

01/10/2025

Manly Landlord Operations Partnership  
Attn: Ash Cranston  
Level 5, 10 Eagle Street  
Brisbane QLD 4000

## DETERMINATION OF APPLICATION

|                                               |                                       |
|-----------------------------------------------|---------------------------------------|
| <b>Determination Advice:</b>                  | <b>Application has been Approved</b>  |
| <b>Project Address:</b>                       | <b>East Esplanade, Manly NSW 2095</b> |
| <b>Date of Determination:</b>                 | <b>01/10/2025</b>                     |
| <b>Group DLA Reference:</b>                   | <b>GDL250402</b>                      |
| <b>Complying Development Certificate No.:</b> | <b>GDL250402</b>                      |
| <b>ePlanning Portal Ref.</b>                  | <b>CDC-314904</b>                     |

We are pleased to advise that your Complying Development Certificate application CDC-314904 has been determined for this project. Copies of the Determination, Complying Development Certificate and relevant building work plans and specification have been forwarded to the Applicant and the Council via the NSW ePlanning Portal. You are also advised that a copy of these documents are to be kept on site during the course of construction.

**Please Note:** Group DLA may, at times, initiate a full closure of the office, at such times as the Christmas / New Year's period or at other times of the year. During these periods inspections will not be able to be undertaken and either a hold or delay of the project to allow for the inspection will be required, please ensure you advise your Group DLA contact in writing, of any inspections required during holiday periods as early as possible to ensure your project will not be impacted by programmed office closures for training or end of year holiday periods.

Finally, any intended amendments to the project design, use or type of products during the course of construction must be discussed with the undersigned or a representative of Group DLA to clarify whether the amendment is generally in accordance with the terms of the Complying Development Certificate or whether it will be necessary to lodge an application to modify the Certificate.

Variations to the approved plans or products used in the construction may prevent issue of the Occupation Certificate or may alter the compliance of the project which, if not notified, may not be able to be confirmed by Group DLA as satisfying the requirements of the NCC/BCA. It may also generate the need to lodge a modified Complying Development Certificate application, any modifications need to be discussed and confirmed and the Modified CDC's needs to be issued **before** the element being altered or modified is constructed, it cannot be done after it has been built onsite.

**Important Note:** The Principal Certifier must be appointed two (2) days prior to any works commencing on-site, via the NSW E-planning Portal as per Section 6.6 of the Environmental Planning & Assessment Act 1979.

Failure to comply with this legal requirement will result in the appointed Certifier being unable to issue an Occupation Certificate or Undertake Inspections for the subject development.

Should you have any queries, please contact the undersigned on 02 8355 3160.

Yours sincerely,



Brett Claburn  
Director  
NSW Building Commission BDC0064

01/10/2025

Manly Landlord Operations Partnership  
Attn: Ash Cranston  
Level 5, 10 Eagle Street  
Brisbane QLD 4000

## NOTICE OF CRITICAL STAGE INSPECTIONS

**Project Address:** East Esplanade, Manly NSW 2095  
**Job Reference No.** GDL250402  
**Complying Development Certificate No.:** GDL250402  
**ePlanning Portal Ref.** CDC-314904

Pursuant to Section 6.33 (1) (g) of the Environmental Planning and Assessment Act 1979 and Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EP&A (DCFS) Regulation 2021), you are advised that the following critical stage inspections must be carried out by the undersigned or another registered certifier, authorised by the Principal Certifier, to satisfy the provisions of the Act and to enable Group DLA (NSW) Pty Ltd to issue you with an Occupation Certificate at the completion of the project:-

- a) Pre-Commencement Inspection undertaken on 30/09/2025;
- b) Other inspections as reported by EP&A (DCFS) Regulation 2021 Clause 58 (1) (f)
- c) After the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Pursuant to the provisions of the Legislation you must provide us with a minimum of forty-eight (48) hours' notice of these critical stage inspections (excluding weekends, public holidays or Group DLA office closures).

**Please Note:** Group DLA may at times close the office, such as the Christmas / New Years period or at other times of the year for training events. During these periods inspections will not be able to be undertaken and either a hold or delay for the inspection will be required for the project. Please ensure you advise your Group DLA contact in writing of any inspections as early as possible to ensure your project will not be impacted by programmed office closures for training or end of year periods.

Failure to notify us of these inspections, or not pausing for Group DLA office closures, does not authorise you to proceed to the next stage of the project or past a required inspection. If a critical stage inspection is not carried out, we may need you to expose that element of the building work which has not been inspected or we may have to withhold or refuse to issue the Occupation Certificate if a mandatory inspection has been missed for your project.

We thank you for your co-operation in respect of these matters.

Yours faithfully,



Brett Clabburn  
Director  
NSW Building Commission BDC0064

## COMPLYING DEVELOPMENT CERTIFICATE

Issued pursuant to Division 4.5 of the Environmental Planning & Assessment Act 1979  
and Part 6 of the Environmental Planning & Assessment Regulation 2021

Certificate No. **GDL250402** ePlanning Portal Ref. **CDC-314904**

### 1. APPLICANT DETAILS

Name **Manly Landlord Operations Partnership**  
Address **Level 5, 10 Eagle Street, Brisbane QLD 4000**  
Contact Tel: **-** Mobile: **0423 895 126** Email: **ashcranston@artmemusgroup.com**

### 2. DETAILS OF THE DEVELOPMENT

Land Use Zoning **NIL**  
Planning Instrument **State Environmental Planning Policy (Exempt & Complying Development Codes) 2008**  
Description of development **Proposed internal alterations to Basement carpark fire exits - Part Basement Level.**

### 3. CERTIFICATION

This certificate is issued: ☒ subject to the conditions listed in **Schedule C**  
☒ the issue of this certificate has been endorsed on the plans and specifications that were lodged with the application  
Subject Land **East Esplanade, Manly NSW 2095**  
Lot & DP No. **Lot 1 in DP1170245**  
Class of Building **Class 7a – Carpark (Subject Area of Works), Class 6 – Restaurant/Café/Retail, Class 9b – Public assembly, Class 7b – Loading dock**  
Plan Nos approved **Refer to **Schedule B****  
Information relied upon **Refer to **Schedule A****  
Date of Portal Application **29/09/2025** Date Application Received: **29/09/2025**

### 4. REGISTERED CERTIFIER

Name of Certifier: **Group DLA (NSW) Pty Ltd**  
Name of Certifier who issued the certificate: **Brett Clabburn**  
Registration No. **NSW Building Commission; BDC0064**  
**Registered Body Corporate No: RBC00022**  
Address **Suite 7.02, Level 7, 10 Bridge Street, Sydney NSW 2000**  
Contact Numbers Tel: **02 8355 3160** Fax: **02 8355 3169**

Group DLA (NSW) Pty Ltd hereby certify that the proposed development is a complying development and (if carried out as specified in the Certificate) will comply with all development standards applicable to the development and with such other requirements prescribed by the Environmental Planning and Assessment Regulation 2021 concerning the issue of this certificate.

Certificate No **GDL250402**

Signature 

Date of this Certificate **01/10/2025** Date this certificate will lapse **01/10/2030**

## COMPLYING DEVELOPMENT CERTIFICATE (continued)

Certificate No.

GDL250402

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### 5. INFORMATION ATTACHED TO THE DECISION

- ☒ Information relied upon in certificate determination – **Schedule A**
- ☒ Conditions of the certificate – **Schedule C**
- ☒ Fire Safety Schedule

## COMPLYING DEVELOPMENT CERTIFICATE (continued)

Certificate No.

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### SCHEDULE A – INFORMATION RELIED UPON IN CERTIFICATE DETERMINATION

- Information document for Complying Development Certificate issued by Ash Cranston of Manly Landlord Operations Partnership, dated 01/10/2025
- Owners Consent issued by Joseph Pascuzzo of Transport for NSW (TfNSW), dated 25/09/2025
- Annual Fire Safety Statement issued by Ashley Cranston of Manly Landlord Operations Partnership, dated 13/06/2025
- NSW Planning Portal Auto-Generated Application Form No. CDC-314904, dated 29/09/2025
- Section 10.7 Planning Certificate No. ePLC2024/08249 issued by Northern Beaches Council, dated 24/10/2024
- Confirmation of No Structural Works Required issued by Mark Sherlock of TTW Engineers, dated 22/08/2025
- Performance-Based Design Brief completed by Daniel Chen and Julien Christopher of CORE Engineering Group, dated 15/08/2025
- Email stating that a Performance-Based Design Brief will not be provided issued by Susan Skariah of Fire & Rescue NSW, dated 27/08/2025
- Planning Advice issued by Tim Moore of Architectus, dated 15/08/2025
- Fire Engineering Report No. F202759\_FER\_01, Revision 01 issued by Graham Morris of Core Engineering Group, dated 24/09/2025
- Hazardous Building Materials Survey No. 1930-HBMS-01-220223, Revision v1f issued by Steven Wallace of MPA, dated 22/02/2023
- Design Statement and associated plans for Electrical Services issued by Nicholas Henry of BNMA Engineering & Contracting Pty Ltd, dated 24/09/2025
- Email for Section 7.12 Contributions not applicable issued by Kate Mercieca of Northern Beaches Council, dated 16/04/2025
- Waste Management Plan issued by Pascal Weber of Mobiusbuild, dated 26/09/2025
- Design Statement and associated plans for Dry/Wet Fire Services issued by Steven Kirk of BNMA Engineering & Contracting Pty Ltd, dated 23/09/2025
- State Heritage Exemption Form issued by Kerime Dans of City Plan, dated 18/08/2025

### Performance Solution Details (Section 137 (3) of Environmental Planning & Assessment Regulation 2021)

| Report Title            | Reference Number | Version | Date       | Name of CFSP                            | BDC No. |
|-------------------------|------------------|---------|------------|-----------------------------------------|---------|
| Fire Engineering Report | F202759_FER_01   | 01      | 24/09/2025 | Graham Morris of Core Engineering Group | BDC3200 |

COMPLYING DEVELOPMENT CERTIFICATE (continued)

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SCHEDULE B – STAMPED APPROVED PLANS

| Drawing No. | Title                         | Prepared By          | Revision | Date       |
|-------------|-------------------------------|----------------------|----------|------------|
| D.99.10     | Floor Plan - Basement         | Little Boat Projects | 1        | 30/07/2025 |
| D.99.11     | Floor Plan - Ground           | Little Boat Projects | 2        | 30/07/2025 |
| D.99.12     | Basement - Details            | Little Boat Projects | 1        | 30/07/2025 |
| D.99.13     | Basement - Details            | Little Boat Projects | 1        | 30/07/2025 |
| D.99.14     | Ground - Fire Hydrant Details | Little Boat Projects | 1        | 30/07/2025 |
| D.99.15     | Ground - Fire Hydrant Details | Little Boat Projects | 1        | 30/07/2025 |

## COMPLYING DEVELOPMENT CERTIFICATE (continued)

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### SCHEDULE C – CONDITIONS OF THE CERTIFICATE

This certificate is subject to the following conditions identified in the following:

#### ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021

#### PART 6 PROCEDURES RELATING TO COMPLYING DEVELOPMENT CERTIFICATES

#### DIVISION 5 CONDITIONS APPLYING TO COMPLYING DEVELOPMENT CERTIFICATE UNDER THIS CODE

**Note 1.** Complying development must comply with the requirements of the Act, the [Environmental Planning and Assessment Regulations 2021](#) and the conditions listed in this Part

#### Condition 1 - Clause 146 - Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989

- (1) The works the subject of the Complying Development Certificate (CDC), the following applies:
  - (a) the work must be carried out in accordance with the requirements of the *Building Code of Australia*,
  - (b) for residential building work that requires a contract of insurance under the Home Building Act 1989—a contract of insurance must be in force before the building work authorised to be carried out by the certificate commences.
- (2) If this CDC relates to a temporary structure that is used as an entertainment venue, the temporary structure must comply with Volume 1, Part B1 and NSW Part I5 of the Building Code of Australia.
- (3) This section does not limit the other conditions to which a complying development certificate may be subject.
- (4) This condition does not apply—
  - (a) to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, or
  - (b) to the erection of a temporary building, that is not used as an entertainment venue.
- (5) In this section, a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the date on which the application for the relevant complying development certificate is made.

#### Condition 2 - Clause 147 - Fire safety systems in class 2–9 buildings

- (1) If this CDC relates to building work involving the installation, extension or modification of a relevant fire safety system in a class 2, 3, 4, 5, 6, 7, 8 or 9 building the building work must not commence unless—
  - (a) plans for the relevant fire safety system have been submitted to the principal certifier that show—
    - i. for building work involving the installation of the relevant fire safety system—the layout, extent and location of key components of the relevant fire safety system, or
    - ii. for building work involving the extension or modification of the relevant fire safety system—the layout, extent and location of the new or modified components of the relevant fire safety system, and
  - (b) specifications have been submitted to the principal certifier that—
    - i. describe the basis for the design, installation and construction of the relevant fire safety system, and
    - ii. identify the provisions of the Building Code of Australia on which the design of the system is based, and
  - c) the plans and specifications—
    - i. have been certified by a compliance certificate as complying with the relevant provisions of the Building Code of Australia, or
    - ii. have been endorsed by an accredited practitioner (fire safety) as complying with the relevant provisions of the Building Code of Australia, and
  - (d) if the plans and specifications were submitted before the complying development certificate was issued—the plans and specifications are endorsed by the certifier with a statement that the certifier is satisfied they correctly identify the relevant performance requirements and deemed-to-satisfy provisions (This endorsement has been made by them being referenced as information relied upon in the CDC), and

## COMPLYING DEVELOPMENT CERTIFICATE (continued)

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(e) if the plans and specifications were not submitted before the complying development certificate was issued—the plans and specifications are endorsed by the principal certifier with a statement that the principal certifier is satisfied they correctly identify the relevant performance requirements and deemed-to-satisfy provisions.

(2) Subsection (1)(c)(ii) does not apply to the extent of an exemption under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

(3) In this section—

*relevant fire safety system* means the following—

- (d) a hydraulic fire safety system,
- (e) a fire detection and alarm system,
- (a) a mechanical ducted smoke control system.

### Condition 3 - Clause 148 - Notice to neighbours of commencement of work

(1) This section applies to a complying development certificate for development involving—

- (a) the erection of a new building, or
- (b) an addition to an existing building, or
- (c) the demolition of a building.

(2) This section applies only if the development will be carried out on a lot that has a boundary within 20 metres of the boundary of another lot on which a dwelling is located.

(3) A complying development certificate must be issued subject to a condition that the person having the benefit of the certificate must give each neighbour written notice of the person's intention to commence the work authorised by the certificate—

- (a) for development on relevant land—at least 7 days before commencing work, or
- (b) otherwise—at least 2 days before commencing work.

(4) In this section—

**neighbour** and **relevant land** have the same meaning as in section 134 of the EP&A Regulation.

### Condition 4 – Clause 149 - Erection of signs

(1) This section applies to a complying development certificate for development involving building work, subdivision work or demolition work.

(2) This complying development certificate that the above applies to requires that the requirements of subsections (3) and (4) must be complied with.

(3) A sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—

- (a) showing the name, address and telephone number of the principal certifier for the work, and
- (b) showing the name of the principal contractor, if any, for building work and a telephone number on which the principal contractor may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

(4) The sign must be—

- (a) maintained while the building work, subdivision work or demolition work is being carried out, and
- (b) removed when the work is completed.

(5) This section does not apply in relation to—

- (a) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
- (b) Crown building work certified to comply with the Building Code of Australia. under the Act, Part 6.

### Condition 5 – Clause 150 - Notification of Home Building Act 1989 requirements

(1) This section applies to a complying development certificate if—



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- (a) the development involves residential building work, and
- (b) the principal certifier is not the council.
- (2) A complying development certificate must be issued subject to a condition that the work is carried out in accordance with the requirements of this section.
- (3) Residential building work must not be carried out unless the principal certifier has given the council written notice of the following—
  - (a) for work that requires a principal contractor to be appointed—
    - (a) the name and licence number of the principal contractor, and
    - (b) the name of the insurer of the work under the Home Building Act 1989, Part 6,
  - (b) for work to be carried out 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 the Home Building Act 1989—the number of the owner-builder permit.
- (4) If the information notified under subsection (3) is no longer correct, further work must not be carried out unless the principal certifier has given the council written notice of the updated information.
- (5) This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

### Condition 6 – Clause 151 - Fulfilment of BASIX commitments

For a CDC for the following development, the building works when completed must ensure that each commitment listed in a relevant BASIX certificate must be fulfilled—

- (a) BASIX development,
- (b) BASIX optional development, if the application for the complying development certificate was accompanied by a BASIX certificate.

### Condition 7 – Clause 152 - Development involving asbestos material

- (1) For development that involves building work or demolition work is subject to the following conditions—
  - (a) prescribed asbestos removal work must be undertaken by a person who conducts a business of asbestos removal work in accordance with the Work Health and Safety Regulation 2017, clause 458 (a licensed person),
  - (b) the person having the benefit of the complying development certificate must give the principal certifier a copy of a signed contract with a licensed person before development under the complying development certificate commences,
  - (c) the contract must indicate whether asbestos will be removed, and if so, must specify the landfill site, which may lawfully receive asbestos, to which the asbestos will be delivered,
  - (d) if the contract indicates that asbestos will be removed to a specified landfill site—the person having the benefit of the complying development certificate must give the principal certifier a copy of a receipt from the operator of the landfill site stating that all the asbestos referred to in the contract has been received by the operator.
- (2) In this section—

**asbestos removal work** has the same meaning as in the *Work Health and Safety Regulation 2017*.

**friable asbestos** has the same meaning as in the *Work Health and Safety Regulation 2017*.

**non-friable asbestos** has the same meaning as in the *Work Health and Safety Regulation 2017*.

**prescribed asbestos removal work** means asbestos removal work that involves the removal of—

- (a) non-friable asbestos from an area of more than 10 square metres, or
- (b) friable asbestos.

**Note 1—** The effect of subsection (1)(a) is that the development will be a workplace to which the *Work Health and Safety Regulation 2017* applies while asbestos removal work is being undertaken.

**Note 2—** Information on the removal and disposal of asbestos to landfill sites licensed to accept asbestos is available from the Environment Protection Authority.

### Condition 8 – Clause 153 - Shoring and adequacy of adjoining property

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- (1) This section applies to a complying development certificate for development that involves excavation that extends below the level of the base of the footings of a building, structure or work, including a structure or work in a road or rail corridor, on adjoining land.
- (2) The complying development certificate is issued subject to the person having the benefit of the certificate must, at that person's own expense—
  - (a) protect and support the building, structure or work from possible damage from the excavation, and
  - (b) if necessary, underpin the building, structure or work to prevent damage from the excavation.
- (3) This section does not apply if—
  - (a) the person having the benefit of the complying development certificate owns the adjoining land, or
  - (b) the owner of the adjoining land has given written consent to the condition not applying.

### Condition 9 - Clause 154 - Traffic generating development

If an application for a complying development certificate is required to be accompanied by a certificate of the relevant road's authority under section 128, any requirements specified in the certificate of the relevant road's authority must be complied with.

### Condition 10 – Clause 155 – Development on contaminated land

If an application for a complying development certificate is required to be accompanied by a statement referred to in section 129(3) of the EP&A Regulation, the requirements specified in the issued statement must be complied with.

### Condition 11 - Clause 156 - Development contributions

- (1) This section applies if a council's contributions plan provides for the payment of a monetary section 7.11 contribution or a section 7.12 levy in relation to development for a particular purpose (a relevant purpose), whether or not the development is classed as complying development under the contributions plan.
- (2) A complying development certificate that authorises development for a relevant purpose must —
  - (a) If required by section 4.28(9) or requiring payment of a monetary section 7.11 contribution or a section 7.12 levy,
  - (b) the contribution or levy must be paid before the work authorised by the certificate commences.
- (3) This section applies despite a provision to the contrary in the council's contributions plan.
- (4) In this section—
  - *section 7.11 contribution* means the dedication of land, the payment of a monetary contribution or the provision of a material public benefit, as referred to in the Act, section 7.11.
  - *section 7.12 levy* means the payment of a levy, as referred to in the Act, section 7.12.

**Note:** If the Sect 7.11 or 7.12 levy is payable the owner / applicant is required to pay this council levy before physical work commences on site. A copy of the receipt is to be provided to Group DLA prior to works commencing on site.

### Condition 12 - Clause 157 - Payment of security

- (1) This section applies to a complying development certificate authorising the carrying out of development if—
  - (a) the development involves the demolition of a work or building, the erection of a new building or an addition to an existing building, and
  - (b) the estimated cost of the development, as specified in the application for the certificate, is \$25,000 or more, and
  - (c) the development will be carried out on land adjacent to a public road, and
  - (d) at the time the application for the certificate is made, the council for the area in which the development will be carried out has specified, on its website, an amount of security that must be paid in relation to development—
    - (a) of the same type or description, or
    - (b) carried out in the same circumstances, or

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- (c) carried out on land of the same size or description.
- (2) The amount of security referred to in subsection (1)(d) must be given, in accordance with this section, to the council before the building work or subdivision work authorised by the certificate commences.
- (3) The applicant may give the security to the council by—
  - (a) a deposit with the council, or
  - (b) a guarantee satisfactory to the council.
- (4) The council may use the security to meet the cost of making good damage caused to council property as a consequence of doing a thing, or not doing a thing, authorised or required by the complying development certificate, including the cost of an inspection to determine if damage has been caused.
- (5) The balance of the security remaining after meeting the costs referred to in subsection (4) must be refunded to, or at the direction of, the person who gave the security.

### Condition 13 - Clause 158 - Principal certifier to be satisfied that preconditions met before commencement of work

- (1) This section applies to a complying development certificate that involves building work or subdivision work.
- (2) The principal certifier for the building work or subdivision work, and over which the principal certifier has control, must be satisfied that any preconditions in relation to the work that are required to be met before the work commences have been met before the work commences

### Condition 14 - Section 7.24 of the Environmental Planning and Assessment Act – (Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023 issued 1 Oct 2023)

A Housing and Productivity Contribution may be applicable to these works, the Amount of this has been calculated and payment is required to be made in the NSW planning portal and will be applicable if it comes up on the portal when attempting to lodge the Notice of Commencement, payment is required:

- a) Amount of Contribution – as per calculation on the NSW planning portal
- b) When is payment to be made - prior to the Notice of commencement being lodged and before works commence on site whichever is the earlier, payment is to be made in the NSW planning portal (not to council directly).
- c) Payment is to be made using the NSW Planning Portal, Applicant who logged in and lodged the application for the CDC is to log in to get access to the payment tab – Link to website on how to do this is <https://www.planningportal.nsw.gov.au/applicant-resources>

Ministerial Orders 2023 may be found at <https://pp.planningportal.nsw.gov.au/Orders> for additional information on the Contribution.

## STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008

### SCHEDULE 8 CONDITIONS APPLYING TO COMPLYING DEVELOPMENT CERTIFICATES UNDER THE INDUSTRIAL AND BUSINESS ALTERATIONS CODE, THE INDUSTRIAL AND BUSINESS BUILDINGS CODE AND THE CONTAINER RECYCLING FACILITIES CODE

(Clauses 5.25 and 5A.5 (a))

**Note 1.** Complying development under the Industrial and Business Alterations Code, the Industrial and Business Buildings Code and the Container Recycling Facilities Code must comply with the requirements of the Act, the *Environmental Planning and Assessment Regulation 2000* and the conditions listed in this Schedule.

**Note 2.** Division 2A of Part 7 of the *Environmental Planning and Assessment Regulation 2000* specifies conditions to which certain complying development certificates are subject.

**Note 3.** In addition to the requirements specified for development under this Policy, adjoining owners' property rights, applicable common law and other legislative requirements for approvals, licences, permits and authorities still apply.

**Note 4.** If the development is in the proximity of infrastructure (including water, stormwater or sewer mains, electricity power lines and telecommunications facilities), the relevant infrastructure authority should be contacted before commencing the development.

**Note 5.** Under section 4.29 of the *Environmental Planning and Assessment Act 1979*, a complying development certificate lapses 5 years after the date endorsed on the certificate, unless the development has physically commenced on the land during that period.

### PART 1 CONDITIONS APPLYING BEFORE WORKS COMMENCE

#### 1 Protection of adjoining areas

## COMPLYING DEVELOPMENT CERTIFICATE (continued)

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A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works—

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining lands by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

**Note.** Clauses 2.67 and 2.68 of this Policy specify which scaffolding, hoardings and temporary construction site fences are exempt development and state the applicable standards for that development.

### 2 Toilet facilities

- (1) Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.
- (2) Each toilet must—
  - (a) be a standard flushing toilet connected to a public sewer, or
  - (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
  - (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

### 3 Waste management

- (1) A waste management plan for the work must be submitted to the principal certifying authority at least 2 days before work commences on the site
- (2) The waste management plan must—
  - (a) identify all waste (including excavation, demolition and construction waste materials) that will be generated by the work on the site, and
  - (b) identify the quantity of waste material in tonnes and cubic metres to be—
    - (i) reused on-site, and
    - (ii) recycled on-site and off-site, and
    - (iii) disposed of off-site, and
  - (c) if waste materials are to be reused or recycled on-site—specify how the waste material will be reused or recycled on-site, and
  - (d) if waste materials are to be disposed of or recycled off-site—specify the contractor who will be transporting the materials and the waste facility or recycling outlet to which the materials will be taken.
- (3) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.
- (4) The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.

### 4 Adjoining wall dilapidation report

- (1) Before commencing any demolition or excavation works, the person having the benefit of the complying development certificate must obtain a dilapidation report on any part of a building that is within 2m of the works.
- (2) If the person preparing the report is denied access to the building for the purpose of an inspection, the report may be prepared from an external inspection.

### 5 Run-off and erosion controls

Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by—

- (a) diverting uncontaminated run-off around cleared or disturbed areas, and
- (b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
- (c) preventing the tracking of sediment by vehicles onto roads, and
- (d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.

## COMPLYING DEVELOPMENT CERTIFICATE (continued)

Certificate No.

GDL250402

ePlanning Portal Ref.

CDC-314904

### PART 2 CONDITIONS APPLYING DURING THE WORKS

**Note.** The *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Noise Control) Regulation 2008* contain provisions relating to noise.

#### 6 Standard hours for construction

Construction may only be carried out between 7.00 am and 6.00 pm on Monday to Friday, or between 8.00 am and 1.00 pm on Saturdays, and no construction is to be carried out at any time on a Sunday or a public holiday.

#### 7 Works outside standard hours for construction

- (1) Work may be carried out outside the standard hours for construction if the work only generates noise that is—
  - (a) no louder than 5 dB(A) above the rating background level at any adjoining residence in accordance with the *Interim Construction Noise Guideline* (ISBN 978 1 74232 217 9) published by the Department of Environment and Climate Change NSW in July 2009, and
  - (b) no louder than the noise management levels specified in Table 3 of that guideline at other sensitive receivers.
- (2) Work may be carried out outside the standard hours for construction—
  - (a) for the delivery of materials—if prior approval has been obtained from the NSW Police Force or any other relevant public authority, or
  - (b) in an emergency, to avoid the loss of lives or property or to prevent environmental harm.

#### 8 Compliance with plans

Works must be carried out in accordance with the plans and specifications to which the complying development certificate relates.

#### 9 Demolition

Any demolition must be carried out in accordance with AS 2601—2001, *The demolition of structures*.

#### 10 Maintenance of site

- (1) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- (2) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.
- (3) Copies of receipts stating the following must be given to the principal certifying authority—
  - (a) the place to which waste materials were transported,
  - (b) the name of the contractor transporting the materials,
  - (c) the quantity of materials transported off-site and recycled or disposed of.
- (4) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
- (5) During construction—
  - (a) all vehicles entering or leaving the site must have their loads covered, and
  - (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.
- (6) At the completion of the works, the work site must be left clear of waste and debris.

#### 11 Earthworks, retaining walls and structural support

- (1) Any earthworks (including any structural support or other related structure for the purposes of the development)—
  - (a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and
  - (b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and

## COMPLYING DEVELOPMENT CERTIFICATE (continued)

Certificate No.

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- (c) that is fill brought to the site—must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the *Protection of the Environment Operations Act 1997*, and
  - (d) that is excavated soil to be removed from the site—must be disposed of in accordance with any requirements under the *Protection of the Environment Operations (Waste) Regulation 2005*.
- (2) Any excavation must be carried out in accordance with *Excavation Work: Code of Practice* (ISBN 978-0-642-785442 [PDF] and ISBN 978-0-642-785459 [DOCX]), published in July 2012 by Safe Work Australia.

### 12 Drainage connections

- (1) If the work is the erection of, or an alteration or addition to, a building, the roof stormwater drainage system must be installed and connected to the drainage system before the roof is installed.
- (2) Any approval that is required for connection to the drainage system under the *Local Government Act 1993* must be held before the connection is carried out.

### 12A Contamination discovered during works

- (1) If during works on the land comprising the lot, the land is found to be contaminated, within the meaning of the *Contaminated Land Management Act 1997*—
  - (a) all works must stop immediately, and
  - (b) the Environment Protection Authority and the council must be notified of the contamination.
- (2) Land is found to be contaminated for the purposes of this clause if the person having the benefit of the complying development certificate or the principal certifying authority knows or should reasonably suspect the land is contaminated.

**Note**— Depending on the nature and level of the contamination, remediation of the land may be required before further work can continue.

### 13 Archaeology discovered during excavation

If any object having interest due to its age or association with the past is uncovered during the course of the work—

- (a) all work must stop immediately in that area, and
- (b) the Office of Environment and Heritage must be advised of the discovery.

**Note.** Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the *Heritage Act 1997* may be required before further the work can continue.

### 14 Aboriginal objects discovered during excavation

If any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work—

- (a) all excavation or disturbance of the area must stop immediately in that area, and
- (b) the Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.

**Note.** If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the *National Parks and Wildlife Act 1974*.

### 15 When a survey certificate is required

- (1) If any part of the work is the erection of a new building, or an alteration or addition to an existing building, that is located less than 3m from the lot boundary, a survey certificate must be given to the principal certifying authority—
  - (a) before any form work below the ground floor slab is completed, or
  - (b) if there is no such form work—before the concrete is poured for the ground floor slab.
- (2) The survey certificate must be prepared by a registered land surveyor and show the location of the work relative to the boundaries of the site.

## PART 3 CONDITIONS APPLYING BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

### 16 Vehicular access



## COMPLYING DEVELOPMENT CERTIFICATE (continued)

Certificate No.

GDL250402

ePlanning Portal Ref.

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If the work involves the construction of a vehicular access point, the access point must be completed before the occupation certificate for the work on the site is obtained.

### 17 Utility services

- (1) If the work requires alteration to, or the relocation of, utility services on, or adjacent to, the lot on which the work is carried out, the work is not complete until all such works are carried out.
- (2) If the work is the subject of a notice of requirements for water supply or sewerage services (or both) by a water utility or an entity authorised by the utility, the work must be satisfactorily completed and any monetary contributions required to be paid to the relevant water supply authority must be paid before the occupation certificate is issued.
- (3) If the work is the subject of a compliance certificate under section 73 of the *Sydney Water Act 1994*, the work must be satisfactorily completed, and any monetary contributions required to be paid to the Sydney Water Corporation must be paid before the occupation certificate is issued.

### 18 Mechanical ventilation systems

If the work includes a mechanical ventilation system that is a regulated system within the meaning of the *Public Health Act 2010*, the system must be notified as required by the *Public Health Regulation 2012*, before an occupation certificate (whether interim or final) for the work is issued.

### 19 Food businesses

If the work relates to a food business within the meaning of the *Food Act 2003*, the food business must be notified as required by that Act, or licensed as required by the *Food Regulation 2010*, before an occupation certificate (whether interim or final) for the work is issued.

### 20 Premises where skin penetration procedures are carried out

If the work relates to premises at which a skin penetration procedure, within the meaning of the *Public Health Act 2010*, will be carried out, the premises must be notified as required by Part 4 of the *Public Health Regulation 2012* before an occupation certificate (whether interim or final) for the work is issued.

## PART 4 OPERATIONAL REQUIREMENTS

### 21 Hours of operation

- (1) If there are existing conditions on a development consent applying to hours of operation, the development must not be operated outside the hours specified in those conditions.
- (2) If there are no existing conditions on a development consent applying to hours of operation, the development must not be operated outside the following hours—
  - (a) if the development involves a new use as specialised retail premises or other commercial premises—7.00 am to 10.00 pm Monday to Saturday and 7.00 am to 8.00 pm on a Sunday or a public holiday,
  - (b) if the development involves a new use as something other than a specialised retail premises or other commercial premises and adjoins or is opposite a residential lot within a residential zone or Zone RU5 Village—7.00 am to 7.00 pm Monday to Saturday and no operation on a Sunday or a public holiday,
  - (c) in any other case not referred to in paragraph (a) or (b)—7.00 am to 7.00 pm Monday to Saturday and 9.00 am to 6.00 pm on a Sunday or a public holiday.

### 22 Noise

The development must comply with the Noise Policy.

### 23 Lighting

- (1) All new external lighting must—
  - (a) comply with AS/NZS 4282:2019, *Control of the obtrusive effects of outdoor lighting*, and
  - (b) be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places.
- (2) Lighting at vehicle access points to the development must be provided in accordance with the following standards—

## COMPLYING DEVELOPMENT CERTIFICATE (continued)

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- (i) AS/NZS 1158.0:2005, *Lighting for roads and public spaces, Part 0: Introduction*,
- (ii) AS/NZS 1158.1.1:2005, *Lighting for roads and public spaces, Part 1.1: Vehicular traffic (Category V) lighting—Performance and design requirements*,
- (iii) AS/NZS 1158.1.2:2010, *Lighting for roads and public spaces, Part 1.2: Vehicular traffic (Category V) lighting—Guide to design, installation, operation and maintenance*,
- (iv) AS/NZS 1158.2:2020, *Lighting for roads and public spaces, Part 2: Computer procedures for the calculation of light technical parameters for Category V and Category P lighting*,
- (v) AS/NZS 1158.3.1:2020, *Lighting for roads and public spaces, Part 3.1: Pedestrian area (Category P) lighting—Performance and design requirements*,
- (vi) AS/NZS 1158.4:2015, *Lighting for roads and public spaces, Part 4: Lighting of pedestrian crossings*,
- (vii) AS/NZS 1158.5:2014, *Lighting for roads and public spaces, Part 5: Tunnels and underpasses*.

### 24 Use of driveways and parking areas

- (1) All driveways and parking areas must be unobstructed at all times.
- (2) Except as otherwise permitted by an existing condition of the most recent development consent (other than a complying development certificate) that applies to the premises, driveways and car spaces—
  - (a) must not be used for the manufacture, storage or display of goods, materials or any other equipment, and
  - (b) must be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

### 24 A Loading and unloading of goods or materials

- (1) Loading and unloading goods or materials must not be carried out on a public road.
- (2) This condition does not apply to a complying development certificate for development involving a building with a gross floor area less than 500m<sup>2</sup> in Zone B1, B2, B3, B4 or B8 that existed before 1 February 2022.

### 24 B Garbage and waste storage

- (1) A garbage and waste storage area for recyclable and non-recyclable waste materials and receptacles for those materials must—
  - (a) be provided as part of the development, and
  - (b) be located entirely within the lot on which the development is being carried out and not on a road or road reserve, and
  - (c) comply with the following appendices in the document entitled *Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities* (ISBN 978-1-74293-944-5), published by the NSW Environment Protection Authority in December 2012—
    - (i) Appendices A and B, for the size and location of garbage and storage areas and the size of waste receptacles,
    - (ii) Appendices C and D, for the design of openings of waste storage areas and loading bay turning circles for waste removal vehicles,
    - (iii) Appendix E, for standard signs for waste storage areas,
    - (iv) Appendix F for the design and operational capacity of waste storage areas.
- (2) The waste storage area must—
  - (a) be screened, and
  - (b) be located behind the primary road frontage building line, and
  - (c) not be located in any car parking, loading or landscaped area, and
  - (d) not be located on any side of the building that faces an adjoining lot on which there is a dwelling.

### 25 Landscaped area (planting and maintenance)

- (1) Any tree or shrub that fails to establish within 2 years of the initial planting date must be replaced with the same species of tree or shrub.



## COMPLYING DEVELOPMENT CERTIFICATE (continued)

Certificate No. GDL250402

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- (2) All landscaped areas on the site must be maintained on an on-going basis.

### PART 5 CONDITIONS APPLYING TO ENTERTAINMENT VENUES

#### 25 Application of prescribed conditions of development consent

The conditions of a development consent for the use of a building as an entertainment venue prescribed for the purposes of the Act, s 4.17(11) are conditions of a complying development certificate for the use of a building as an entertainment venue.

**Note**— See the *Environmental Planning and Assessment Regulation 2000*, Schedule 3A

## FIRE SAFETY SCHEDULE

Part 10 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

**Please note:**

- A fire safety schedule must deal with the whole of the building not just part of the building.
- Please complete all sections in full using CAPITAL LETTERS only.
- Information to assist to complete each section is provided at the end of this document.

### Section 1: Location of the building

Address (Street No., Street Name, Suburb and Postcode)

East Esplanade, Manly NSW 2095

| Lot No. (if known) | CP/DP/SP (if known) | Building name (if applicable) |
|--------------------|---------------------|-------------------------------|
| 1                  | DP1170245           |                               |

### Section 2: Reissue of Fire Safety Schedule (Section 80A of the Regulation)

☒ Not applicable – Fire Safety Schedule is not being re-issued

☐ Reissued Fire Safety Schedule (please state reason below)

*Reason for Reissue of Schedule*

☐ Original Schedule Lost or Destroyed

☐ Correction of errors or omissions

### Section 3: Reference Details (Section 78 of the Regulation)

#### Reference Type

#### Reference Number (if known)

COMPLYING DEVELOPMENT CERTIFICATE

GDL250402

### Section 4: Fire Safety Measures for the building – excluding Critical Fire Safety Measures (Section 79 of the Regulation)

| Item No.           | Fire Safety Measure (FSM)                  | Minimum Standard of Performance                                                                                                                                |
|--------------------|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Current (Existing) |                                            |                                                                                                                                                                |
| 1.                 | Portable Fire Extinguisher & Fire Blankets | AS2444-2001                                                                                                                                                    |
| 2.                 | Automatic Fire Detection & Alarms          | AS1670.1-2004 & BCA Specification E2.2a clause 4 and 5 and AS1670.1-2015 (to new Level 1 works)                                                                |
| 3.                 | Automatic Fire Sprinklers                  | AS2118.1-1999 & BCA Specification E1.5 and Fire Engineering Report No. S16124, Revision FER2.0 from MCD Fire Engineering dated 21/10/16 (to new Level 1 works) |
| 4.                 | Building Occupant Warning System           | AS1670.1-2004 BCA Clause 5 of Spec E2.2a and Clause 3.22 of AS1670.1-2015 to new Level 1 works                                                                 |
| 5.                 | Fire Doors                                 | AS1905.1-1997 & BCA Specification C3.4 and AS1905.1-2005 (to new Level 1 works)                                                                                |
| 6.                 | Smoke Doors and Shutters                   | AS1530.7-2014 and AS6905-2007<br>BCA Specification C3.4 – 2019                                                                                                 |
| 7.                 | Emergency Lighting                         | AS2293.1-2005                                                                                                                                                  |
| 8.                 | Exit Signs                                 | AS2293.1-2005                                                                                                                                                  |
| 9.                 | Fire Hose Reel System                      | AS2441-1998, AS2441-2005 to new works including Level 1                                                                                                        |

## FIRE SAFETY SCHEDULE

Part 10 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

| Item No.                                                                    | Fire Safety Measure (FSM)                                                                                                                    | Minimum Standard of Performance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10.                                                                         | Fire Hydrant Installations                                                                                                                   | Original Installation to Ordinance 70, AS2419.1-2005 to new works including Level 1 works and Hydrant Booster.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 11.                                                                         | Fire & Smoke Control in Multi Compartment Buildings                                                                                          | AS/NZ 1668.1-1998                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 12.                                                                         | Fire Dampers                                                                                                                                 | BCA Clause C3.15 and AS/NZS 1668.1-1998 (AS 1682.1-1990 and AS 1682.2-1990)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 13.                                                                         | Fire Seals protecting openings in fire resisting components of the building                                                                  | Clause 22.13 and Clause 55.5 of Ordinance No 70 of the Local Government Act 1919 to original installation, AS 4072.1-2005 & AS1530.4-2014 to new works                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 14.                                                                         | Lightweight construction (fire rated) to walls bounding 2 x ground floor lobbies leading up to Level 1 to fire separate it from ground floor | BCA Specification C1.8, AS1530.4-2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 15.                                                                         | Mechanical air handling system (automatic shutdown of air- handling system)                                                                  | BCA Clause E2.2, AS/NZ 1668.1-1999 and AS/NZ 1668.1-2005 for Level 1 works                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 16.                                                                         | Mechanical air handling system (automatic smoke exhaust system)                                                                              | BCA Specification E2.2B & AS/NZ 1668.1- 1998 and Fire Safety Engineering Report No. 75148.2 from Warrington Fire Research Australia dated 19/10/04.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 17.                                                                         | External wall wetting sprinklers to Entry Lobby B                                                                                            | BCA Clause C3.4 and AS2118.1-1999                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 18.                                                                         | Warning and operational signs                                                                                                                | BCA 2016 Clause D2.23                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 19.                                                                         | Smoke detectors for automatic closing operation of fire doors                                                                                | BCA Clause C3.5 and AS1670.1-2004 and AS1670.1-2015 (to new Level 1 works)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 20.                                                                         | Fire resisting construction (applied coatings for steel – Intumescent Paint)                                                                 | AS 1530.4-2014 & AS 4100                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 21.                                                                         | Fire Engineering Report                                                                                                                      | Fire Engineering Report No. S16124, Revision FER2.0 from MCD Fire Engineering dated 21/10/16.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Proposed (New or Modified Including Section 84(6) of the Regulation)</b> |                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 1.                                                                          | Automatic Fire Sprinklers                                                                                                                    | AS2118.1-1999 & BCA Specification E1.5 and Fire Engineering Report No. S16124, Revision FER2.0 from MCD Fire Engineering dated 21/10/16 (to new Level 1 works)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 2.                                                                          | Automatic Fire Detection & Alarms                                                                                                            | <p>Section 7 of AS1670.1-2018 (Basement level)</p> <p>Smoke detection system shall be provided throughout the basement level, as per Section 7 of AS1670.1:2018 (Figure 8-1) and located on a maximum 15 m grid.</p> <p><i>Note #1: Portions of existing detection system serving carpark are permitted to be retained, subject to compliance with CI 1.7.3 of AS1670.1:2018.</i></p> <p><i>Note #2: Detection permitted to be omitted from ancillary enclosures, subject to compliance with CI 7.5.2.2 of AS1670.1:2018.</i></p> <p><i>Note #3: For areas at risk of spurious alarms (i.e. Loading Dock), an Alarm Acknowledgement Facility (AAF) shall be provided in accordance with CI 3.2.2 of AS1670.1:2018.</i></p> |

## FIRE SAFETY SCHEDULE

Part 10 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

| Item No. | Fire Safety Measure (FSM)                                                                                                                                                                                                                                                                                                                      | Minimum Standard of Performance                                                                                                                                   |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |                                                                                                                                                                                                                                                                                                                                                | Fire Engineering Report No. F202759_FER_01, Revision 01 issued by Graham Morris of Core Engineering Group, dated 24/09/2025                                       |
| 3.       | Building Occupant Warning System                                                                                                                                                                                                                                                                                                               | AS1670.1-2018 (Basement level)<br><br>Fire Engineering Report No. F202759_FER_01, Revision 01 issued by Graham Morris of Core Engineering Group, dated 24/09/2025 |
| 4.       | Fire Doors                                                                                                                                                                                                                                                                                                                                     | AS1905.1-1997 & BCA Specification C3.4 and AS1905.1-2005 (to new Level 1 works)                                                                                   |
| 5.       | Fire Hydrant Installations                                                                                                                                                                                                                                                                                                                     | AS2419.1-2021 (Basement level)<br><br>Fire Engineering Report No. F202759_FER_01, Revision 01 issued by Graham Morris of Core Engineering Group, dated 24/09/2025 |
| 6.       | Exit Signs                                                                                                                                                                                                                                                                                                                                     | AS2293.1-2018 (Basement level)                                                                                                                                    |
| 7.       | Fire Engineering Report No. F202759_FER_01, Revision 01 issued by Graham Morris of Core Engineering Group, dated 24/09/2025 <ul style="list-style-type: none"> <li>The travel distance is up to 50 m to the nearest exit in lieu of 40 m.</li> <li>The travel distance is up to 65 m between the alternative exits in lieu of 60 m.</li> </ul> | Fire Engineering Report No. F202759_FER_01, Revision 01 issued by Graham Morris of Core Engineering Group, dated 24/09/2025<br><br>D1P4, E2P2                     |

### Details of Fire Safety Building Code of Australia (BCA) Performance Solution Report(s)

| (Ref No./Title of report/Author/Date)                                                              | BCA Performance Requirement(s) | BCA DtS Provision(s) and details of non-compliance                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Fire Engineering Report No. S16124, Revision FER2.0 from MCD Fire Engineering dated 21/10/16.      | CP1, CP2, DP4                  | Spec C1.1, Table 3<br>To review and permit a reduction in the FRLs to the Class 6 retail areas from 180/180/180 to 90/90/90 minutes.<br><br>D1.4<br>To permit an extended travel distance of up to 28 m to a single exit                                                                                            |
| Fire Safety Engineering Report No. 75148.2 from Warrington Fire Research Australia dated 19/10/04. | DP4, EP2.2                     | D1.4<br>The maximum total travel distance to an exit must not exceed 40m.<br><br>D1.5<br>Exits that are required as alternative means of egress must be- (c) not more than...60m apart.<br><br>D1.4<br>No point on a floor must be more than 20m from an exit, or a point from which travel in different directions |

## FIRE SAFETY SCHEDULE

Part 10 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

|                                                                                                                             |            |                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                             |            | to 2 exits is available, in which case the maximum distance to one of those exits must not exceed 40m.                                                                                                                        |
| Fire Engineering Report No. F202759_FER_01, Revision 01 issued by Graham Morris of Core Engineering Group, dated 24/09/2025 | D1P4, E2P2 | D2D5, D2D6 <ul style="list-style-type: none"> <li>The travel distance is up to 50 m to the nearest exit in lieu of 40 m.</li> <li>The travel distance is up to 65 m between the alternative exits in lieu of 60 m.</li> </ul> |

### Section 5: Critical Fire Safety Measures – where applicable to the building (Section 79 of the Regulation)

Note: A critical fire safety measure is one where the performance is verified at intervals of less than 12 months through the submission of a supplementary fire safety statement.

| Item No.                   | Fire safety measure (FSM) | Minimum Standard of Performance | Frequency of issue of Supplementary Fire Safety Statement |
|----------------------------|---------------------------|---------------------------------|-----------------------------------------------------------|
| Current (Existing)         |                           |                                 |                                                           |
| 1.                         | Nil                       | Nil                             | Nil                                                       |
| Proposed (New or Modified) |                           |                                 |                                                           |
| 1.                         | Nil                       | Nil                             | Nil                                                       |

### Section 6: Details of approved exemptions from compliance with BCA standards for a relevant fire safety system (Section 74 of the Regulation)

| Item No. | Relevant Fire Safety System | Description of exemption |
|----------|-----------------------------|--------------------------|
| 1.       | Nil                         | Nil                      |

### Section 7: Name of authority or registered certifier issuing this schedule

Name (Given Name/s and Family Name)

Organisation (Business or Council Name)

|                |                         |
|----------------|-------------------------|
| Brett Clabburn | Group DLA (NSW) Pty Ltd |
|----------------|-------------------------|

Business Address (Street No., Street Name, Suburb and Postcode)

|                                                        |
|--------------------------------------------------------|
| Suite 7.02, Level 7, 10 Bridge Street, Sydney NSW 2000 |
|--------------------------------------------------------|

Registration Number (where applicable)

|                                  |
|----------------------------------|
| NSW Building Commission; BDC0064 |
|----------------------------------|

Date of Issue

|            |
|------------|
| 01/10/2025 |
|------------|