



## NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

**Development Application No:** DA 2005/885

### DEVELOPMENT APPLICATION DETAILS

**Applicant Name:** Hamilton Thomson

**Applicant Address:** 107 Alexander Street, Crows Nest NSW 2065

**Land to be developed (Address):** Lot 110, DP 874154, 13 Narabang Way Belrose

**Proposed Development:** Fit-out and use of existing building for office use.

### DETERMINATION

**Made on (Date):** 28 December 2005

**Consent to operate from (Date):** 28 December 2005

**Consent to lapse on (Date):** 28 December 2010

### Details of Conditions – (including Section 94 conditions)

*The conditions, which have been applied to the consent, aim to ensure that the Environmental Impacts of Development are minimised and the Health and Safety of the community is maintained in accordance with the relevant standards and the Building Code of Australia.*

### NOTE:

*If the works are to be certified by a Private Certifying Authority, then it is the certifier's responsibility to ensure all outstanding fees and bonds have been paid to Council prior to the issue of the Construction Certificate or as otherwise specified by Consent conditions.*

## GENERAL CONDITIONS

### CONDITIONS THAT IDENTIFY APPROVED PLANS

#### 1. Approved Plans And Supporting Documentation

The development is to be carried out in compliance with the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of consent:

Plan No.	Issue No.	Drawing Title	Project No.	Date
A1.02	P5	First Floor Furniture Plan	0560	Sept 05
A1.06	P4	Ground Floor Furniture Plan	0560	Sept 05
A1.10	P4	Lower Ground Floor Furniture Plan	0560	Sept 05
03110 - DA-01	B	Proposed Location Plan		Sept 04

No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

**Note:** Further information on Construction Certificates can be obtained by contacting Council's Call Centre on 9942 2111, Council's website or at the Planning and Assessment Counter.

**Reason:** To ensure the work is carried out in accordance with the determination of Council and approved plans. [A1 (1)]

#### 2. Plans on Site

A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) shall be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

**Reason:** To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance. [A2]

#### 3. Demolition of Extra Fabric

Alterations to, and demolition of the existing building shall be limited to that shown on the approved plans (by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

**Reason:** To ensure compliance with the approved development. [A3]

**CONDITIONS THAT REQUIRE 'ANCILLARY' MATTERS TO BE COMPLETED  
TO THE SATISFACTION OF COUNCIL OR ANOTHER NOMINATED PERSON  
PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

**4. Construction Management Program (Commercial and Mixed use Development)**

A Construction Management Program shall be submitted and approved by Council PRIOR TO THE ISSUE OF ANY Construction Certificate. Any use of Council property shall require appropriate approvals. The program shall detail:

- (a) The proposed method of access to and egress from the site for construction vehicle, including the proposed method of traffic control, access routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area. Access across public parks and open space reserves is prohibited. Site access and egress is to be generally obtained from Narabang Way;
- (b) The proposed phases of construction works on the site, and the expected duration of each construction phase;
- (c) The proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken;
- (d) The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process;
- (e) The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. On site craneage is a requirement of this consent. Mobile cranes if used shall be located wholly within the site or only utilised during the demolition and excavation phase, and in association with the establishment and removal of a site crane, removal of excavation equipment and the like;
- (f) The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
- (g) The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site;
- (h) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising Structural Engineer and shall not involve any permanent or temporary encroachment onto Councils property;

- (i) Proposed protection for Council and adjoining properties. Details are to include site fencing and the provision of hoardings over footpaths and laneways;
- (j) The location and operation of any on site crane; and
- (k) The location of any Construction Zone (if required) approved by Council's Traffic Committee, including a copy of that approval.

**Reason:** *To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community. [B2]*

## 5. Provision of Services

Certification must be obtained from the relevant statutory authority that adequate services are available to satisfy the demands of the proposed development. Such certification is to be provided to the Council / Accredited Certifier prior to the issue of the Construction Certificate.

**Reason:** *To ensure that services have been provided as required by this Consent. [B4]*

# CONDITIONS THAT REQUIRE SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

## 6. Fire Safety Measures

Submission at the Construction Certificate stage of the anticipated schedule of current and proposed fire safety measures to be implemented in the building, and such fire safety schedule shall specify the minimum standard of performance for each fire safety measure.

**Reason:** *Fire Safety [C1]*

## 7. Design for Access & Mobility

Access/egress/services and facilities including external and interior access are required in accordance with the provisions of AS 1428.1 (2001) - Design for Access and Mobility.

The building being adequately adjusted where required complying with the provisions of the *Disability Discrimination Act (1992)*. Note that any approval granted by Council does not necessarily guarantee compliance or otherwise with the *Disability Discrimination Act (1992)* and the applicant should investigate their liability under the Act. You are directed to the following sources to achieve compliance with the DDA: -



- (a) AS 1428.1 (2001) - Design for Access and Mobility
- (b) Advisory Notes on Access to Premises - Human Rights and Equal Opportunity Commission (1998)
- (c) Disability Discrimination Act (1992)

Details being submitted and approved by Council / Accredited Certifier prior to the issue of a Construction Certificate.

***Reason:*** To ensure equitable access to members of the community to all public facilities. **[C5]**

## **8. Damage to Public Infrastructure**

The applicant shall bear the cost of all restoration works to Council's property damaged during the course of this development. The applicant shall advise Council, in writing, of any existing damage to Council property before commencement of the development. A dilapidation survey of Council's assets, including photographs and written record, must be prepared by a suitably qualified person and submitted to Council prior to the issuing of any Construction Certificate.

Note: This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicant's interest for it to be as full and detailed as possible.

***Reason:*** To ensure the protection of existing built public infrastructure. **[C6]**

## **9. Kerb Security Bond**

A bond of \$10,000.00 shall be deposited with Council and inspection fees paid, prior to the issue of any construction certificate, against the potential for damage to Council's footpath and road reserve infrastructure during the construction process. (See Schedule)

***Reason:*** To ensure appropriate security is in place for the protection or repair of Public Infrastructure. **[C16]**

## **10. Protection of Footpaths and Roadways**

The public footways and roadways adjacent to the site shall be maintained at all times during the course of the work in a safe condition.

***Reason:*** Protection of footpath and roadways. **[C22]**

## **11. Access for People with Disabilities**

Ramps and access for people with disabilities are to be provided to and within each ground floor retail tenancy/the entire building [DELETE ONE]. Consideration must be given to the means of dignified and equitable access from public places to adjacent buildings, to other areas within the building and to footpath and roads. Compliant access

provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be prepared in consideration of, and construction completed to achieve compliance with the provisions of the Disability Discrimination Act, and the relevant provisions of AS1428.1 and AS1428.4.

**Reason:** *To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards. [C36]*

## 12. Cigarette Butt Receptacle - Commercial

That provision be made for cigarette butt receptacles on the site to minimise littering. Cigarette butt receptacles must be provided during building works on any site, and permanently provided to any restaurant/bar/retail/commercial component of the development after construction. Details of the size and the location of the receptacle are to be provided in the Construction Certificate.

**Reason:** *To ensure that adequate provision is made for builder's waste and waste upon completion of the development. [C58]*

## 13. Security Bond Schedule

All fees and security bonds in accordance with the schedule below must be paid or in place prior to the issue of the required Construction Certificate:

<b>SECURITY BOND &amp; FEE SCHEDULE</b>	
13 Narabang Way, Belrose	
DEVELOPMENT APPLICATION NUMBER 2005/0885	
<b>SECURITY BONDS</b>	<b>AMOUNT (\$)</b>
Kerb Security Bond	\$10, 000
<b>TOTAL BONDS</b>	<b>\$10,000.00</b>
<b>FEES</b>	
<b>Kerb Security Inspection Fee</b>	\$200.00
Long Service Levy	\$4949.00
Others	\$500.00
<b>TOTAL FEES</b>	<b>\$5649.00</b>

**Reason:** *Compliance with the development consent. [C71]*

## CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

### 14. Construction Certificate

A Construction Certificate is required to be approved and issued by either Council or an Accredited Certifier, prior to the commencement of any works on the site.

*Reason: Legislative requirements. [D3]*

### 15. Notice of Commencement

At least 2 days prior to work commencing on site Council must be informed, by the submission of a Notice of Commencement in Accordance with section 81A of EP & A Act 1979 of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence.

*Reason: Legislative requirement for the naming of the PCA. [D4]*

### 16. WorkCover

Your attention is directed to the need to seek advice of your obligations from the WorkCover Authority prior to the commencement of any works on the site.

*Reason: Statutory requirement. [D5]*

### 17. Road opening permit

The developer/applicant is to obtain a “Road Opening Permit” from Council and pay all appropriate charges prior to commencement of any work on Council property. The developer/applicant shall be responsible for all public utilities and services in the area of the work, and as such shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.

*Reason: Statutory requirement (Roads Act 1993) [D6]*

### 18. Inspection Fees

Where Council is acting as the Principal Certifying Authority and where an inspection of building, civil or landscape work is required by these conditions, inspection fees and component certification fees must be paid to Council before Council will undertake any inspections. These fees may be paid at the time of submission of the required Notice of Commencement of works. This condition applies regardless of whether a Certification fee is also payable.

Note: The submission of a Notice of Commencement of works form to Council at least two (2) days prior commencing works is a statutory requirement.

*Reason: Statutory requirement and information. [D14]*

## 19. Public Liability Insurance - Works on Public Land

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Warringah Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

(Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.)

**Reason:** *To ensure the community is protected from the cost of any claim for damages arising from works on public land. [D17]*

## CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

### 20. Sign on Site

A visually prominent sign to be erected and maintained on-site adjacent to the property's access point, for the duration of the works. This condition must be complied with during building work.

**Reason:** *Proper identification of works. [E2]*

### 21. No Changes To Openings

The windows / doors / fenestration shall not be enlarged or relocated on any elevation of the development. The use of rooms served by windows shall not be altered from that detailed on the approved plans.

**Reason:** *To ensure compliance with the terms of this development consent. [E5]*

### 22. Approved Materials

The colour, texture and substance of all external materials shall be generally in accordance with that detailed in the application.

**Reason:** *To ensure compliance with the terms of this development consent. [E6]*

### 23. Progress Inspections- (Class 5, 6, 7, 8 and 9 Buildings)

The Principal Certifying Authority (PCA) SHALL BE given a minimum of two (2)





working days notice for inspection of the following, where applicable:

- (a) At the commencement of the building work; and
- (b) After the building work has been completed and prior any Occupation Certificate being issued in relation to the building.

The appointed Principal Certifying Authority MUST do the first inspection at the commencement of building work, and at completion of building work.

Notes:

- (1) The appointed Principal Certifying Authority has a discretion to determine additional inspections, or nominate other Accredited Certifiers to undertake inspections other than the first and last inspections, which are required to ensure compliance or otherwise with relevant codes and standards. In any event, the Principal Certifying Authority MUST be advised at all of the stages of construction identified above.
- (2) The PCA must advise the person with the benefit of the consent of the mandatory critical stage inspections referred to in the EP & A Regulations.
- (3) Where Warringah Council is acting as the Principal Certifying Authority for the project, notice is to be given by telephoning Council on 9942 2111 and requesting the relevant inspection. Failure to advise Council at the stages of construction identified above may result in fines being imposed.
- (4) Failure to advise the Principal Certifying Authority of the need for MANDATORY INSPECTIONS at the critical stages of construction detailed above may result in fines being imposed, works being required to be demolished, or delays experienced in obtaining final certification and occupation of the development in order to resolve issues.

***Reason:*** Prescribed mandatory inspections under legislation. [E9]

## **24. Progress Inspection**

The Principal Certifying Authority SHALL BE given two (2) working days notice for inspection of the following after the building work has been completed and prior any Occupation Certificate being issued in relation to the building.

Notes:

- (1) Where Warringah Council is acting as the Principal Certifying Authority for the project, notice is to be given by telephoning Council on 9942 2111 and requesting the relevant inspection. Failure to advise Council at the stages of construction identified above may result in fines being imposed.



- (2) Failure to advise the Principal Certifying Authority of the need for MANDATORY INSPECTIONS at the critical stages of construction detailed above may result in fines being imposed, works being required to be demolished, or delays experienced in obtaining final certification and occupation of the development in order to resolve issues.

**Reason:** *Compliance, health and safety. [E10]*

## **25. Replacement of Principal Certifying Authority**

If the person exercising the benefits of a development consent changes or replaces the Principal Certifying Authority (PCA) during works on the site, the replacement PCA must notify Warringah Council within two (2) days of appointment. If the original PCA was Warringah Council, written approval from Council must be obtained for any change to the PCA role.

(Note: Special legislative provisions in the Environmental Planning and Assessment Act 1979 apply to the procedure for replacing a PCA)

**Reason:** *Statutory requirement. [E11]*

## **26. Final Compliance Certificate**

Within seven (7) days of completion of the building works and prior to occupation or the issue of an Interim/Final Occupation Certificate, a Certificate of Compliance under Section 109C (1) (a) of the Environmental Planning and Assessment Act 1979 must be provided by the Principal Certifying Authority. This Compliance Certificate must certify that the completed work complies with the relevant plans and specifications and with the following conditions of this development consent: [INSERT]

**Reason:** *To ensure compliance with the terms of this development consent. [E13]*

## **27. Noise and Vibration**

Noise emissions and vibration must be minimised where possible and work is to be carried out in accordance with Environment Protection Authority guidelines for noise emissions from construction/demolition works and must also comply with the provisions of the Protection of the Environment Operations Act 1997. This Condition must be complied with during demolition and building work.

**Reason:** *To ensure residential amenity is maintained in the immediate vicinity. [E17]*

## **28. No Work on Public Open Space**

The applicant shall not enter or undertake any work within adjoining public lands (i.e. Parks, Reserves, Roads etc) without the prior written consent of Council. In this regard the applicant is to liaise with Council prior to the commencement of any design works or preparation of a Construction Management Plan.



***Reason:*** Protection of existing public infrastructure and land and to ensure public safety and proper management of public land. [E19]

## **29. Special Permits**

Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely on the property. The applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property pursuant to S138 of the Roads Act. A minimum of forty-eight (48) hours notice is required for any permit:

### **(1) On-street mobile plant**

Eg. cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the responsibility of the applicant, owner and builder to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.

***Reason:*** Proper management of public land. [E24 (1)]

### **(2) Hoardings**

Permits are required to erect Class A, Class B and Class C hoardings. If an 'A' Class hoarding is to alienate a section of Council's property, that section will require a permit for the occupation of Council's property.

***Reason:*** Proper management of public land. [E24 (2)]

### **(3) Storage of building materials and building waste containers (skips) on Council's property**

Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.

***Reason:*** Proper management of public land. [E24 (3)]

### **(4) Kerbside restrictions, construction zones**

The applicant's attention is drawn to the existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a construction zone, the appropriate application must be made and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee and may take considerable time to be resolved. An earlier application is suggested to avoid delays in construction programs.

***Reason:*** *Proper management of public land. [E24 (4)]*

### **30. Construction Hours**

Building construction/works shall be restricted to within the hours of 7.00 am to 5.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works shall be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only. (Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

The builder and excavator shall display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

***Reason:*** *To ensure that works do not interfere with reasonable amenity expectations of residents and the community. [E26]*

### **31. Out of Hours Work Permits**

Where it is necessary for works to occur outside those hours allowed by these conditions, approval for such will be subject to issue of a permit on each occasion from Council's Customer Services Centre. Such permit must be obtained and the appropriate fee paid at least two (2) clear working days in advance of each relevant date. Such occurrence shall be limited to two occasions per calendar month and shall only be approved if public safety or convenience is at risk. Any further variation shall require the lodgement and favourable determination of a modification application pursuant to Section 96 of the Environmental Planning and Assessment Act 1979.

(Note: Failure to obtain a permit for work outside of the approved hours will result in on the spot fines being issued, or Council pursuing any action required (including legal proceedings) to have the out of hours work cease, without prior warning.)

***Reason:*** *To ensure that works do not interfere with reasonable amenity expectations of residents and the community. [E27]*

### **32. Health and Safety**

The work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements to prepare a health and safety plan. Site fencing must be installed sufficient to exclude the public from the site. Safety signs must be erected that; warn the public to keep out of the site, and provide a contact telephone number for enquiries. This Condition shall be complied with during demolition and building work.

Further information and details regarding occupational health and safety requirements for construction sites can be obtained from the Internet at [www.WorkCover.nsw.gov.au](http://www.WorkCover.nsw.gov.au).

***Reason:** To ensure the health and safety of the community and workers on the site. [E30]*

### **33. Prohibition on Use of Pavements**

Building materials shall not be placed on Council's footpaths, roadways, parks or grass verges and a suitable sign to this effect shall be erected adjacent to the street alignment.

***Reason:** To ensure public safety and amenity on public land. [E35]*

### **34. Applicant's Cost of Work on Council Property**

The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

***Reason:** To ensure the proper management of public land and funds. [E38]*

### **35. Maintenance of Road Reserve**

The public footways and roadways adjacent to the site shall be maintained at all times during the course of the work in a safe condition.

***Reason:** Public Safety [E39]*

### **36. Removal of Extra Fabric**

Should any portion of the existing building, trees, or curtilage of the site which is indicated on the approved plans to be retained be damaged for whatever reason, all the works in the area of the damaged portion are to cease and written notification given to Council. No work is to resume until the written approval of Council is obtained. Failure to comply with the provisions of this condition will result in the Council taking further action including legal proceedings if necessary.

***Reason:** To ensure compliance with the terms of this development consent. [E40]*

## OPERATIONAL CONDITIONS IMPOSED UNDER EP&A ACT AND REGULATIONS AND OTHER RELEVANT LEGISLATION

### 37. Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

*Reason: Prescribed - Statutory. [F1]*

### 38. Site Sign

- (1) A sign must be erected in a prominent position on any work site on which work is being carried out:
  - (a) stating that unauthorised entry to the work site is prohibited;
  - (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
  - (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.
- (2) Any such sign must be maintained while building work is being carried out, but must be removed when the work has been completed.

*Reason: Statutory requirement. [F9]*

### 39. Long Service Levy

Payment of the Long Service Levy is required prior to the release of the Construction Certificate. This payment can be made at Council or to the Long Services Payments Corporation. This payment is not required where the value of the works is less than \$25,000.

The Long Service Levy is calculated on 0.35% of the building and construction work.

*Reason: Prescribed - Statutory. [F12]*

### 40. Prescribed

Change of building use:

If the development involves a change of use of a building (other than a dwelling-house or a building or structure that is ancillary to a dwelling-house):

- A list of the Category 1 fire safety provisions that currently apply to the existing building, and
- A list of the Category 1 fire safety provisions that are to apply to the building following its change of use,

**Category 1 fire safety provision** means the following provisions of the *Building Code of Australia*, namely, EP1.3, EP1.4, EP1.6, EP2.1, EP2.2 and Ep3.2 in Volume One of that Code and P2.3.2 in Volume Two of that Code.

**Reason:** *Statutory Requirement. [F14]*

## CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

### 41. Occupation Certificate Required

An Interim / Final Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of those parts of the building.

**Reason:** *To ensure compliance with the provisions of the Environmental Planning and Assessment Act. [G1]*

### 42. Provision of wet chemical fire extinguisher and fire blanket

The provision of a wet chemical fire extinguisher and installation of a fire blanket to the kitchen.

**Reason:** *Fire Safety. [G2]*

### 43. Fire Safety Certificate

To ensure the safety of occupants of the building a “Fire Safety Certificate” which identifies the schedule of “Fire Safety Measures” that have been completed to satisfactory standard shall be provided to the Principal Certifying Authority prior to the issue of an “Occupation Certificate” as required in the “Environmental Planning and Assessment Act & Regulation.

**Reason:** *To ensure an adequate level of fire safety is provided within the premises for the life safety of building occupants. [G3]*

### 44. Annual Fire Safety Statement for the building

In accordance with the EPA Act & Regulation the owner of a building is to provide Council with an Annual Fire Safety Statement for the building.



**Reason:** To ensure an adequate level of fire safety is provided within the premises for the life safety of building occupants. [G4]

**45. Street Number**

Street number being affixed to building prior to occupation.

**Reason:** Proper identification of buildings. [G7]

**46. Disabled Access from the Public Realm- Tactile Surface Indicators**

Tactile ground surface indicators complying with AS1428.4 shall be provided at the point of common public access to the building to assist people with visual impairments in gaining access to and from the public way and the premises prior to occupation. Such works are to be undertaken wholly within the boundaries of the site.

**Reason:** To ensure public safety, and equitable access for people with a disability. [G11]

**ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**

**47. Hours of Operation**

*The hours of operation of the administrative office are to be generally limited to 6:00am until 8:00pm Monday to Friday only.*

Upon expiration of the permitted hours, all operations shall immediately cease, no person shall be permitted entry and all customers on the premises shall be required to leave within the following half hour.

**Reason:** Information to ensure that amenity of the surrounding locality is maintained and hours of operation are consistent with those in surrounding locality. [I2]

**48. Existing Dock**

The existing loading dock shall be maintained and utilised for use in connection with the proposed development.

**Reason:** To ensure that deliveries occur within the site and do not adversely affect traffic or pedestrian amenity. [I12]

**49. Loading Within Site**

All loading and unloading operations shall be carried out wholly within the confines of the site, at all times.





**Reason:** *To ensure that deliveries can occur safely within the site and does not adversely affect traffic or pedestrian amenity. [I13]*

#### **50. Daily Cleaning**

The applicant is to ensure that at all times when the premises are open and at the end of each day after the premises have closed, all rubbish including loose papers, cigarette butts, bottles etc which may be left on the subject area or immediately adjacent is picked up and placed in the proprietor's rubbish bins.

**Reason:** *To ensure waste generated by the approved use or activity is properly managed by the person acting upon this consent, to prevent unsightly build up of waste material. [I29]*

#### **51. Lighting**

No flood lighting is to be provided to the building.

**Reason:** *To ensure energy efficiency and residential amenity is maintained. [I34]*

#### **52. Work Site**

Trade materials, product and plant to be kept within the confines of the building at all times.

**Reason:** *To ensure the safety of public land. [I46]*

#### **53. Loading and Unloading**

Loading and unloading shall not take place outside approved loading areas.

**Reason:** *Safety. [I51]*



### **Right to Review by the Council**

You may request the Council to review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979. Any request to review the application must be within 12 months after the date of determination shown on this notice.

*NOTE: A fee will apply for any request to review the determination.*

### **Right of Appeal**

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

**Signed** \_\_\_\_\_ on behalf of the consent authority

Signature \_\_\_\_\_  
Name

Date [DETERMINATIONDATE]