

24 June 2019



Hamptons By Rose Pty Ltd
51 Riley Street
WOOLLOOMOOLOO NSW 2011

Dear Sir/Madam

Application Number: DA2018/1574
Address: Lot 11 DP 577062 , 23 Fisher Road, DEE WHY NSW 2099
Proposed Development: Construction of a mixed development comprising three residential flat buildings, commercial use of a heritage listed building, car parking, infrastructure and landscaping

Please find attached the Notice of Determination for the above mentioned Application.

Please be advised that a copy of the Assessment Report associated with the application is available on Council's website at www.northernbeaches.nsw.gov.au

Please read your Notice of Determination carefully and the assessment report in the first instance.

If you have any further questions regarding this matter please contact the undersigned on 1300 434 434 or via email quoting the application number, address and description of works to council@northernbeaches.nsw.gov.au

Regards,



Peter Robinson
Executive Manager Development Assessment

NOTICE OF DETERMINATION

Application Number:	DA2018/1574
Determination Type:	Development Application

APPLICATION DETAILS

Applicant:	Hamptons By Rose Pty Ltd
Land to be developed (Address):	Lot 11 DP 577062 , 23 Fisher Road DEE WHY NSW 2099
Proposed Development:	Construction of a mixed development comprising three residential flat buildings, commercial use of a heritage listed building, car parking, infrastructure and landscaping

DETERMINATION - APPROVED

Consent Authority	Sydney Planning Panel - North
Made on (Date)	18/06/2019
Consent to operate from (Date):	18/06/2019
Consent to lapse on (Date):	18/06/2024

Detail of 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.

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. Approved Plans and Supporting Documentation

- (a) The development must be carried out in compliance (except as amended by any other condition of consent) with the following Approved Plans:

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Site Plan, A1.01, revision C	24 April 2019	Rose Architectural Design
West Elevation & South Elevation, A3.02, revision C	24 April 2019	Rose Architectural Design
East Elevation & North Elevation, A3.04, revision C	24 April 2019	Rose Architectural Design
Basement Parking Plan 1, A2.01, revision C	24 April 2019	Rose Architectural Design
Basement Parking Plan 2, A2.02, revision C	24 April 2019	Rose Architectural Design
Level 1 Plan, A2.03, revision C	24 April 2019	Rose Architectural Design
Level 2 Plan, A2.04, revision C	24 April 2019	Rose Architectural Design
Level 3 Plan, A2.05, revision C	24 April 2019	Rose Architectural Design
Level 2 Plan, A2.06, revision C	24 April 2019	Rose Architectural Design
Level 5 Plan, A2.07, revision C	24 April 2019	Rose Architectural Design
Roof Plan, DA2.08, revision C	24 April 2019	Rose Architectural Design
Section A-A & B-B, A3.05, revision B	20 February 2019	Rose Architectural Design
Section C-C & D-D, A3.06, revision B	20 February 2019	Rose Architectural Design
Schedule of Colours and Materials, A5.01, revision B	20 February 2019	Rose Architectural Design
Landscape Plans - Endorsed with Council's stamp		
Concept Masterplan (p.13), revision E	April 2019	Context Landscape Design
Southern & Eastern Bushland Zone (p.14), revision E	April 2019	Context Landscape Design
Fisher Road Frontage (p.15), revision E	April 2019	Context Landscape Design
Northern Bushland Zone (p.16), revision E	April 2019	Context Landscape Design
Community Parkland (p.17), revision E	April 2019	Context Landscape Design
Heritage Zone (p.18), revision E	April 2019	Context Landscape Design
Rooftop Garden (p.19), revision E	April 2019	Context Landscape Design
Planting Schedule (p.21-22), revision E	April 2019	Context Landscape Design

- (b) The following Approved Supporting Documents are relied upon in this consent:

Reports / Documentation:		
Report	Dated	Prepared By
BASIX Certificate 944202M	29 August 2019	Rose Management Services Pty Ltd
Flora and Fauna Report	April 2018	Ecological Consultants Australia Pty Ltd
Geotechnical Study	29 June 2011	Coffey Services Australia Pty Ltd
Geotechnical Addendum Letter	13 March 2018	Coffey Services Australia Pty Ltd
Arboricultural Impact Assessment Report	August 2018	Bluegum Tree Care and Consultancy

- (c) The development must be carried out in compliance (except as amended by any other condition of consent) with any plans and/or documentation submitted to satisfy the conditions of this consent.

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

Reason: To ensure the work is carried out in accordance with the determination of the consent authority.

2. Prescribed Conditions

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - (ii) 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
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to 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.

- (c) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
 - (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (d) Development that involves an excavation that extends below the level of 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:
 - (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the 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 clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative Requirement

3. General Requirements

- (a) Unless authorised by Council:
Building construction and delivery of material hours are restricted to:
 - 7.00 am to 5.00 pm inclusive Monday to Friday,
 - 8.00 am to 1.00 pm inclusive on Saturday,
 - No work on Sundays and Public Holidays.Demolition and excavation works are restricted to:
 - 8.00am 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).
- (b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (e) Prior to the release of the Construction Certificate, payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. 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. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (f) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (g) No building, demolition, excavation or material of any nature and no hoist, plant and machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (h) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (i) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (j) Prior to the commencement of any development onsite for:
 - i) Building/s that are to be erected
 - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
 - iii) Building/s that are to be demolished
 - iv) For any work/s that is to be carried out
 - v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary

to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition.

Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

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

4. Commercial Use of Pacific Lodge

A separate development application is required for the specific use and fitout of Pacific Lodge.

Reason: to ensure an appropriate assessment of the development in accordance with relevant legislation, plans and policies.

5. No approval for signage

This consent does not authorise the erection of any signage at the subject site.

Reason: To ensure the outcome anticipated by this development consent.

FEES / CHARGES / CONTRIBUTIONS

6. Security Bond

A bond (determined from cost of works) of \$10,000 and an inspection fee in accordance with Council's Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection). All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.northernbeaches.nsw.gov.au).

Reason: To ensure adequate protection of Council's infrastructure.

7. Construction, Excavation and Associated Works Bond (Shared Pedestrian Footpath Construction)

A Bond of \$75,000 as security against any damage or failure to complete the construction of the shared pedestrian footpath and associated works as part of this consent.

Reason: Protection of Council's Infrastructure

8. Construction, Excavation and Associated Works Bond (Maintenance for civil works)

The developer/applicant must lodge with Council a Maintenance Bond of \$20,000 for the construction of shared pedestrian footpath. The Maintenance Bond will only be refunded on completion of the six month Maintenance Period, if work has been completed in accordance with the approved plans and to the satisfaction of Council. The maintenance bond is to be paid prior to Council issuing practical completion and may be exchanged for the works bond.

Reason: To ensure adequate protection of Council infrastructure

9. Development Contributions

The proposal is subject to the application of Council's Section 7.12 Development Contributions Plan. The following monetary contributions are applicable:

Northern Beaches Council Contributions Plan 2018		
Contribution based on a total development cost of \$70,820,000.00		
Contributions	Levy Rate	Payable
Total Section 7.12 Levy	0.95%	\$672,790.00
Section 7.12 Planning and Administration	0.05%	\$35,410.00
Total	1%	\$708,200.00

The amount will be adjusted at the time of payment according to the quarterly CPI (Sydney - All Groups Index). Please ensure that you provide details of this Consent when paying contributions so that they can be easily recalculated.

This fee must be paid prior to the issue of the construction certificate. Details demonstrating compliance are to be submitted to the certifying authority.

Reason: To provide for contributions in accordance with Northern Beaches Council Contributions Plan 2018.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

10. Stormwater Management

A stormwater management system incorporating an on-site stormwater detention system must be designed and constructed in accordance with Northern Beaches Council's *Warringah Water Management Policy PL850*.

Detailed stormwater management plans are to be prepared by a qualified experienced practicing Civil Engineer, with corporate membership of the Institute of Engineers Australia (M.I.E.) demonstrating the following:

- (a) Stormwater discharges from the developed site are to be limited to the pre-developed state of nature flows up to the 1 in 100 year ARI as required by Northern Beaches Council's *Warringah Water Management Policy PL850*.
- (b) The Council Fisher Road drainage network is to be analysed to determine the capacity using a DRAINS model. If the capacity of the downstream drainage system is less than the 1 in 5 year ARI event then either the system shall be upgraded at the applicants cost or a Detention Structure is to be sized to reduce the post development flows to a level that can be accommodated within the existing downstream Council network.

The detailed stormwater management plans and a report, including engineering certification confirming the above requirements have been satisfied and that the stormwater system is compliant with Council's requirements and specifications, are to be submitted to the certifying authority for approval prior to the issue of the construction certificate.

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development.

11. Geotechnical recommendations

The recommendations of the approved Geotechnical Study referenced in Condition 1 of this consent

are to be incorporated into the construction certificate detail plans. Detailed plans demonstrating consistency in this regard are to be submitted to the certifying authority.

Reason: To minimise the risk of development on a landslip affected site.

12. Tanking of Basement Level

The basement area is to be permanently tanked. Details of the tanking are to be prepared by a suitably qualified Engineer. Where temporary dewatering works are required on the development site during construction, the developer/applicant must apply for and obtain a bore license from the relevant authority. The bore license must be obtained prior to commencement of dewatering works. All requirements of the relevant authority are to be complied with and a copy of the approval must be submitted to the certifying authority. Details demonstrating compliance are to be submitted to the certifying authority prior to the issue of the construction certificate.

Reason: To prevent ingress of sub-surface flows into the basement area and to comply with State Government Requirements.

13. Structural Adequacy and Excavation Work

Excavation work is to ensure the stability of the soil material of adjoining properties, the protection of adjoining buildings, services, structures and / or public infrastructure from damage using underpinning, shoring, retaining walls and support where required. All retaining walls are to be structurally adequate for the intended purpose, designed and certified by a Structural Engineer, except where site conditions permit the following:

- (a) maximum height of 900mm above or below ground level and at least 900mm from any property boundary, and
- (b) comply with AS3700, AS3600 and AS1170 and timber walls with AS1720 and AS1170.

Details demonstrating compliance are to be submitted to the certifying authority prior to the issue of the construction certificate.

Reason: To provide public and private safety.

14. Shoring of Adjoining Property

Should the proposal require shoring to support an adjoining property or Council land, owner's consent for the encroachment onto the affected property owner shall be provided with the engineering drawings.

Council approval is required if temporary ground anchors are to be used within Council land. A Temporary Ground Anchors (Road Reserve) Application is to be submitted with Council for assessment and approval subject to Council's Fees and Charges. Details demonstrating compliance are to be submitted to the certifying authority prior to the issue of the construction certificate

Reason: To ensure that owners consent is obtained for ancillary works, and to ensure the protection of adjoining properties and Council land.

15. Utilities Services

Prior to the issue of the construction certificate, written evidence is to be submitted to the certifying authority from all relevant utility suppliers that satisfactory arrangements have been made for the approved development to be connected to all required services.

Reason: To ensure that service have been provided as required by this Consent.

16. Underground Services

All services for the proposed dwellings/lots are to be located underground. The location of any trenching for underground services is to take into account future/proposed landscaping. Details demonstrating compliance with this requirement are to be submitted to the certifying authority prior to the issuance of the construction certificate.

Reason: To protect services and minimise visual clutter.

17. Compliance with Standards

The development is required to be designed and carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards.

18. Construction Traffic Management Plan.

A Construction Traffic Management Plan (CTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by the certifying authority prior to issue of any construction certificate.

The CTMP must address following:-

- (a) The proposed phases of construction works on the site, and the expected duration of each construction phase;
- (b) 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;
- (c) Make provision for all construction materials to be stored on site, at all times;
- (d) The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
- (e) The proposed method of access to and egress from the site for construction vehicles, including access routes and truck 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, with no access across public parks or reserves being allowed;
- (f) 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. Wherever possible mobile cranes should be located wholly within the site;
- (g) Make provision for parking onsite. All Staff and Contractors are to use the basement parking once available.
- (h) Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council prior.
- (i) Include a Traffic Control Plan prepared by a person with suitable RMS accreditation for any activities involving the management of vehicle and pedestrian traffic.
- (j) The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process. It must also specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- (k) Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- (l) Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined

- impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site.
- (m) 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;
 - (n) Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
 - (o) 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, or equivalent;
 - (p) Proposed protection for Council and adjoining properties;
 - (q) The location and operation of any on site crane; and
 - (r) The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”.

All fees and charges associated with the review of this plan is to be in accordance with Council's Schedule of Fees and Charges and are to be paid at the time that the Construction Traffic Management Plan is submitted.

Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

19. Pre-Dilapidation Report

The applicant must prepare and submit a pre-commencement dilapidation report providing an accurate record of the existing condition of the heritage item to be retained, adjoining public and private properties and public infrastructure (including roads, gutter, footpaths, stormwater assets etc). In relation to stormwater infrastructure, the report must be prepared in accordance with Council's *Guidelines for Preparing a Dilapidation Survey of Council Stormwater Asset*. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of adjoining and affected private properties.

Reason: Protection of Council's and Private Party's Infrastructure during construction.

20. External Finishes

The External Materials & Finishes Palette referenced in Condition 1 of this consent is to be amended, as follows:

- (a) “External Wall 2” shall be a tone equivalent to or darker than Colorbond “Jasper”,
- (b) “External Wall 3” shall be a tone equivalent to or darker than Colourbond “Windspray”,
- (c) “Applied Detail & Trim” shall be a tone equivalent to or darker than Colorbond “Windspray”,
- (d) “External Metalwork” shall be a tone equivalent to or darker than Colorbond “Windspray”,
- (e) “Privacy Screens and Fences” shall be a tone equivalent to or darker than Colorbond “Windspray”.

The use of red, white or light colours on any external surface is not permitted.

The development is to be in accordance with the amended External Materials and Finishes Palette required by this condition. Details demonstrating compliance with this condition are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure that the visual impact is appropriately minimised.

21. BASIX Requirements

BASIX affected development must comply with the schedule of BASIX commitments specified within the BASIX Certificate referenced in Condition 1 of this consent.

Details demonstrating compliance are to be included on the plans/specifications is required prior to the issue of the construction certificate.

Reason: Legislative requirement.

22. Amendments to Approved Plans

Prior to the issuance of the construction certificate, the Approved Architectural Plans referenced in Condition 1 of this consent are to be amended, as follows:

- (a) The deletion of the residential common room, to be replaced with a sub floor area that is setback 1m from the alignment of the balcony above.
- (b) The deletion of the paved area adjacent to the common room, with the retention of natural ground levels in this area.
- (c) An adjustment to the setback of the south-eastern corner of the balcony associated with Apartments C.G01, such that no part of the structure is within 4m of the eastern property boundary, whilst ensuring the retention of the proposed planter boxes.
- (d) An adjustment to the setback of the south-eastern corner of the balcony and courtyard associated with Apartments C.101, such that no part of the structure is within 6m of the eastern property boundary, whilst ensuring the retention of the proposed planter boxes.
- (e) The incorporation of 1.7m high privacy screens to separate the courtyards/balconies adjacent to:
 - i. Apartments C.G01 and C.G02
 - ii. Apartments C.101 and C.102
 - iii. Apartments C.401 and C.402
 - iv. Apartments A.201 and A.302
- (f) The incorporation of a 1.7m high privacy screen on the eastern elevation of the balcony associated with Apartment C.204.
- (g) The deletion of the balconies associated with:
 - i. Bedroom 1 in Apartment C.110
 - ii. Bedroom 2 in Apartment C.112
 - iii. Bedroom 2 in Apartment B.101
 - iv. Bedroom 2 in Apartment B.106

With the sliding doors to be replaced with windows of the same size and design as the respective windows on the level above.
- (h) The incorporation of a light-weight roof above the two letter box areas.
- (i) The incorporation of solid balustrades for all Level 1 and Level 2 courtyards/balconies presenting to Fisher Road, finished in horizontal cladding and slightly setback from the dominant façade of the adjacent external wall.
- (j) The incorporation of a garage door at the entrance of the garage, setback 1m from the façade of the parapet above, that automatically opens as vehicles approach from both inside and outside the development between 7am and 9pm, and when the commercial tenancy is open for trading.
- (k) The deletion of the pedestrian exit from Basement Level 1C towards the east.

Reason: To ensure an appropriate level of amenity and consistency with relevant plans and policies.

23. Amendments to Approved Landscape Plans

Prior to the issuance of the construction certificate, the Approved Landscape Plans referenced in Condition 1 of this consent are to be amended, as follows:

- (a) To ensure consistency with the amended Approved Architectural Plans,
- (b) The passive hardscape area and bench seating above the garage entrance, between Apartments B.106 and A.G16, is to be removed and replaced with a planting area with a minimum soil depth of 1m, to accommodate 3 x small canopy trees. Further, soft plantings are to be incorporated along the western parapet to drape down over the garage entrance.
- (c) The retaining wall to the north of the main driveway/garage entrance is to step up in height from 34.80 at the street frontage to 36.0 to allow for the land to be battered up away from the street to screen the subfloor wall below Apartment A.G16.
- (d) The retaining wall surrounding the planter fronting Fisher Road, adjacent to Apartment B.106 is to be increased in height from 34.80 to 36.00.
- (e) The incorporation of Southern /Eastern Bushland Planting in the area between the subfloor area below Apartments C.G01 and C.G02 and the eastern property boundary, with the retention of natural ground levels.

24. Landscape Maintenance Plan

A Landscape Maintenance Plan is to be prepared and submitted to the certifying authority that outlines the technique and frequency of maintenance tasks during the establishment of the landscaping on the subject site. The Landscape Maintenance Plan is to be implemented for a period 24 months immediately following the completion of landscape and hardscape works on site. The Landscape Maintenance Plan is to incorporate maintenance and care of hardscape elements (e.g. paving, retaining walls), weeding, watering, mowing, consideration of other endemic species where plantings do not respond to the conditions as expected and a procedure for the replacement of failed plantings.

Reason: To ensure the establishment of proposed landscaping.

25. On slab landscape planting and associated works

The following landscape details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate:

- (a) indicating the proposed method of waterproofing to concrete slabs and planters to which soil and planting is being provided.
- (b) indicating soil type, plant species, irrigation, services connections, maintenance activity schedule and soil depth compliant with iii) below.
- (c) The following minimum soil depths are required to be provided in approved landscape areas:
 - 300mm for lawn
 - 600mm for shrubs
 - 1 metre for trees

Reason: To ensure the provision of suitable landscape amenity and character.

26. Tree Protection Plan

In order to protect and enhance onsite vegetation and trees the following applies to the development site:

- (a) A Tree Protection Plan prepared by a AQF Level 5 Arborist (or equivalent) showing the following:
 - i. Layout of the approved development
 - ii. Location of trees identified for retention
 - iii. Extent of canopy spread

- iv. Location of tree protection fencing / barriers (fencing in accordance with AS2470 – 2009)
- v. General tree protection measures
- (b) The Tree Protection Plan is to be submitted to the certifying authority for approval prior to issue of the construction certificate.
- (c) Tree protection measures identified on the plan are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

27. Engagement of a Project Ecologist

A Project Ecologist is to be employed for the duration of the approved works to ensure all biodiversity protection measures are carried out according to the conditions of consent and the submitted Flora and Fauna Report (Ecological Consultants Australia Pty Ltd, April 2018).

The Project Ecologist must have one of the following memberships/accreditation:

- (a) Practising member of the NSW Ecological Consultants Association, OR
- (b) Biodiversity Assessment Method assessor accreditation under the NSW Biodiversity Conservation Act 2016

Employment of a project ecologist is to be certified by the certifying authority prior to issue of the construction certificate.

Reason: To protect native vegetation and wildlife.

28. Engagement of a Project Arborist

A Project Arborist with minimum qualification AQF Level 5 is to be appointed prior to the issuance of a construction certificate. The Project Arborist is to oversee all tree protection measures, removals and works adjacent to protected trees as outlined in the approved Arboricultural Impact Assessment Report referenced in Condition 1 of this consent and AS4970-2009 Protection of trees on development sites. The Project Arborist is to ensure compliance as relevant with any other environmental requirements conditioned under this consent.

Employment of a project ecologist is to be certified by the certifying authority prior to issue of the construction certificate.

Reason: to ensure protection of vegetation proposed for retention on the site.

29. Waste and Recycling Requirements

Details demonstrating compliance with Northern Beaches Council Waste Management Guidelines, including the required Northern Beaches Council Waste Management Plan, are to be submitted to and approved by the Certifying Authority prior to the issue of any construction certificate.

Note: If the proposal, when compliant with Northern Beaches Council Waste Management Guidelines, causes inconsistencies with other parts of the approval i.e. architectural or landscaped plans a modification(s) to the development may be required.

Reason: To ensure adequate and appropriate waste and recycling facilities are provided.

30. Separate waste room and bulk store

The applicant must ensure the room is partitioned to ensure separate area for waste room and bulk store. Applicant is to partition to ensure both room can utilize the roller door. It is recommended the

right side of the room (facing the room) is used as the bulk store and the remainder of the space as the waste room.

A separate residence door to the bulk room is required. The door to the waste room and bulk store must be 1200mm wide.

The rolling door must not be lockable.

Reason: This is to ensure separation of waste and ensure the bulk waste does not block access to the bins and vice versa.

31. Sydney Water

The approved plans must be submitted to the Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met. The appropriately stamped plans must then be submitted to the Certifying Authority prior to the issuance of the construction certificate demonstrating the works are in compliance with Sydney Water requirements.

Reason: To ensure compliance with the statutory requirements of Sydney Water.

32. Sydney Water

A section 73 Compliance Certificate under the provisions of the Sydney Water Act, 1994 must be obtained from Sydney Water. A copy of any Notice of Requirements letter which may be issued by Sydney Water, is to be provided to the Private Certifying Authority with the Construction Certificate application.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

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

Reason: To ensure compliance with the statutory requirements of Sydney Water.

33. Application for works within the public road reserve

An application for works within Council's public road reserves is to be submitted to Council for approval under the provisions of Section 138 and 139 of the Roads Act. The application is to include four (4) copies of civil engineering plans for the design of the shared pedestrian footpath and retaining walls, which are to be generally in accordance with the Development Application and Council's specification for engineering works - AUS-SPEC #1 and/ or Council's Minor Works Policy. The plan shall be prepared by a qualified structural engineer. and is to be accompanied by the associated fee. An approval is to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate

Reason: Statutory requirement.

34. Footpath Construction

The applicant shall reconstruct the footpath in Fisher Road to a 2.5m wide shared pedestrian footpath from the existing shared pedestrian footpath fronting the Police Citizens Youth Club building to the corner of St David Avenue.

The works shall be in accordance with the following:

- (a) All footpath works are to be constructed in accordance with Council's Specification.
- (b) Council is to inspect the formwork prior to pouring of concrete to ensure the works are in accordance with Council's specification for footpath.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To ensure compliance of footpath works with Council's specification for engineering works.

35. Vehicle Crossings Application

A Driveway Levels and Formwork Inspections Application shall be made with Council subject to the payment of the fee in accordance with Council's Fees and Charges. The fee includes all Council inspections relating to the driveway construction and must be paid.

Approval of the application by Council is to be submitted to the certifying authority prior to the issue of the construction certificate.

Reason: To facilitate suitable vehicular access to private property.

36. Livable Housing

Prior to the issuance of the construction certificate, a suitably qualified accessibility consultant is to provide written certification to the certifying authority to confirm that all 26 "livable" apartments (and access thereto) have been designed to meet the Silver Level requirements of the Livable Housing Design Guidelines.

Reason: To provide livable housing options.

37. Residential Apartment Development

Prior to the issuance of the construction certificate, a statement by the qualified designer is to be submitted to the certifying authority to verify that the plans and specifications of the development achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles.

Reason: Legislative requirement.

38. Car wash

The car wash bay is to incorporate a tap/hose for use by residents. The car wash bay is to be graded to drain to the sewerage system. The perimeter of the wash bay is to be suitably bunded to prevent stormwater entering the sewer. Details demonstrating compliance are to be submitted to the certifying authority prior to the issuance of the construction certificate.

Reason: To provide a usable area for car washing.

39. Property Boundary Levels

The property boundary levels shall match the existing levels except where modified for the vehicular crossing. The applicant shall design and construct having regard for the existing levels. No approval is granted for any change to existing property alignment levels to accommodate the development. Details demonstrating compliance are to be submitted to the certifying authority prior to the issuance of the construction certificate.

Reason: To maintain the existing profile of the nature strip/road reserve.

40. Driveways/internal roadways

Any driveway and internal roadway is to be constructed to an all-weather standard, non-slip finish and is to be appropriately line-marked and signposted. Dark grey/black oxide or pigment is to be added to the proposed concrete finish to achieve a dark coloured driveway and parking area. Details demonstrating compliance with these requirements are to be included as part of the construction certificate application.

Reason: To ensure that the visual impact of roadways/driveways are minimised.

41. Car Parking and driveways design

Prior to the issue of the construction certificate, certification is to be provided from a suitably qualified professional to the certifying authority to confirm:

- (a) that the layout and design of the basement carpark (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) is strictly in accordance with the provisions of AS2890.1-2004,
- (b) that the design of the service bay conforms with the swept path of the largest anticipated vehicle (removalist truck or garbage truck), and
- (c) that all disabled parking spaces and the internal access route dimensions/gradient comply with AS2890.6-2009,

Reason: To ensure safe vehicular egress.

42. Archival Record

A black and white photographic survey, in accordance with the guidelines of the Heritage Council, is to be submitted in an unbound report format. The report shall contain:

- (a) A front cover marked with:
 - i. the name/location of the property;
 - ii. the date of the survey;
 - iii. the name of the Company or persons responsible for the survey.
- (b) A layout plan of the existing building; identifying rooms and features shown in the photographs.
- (c) Photographs of the interior, exterior, and streetscape view of the building, labelled to indicate their location in relation to the layout plan and elevations of the building; and a set of negatives. All photographs are to be mounted in acid-free photographic corner mountings and photographs are to be fixed into acid-free corner mounting.
- (d) Where colour is a feature of the building (for example, the building features stained glass, leadlight or polychrome brickwork), additional colour photographs (with negatives) are to be included in the photographic survey report.

These documents are to be provided to Council's historical archives.

Details demonstrating compliance are to be submitted to the certifying authority prior to the issue of the construction certificate.

Reason: To provide a historical record of heritage significant works on the site for archival purposes.

43. Heritage Interpretation Strategy

Prior to the issuance of a construction certificate, a suitably qualified professional is to prepare an Interpretation Strategy for the site in accordance with the Heritage Council's Policy and Guidelines for the Interpretation of heritage Place, which provides for the communication of heritage values of the place to users of the site and with wider community in informative, entertaining and culturally appropriate ways.

Reason: To promote the heritage significance of the site.

44. **Memorial ashes**

Prior to the issuance of the construction certificate, the memorial ashes on the site should be recorded, retained and relocated where necessary under the guidance of the Salvation Army. If they are required to be moved from site, they should be given to the Salvation Army. Details demonstrating compliance with this requirement is to be submitted to the certifying authority.

Reason: To ensure appropriate protection of items of heritage significance.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

45. **Public Liability Insurance**

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 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 Northern Beaches 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.

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

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

46. **Road Reserve**

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

Reason: Public Safety.

47. **Progress Certification (Road & Subdivision)**

Written certification is to be provided by a suitably qualified engineer upon completion and/or as and when requested by the Council for the following stages of works:

- (a) Footpath sub-grade trimmed and compacted **
- (b) Base-course laid and compacted **
- (c) Kerb and gutter construction
- (d) Pouring of concrete for the shared pedestrian footpath.
- (e) Landscaping and vegetation
- (f) Clean-up of site, and of adjoining Council roadway and drainage system.

(**To be tested by a recognised N.A.T.A. approved laboratory).

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To ensure compliance of civil works with Council's specification for engineering works

48. **Notification of Inspections**

Council's Development Engineer is to be given 48 hours notice when the works reach the following stages:

- (a) Installation of Silt and Sediment control devices
- (b) Prior to pouring of kerb and gutter

- (c) Shared Footpath subgrade level / basecourse level

NOTE: Any inspections carried out by Council do not imply Council approval or acceptance of the work, and do not relieve the developer/applicant from the requirement to provide an engineer's certification. Council approval or acceptance of any stage of the work must be obtained in writing, and will only be issued after completion of the work to the satisfaction of Council and receipt of the required certification.

Reason: To ensure new Council infrastructure is constructed to Council's requirements.

49. Civil Works Supervision

All civil works approved in the construction certificate are to be supervised by an appropriately qualified and practising Civil Engineer. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To ensure compliance of civil works with Council's specification for engineering works.

50. Traffic Control During Road Works

Lighting, fencing, traffic control and advanced warning signs shall be provided for the protection of the works and for the safety and convenience of the public and others in accordance with RMS Traffic Control At Work Sites Manual (<http://www.rms.nsw.gov.au/business-industry/partners-suppliers/documents/technical-manuals/tcws-version-4/tcwsv4i2.pdf>) and to the satisfaction of the Principal Certifying Authority. Traffic movement in both directions on public roads, and vehicular access to private properties is to be maintained at all times during the works.

Reason: Public Safety

51. Vehicle Crossings

An authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To facilitate suitable vehicular access to private property.

52. Excavation and Erosion Control

Prior to commencement of any works, temporary sedimentation and erosion controls are to be installed to eliminate the discharge of sediment from the site, including:

- (a) A site fence and silt and sediment control fence is to be erected and maintained during the course of works along any street boundary and park/reserve boundary to the site.
- (b) Sediment is not to leave the site or enter areas of riparian vegetation, and the appropriate sediment fencing is to be installed.
- (c) The capacity and effectiveness of runoff and erosion control measures shall be maintained at all times to conform to the specifications and standards quoted and to any conditions of approval of those measures.
- (d) Measures shall be applied, to the satisfaction of council, to prevent site vehicles tracking sediment and other pollutants onto any sealed roads serving the development.
- (e) Measures required in permits issued under the Water Management Act shall be implemented. This Act requires that people obtain approval for any proposed works within 40 metres of a watercourse.
- (f) Approved runoff and erosion controls shall be installed before site vegetation is cleared (other than that associated with the construction of the controls). These shall be as shown on an ESCP approved by council.

- (g) Topsoil shall be stripped only from approved areas and stockpiled for re-use during site rehabilitation and landscaping.
- (h) Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage line or easement, waters, footpath, kerb or road surface and shall have measures in place to prevent the movement of such materials onto the areas mentioned. All stockpiled materials are to be retained within the property boundaries.
- (i) Uncontaminated runoff shall be intercepted up-site and diverted around all disturbed areas and other areas likely to be disturbed. Diversion works shall be adequately stabilised.
- (j) Runoff detention and sediment interception measures shall be applied to the land. These measures will reduce flow velocities and prevent topsoil, sand, aggregate, or other sediment escaping from the site or entering any downstream drainage easements or waters.

Reason: To minimise soil erosion

53. Maintenance of Sediment

Sedimentation and erosion controls are to be effectively maintained at all times during the course of construction and shall not be removed until the site has been stabilised or landscaped to the Principal Certifying Authority's satisfaction.

Reason: To ensure sediment controls are effective

54. Site Entry Access way

An all-weather access way at the front of the property consisting of 50-75mm aggregate or similar material at a minimum thickness of 200mm and 15metres long laid over geotechnical fabric is to be constructed prior to commencement of works and maintenance over the works period.

Reason: To reduce sediment being taken offsite

55. Cleaning of Vehicles Leaving Site

Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.

Reason: To reduce sediment being taken offsite

56. Potential Land Contamination

Any new information which comes to light during excavation or construction works which has the potential to alter previous conclusions about site contamination or hazardous materials must be notified to the certifying authority and Council as soon as reasonably practicable and appropriate complying action must be taken to protect site workers and the environment.

Reason: To human health and the environment.

57. Dust during works

Measures shall be documented and be undertaken to minimise any dust created as a result of excavation, vehicle movements and construction so as not to impact on neighbouring premises or create air pollution at any time.

Reason: To prevent air pollution from dust and comply with legislation.

58. Construction Traffic Management Plan

The Construction Traffic Management Plan (CTMP) required by this consent is to be implemented and adhered to throughout the construction phase of the development on site.

Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

59. Tree Protection

All trees not approved for removal are to be safely retained and protected during works. Specifically:

- (a) No tree roots greater than 30mm diameter are to be cut from protected trees unless authorised by the Project Arborist on site.
- (b) All structures are to bridge tree roots greater than 30mm diameter unless directed otherwise by the Project Arborist on site.
- (c) All tree protection to be in accordance with the approved Tree Protection Plan, the recommendations of the Approved Arboricultural Impact Assessment referenced in Condition 1 of this consent and AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.
- (d) All tree pruning within the subject site is to be in accordance with WDCP2011 Clause E1 Private Property Tree Management and AS 4373 Pruning of amenity trees
- (e) All tree protection measures, including fencing, are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

60. Protection of rock and sites of significance

All rock outcrops outside of and below the area of approved works are to be preserved and protected at all times during demolition excavation and construction works. Should any Aboriginal sites be uncovered during the carrying out of works, those works are to cease and Council, the NSW Office of Environment and Heritage (OEH) and the Metropolitan Local Aboriginal Land Council are to be contacted.

Reason: Preservation of significant environmental features.

61. Tree Clearing Protocols

The Project Ecologist is to be present to:

- (a) relocate any displaced fauna that may be disturbed during any tree clearance and/or construction works;
- (b) direct the tree removal contractor to salvage any tree hollows within the development area and place them within areas of retained native vegetation on the site.
- (c) certify in writing that the above has been undertaken and submit this to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Reason: To protect native wildlife in accordance with Sections 2.1 and 2.4 of the NSW Biodiversity Conservation Act 2016 and relevant Natural Environment LEP/DCP controls.

62. Compliance with Ecologist's Recommendations – During Construction

All biodiversity-related measures are to be implemented during construction, as specified in the approved Flora and Fauna report referenced in Condition 1 of this consent and any other conditions. Compliance with these measures is to be certified by the project ecologist prior to issue of the occupation certificate.

Specifically:

- (a) Vegetated areas outside of approved disturbance zones to be protected from any impact of development.
- (b) Dead wood including upright dead trees and fallen logs on the ground should be retained or relocated onsite and protected during works as they provide high quality habitat for threatened fauna species.

Reason: To confirm compliance with wildlife and habitat protection/replacement measures in accordance with relevant Natural Environment LEP/DCP controls.

63. Waste/Recycling Requirements

During demolition and/or construction the proposal/works shall be generally consistent with the Waste Management Plan referenced in Condition 1 of this consent.

Reason: To ensure waste is minimised and adequate and appropriate waste and recycling facilities are provided.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

64. Landscaping

Prior to the issuance of the occupation certificate, a qualified landscape architect/designer is to certify that the landscaping works have been completed in accordance with the approved Landscape Plans referenced in this consent, as amended by any conditions of consent.

Furthermore, evidence is to be provided to confirm the engagement of a suitably qualified landscape architect who will be responsible for the implementation of the Landscape Maintenance Plan for a minimum period of 2 years. The landscape architect is to confirm that they will undertake to:

- (a) visit the site immediately following completion of the landscaping and hardscape works on site (those other than in the creekline corridor); and
- (b) visit the site on a three (3) monthly basis for a period of 2 years to ensure implementation of the Landscape Maintenance Plan.

Reason: To ensure the approved landscaped solution is provided and appropriately established and maintained.

65. Tree Protection

The Project Arborist is to provide written certification that all trees not nominated for removal have been safely retained and that all works adjacent to protected trees were undertaken strictly in accordance with the recommendations outlined in the approved Arboricultural Impact Assessment Report referenced in Condition 1 of this consent and AS4970-2009 Protection of trees on development sites.

Reason: To ensure tree retention.

66. Compliance with Ecologist's Recommendations

Prior to the issuance of the occupation certificate, the project Ecologist is to provide written certification that the development has been completed in accordance with the recommendations of the approved Flora and Fauna Report referenced in Condition 1 of this consent.

Reason: Preservation and enhancement of the natural environment.

67. Post-Dilapidation Report

The applicant is to engage a suitably qualified person to prepare a post-dilapidation report of the condition of the existing heritage item to be retained, adjoining public and private properties and

public infrastructure (including roads, gutter, footpaths, stormwater assets etc) following the completion of works. Any noted damage is to be rectified by the applicant, to the satisfaction of Council, prior to the release of the security bond. The post construction dilapidation report must be submitted to the Council for review and the certifying authority prior to the issue of the occupation certificate.

Reason: To ensure all assets are left in a serviceable state or repaired to ensure ongoing serviceability of the asset.

68. On-Site Stormwater Detention Compliance Certification

Upon completion of the on-site stormwater detention (OSD) system, certification from a consulting engineer and a "work as executed" (WAE) drawing certified by a registered surveyor and overdrawn in red on a copy of the approved OSD system plans are to be provided to Council. Additionally a Compliance Certificate is to be issued by an Accredited Certifier in Civil Works registered with the Institute of Engineers Australia, stating that the works are in accordance with the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure stormwater disposal is constructed to in accordance with the approved plans.

69. Certification of Water Management

Certification is to be provided to the accredited certifier by a qualified experienced practising Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E.), or who is eligible to become a corporate member and has appropriate experience and competence in the related field, that the drainage/stormwater management system has been installed to the manufacturer's specification (where applicable) and completed in accordance with the engineering plans and specifications required under this consent.

Reason: To ensure stormwater management infrastructure has been built in accordance with the plans and specifications required under this consent

70. Garbage and Recycling Facilities

All internal walls of the storage area shall be rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained to the sewer with a tap in close proximity to facilitate cleaning.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the occupation certificate.

Reason: To prevent pollution of the environment and to protect the amenity of the area.

71. Fire Safety Matters

At the completion of all works, a Fire Safety Certificate will need to be prepared which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the NSW Fire Brigade.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the occupation certificate.

Reason: Statutory requirement under Part 9 Division 4 & 5 of the Environmental Planning and Assessment Regulation 2000.

72. Waste and Recycling Facilities Certificate of Compliance

The proposal shall be constructed in accordance with Northern Beaches Council Waste Management Guidelines. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the occupation certificate.

Reason: To ensure waste and recycling facilities are provided.

73. Section 73 Compliance Certificate

Prior to the issuance of the occupation certificate, a copy of the Section 73 Compliance Certificate issued under the provisions of the Sydney Water Act 1994 is to be submitted to the certifying authority.

Reason: To ensure compliance with the statutory requirements of Sydney Water.

74. Livable Housing

Prior to the issuance of the occupation certificate, a suitably qualified accessibility consultant is to provide written certification to the certifying authority to confirm that all 26 “livable” apartments (and access thereto) have been constructed in accordance with the Silver Level requirements of the Livable Housing Design Guidelines.

Reason: To provide livable housing options.

75. Car Parking

Prior to the issue of the occupation certificate, certification is to be provided from a suitably qualified professional to the certifying authority to confirm:

- (a) that the layout and design of the as-built basement carpark (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) is strictly in accordance with the provisions of AS2890.1-2004,
- (b) that the service bay conforms with the swept path of the largest anticipated vehicle (removalist truck or garbage truck), and
- (c) that all disabled parking spaces and the internal access route dimensions/gradient comply with AS2890.6-2009,

Reason: To ensure safe vehicular egress.

76. External Finishes

Prior to the issuance of the occupation certificate, written certification is to be provided by the project architect that the finishes of the as-built development are consistent with those nominated in the amended External Materials & Finishes Palette required by this consent.

Reason: To ensure that the as-built finishes of the development are consistent with the high quality finishes approved.

77. BASIX Requirements

Prior to the issuance of the occupation certificate, certification is to be provided to confirm that the commitments identified in the BASIX Certificate referenced in Condition 1 of this consent have been fulfilled.

Reason: Legislative requirement.

78. Restriction as to User for On-site Stormwater Detention

A restriction as to user shall be created on the title over the on-site stormwater detention system, restricting any alteration to the levels and/or any construction on the land. The terms of such

restriction are to be prepared to Council's standard requirements, (available from Northern Beaches Council), at the applicant's expense and endorsed by Council prior to lodgement with the Department of Lands. Northern Beaches Council shall be nominated as the party to release, vary or modify such restriction.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the subdivision certificate for the Community Management subdivision.

Reason: To ensure modification to the on-site stormwater detention structure is not carried without Council's approval.

79. Positive Covenant for Waste Services

A positive covenant shall be created on the title of the land requiring the proprietor of the land to provide access to the waste storage facilities. The terms of the positive covenant are to be prepared to Council's standard requirements, at the applicant's expense and endorsed by Council prior to lodgement with the Department of Lands. Northern Beaches Council shall be nominated as the party to release, vary or modify such covenant.

Reason: To ensure ongoing access for servicing of waste facilities.

80. Removal of redundant driveways

All redundant laybacks and crossings are to be restored to footpath/grass.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To facilitate suitable vehicular access to private property.

81. Pedestrian Signal Phasing

Prior to the issuance of an occupation certificate, the applicant is to engage with RMS to implement a Pedestrian Crossing Phase along the northern leg of the Lewis Street/Fisher Road signalised intersection. Any costs associated with facilitating the fourth crossing facility shall be borne by the applicant at no cost to Council or RMS. Details demonstrating compliance are to be submitted to the certifying authority prior to the issue of the occupation certificate.

Reason: To facilitate pedestrian access to the Bus Stop on the western Side of Fisher Road.

82. Footpath Construction

The footpath, in accordance to Council's standard specifications, shall be constructed along all site frontages to Council's satisfaction. Details demonstrating compliance are to be submitted to the certifying authority prior to the issue of the occupation certificate.

Reason: To provide pedestrian access around the site and to/from the property.

83. No Stopping Restrictions

Prior to the issuance of the occupation certificate, No Stopping (R) restrictions are to be installed between the two indicated driveways, following approval by the Local Traffic Committee.

Reason: To maximise visibility and safety at the Fisher Road/McIntosh Road roundabout and ensure consistency with the advice of RMS.

84. Plan of Management

Prior to the issuance of the occupation certificate, a Plan of Management is to be produced for the management of the site and submitted to the certifying authority, identifying:

- (a) Consistency with all 'on-going' conditions of consent over the life of the development,
- (b) Measures to ensure the ongoing conservation and maintenance of Pacific Lodge and its curtilage, both in terms of funding and provision of minimum standards of repair and maintenance, the latter guided by the standard in Section 118 of the *Heritage Act 1977*, as amended, namely:
 - i. The protection of the building from damage or deterioration due to weather (including such matters as the weatherproofing of roof, doors and windows),
 - ii. The prevention of and protection of the building from damage or destruction by fire,
 - iii. Security (including surveillance measures to prevent vandalism),
 - iv. Essential maintenance and repair (being maintenance and repair necessary to prevent serious or irreparable damage or deterioration).
- (c) Outlining all required maintenance responsibilities for private infrastructure, including water management infrastructure and landscaping, and
- (d) Space management strategies including activity coordination, site cleanliness, rapid repair of vandalism and graffiti, and the maintenance of lighting and landscaping,

85. CPTED measures

The following measures are to be employed to maximise security for future occupants of the development:

- (a) A closed circuit television system which complies with AS4806:2006 is to be implemented on site and should consist of surveillance cameras strategically placed around the development to provide maximum surveillance, and
- (b) A suitably qualified professional is to confirm that the lighting strategy employed at the site is consistent with AS1158, and compatible with the surveillance system installed.

Details demonstrating compliance are to be submitted to the certifying authority prior to the issuance of the occupation certificate.

Reason: to maximise safety for future occupants of the development.

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

86. Landscaping

All approved landscape works are to be maintained for the lifetime of the development.

Reason: To ensure vegetation is retained and maintained.

87. Plant Equipment

Air-conditioning units and other plant equipment shall not be located on roof forms or in any location that will be visible from the public domain.

Reason: To avoid additional visual clutter.

88. Parking

All parking spaces are to be maintained free of obstruction and used solely for the parking of vehicles. The development is to maintain the following spaces for the life of the development:

- (a) 151 dedicated car spaces for the 126 residential apartments, with at least 1 space for each one and two bedroom apartments and 2 spaces for each three bedroom apartments,
- (b) 12 dedicated spaces for Pacific Lodge, clearly marked “commercial”,
- (c) 26 dedicated visitor parking spaces, clearly marked “visitor”, including 1 parking space for people with disabilities compliant with the provisions of AS2890.6, and
- (d) 2 x dedicated spaces for small delivery vehicles, clearly marked “deliveries”

The 12 dedicated spaces for Pacific Lodge and the 2 dedicated delivery spaces must be accessible at all times and must not be located behind the ‘residential carpark control door’.

Reason: To ensure that off-street parking is maintained for the life of the development.

89. Livable Housing

26 apartments are to be maintained in accordance with the Silver Level Livable Housing Design Guidelines.

Reason: To provide livable housing.

90. Maintenance of Infrastructure

All private stormwater management devices and other internal infrastructure (including roads, driveways, etc.) are to be maintained in accordance with the accepted design, maintenance plan and manufacturer's specifications and associated operational guidelines.

Reason: to ensure that infrastructure is appropriately maintained.

91. Fire Safety Matters

Each year the Owners must send to the Council and the NSW Fire Brigade an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

Reason: Statutory requirement under Part 9 Division 4 & 5 of the Environmental Planning and Assessment Regulation 2000.

92. Access to Civic Drive

Occupants of the development have no legal right to access the site across Civic Drive. Council may remove the existing pathway at any time.

Reason: To ensure that the future development of Civic Drive is not compromised by the development.

93. Loading and Unloading

All loading and unloading of vehicles and the delivery of goods must be carried out wholly within the site.

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

94. Consistency with the Plan of Management

The proposed development is to be maintained in accordance with the Plan of Management required by this consent.

Reason: To ensure that the site, specifically Pacific Lodge, is maintained in accordance with the

standards required by this consent.

95. Pacific Lodge

All original fabric, including but not limited to, doors, windows, floors, walls, ceilings, decorative features, fireplaces and ashlar finish to the central hallway of Pacific Lodge should be retained, with appropriate maintenance.

Reason: To protect the significance of Pacific Lodge.

96. Storage Areas

With the exception of the space marked 'S' in Apartment A.301, all rooms/spaces marked 'S' are to be used solely for storage and not as habitable floor space. In relation to Apartment A.301, the 3m x 3m room with double sliding doors onto the balcony and an area marked 'S' is not to be identified, described or used as a bedroom.

Reason: To ensure appropriate levels of amenity and consistency with the development proposed and approved.

Right to Review by the Council

You may request Council to review this determination of the application under Division 8.2 of the Environmental Planning & Assessment Act 1979. Any Division 8.2 Review of Determination application should be submitted to Council within 3 months of this determination, to enable the assessment and determination of the application within the 6 month timeframe.

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

Right of Appeal

If you are dissatisfied with this decision Division 8.3 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.

Signed On behalf of the Consent Authority



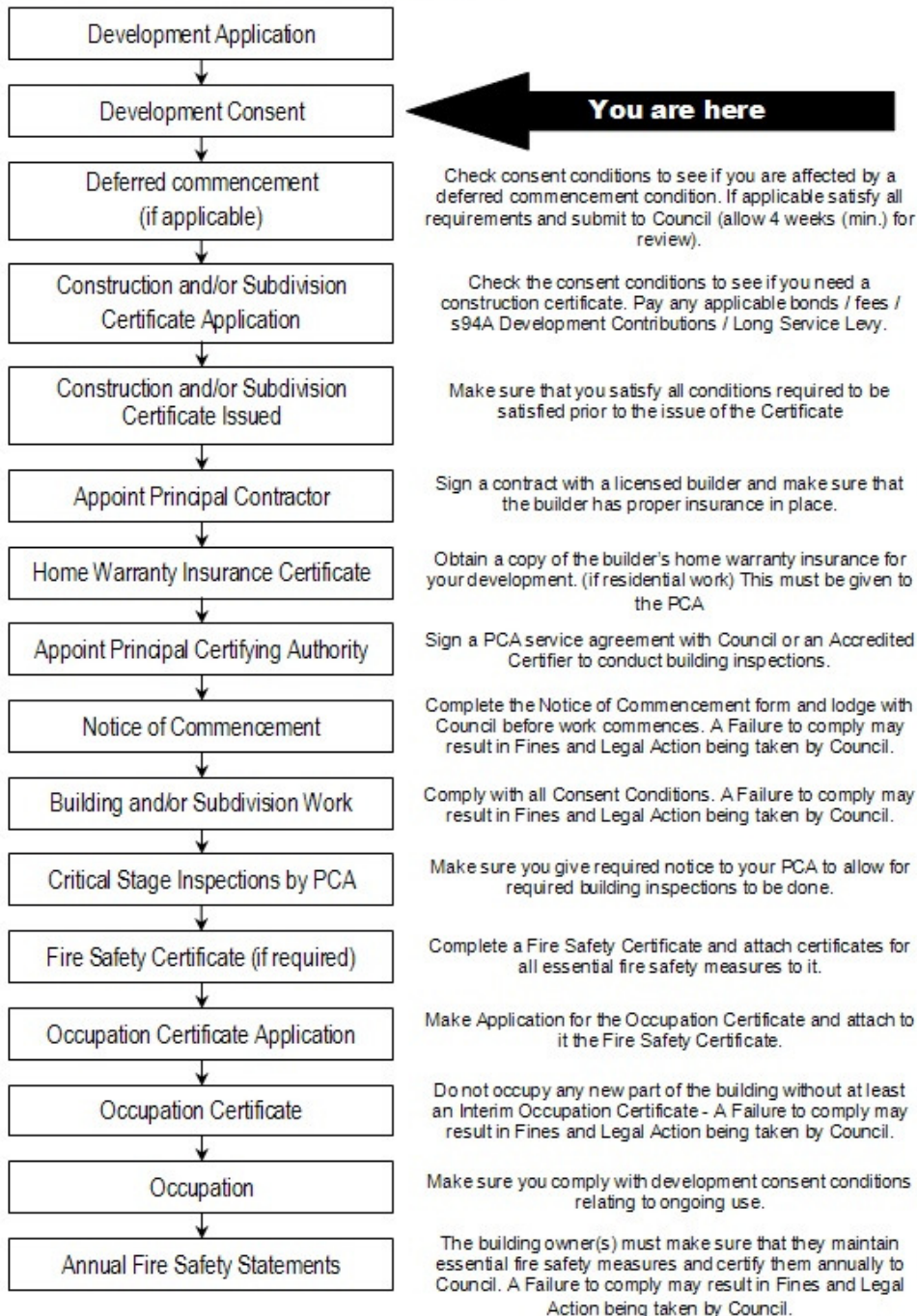
Name Peter Robinson
 Executive Manager Development Assessment
Date 18/06/2019

NOTE: Signed by Northern Beaches Council in accordance with the Environmental Planning and Assessment Act 1979 and EP&A Regulation 2000 as determined by the Sydney North Planning Panel on 18/06/2019.

GENERAL ADVICE

Advisory Notes (General)

Where are you in the development process?



Note: The advice within this document is provided in good faith as a guide to assist applicants understand the broad process and will not detail every step or every requirement for demolition, building construction works or subdivision required or business operating requirements under New South Wales or Commonwealth Legislation. If you require clarification or have any questions, please contact your Certifier or Council's Planning and Development Enquiries Team.

The attached Notice of Determination includes conditions of consent which must be complied with.

(Note: A failure to gain approval prior to the works being carried out is a serious breach of the Environmental Planning & Assessment Act 1979 which attracts penalties and may also result in legal action.)

Building Certification

The Environmental Planning and Assessment Act 1979 provides that:

- Building work cannot occur unless a construction certificate has been issued;
- Occupation of building works cannot occur unless an occupation certificate has been issued
- Subdivision cannot be registered until a subdivision certificate has been issued
- Mandatory Inspection for building work must be completed

Please refer to process chart for more detail.

(Note: A failure to gain approval prior to the works being carried out is a serious breach of the Environmental Planning & Assessment Act 1979 which attracts penalties and may also result in legal action.)

Certification Services

Construction Certificates / Occupation Certificates / Subdivision Certificates / Strata Certificates, can be issued by Council or an accredited private certifier (Note Council must be the Principal Certifying Authority (PCA) for subdivisions).

Council is well placed to provide Certification Services. Council can issue Construction Certificates and act as your Principle Certifying Authority at competitive rates. Please visit our web site www.northernbeaches.nsw.gov.au or speak to our Customer Service Officers if you have any further questions about our Certification Services or if you wish to use Council as your certifier.

Charges Associated with the Development Consent

All bonds, fees, (s94A) Development Contributions or the Long Service Levy detailed within the Notice of Determination are required to be paid prior to the issuing of any Construction Certificate.

Bonds are released after:

1. 'Final Occupation Certificate' has been received by Council; and
2. Final inspection by a Council Officer where:
 - the development is complete
 - damage has not been caused to council assets during the works
 - conditions of development consent have been met.

The bond will be released to the person or business who paid the bond to Council (The name that appears on the original receipt)

Acceptable Form of Security Bonds

Council will accept bank guarantee (in a form acceptable to Council) in lieu of cash and is required prior to the issue of a construction certificate.

Modifications to the consent

If you seek to make any changes to the development (which may include internal / external configuration of the building, variation to facades, site layout or any changes to the proposed operation or use), the modifications may require the submission and approval of an application to modify the development consent prior to the issuing of a Construction Certificate and prior to the works being

carried out. The proposed changes should be discussed with the PCA.

(Note: A failure to gain approval prior to the works being carried out is a serious breach of the Environmental Planning & Assessment Act 1979 which attracts penalties and may also result in legal action.)

Other Matters not detailed within the Notice of Determination

The Notice of Determination does not stipulate every requirement that must be completed to satisfy New South Wales and Commonwealth legislation.

You should check, as may be relevant, with other authorities including but not limited to:

- Workcover NSW for work safety and asbestos requirements
- Sydney Water – Quick Check Agent for the provision of water and sewer services
- Energy & Gas suppliers for utility services
- Department of Fair Trading for advice about builders and licensing
- Building Professionals Board for advice about private certifiers
- NSW Roads and Maritime Services for works on state roads only
- Human Rights and Equal Opportunity Commission for access issues
- NSW Land and Property Information for Land Title matters
- Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments;

Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact :Telstra's Network Integrity Team on Phone Number 1800810443.

(1) if the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to the proposed works must be submitted

to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and

(2) The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

Model

If you submitted a model with the application it must be collected from the Council offices within fourteen (14) days of the date of this determination. Models not collected will be disposed of by Council.

Trade waste agreement

A Trade Waste Agreement must be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'.

Waste collection

Liquid and solid wastes generated on the site must be collected, transported and disposed of in accordance with the requirements of the Protection of the Environment Operations Act 1997. Records must be kept of all waste disposal from the site.

Material to be removed from the site must be source separated on site to maximise recycling, and the material disposed of to an appropriate disposal and recycling facility in accordance with the approved Waste Management Plan.

Aboriginal Heritage

If in undertaking excavation or works and any Aboriginal site or object is, or is thought to have been found, all works are to cease immediately and the applicant is to contact the Aboriginal Heritage Officer for Warringah Council, and the Cultural Heritage Division of the Department of Environment and Climate Change (DECC).

On-Site Sewage Management System

This approval does not authorise the installation or operation of a new or modification of an existing on-site wastewater management system. An On-Site Sewage Management System must not be installed or operated unless an 'Approval to Install an On Site Sewage Management System' is obtained from Warringah Council.

Cost of Works

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

Relocation of stormwater drainage

Council is not responsible for the cost of relocating Council's stormwater drainage pipes through the subject property.

Tree preservation

Where tree work has not been approved by this Development Consent the developer is notified that a general Tree Preservation Order applies to all trees in the Northern Beaches Local Government Area. This order prohibits the ringbarking, cutting down, topping, lopping, pruning, transplanting, injuring, or wilful destruction of such trees except without the prior written consent of Council.

Storage bins on footpath and roadway

Approval is required from Council prior to the placement of any storage bin on Council's footpath and/or roadway.

Protection of Public Places

- (1) If the work involved in the erection or demolition of a building:
- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
 - (b) building involves the enclosure of a public place,

a hoarding and site fencing must be erected between the work site and the public place.

- (2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- (3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- (4) Any such hoarding, fence or awning is to be removed when the work has been completed.
- (5) No access across public reserves or parks is permitted.

Note: Prior to the erection of any temporary fence or hoarding over property owned or managed by Council, written approval must be obtained.

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.

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. A minimum of forty-eight (48) hours notice is required for all permits except work zones, which may require additional assessment time.

- Permit for on-street mobile plant

Restrictions apply to the hours of operation and the area of operation for on street mobile plant equipment (for example cranes, concrete pumps, cherry pickers). 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.

- Hoarding Permit

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.

- 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.

- Kerbside restrictions, work zones

Existing kerbside restrictions apply. An application must be made to Council for the alteration of existing kerbside restrictions or the provision of a construction zone.

Other permits may include out of construction hours permits.

Licensing requirements for removal of bonded asbestos

Anyone who removes, repairs or disturbs bonded asbestos must hold a bonded or a friable asbestos licence, or a demolition licence in accordance with Workcover requirements and the Occupational Health and Safety Act 2000.

Pool Access

Access to pools are required to be restricted by a child resistant barrier in accordance with the regulations prescribed in all relevant Acts, Regulations and Australian Standards including:

- (i) Swimming Pools Act 1992;
- (ii) Swimming Pools Amendment Act 2012;
- (iii) Swimming Pools Regulation 2008
- (iv) Australian Standard AS1926 Swimming Pool Safety
- (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
- (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools

It is your responsibility as a land owner to ensure any fencing is maintained.

Dewatering

Where dewatering works are required on the development site during construction, the developer/applicant must apply for and obtain a bore license from the NSW Department of Water and Energy. The bore license must be obtained prior to commencement of dewatering works.

Requirement to Notify about New Contamination Evidence

Any new information revealed during works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to Council and the Principal Certifying Authority.

Flood Evacuation Plan

If your site is on flood prone land you may wish to consider the preparation of a flood evacuation plan.

Generally a Flood Evacuation Plan would be prepared by suitably qualified Engineer (e.g. Hydraulic) with a number of years experience in flood management and who is eligible for Membership to the Australian Institute of Engineers.

Some matters that you may wish to consider (but not limited to) include:

- (i) a route of evacuation to higher ground and / or point of shelter
- (ii) depth of water for a Possible Maximum Flood event surrounding the building
- (iii) details of 'last chance' evacuation water levels / times for evacuation prior to floodwaters surrounding the building
- (iv) provide details of flood warning systems and protocols
- (v) details of how this information will be distributed and people educated for users of the site.

You may seek to discuss this with the State Emergency Service of NSW.

Utility Service Requirements

Where development requires the installation of, or the relocation of utility services being (but not limited to) gas, water, electricity and telecommunications, the installation of, or the relocation of utility services shall be conducted in accordance with the requirements of the relevant service provider / authority (unless stipulated by any other condition of the consent or will result in damage to threatened or endangered species defined under the Threatened Species Conservation Act 1995).

Plant & Equipment Kept Within Site

All plant and equipment used in the erection of the building, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries. This does not prevent any requirement to comply with the Protection of the Environment Operations Act.

Lighting

Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282 - 1997 Control of the obtrusive effects of outdoor lighting so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.

Silt and Sediment Control

During any onsite demolition, excavation and construction works, the site should be maintained in accordance with "The Blue Book - Managing Urban Stormwater (MUS): Soils and Construction".

In managing the site provision shall be made throughout the period of works to prevent transmission of soil to the public road, drainage system, any riparian lands or off site in any manner. Upon completion of the development, any measures to prevent the transition of soil off site to remain in place until the site is stabilised.

A failure to prevent the transmission of silt and sediment and / or causing, water pollution, air pollution, noise pollution or land pollution may result in a breach of the Protection of the Environment Operations Act and orders, penalties and prosecutions may occur.

Maintenance of Sediment and Erosion Control Erosion and sediment controls are to be adequately maintained and monitored at all times, particularly after periods of rain.

Reason: To avoid erosion and sedimentation impacts that will result in an adverse change in watercourse or riparian land condition

Installation and Maintenance of Sediment and Erosion Control

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: soils and construction (2004)'.

Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site

Dividing Fences Act 1991

The construction and maintenance of side boundary fences is to be agreed upon by all adjoining property owners of the fence. Works are to be in accordance with the Dividing Fences Act 1991.

OTHER MATTERS

Child Care Centres

A license to operate a child care centre must be obtained from the NSW Department of Community Services prior to the commencement of the use of the child care centre.

Disability Access

This decision does not ensure compliance with the Commonwealth Disability Discrimination Act 1992. Applicants are strongly advised to investigate their requirements under that Act

Food Premises

Food premises are required to comply with the requirements of the Food Act 2003, the Food Standards Code and Australian Standards.

The proprietor of a food business must notify the NSW Food Authority of the details of the business. Notification may be done either online at www.foodnotify.nsw.gov.au or by lodging a completed NSW Food Authority notification form to the NSW Food Authority or Council.

Wheel washing facility

All trucks leaving the site, having had access to unpaved or contaminated areas, shall depart via a wheel wash facility in order to prevent mud, dust or debris from being deposited on Council's roads. The wheel wash facility shall be constructed prior to any truck movements occurring. Water from the wheel wash facility must not cause pollution. Any direction of Council with regard to cleaning trucks or the clean up of road pavements adjoining the site shall be complied with immediately.

Monitoring State of Roadways

The applicant shall monitor the state of roadways leading to and from the site and shall take all necessary steps to clean up any adversely impacted road pavements as directed by Council.

Storage of Dangerous Goods

Prior to the storage of any "dangerous goods" on the premises, a copy of a license obtained from the Chemical Safety Branch of Work Cover Authority must be submitted to Council.

Storage of Flammable and Combustible Liquids

Flammable and combustible liquids must be stored in accordance with Australian Standard 1940 The Storage and Handling of Flammable and Combustible Liquids.

Noise and Vibration

The premises, including operation of vehicles, shall be conducted so as to avoid offensive noise or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

Hairdressing/Beauty Treatment/ Skin penetration Requirements

The premises must comply with the following requirements before the commencement of business:

- i) A hand wash basin with warm water delivered through a common spout must be provided in the treatment area. The hand wash basin must be provided with liquid soap and paper towel.
- ii) The wall behind the hand wash basin from the floor to a height of 450mm above the top of the washbasin and from the centre of the washbasin to a distance of 140mm beyond each side of the wash basin, must be finished with a material that is durable, smooth, impervious to moisture and capable of being easily cleaned (eg tiles).
- iii) The premises must be provided with washing, drainage, ventilation and lighting that are adequate for the carrying out of hairdressing/beauty treatment/skin penetration procedures.
- iv) The floor coverings must be smooth and impervious.

- v) All furniture, shelves and fittings must be constructed of, or covered with a material that is smooth, impervious to moisture and capable of being easily cleaned.
- vi) Adequate lockers must be provided for the storage of employees clothing and personal effects.
- vii) The premises must be provided with facilities that are adequate for the purpose of storing of hairdressing/beauty treatment/skin penetration appliance and utensils.
- viii) The premises must be provided with a sink sullied with hot and cold water for washing equipment.

Food Premises Construction Requirements

The food premises must comply with the following specific construction requirements:

Solid walls must be provided in all food handling areas (solid includes brick, cement and foam filled preformed panels);

- ix) Walls in food preparation and wash up areas must be finished with a smooth and impervious surface to a height of at least 2 metres.
- x) Hand wash basins must be provided with warm water delivered through a common spout with taps that are hands free operation;
- xi) Coving with a radius of 25mm must be provided between all floor and wall joints in food handling areas;
- xii) The open space between the top of the coolroom and the ceiling must be fully enclosed and kept insect and pest proof;
- xiii) The coolroom must be able to be opened from the inside with out a key and fitted with an alarm that can only be operated from within the coolroom;
- xiv) The doors to the toilet air lock and toilet compartment must be tight fitting and self closing;
- xv) The rear external door must be self closing or be provided with a fly screen that is self closing;
- xvi) Where cooking or extensive heating processes or such other processes as may be specified are carried out in food preparation areas, an approved mechanical ventilation system shall be installed and operated in accordance with AS 1668 part 1 & 2.

Legionella Control

Cooling towers, warm water systems, water cooling systems must be registered with the Council. Details of registration are to be provided to the Council prior to operation.

Pool/Spa Safety

Owners of properties with swimming pools and spa's must meet safety compliance and registration requirements. Provisions also apply when renting/selling properties. Details are available from the Division of Local Government.

Grease Trap

Contact Sydney Water to determine what trade waste provisions you are required to provide to your food premises. Should a grease trap be required by Sydney Water, it must be located in an area that is easily accessible for the removal of waste water and must not be installed in any kitchen, food preparation or food stage area. The design and location of the grease trap should also not impede on any commercial right of way or pedestrian access.

Bandicoot/Penguin

Long-nosed Bandicoots & Little Penguins – Best Practices for Residents Residents are encouraged to follow a number of *Best Practices* to assist with the protection and management of the endangered populations of Long-nosed Bandicoots and Little Penguins:

- Long-nosed Bandicoots, Little Penguins and other native animals should never be fed as it may cause them nutritional problems, hardship if supplementary feeding is stopped, and it may increase predation.
- Feral cats or foxes should never be fed or food left out where they can access it, such as rubbish bins without lids or pet food bowls, as these animals present a significant threat to Long-nosed Bandicoots, Little Penguins and other wildlife.
- The use of insecticides, fertilisers, poisons and/or baits should be avoided on the property.

Garden insects will be kept in low numbers if Long-nosed Bandicoots are present.

- When the North Head Long-nosed Bandicoot Recovery Plan is released it should be implemented where relevant.
- Dead Long-nosed Bandicoots or Little Penguins should be reported by phoning Manly Council on 9976 1500 or Department of Environment and Conservation on 9960 6266.
- Please drive carefully as vehicle related injuries and deaths of Long-nosed Bandicoots and Little Penguins have occurred in the area. Care should also be taken at night in the drive way when moving cars as bandicoots will seek shelter beneath vehicles.
- Cat/s and or dog/s that currently live on the property should be kept indoors at night to avoid disturbance/death of native animals. Ideally, when the current cat/s and/or dog/s that live on the property no longer reside on the property it is recommended that they not be replaced by new dogs or cats.
- Report all sightings of feral rabbits, feral or stray cats and/or foxes to N B Council.