

Issued under Environmental Planning and Assessment Act 1979 No. 203
Environmental Planning and Assessment Regulation 2021

Certificate Number: 25000379 / 1

SECTION A THE APPLICATION

Details of the Applicant

Name:	SMA Design Pty Ltd
Address:	2, 41 Currie street Adelaide 5000
Phone:	08 8408 7750
Email:	shreya@smadesign.com.au
Application Reference no.	25000726

Details of the property

Unit / Street Number:	Warringah Mall, Shop 1402/12/13, 145
Street Name:	Old Pittwater Road
Suburb & Postcode:	Brookvale 2100
Title Particulars (Lot & DP/SP):	Lot 103 DP 1247294
Land use zone:	E2 - Commercial Centre, E4 - General Industrial

Description of the Proposed Development

CDC - Internal alterations to an existing retail premises for Beyond Bank

Estimated Cost of Work

\$350,000.00

Environmental Planning Instrument (EPI)

Applicable EPI:	State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 - Industrial and Business Alterations Code
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Date application for the Complying Development Certificate was made and received

Date CDC Application was made and received: 22 Aug 2025

SECTION B BUILDING CLASSIFICATION

Class of the proposed building/s under the Building Code of Australia:	6
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SECTION C CERTIFYING AUTHORITY

Entity	Modern Building Consultants Pty Ltd trading as MBC Group Consultants (ACN 165 354 218)		
Registration No.:	RBC00029		
Phone:	02 9939 1530	Email:	admin@mbc-group.com.au
Address:	Suite 3, 18 Sydney Road, Manly NSW 2095		

SECTION D DATE OF ISSUE AND LAPSE

Date of this Certificate:	25 Aug 2025
Date on which Certificate shall lapse:	25 Aug 2030

SECTION E ENDORSEMENT

Signature :



Signed on behalf of MBC Group Consultants, under NSW Fair Trading Registration
RBC00029

Signed by: Matthew Marks
Registration Number: BDC2882
Date of endorsement: 25 Aug 2025
Certificate Number: 25000379 / 1

SECTION F CERTIFICATION

I certify that the approved development is complying development, and all the development standards applicable to the development, and other requirements of the Environmental Planning and Assessment Regulation 2021 relating to the issue of the certificate will be complied with if the work is completed in accordance with the documentation accompanying the application for this certificate (with such modifications, if any, verified by me as may be shown on that documentation).

The development is to be carried out in compliance with the plans and documentation listed below and endorsed by MBC Group.

- Architectural Plans prepared by SMA Design – DWG No. 4 (10), 5 (10), 6 (10), dated 08 Aug 2025

SECTION G ATTACHMENTS

The certifier has relied on the plans, reports, studies and other documents listed at Appendix A – Attachments to determine this application for a Complying Development Certificate. Access to the documents at Appendix A may be provided by written request to the Certifier.

SECTION H FIRE SAFETY SCHEDULE

If applicable, refer to attached Fire Safety Schedule for this Complying Development Certificate

SECTION I SCHEDULE OF CONDITIONS

Refer to Appendix B for the Schedule of Conditions for this Complying Development Certificate

SECTION J BCA EXEMPTION DETAILS

If applicable, refer to Appendix C for details of the Section 74 exemption from BCA standards for fire safety building work relevant to this Complying Development Certificate

SECTION K PERFORMANCE SOLUTION REPORT DETAILS

If applicable, refer to Appendix D for details of any Performance Solution Reports applicable to this Complying Development Certificate

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- NSW Portal Appointment of PC Application Form, accepted 22 Aug 2025
- NSW Portal CDC Application Form, accepted 22 Aug 2025
- Fire Design Plan prepared by Premier Fire DWG FS-01 (C) dated 14 Aug 2025
- Structural Design Plans prepared by L Poon & Associates DWG S01 (-), S02 (-), S03 (-)
- Long Service Levy Receipt No. L0000195679 dated 30 Jul 2025
- Record of Inspection pursuant to Section 139 of the EP&A Regulation 2021 (CDC)
- Section 74 Exemption Statement prepared by Premier Fire dated 22 Aug 2025
- Structural Design Certificate prepared by L Poon & Associates dated 18 Aug 2025
- Fire Design Certificate prepared by Premier Fire dated 14 Aug 2025
- Design Compliance Statement prepared by SMA Design dated 30 Jul 2025
- Section 7.12 Contributions - Client Confirmation Letter prepared by SMA Design dated 05 Aug 2025
- Letter of Consent prepared by Scentre Group dated 17 Jul 2025
- Section 137 Registered Certifier Compliance Report prepared by Curtis Schumann
- Estimated Cost of Works prepared by Pinnacle Commercial Interiors dated 05 Aug 2025
- Annual Fire Safety Statement dated 26 Sep 2024
- Waste Management Plan prepared by Pinnacle Commercial Interiors dated 01 Aug 2025

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This Certificate is subject to conditions set out in the attached schedule of Conditions

- Note 1.** *Complying development under the General Housing Code and the Rural Housing 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 86A 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.*

EP&A Regulations 2021 - Div 5 Conditions of complying development certificates - APPLIES TO ALL CDCs:-

- 146 (1) A complying development certificate for development that involves building work must be issued subject to the following conditions—
- (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) A complying development certificate for a temporary structure that is used as an entertainment venue must be issued subject to a condition that the temporary structure must comply with the Building Code of Australia, Volume 1 Part B1 and NSW Part I5.
- (3) This section does not limit the other conditions to which a complying development certificate may be subject.
- (4) This section 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, other than a temporary structure to which subsection (2) applies.
- (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.
- 147 (1) A complying development certificate for 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 must be issued subject to a condition that the building work must not commence unless—
- (a) plans 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 a certifier with a statement that the certifier is satisfied they correctly identify the relevant performance requirements and deemed-to-satisfy provisions, and
- (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—
 - (a) a hydraulic fire safety system,
 - (b) a fire detection and alarm system,
 - (c) a mechanical ducted smoke control system.

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- (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.

- 149
- (1) This section applies to a complying development certificate for development involving building work, subdivision work or demolition work.
 - (2) A complying development certificate must be issued subject to a condition 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.
- 152 (1) A complying development certificate for development that involves building work or demolition work must be issued 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 asbestos referred to in the contract has been received by the operator.
- 155 If an application for a complying development certificate is required to be accompanied by a statement referred to in section 129(3), the complying development certificate must be issued subject to a condition that the requirements specified in the statement must be complied with.
- 156 (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 be issued subject to the following conditions—
- (a) the condition required by the Act, section 4.28(9) 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.
- 157 (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—
- (i) of the same type or description, or
 - (ii) carried out in the same circumstances, or
 - (iii) carried out on land of the same size or description.
- (2) A complying development certificate must be issued subject to a condition that the amount of security referred to in subsection (1)(d) will 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.

BLACKTOWN CITY COUNCIL ONLY (please remove if not in Blacktown LGA)

Blacktown City Council requires payment of a security deposit of \$2,000 before building works authorised by this consent commence in accordance with the Environmental Planning & Assessment Regulation 2021, Part 6, clause 157.

- 158 (1) This section applies to a complying development certificate that involves building work or subdivision work.
- (2) The complying development certificate must be issued subject to the condition that 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.

Schedule 8 - Ind & Bus Buildings - Notes & Part 1 Conditions applying before works commence:-

- 00 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.
- 01 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.
- 02 (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.
- 03 (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.
- 04 (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.
- 05 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.

Schedule 8 - Ind & Bus Buildings - Part 2 Conditions applying during the works:-

- 0 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.
- 06 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.
- 07 (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.
- 08 Works must be carried out in accordance with the plans and specifications to which the complying development certificate relates.
- 09 Any demolition must be carried out in accordance with AS 2601–2001, The demolition of structures.
- 10 (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.

Schedule 8 - Ind & Bus Buildings - Part 3 Conditions applying before the issue of an occupation certificate:-

- 18 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 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 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.

Schedule 8 - Ind & Bus Buildings - Part 4 Operational requirements:-

- 21
 - (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 The development must comply with the Noise Policy.
- 23
 - (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–
 - (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.

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(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.

24A

(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 500m² in Zone B1, B2, B3, B4 or B8 that existed before 1 February 2022.

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- Section 74 Exemption Letter - Westfield Warringah - Tenancy 1402 Beyond Bank RevC

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N/A