section 29(1) of the *Home Building Act 1989* under an owner-builder permit issued to the person for that work.

Owner means the registered proprietor of the property from time to time.

Principal contractor means the person responsible for the overall co-ordination and control of the carrying out of the building works or the owner where a principal contractor has not been appointed by the owner of the site.

Property means the land to which the development application relates, upon which the development is to be carried out, as set out on page 1 of this consent.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Suitably qualified means a person with at least a <INSERT> degree and <INSERT> years' experience carrying out the type of work that is the subject of the relevant condition.