

DRAFT CONDITIONS OF CONSENT (REVISED: 28.10.10)
17 - 31 ROSEBERRY STREET, BALGOWLAH
WOOLWORTHS SUPERMARKET DEVELOPMENT & CAFE

Development Application No. 107/10 for the demolition of the existing buildings and construction of a supermarket (Woolworths) with first floor ancillary office, signage, café on ground level with basement (154 spaces), ground level (56 spaces) and rooftop parking (108 spaces) at 17 - 31 Roseberry Street, Balgowlah be **Approved** subject to the following conditions:-

Documents relating to consent.

The development, except where modified by the conditions of this consent, is to be carried out in accordance with the following plans and documentation.

Plans affixed with Council's stamp relating to Development Consent No. 107/10

Plan No. / Title	Issue/ Revision & Date	Date Received by Council
A101 – Basement Floor Plan	DA3 – 14 September 2010	16 September 2010
A102 – Ground Floor Plan	DA3 - undated	16 September 2010
A103 – First Floor Plan	DA3 – 14 September 2010	16 September 2010
A105 - Elevations	DA3 – 14 September 2010	16 September 2010
LDA-001 – Landscape Plan	DA3 – 14 September 2010	16 September 2010
LDA-D01 – Landscape Details	DA3 – 15 September 2010	16 September 2010

Documentation affixed with Council's stamp relating to Development Consent No. 107/10

- Design Statement – Architecture & Landscape Architecture, prepared by Scott Carver dated 4 March 2010 and received by Council on 20 March 2010.
- Compliance Table – Development Control Plan for the Industrial Zone.
- Assessment of Signage to Relevant Policies and Dwg. Nos. A901, A902 and A903 dated 5 March 2010, all received by Council on 20 March 2010.
- Noise Impact Assessment, prepared by Reverb Acoustics, dated July 2009 and received by Council on 20 April 2010.
- Economic Impact Assessment prepared by Urbis dated March 2010 and received by Council on 20 April 2010.
- Report on Traffic Aspects, prepared by Colston Budd Hunt & Kafes Pty Ltd dated March 2010 and received by Council on 20 April 2010.
- Arboricultural Impact Assessment, prepared by Redgum Horticultural, dated 6 July 2009 and received by Council on 20 April 2010.
- Geotechnical Assessment Report, prepared by Douglas Partners dated July 2009 and received by Council on 20 April 2010.
- Phase I Environmental Site Assessment Report prepared by Geo_Logix Pty Ltd dated March 2010 and received by Council on 20 April 2010.
- Preliminary Acid Sulphate Soils Investigation and Waste Classification Assessment, prepared by Environmental Investigation Services dated 2 July 2009 and received by Council on 20 April 2010.
- Access Report, prepared by Morris-Goding Accessibility Consulting, dated 2 March 2010 and received by Council on 20 April 2010.
- Building Code of Australia Capability Statement, prepared by Davis Langdon, dated 5 March 2010 and received by Council on 20 April 2010.
- Balgowlah Trolley Management Plan, prepared by Woolworths, undated and received by Council on 20 April 2010.

- Flood Study & Flood Level Predictions for Burnt Bridge Creek, prepared by Richmond + Ross Pty Ltd, Job Ref: 05-0511 dated March 2010 and received by Council on 16 June 2010.
- Transport Delivery Management Plan, prepared by Woolworths, undated and received by Council on 16 June 2010.
- Additional Traffic comments, prepared by Colston Budd Hunt & Kafes Pty Ltd dated 10 June 2010 and received by Council on 16 June 2010.

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council

NON STANDARD CONDITIONS

ANS 01

The plantings of five (5) Eucalyptus ficifolia (Red Flowering Gum) proposed on Council road reserve along Hayes Street are to be deleted and replaced with either five (5) Angophora hispida or Callistemon sp. The Landscape Plans are to be amended accordingly prior to the issue of Construction Certificate.

Reason: In keeping with Council's Preferred Street tree species.

ANS 02

The proposed species of Fraxinus griffithii (Evergreen Ash), Raphiolepis indica (Indian Princess Hawthorn) and Philodendron xanadu (Philodendron) as noted on the Master Plan schedule of the submitted Landscape Plan No. LDA-001 Issue DA3 dated 15 September 2010 are to be deleted and replaced with native species from Council's list of Endemic Plants from the Manly Locality. The Landscape Plans are to be amended accordingly prior to the issue of Construction Certificate.

Reason: In keeping with Council's policy on native trees.

ANS 03

Tree Nos. 32 and 33 (both Melaleuca quinquinervia) located on adjoining property are to be protected as per the tree protection measures detailed in Appendix E of the submitted Arboricultural Impact Assessment Report prepared by Redgum Horticultural dated 6 July 2009 and received by Council on 20 April 2010.

Reason: The trees are in good health and located on adjoining property. These trees are required to be protected during construction.

ANS 04

The proposed Cupaniopsis anacardioides (Tuckeroo) trees along Roseberry Street frontage, on Council's nature strip, are to be of an advanced size of 200 litres pot size and where possible are to be double staggered row plantings. Plans are to be notated accordingly prior to the issue of Construction Certificate.

Reason: To provide adequate screening to the street frontage.

ANS 05

The following are to be taken into consideration in regards to landscaping:

- Newly planted trees on Roseberry and Hayes Street frontages must attain a height of 10 metres on maturity.
- Grass must be provided on both street frontages to the development and maintained.

Landscape Plans are to be notated accordingly prior to the issue of Construction Certificate.

ANS 06

Food Premises – Plan Mezzanine

All plant mezzanines are to be used for the storage of mechanical plant equipment only, no food or food contact items are permitted to be stored within mechanical plant rooms at any stage.

Reason: To ensure compliance with legislation and to protect public health.

ANS 07

Food Premises – Hand wash basins:

Exclusive hand basins must be installed for use of food handler/operators within each food preparation area. Handwash basin(s) are to conveniently located and accessible to all food handlers in food preparation areas. Handwash basins must be located no further than 5m from any food preparation area.

Reason: To ensure compliance with legislation and to protect public health and amenity.

ANS 08

Food Safety – Floor waste

The floor of the coolroom(s) shall be graded to the door with floor gully located outside the coolroom as near to the door opening as practicable in accordance with Australian Standard AS 4674-2004.

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 09

Food Premises – Airborne contaminants

A self closing device and separate mechanical ventilation in accordance with the Building Code of Australia and AS 1668.2-1991 must be installed to the following locations:

- Mens toilet
- Ladies toilet

Reason: To ensure compliance with legislation and to protect public health and amenity.

ANS 10

Toilet Hygiene

Hand basins must be installed to the mens, ladies and disabled toilet facilities to ensure hands may be washed immediately after use of the facilities. Hand basins must be provided with an adequate supply of warm water available out of a single spout, soap and paper towel at all times.

Reason: To ensure compliance with legislation and to protect public health and amenity.

ANS11

Food Safety - Carpark

The preparation and storage of food and/or food contact items associated with food for sale within any carparking facilities is prohibited. Including but not limited to refrigeration units, coolrooms, purpose built cupboards, preparation benches and the like.

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 12

Food Safety – Supermarket mezzanine Offices

The preparation and storage of food and/or food contact items associated with food for sale within the supermarket mezzanine offices area is prohibited.

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 13

Site Contamination – Remedial Action Plan Occupational Health and Safety

A Remedial Action Plan is to be provided to the Accredited Certifier/Council prior to the issue of any construction certificate. The remedial action plan must be developed in accordance with the *Contaminated Land Management Act, 1997* and consider all risks to Occupational Health and Safety, the land, public health and surrounding community. The RAP must be approved by an accredited site auditor under *the Contaminated Land Management Act 1997* and a copy is to be submitted to Council's satisfaction prior to commencement of any works. All works carried out on site must be in accordance with an approved RAP and OH&S plan and any additional Workcover NSW requirements.

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 14

Ground Water

A Groundwater Management Plan is to be provided to the Accredited Certifier/Council prior to the issue of Construction Certificate. The Plan must demonstrate how contaminated groundwater resulting from the construction dewatering will be appropriately disposed of. This plan should include any proposed treatment to be applied to the water prior to being discharged and copies of any relevant approvals from the respective authorities. Council requires the groundwater at this site to be sampled and analysed for pH and any contaminants of concern. The analytical results must comply with ANZECC Guidelines for 95% Protection of Freshwater. This Groundwater Management Plan shall be received by the consent authority and approved prior to the issue of Construction Certificate. A copy is to be submitted to Council.

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 15

Site Contamination - General

All works associated with the contaminated land must be in accordance with the requirements of:

- Contaminated Land Management Act, 1997
- Protection of the Environment Operations Act, 1997
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation, 2008
- State Environmental Planning Policy 55 *Remediation of Land*
- Occupational Health and Safety Act, 2000
- Requirements of Workcover NSW.

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 16

Site Contamination – Validation Report Review

No Works in terms of footings, scaffold, structures or the like are permitted to commence until the land appurtenant to the consent has been remediated and validated in accordance with the Remedial Action Plan and associated Stage 1 Construction Certificate. An accredited site auditor under *the Contaminated Land Management Act 1997* shall review the Validation Report prepared by the contaminated land consultant and issue a Statutory Site Audit Statement that clearly states that the site is suitable for the proposed development.

The accredited auditor shall consult with Council prior to finalising and issuing the Site Audit Statement. The accredited site auditor shall provide Council with a copy of the Site Audit Report and Statutory Site Audit Statement, confirming the suitability of the site for the proposed development prior to the issuing of a Stage 2 Construction Certificate for the proposed construction works post demolition and remediation.

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 17

Site Contamination – Underground Petroleum Storage Systems

All Underground Petroleum Storage Tanks must be removed in accordance with the:

- *Protection of the Environment Operations Act, 1997*
- *Protection of the Environment Operations (Underground Petroleum Storage Systems Regulation, 2008*

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 18

Site Contamination – Additional Information

Any new information that comes to light during demolition or construction which has the potential to alter previous conclusions about site contamination and remediation must be notified to the Principal Certifying Authority (PCA).

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 19

Site Contamination – Remediation Variation

The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to commencement of any variations to remediation works.

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 20

Site Contamination – Remediation Monitoring Results

Results of the monitoring of any field parameters such as soil, groundwater, surface water, dust or noise measurements shall be made available to Council Officers on request throughout the remediation works.

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 21

Site Contamination – Offsite disposal of soil

Any soil disposed of offsite shall be classified in accordance with the procedures in the NSW EPA Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes (1999).

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 22

Site Contamination – Remediation Notice of Completion

A notice of completion of remediation work on any land must be given to Council within 30 days of the completion work and must be submitted in the form and cover the details required by clause 17 (2) SEPP 55.

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 23

Site Contamination – Site Validation

After completion of all Remediation works, a copy of the Validation and Monitoring Report prepared by a suitably qualified contaminated land consultant shall be submitted to Council prior to the issue of Stage 2 Construction Certificate. The validation report shall be prepared in accordance with the EPA Guidelines, *Consultants Reporting on Contaminated Sites*, and shall certify the suitability of the site for the proposed development.

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 24

Potential Acid Sulphate Soils:

Works must cease if sediments suspected of acid sulfate generation are encountered during excavation or construction activities. An Acid Sulphate Soil Management Plan prepared by a suitably qualified and experienced Environmental Scientist is to be submitted to Council.

The Acid Sulphate Soil Management plan must be in accordance with:

- The Acid Sulfate Manual 1998, *published by the Acid Sulphate Soil Management Advisory Committee, August 1998.*
- Acid Sulfate Soils Laboratory Methods Guidelines 2004, *published by Department of Natural Resources, Mines and Energy, Indooroopilly, Queensland, Australia, June 2004*

Reason: To protect public health and the surrounding natural environment.

ANS 25

Potential Acid Sulphate Soils - Materials:

Precautionary measures must be considered and implemented in accordance with the Cement and Concrete Association of Australia Technical Note TN57.

Reason: To ensure compliance with legislation and to protect public and environmental health and safety.

ANS 26

Prior to the release of any Construction Certificate for the proposed development, a Stage 3 road safety audit shall be undertaken to determine if Hayes Street needs to be closed at Condamine Street due to the increased potential of rear-end accidents. The road safety audit shall be undertaken by an independent auditor and at no cost to the Roads & Traffic Authority (RTA).

Reason: To comply with the requirements of the Roads and Traffic Authority.

ANS 27

The existing signalised intersection of Condamine Street/Balgowlah Road shall be modified to include right turn bays on Condamine Street north approach (100 metres minimum storage) and south approach (50 metres minimum storage) and the signal phasing shall be modified to include a single diamond overlap for Condamine Street, which will ensure that this intersection operates more efficiently and safely post construction of the development.

The intersection modification will require the removal of on-street parking on Condamine Street. The developer shall undertake community consultation to the satisfaction of Council.

The removal of car parking spaces on Condamine Street may require approval from Council's Local Traffic Committee, subject to Council's requirements.

Reason: To comply with the requirements of the Roads and Traffic Authority.

ANS 28

The proposed modification to the signalised intersection of Condamine Street/Balgowlah Road shall be designed in accordance with the RTA's Road Design Guide, RTA's Traffic Signal Design Manual and other Australian Codes of Practice and endorsed by a suitably qualified Engineer (i.e. who is registered with the Institute of Engineers, Australia).

The certified copies of traffic signal design and civil design plans as well as swept path analyses shall be submitted to the RTA for consideration and approval prior to the release of the Construction Certificate by the Principal Certifying Authority (PCA) and commencement of any road works.

The RTA fees for administration, plan checking, signal works inspection and project management shall be paid by the developer prior to the commencement of works.

The developer will be required to enter into a Works Authorisation Deed (WAD) for the abovementioned traffic signal and civil works. The Works Authorisation Deed (WAD) will need to be executed prior to the RTA's assessment of the detailed traffic signal design plans. The Construction Certificate shall not be released by PCA until such time the WAD is executed.

The proposed traffic signal works shall be fully constructed and operational prior to the release of any Occupational Certificates by the PCA.

Reason: To comply with the requirements of the Roads and Traffic Authority.

ANS 29

The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by various public utility authorities and /or their agents.

All road works/regulatory signposting associated with the proposed development shall be at no cost to the RTA.

Reason: To comply with the requirements of the Roads and Traffic Authority.

ANS 30

The layout of the car parking areas associated with the subject development (including, driveways, grades, aisle widths, turning paths, sight distance requirements, and parking bay dimensions) are to be in accordance with AS 2890.1 – 2004 and S 2890.2 – 2002 for heavy vehicles.

Reason: To comply with the requirements of the Roads and Traffic Authority and relevant legislation.

ANS 31

Pedestrian crossing and facilities are to be provided at the corner of Hayes and Roseberry Street. Details of pedestrian crossing are to be submitted to Council's Traffic Committee for approval, prior to the issue of Construction Certificate.

Reason: To provide safe pedestrian access to the development.

ANS 32

Hours of Operation

The hours of operation of the premises (i.e. hours open for business), for both the supermarket and café, must not exceed: 7:00am to 10:00pm seven (7) days a week, without the prior approval of Council.

Reason: To ensure amenity of the surrounding locality is maintained and the hours of operation are consistent with those in the surrounding locality.

ANS 33

Hours of Deliveries

All deliveries to the site must be contained within the hours of 7:00am and 7:00pm, Monday to Sunday, without the prior consent of Council.

Reason: To ensure amenity of the surrounding locality is maintained and the hours of deliveries are consistent with those in the surrounding locality.

ANS 34

A Construction Management Plan (CMP) is to be submitted to Council prior to any works commencing on site, including any demolition works. The CMP is to include issues of construction traffic management, parking of workers vehicles, street parking and employment of traffic controllers during construction.

Reason: To minimize disruption of traffic on local roads.

ANS 35

Plastic bags

'Plastic bags' may be used within the warehouse development, provided that Woolworths operate in accordance with a plan (setting out how Woolworths intend to reduce plastic bag usage by increasing usage of alternatives to plastic bags, training staff, educating customers and encouraging recycling of plastic bags and environmentally friendly packaging). The educational part of this is to be included a 'Green Scheme' plan for the development.

For the purpose of this condition a plastic bag means:

- a. A carry bag, the body of which comprises (in whole or in part) polyethylene with a thickness of less than 35 microns; and
- b. that includes handles.

But does not include;

- a. a biodegradable bag certified to Australian standard AS 4736; or
- b. a plastic bag that constitutes, or forms an integral part of, the packaging in which goods are sealed prior to sale.

Reason: To reduce the environmental impact of the use and reduce its carbon footprint.

ANS 36

Food and beverage packaging

All takeaway food and beverage packaging used at the premises shall be recyclable packaging or biodegradable packaging.

For the purposes of this condition;

Recyclable packaging is packaging for which collection or drop off facilities are available to a reasonable proportion of purchases, potential purchases or users of the product in the area which the product is sold (Standards Australia, 1999).

Biodegradable packaging is packaging which is able to be broken down by micro-organisms in the presence of oxygen (aerobic) to carbon dioxide, water biomass and mineral salts or any other elements that are present (mineralisation). Alternatively, the breakdown of organic substances by micro-organisms without the presence of oxygen (anaerobic) to carbon dioxide, methane, water and biomass (Standards Australia, 2006)

Takeaway food and beverage packaging is packaging used for food and beverages prepared and/or packed on the premises and excludes:

- a. Packaging that constitutes, or forms an integral part of, the packaging in which goods are sealed prior to sale ; and
- b. Barrier packaging which is essential for health and/or food safety (for example cling wrap, bags for barbecued chicken, or packaging to meet food safety requirements).

Reason: To reduce the overall environmental impact of the use

ANS 37

A direct accessible entry is to be provided to the retail supermarket from Roseberry Street in accordance with the Access Report, prepared by Morris-Goding Accessibility Consulting dated 2 March 2010 and received by Council on 20 April 2010. Plans are to be amended accordingly prior to the issue of Construction Certificate.

Reason: To comply with the requirements Council's DCP for Access, Australian Standards and DDA Access Code.

ANS 38

The Final Building Code of Australia report is to address the issue of egress to the relocated Office Block on the roof top (RL 13.95). The proposed development is to fully comply with the Building Code of Australia.

Reason: Compliance with the Building Code of Australia.

ANS 39

A new concrete footpath to the site fronting Hayes and Roseberry Street is required. The design, construction and paving of the footpath are to be to the satisfaction of Council's Urban Services Division. All cost associated with the footpath is to be borne by the applicant.

Reason: To comply with Council's policy on footpath fronting developments.

ANS 40

All external lighting is to comply with AS4282-1997 - The Control of Obtrusive Effects of Outdoor Lighting. Details of the external lighting scheme are to be submitted to the Principal Certifying Authority (PCA) prior to the issue of any final Occupation Certificate.

Reason: To protect the amenity of surrounding developments.

ANS 41

A Parking Management Plan is to be prepared and submitted to Council for approval prior to the issue of any Occupation Certificate to include the following elements:

- Access to and egress from the car parks on the Basement and Ground level are to be available during hours of business operation;
- The car park is to provide at least three (3) hours free parking. Any reduction to these hours or installation of any boom gate or similar is to be subject of a separate development application to Council;
- Car parking to be provided to staff free of charge with no time limit;
- The public parking area at the roof top level is to operate as per the Deed of Agreement signed between Council and Fabcot Pty. Ltd. Installation of any boom gate or similar is to be the subject of a separate development application to Council.
- The public parking area on the roof top level and its pedestrian access is to be provided with adequate lighting for security reasons.

Reason: To effectively manage impacts on traffic flows and minimise congestion and provide safe and secure public parking.

ANS 42

The design of all parking and servicing areas are to conform to AS2890.1-2004 and AS2890.2-2002.

Reason: Compliance with relevant standards.

ANS 43

The design of the wall between the service area driveway and rooftop ramp should not restrict sight lines for at least 5.0m inside the site, as measured from the property boundary. The proposed wall is to be cut back to achieve sight lines. Plans are to be amended accordingly prior to the issue of Construction Certificate.

Reason: To achieve clear sightlines such that a truck driving into the service area would see and be seen by cars on the car park ramp.

ANS 44

All cost associated with the restrictions relating to the removal of parking from both sides of Roseberry Street between Hayes Street and Kenneth Road, and on the northern side of Hayes Street are to be borne by the applicant. These restrictions are to be on a full time basis.

Reason: To effectively manage impacts on traffic flows and minimise congestion on the street.

ANS 45

The development should provide 1 bicycle parking space for every 10 car spaces provided in the development. Based on this methodology, 32 bicycle parking spaces should be provided. Further the applicant should also consider the provision of minimum 20% of the spaces allocated to supermarket staff with provision made to secure bicycle storage accessible showers and change facilities.

Shopper bicycle parking should be clearly identified by directional signage to the satisfaction of the Council and should preferably be located at ground floor level and not require access via steps and should be located adjacent to areas of pedestrian or vehicle movement to allow casual surveillance. The bicycle parking facility should be weatherproof and must not obstruct pedestrian movement or other activities such as the delivery of goods and opening of car doors.

Bicycle parking bays should be wide enough to allow adequate space to manoeuvre the bike in and out of the space without causing congestion or damage to other bicycles in adjacent bays. As a guide bicycle parking bays should generally be 1.2m wide and 1.7m long.

Council prefers the use of stainless steel bicycle hoops due to its high strength and durability. It also allows the bicycle frame and one wheel to be locked to the rack and can withstand vandalism and theft.

Plans are to be amended to include the above prior to the issue of Construction Certificate.

Reason: To comply with Council's policy and encourage the use of bicycles.

ANS 46

The proposed travelators are to be relocated to the western edge of the covered plaza. The carparking spaces in the basement area are to be deleted or re-arranged to accommodate the proposed change. Plans are to be amended accordingly prior to the issue of Construction Certificate.

Reason: The relocation of the travelator to the western side of the covered plaza would provide an active street frontage.

ANS 47

The recommendations of the Flood Study & Flood Level Predictions for Burnt Bridge Creek, prepared by Richmond + Ross Pty Ltd, Job Ref: 05-0511 dated March 2010 and received by Council on 16 June 2010 are to be fully complied with.

Reason: To protect the development from floods.

ANS 48

Plans are to be amended to reflect the following:

- Delete the proposed Pylon Sign (S12) on the western side of the roof top carpark level. The proposed sign is considered to be unnecessary and will have an adverse impact on the locality.
- Signs S7 & S8 are to be deleted and replaced with S2 & S3 similar to the south facing sign. This is to match the amended plans and elevations.
- The proposed sign S9 is not to protrude over Council land.

Amended signage plans are to be submitted to the Accredited Certifier/Council prior to the issue of Construction Certificate.

Reason: To reduce the impact of the proposed signs on the amenity of the neighbourhood.

ANS 49

The proposed signs are to be illuminated during the supermarket opening hours only. The illumination is to be switched off each night at the closing of the supermarket.

Reason: To reduce the impact of the signs on the amenity of the neighbourhood.

ANS 50

The height of the building is not to exceed 11.0 metres above the existing ground level, with the exception of the lift overrun. Plans are to be notated accordingly prior to the issue of Construction Certificate.

Reason: to comply with the requirements of the DCP.

ANS 51

The recommendations of the Phase I Environmental Site Assessment Report prepared by Geo_Logix Pty Ltd dated March 2010 and received by Council on 20 April 2010 are to be fully complied with.

Reason: To comply with the Consultants report.

ANS 52

The proposed ramp from the basement level to Roseberry Street is to be used for egress of vehicles from the basement only. Plans are to be notated accordingly prior to the issue of Construction Certificate.

Reason: To comply with the recommendations of the Traffic Consultant.

ANS 53

The application requires the provision of a corner splay as per Council's Policy on corner splays. A corner splay of 3.0m x 3.0 m is to be provided on the south-eastern corner of the subject site, at the junction of Hayes and Roseberry Street. The corner splay is to be dedicated at no cost to Council. The design of the proposed café is to be amended accordingly prior to the issue of Construction Certificate.

Reason: To comply with Council's Policy on corner splay and improve sightlines.

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

1 (2AC01)

The development must be designed to comply with the requirements of the Disability Discrimination Act 1992 and Australian Standard AS 1428.2-1992. Compliant access provisions for people with disabilities is to be clearly shown on the drawings and submitted to the Council/Accredited Certifier for approval with the Construction Certificate. All details and construction must be in compliance with these requirements.

Reason: To provide equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.

2 (2AC02)

Access in accordance with Australian Standard AS 1428.2 is to be provided to and within the main entrance and exit points of the development in accordance with the current Manly Development Control Plan for Access. Appropriate signage and tactile information indicating accessible facilities are to be provided at the main entrance directory or wherever directional signage or information is provided to those buildings with accessible facilities. Such signage is to comply with Australian Standard AS 1428.2.

Reason: To provide equitable and dignified access for all people in accordance with relevant Australian Standards.

3 (2AC04)

At least one (1) unisex sanitary facility designed in accordance with Australian Standard AS 1428.2 is to be provided in all new or refurbished buildings which provide public sanitary facilities. Details of the facility are to be submitted to the Council/Accredited Certifier prior to the issue of the Construction Certificate.

Reason: To comply with the Disability Discrimination Act 1992 and Australian Standards.

4 (2AC05)

A minimum of one (1) car parking space is to be provided for people with disabilities in all new or refurbished buildings which provide between 10 to 50 car parking spaces, and two (2) car parking spaces for people with disabilities in those buildings providing between 50 and 100 spaces.

The car parking spaces must be identified and reserved at all times and be in the vicinity of a lift or as close as possible to public areas and facilities. The car parking spaces must have minimum dimensions and headroom to conform to Australian/New Zealand Standard AS/NZS 2890.1:2004. A notice must be displayed at the entrance to the parking station and at each change in direction indicating the location of car parking spaces and the maximum headroom for vehicles. Details to be submitted to the Council/Accredited Certifier prior to the issue of the Construction Certificate.

Reason: To comply with the Disability Discrimination Act 1992 and Australian Standards

5 (2AP01)

Four (4) copies of architectural drawings consistent with the development consent and associated conditions are to be submitted to the Council/Accredited Certifier prior to the issue of the Construction Certificate.

Reason: To comply with the Environmental Planning and Assessment Act 1979.

6 (2AP03)

Consent given to build in close proximity to the allotment boundary is in no way to be construed as permission to build on or encroach over the allotment boundary. Your attention is directed to the provisions of the Dividing Fences Act 1991 which gives certain rights to adjoining owners, including use of the common boundary. In the absence of the structure standing well clear of the common boundary, it is recommended you make yourself aware of your legal position which may involve a survey to identify the allotment boundary.

Reason: To advise developers of their responsibilities and to protect the interests of adjoining owners.

7 (2AQ01)

A report prepared by an air pollution control consultant specifying odour control and other air impurity control methods is to be submitted to the Council/Accredited Certifier for approval,

prior to the issue of the Construction Certificate. All works required must be implemented prior to the use commencing.

Reason: To ensure compliance with legislation, and to protect public health and amenity.

8 (2BS01)

The fit out of the food premises must comply with the following:

- Food Act 2003,
- Food Regulations 2004,
- Australian Standard AS 4674-2004:Construction and fit out of food premises,
- Australia and New Zealand Food Standards Code 3.2.3: Food Premises and Equipment.

Reason: To ensure compliance with legislation and to protect public health and safety.

Internal Note: This condition is to be imposed in conjunction with 4BS01 and 6BS02.

9 (2CD01)

Pursuant to Section 97 of the Local Government Act, 1993, Council requires prior to the issue of Construction Certificate, or commencement of any excavation and demolition works, payment of a Trust Fund Deposit of **\$170,000**. The Deposit is required as security against damage to Council property during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Note: Should Council property adjoining the site be defective e.g. cracked footpath, broken kerb etc., this should be reported in writing, or by photographic record, submitted to Council at least seven (7) days prior to the commencement of any work on site. This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicants interest for it to be as full and detailed as possible.

Where by Council is not the Principal Certifying Authority, refund of the trust fund deposit will also be dependent upon receipt of a final Occupation Certificate by the Principal Certifying Authority and infrastructure inspection by Council.

Reason: To ensure security against possible damage to Council property.

10 (2CD02)

A Dilapidation Report is required for this development. A photographic survey of adjoining properties to the north and west detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items, is to be submitted to Council and the Accredited Certifier (where Council does not issue the Construction Certificate) prior to the issue of the Construction Certificate. This survey is to be prepared by an appropriately qualified person agreed to by both the applicant and the owner of the adjoining property/ies.

All costs incurred in achieving compliance with this condition must be borne by the person entitled to act on this Consent.

If access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to Council's satisfaction attempts have been made to obtain access and/or advise the affected property owner of the reason for the survey and these attempts have been unsuccessful. Written concurrence must be obtained from Council in such circumstances.

Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

Reason: To maintain proper records in relation to the proposed development.

11 (2CD03)

The applicant is to lodge a Hoarding Application with Council for any protective hoardings, fences and lighting which are to be provided during demolition, excavation and building works. The Hoarding Application is to be submitted to Council with the appropriate fee, prior to any works on site or prior to the issue of the Construction Certificate.

All hoardings must be in accordance with Council's Hoarding Application Form and must comply with the requirements of the Department of Industrial Relations, Construction Safety Act, the WorkCover Authority and relevant Australian Standards.

Note: On corner properties, particular attention is to be given to the provision of adequate sight distances.

Reason: To ensure public safety and amenity on public land.

Internal Note: This condition is to be imposed in conjunction with 3CD04 and 4CD04.

12 (2CD04)

Where any shoring for excavation is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings and specifications certifying the shoring will be adequate for their intended purpose and must be submitted to the Council/Accredited Certifier for approval with the Construction Certificate. The documentation prepared and certified by an appropriately qualified and practising structural engineer is to show all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements. A copy of this documentation must be provided to the Council for record purposes at the time of Construction Certificate application.

Reason: To ensure the protection of existing public infrastructure and adjoining properties.

13 (2CD05)

Detailed engineering drawings of all work must be submitted for approval by the Council/Accredited Certifier prior to the release of the Construction Certificate.

Reason: To ensure the provision of public infrastructure of an appropriate quality arising from the development works to service the development.

14 (2CD06)

Four (4) certified copies of the structural engineer's details for the proposed development; including but not limited to all reinforced concrete, structural steel support construction and any proposed retaining walls; must be submitted to the Council/Accredited Certifier prior to the issue of the Construction Certificate.

Reason: To ensure construction of the new development is in accordance with the structural engineers design.

15 (2CD08)

A Geotechnical Report, on the stability of the subject site, is to be prepared by a suitably qualified geotechnical engineer in accordance with the guidelines contained in the current Manly Development Control Plan for Landslip and Subsidence. All recommendations of the report are to be complied with during the construction process. The report is to be submitted to the Council/Accredited Certifier prior to the issue of the Construction Certificate.

Reason: To structural integrity is to be maintained.

16 (2CD09)

A Geotechnical Survey is to be prepared by a suitably qualified geotechnical engineer for the proposed excavation. The requirements for a Geotechnical Survey are contained within the Dictionary of the Manly Development Control Plan for the Residential Zone 2007 - Amendment 1. All recommendations of the survey are to be complied with during the construction process. The survey is to be submitted to the Council/Accredited Certifier prior to the issue of the Construction Certificate.

Reason: To ensure excavation is undertaken in an appropriate manner.

17 (2CD10)

The proposed structure/s are to be located clear of the existing Council easement. Information regarding the location of any services within the easement should be sought from Council's engineers before structural elements and their locations are finalised. A certificate from a registered surveyor is to be submitted to Council verifying the location of the structure/s after footings have been poured and before the construction of any walls.

Reason: To allow maintenance of services within the easement without affecting the building and to ensure there is no damage to public assets.

18 (2CD11)

Special footings will be required where the proposed/existing structure is adjacent to a drainage easement. The footings must be taken down to the invert level of the existing drainage structure or to solid rock, whichever is the lesser. The footing depth may decrease by 500mm for every 1000mm increment in distance the footing is from the easement boundary. A suitably qualified structural engineer must issue a compliance certificate for the special footings referred to above to the Council/Accredited Certifier. The footings must be designed and approved prior to the issue of the Construction Certificate.

Reason: To allow maintenance of services within the easement without affecting the building and to ensure there is no damage to public assets.

19 (2CD12)

The excavation drawing must show all proposed excavation with RLs existing and proposed. The excavation drawing must include rainwater tanks and pool plant locations and proposed depths, and comply with the other conditions of this consent. This information must also be included on architectural drawings. The excavation drawing and other details required by this condition is to accompany the drawings lodged with the Construction Certificate.

Reason: To ensure all excavation complies with this consent.

20 (2CD13)

All plumbing and drainage, including sewerage drainage stacks, ventilation stacks and water service pipes are to be concealed within the building. Plumbing other than stormwater downpipes must not be attached to the external surfaces of the building.

Reason: To ensure the visual quality of the development.

21 (2DS01)

A detailed stormwater management plan is to be prepared to fully comply with Council's Specification for On-site Stormwater Management 2003 and Specification for Stormwater Drainage 2003 and must be submitted to Council for approval prior to issue of the Construction Certificate. The stormwater management plan and designs are to be prepared by a suitably qualified engineer.

Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure that infrastructure reverting to Council's care and control is of an acceptable standard.

22 (2DS02)

A system of Onsite Stormwater Detention (OSD) or Onsite Stormwater Retention (OSR) is to be provided within the property in accordance with Council's Specification for On-site Stormwater Management 2003. The design and details must be submitted with the Construction Certificate Application and be approved by Council prior to the issue of the Construction Certificate. The stormwater management plan and designs must be prepared by a suitably qualified engineer.

Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure public infrastructure in Council's care and control is not overloaded.

23 (2DS07)

The design of rainwater tanks must be in accordance with the following:

- Australian/New Zealand Standard AS/NZS 3500:2003,
- NSW Code of Practice Plumbing and Drainage, 2006 produced by Committee on Uniformity of Plumbing and Drainage Regulations in NSW (CUPDR).

Reason: To protect public health and amenity.

Internal Note: This condition is to be imposed in conjunction with 4DS03 and 6DS01.

24 (2DS08)

The waste water treatment system must be approved under Section 68 of the Local Government Act, 1993 prior to the issue of Construction Certificate.

Reason: To ensure compliance with legislation and to protect public health and amenity.

25 (2FP02)

Detailed drawings and specifications of all works (including but not limited to structures, road works, driveway crossings, footpaths and stormwater drainage) within existing roads, must be submitted to and approved by Council under the Roads Act 1993, before the issue of any Construction Certificate. Specific works include:

- 1) Full width vehicular crossings having a maximum width, at the back of layback, of eight (8) metres, and in accordance with the current policy of Council and Specifications for the construction of vehicle crossings; and
- 2) Longitudinal sections for both sides of the vehicular crossing and driveway commencing at the centre line of the road carriageway must be provided for assessment. Gradients and transitions must be in accordance with Australian Standard AS 2890.1 – 2004, Part 1 – Off-Street Car Parking. The driveway profile submitted to Council must be to scale at 1:25 (for template checking purposes) and contain all relevant details: reduced levels, proposed grades and distances.

Driveway to be designed to provide for existing or future footpaths across driveway, in accordance with Council's Specification for Civil Infrastructure Works, Developments & Subdivisions 2003 and Australian Standard AS 1428.1:2001 - Design for access and mobility.

Reason: To facilitate suitable vehicular access to private sites.

Internal Note: This condition is to be imposed in conjunction with 3FP01, 4FP01 and 5FP01.

26 (2FP03)

No portion of the proposed building or works, as approved within the subject site, are to encroach upon any road reserve or other public land except as may be permitted by the Local Government Act 1993. This includes the opening and closing of gates and doors which must open and close within the subject site.

Reason: To ensure structures are contained within the site.

27 (2FP04)

The pedestrian footpaths and pavements in the streets surrounding the proposed development are to be constructed as per Manly Council Paving Design Guidelines as amended. The design details are to be submitted with the Construction Certificate application, prior to the issue of the Construction Certificate.

Reason: To ensure appropriate quality of public infrastructure arising from the development works.

28 (2FR01)

A Fire Safety Schedule specifying the fire safety measures (both current and proposed) which should be implemented in the building premises must be submitted with the Construction Certificate application, in accordance with Part 9 Clause 168 of the Environmental Planning and Assessment Regulation 2000.

Note: A Construction Certificate cannot be issued until a Fire Safety Schedule is received.

Reason: Compliance with the Environmental Planning and Assessment Act 1979.

29 (2MS01)

Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, details including drawings and specifications must be submitted to Council accompanying the Construction Certificate, which provide adequate measures for erosion and sediment control. As a minimum, control techniques are to be in accordance with Manly Council Guidelines on Erosion and Sediment Control, or a suitable and effective alternative method. The Sediment Control Plan must incorporate and disclose:

- 1) all details of drainage to protect and drain the site during the construction processes,
- 2) all sediment control devices, barriers and the like,
- 3) sedimentation tanks, ponds or the like,
- 4) covering materials and methods, and
- 5) a schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.

Details from an appropriately qualified person showing these design requirements have been met must be submitted with the Construction Certificate and approved by the Council/Accredited Certifier prior to issuing of the Construction Certificate.

Reason: To protect the environment from the effects of sedimentation and erosion from development sites.

Internal Note: This condition is to be imposed in conjunction with 4MS04.

30 (2MS03)

A BASIX Certificate is required to reflect all the approved works. All commitments embodied within the BASIX Certificate must be incorporated in drawings submitted with the Construction Certificate.

Reason: To ensure the development complies with the requirements of the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

31 (2NL01)

Details are to be submitted to the Council/Accredited Certifier indicating the method of sound attenuation and/or acoustic treatments for all roof terraces, decks and balconies in compliance with the Building Code of Australia, prior to issue of the Construction Certificate.

Reason: To protect the acoustic amenity of neighbouring properties and the public.

32 (2PT02)

All driveways, car parking areas and pedestrian paths are to be surfaced and sealed. Details of treatment to these areas are to be submitted to the Council/Accredited Certifier prior to issue of the Construction Certificate.

Reason: To provide suitable stormwater disposal and to prevent soil erosion and runoff.

33 (2US02)

A contribution is to be paid for the provision, extension or augmentation of traffic and parking, environmental programs, streetscape and landscaping, community facilities and administration that will, or are likely to be, required as a consequence of development in the area.

Total contribution for this development for Demolition of the existing buildings and construction of a supermarket (Woolworths) with first floor ancillary office, signage, café on ground level with basement (154 spaces), ground level (56 spaces) and rooftop parking (108 spaces) is currently **\$538,674.62** the amount of the payment shall be in accordance with the Section 94 charges as at the date of the payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions plan to effect changes in land values, construction costs and the Consumer Price Index.

This contribution shall be paid to Council prior to the release of the Construction Certificate and the amount payable shall be in accordance with Council's adopted Section 94 Contributions Plan effective July 2010 as follows;

Component Contribution

Community Facilities	\$265.27
Streetscape and Landscaping	\$5,305.29
Traffic & Parking	\$44.22
Environmental Programs	\$7,368.46

TOTAL: \$12,983.24 per 100m² GFA

The calculations for DA No. 107/10 are as follows:

Additional Floor Area = 4149.25m²
\$12,983.24 X 4149m² divided by 100
= \$538,674.62

Total Section 94 Contribution applicable = **\$538,674.62**

Note: Section 94 Contribution fees are adjusted on the 1st July each year and are based on the March CPI figures.

Reason: To enable the provision of public amenities and services required/anticipated as a consequence of increased demand resulting from the development.

34 (2US07)

The design of water cooling systems, evaporative coolers and hot/warm water systems within the premises (including access to the system for maintenance) must comply with the following:

- Public Health Act 1991,
- Public Health (Microbial Control) Regulation 2000,

- Australian/New Zealand Standard AS/NZS 3666.1:2002 – Air Handling and Water Systems of Buildings – Microbial Control – Design, installation and commissioning,
- Australian/New Zealand Standard AS/NZS 3666.2:2002 – Air Handling and Water Systems of Buildings – Microbial Control – Operation and Maintenance, and
- Australian/New Zealand Standard AS/NZS 3666.3:2002 – Air Handling and Water Systems of Buildings – Microbial Control –Performance based maintenance of cooling water systems.

Reason: To comply with the provisions of the Public Health Act 1991 and to protect public health and amenity.

Internal Note: This condition is to be imposed in conjunction with 4US01 AND 6US01.

35 (2WM01)

Details of waste management facilities are to be submitted with the application for a Construction Certificate in accordance with the Manly Development Control Plan for Waste Minimisation and Management 2000.

Reason: To ensure appropriate management of waste.

36 (2WM02)

A Waste Management Plan is to be submitted with the application prior to a Construction Certificate being issued in accordance with the Manly Development Control Plan for Waste Minimisation and Management 2000.

The plan should detail the type and estimate the amount of demolition and construction waste and nominate how these materials will be sorted and dealt with. Weight dockets and receipts must be kept as evidence of approved methods of disposal and recycling. All demolition and excess construction materials are to be recycled where ever practicable. It should include consideration of the facilities required for the ongoing operation of the premises' recycling and waste management services after occupation. A template is available from the Manly Council website.

Reason: To plan for waste minimisation, recycling of building waste and on-going waste management.

Internal Note: The requirement for a Waste Management Plan is included in the Department of Environment and Climate change (DECC) Waste Service Performance Improvement Payment Criteria (WSPIP).

37 (2WM03)

Garbage rooms or grease arrester rooms must be constructed of solid material: cement rendered and steel trowelled to a smooth even surface. The door to the garbage room is to be designed and constructed to ensure the room is vermin proof and can be opened from the inside at all times. The garbage room is to be ventilated to the external air by natural ventilation or an approved air handling exhaust system.

Reason: To keep garbage rooms in a clean and sanitary condition to protect public health.

CONDITIONS TO BE SATISFIED PRIOR TO ANY COMMENCEMENT

38 (3BM01)

The floor surfaces of bathrooms, shower rooms, laundries and WC compartments are to be of an approved impervious material properly graded and drained and waterproofed in accordance with Australian Standard AS 3740. Certification is to be provided to the Principal Certifying Authority from a licensed applicator prior to the fixing of any wall or floor tiles.

Reason: To prevent the penetration of dampness through walls and floors.

39 (3CD01)

Building work, demolition or excavation must not be carried out until a Construction Certificate has been issued.

Reason: To ensure compliance with statutory provisions.

40 (3CD03)

An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project.

Reason: To protect the public interest and safety.

41 (3CD04)

The hoarding must be in place prior to the commencement of works on the site. Trees which are affected by the hoarding and located outside the boundaries of the allotment are not to be cut, trimmed or removed without the prior approval of Council. The hoarding is to be removed immediately at the applicant's expense, if any of these conditions relating to hoardings are not fully complied with.

Reason: To ensure public safety and amenity on public land.

Internal Note: This condition is to be imposed with 2CD03 AND 4CD04.

42 (3FP01)

The applicant must complete an application form and pay applicable fees for an application to Council for the construction of a Vehicular Crossing, for the design, specification and inspection by Council. Applications are to be made a minimum of two (2) working days prior to commencement of proposed works on Council's property.

Reason: To provide suitable vehicular access to private sites, without disruption to pedestrian and vehicular traffic.

Internal Note: This condition is to be imposed with 2FP02, 4FP01 AND 5FP01.

43 (3PT01)

In accordance with the Roads Act 1993, written consent from Council must be obtained and must be in hand prior to any track equipped plant being taken in or onto any roadway, kerb & gutter, footway, nature strip, or other property under Council's control.

Reason: To ensure appropriate protection of public infrastructure and facilitate access for public and vehicular traffic.

44 (3PT02)

Applications for a construction zone on a local road require 28 days notice to Council indicating location and length. All construction zones require the approval of the Manly Traffic Committee.

Reason: To ensure Council and the Traffic Committee have sufficient time and information to assess the traffic and access implications of a proposed construction zone and to develop appropriate responses to those implications.

45 (3PT03)

Applications for a construction zone on a State Road require 28 days notice to Council and RTA State Network Services indicating the location and length. All construction zones require the approval of the Manly Traffic Committee.

Reason: To ensure Council, the Traffic Committee and the RTA have sufficient time and information to assess the traffic and access implications of a proposed construction zone and to develop appropriate responses to those implications.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

46 (4AP01)

The recommendations detailed in the Geotechnical Appraisal: Report on Geotechnical Investigation for Woolworths Ltd for the proposed retail development Project 71268 dated July 2009 prepared by Douglas Partners dated July 2009 and received by Council on 20 April 2010 are to be fully complied with.

Reason: To ensure excavation is undertaken in an appropriate manner.

47 (4BS01)

The construction of the food premises must comply with the following:

- Food Act 2003,
- Food Regulations 2004,
- Australian Standard AS 4674-2004: Construction and fit out of food premises,
- Australia and New Zealand Food Standards Code 3.2.3: Food Premises and Equipment.

Reason: To ensure compliance with legislation and to protect public health and safety.

Internal Note: This condition is to be imposed with 2BS01 and 6BS02.

48 (4CD01)

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- 1) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- 2) Demolition must be carried out by a registered demolition contractor.
- 3) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- 4) No blasting is to be carried out at any time during construction of the building.
- 5) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- 6) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- 7) Any demolition and excess construction materials are to be recycled wherever practicable.
- 8) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 9) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- 10) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- 11) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.

- 12) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- 13) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- 14) Public footways and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- 15) Building operations such as brickcutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- 16) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- 17) Any work must not prohibit or divert any natural overland flow of water.

Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.

49 (4CD02)

In order to maintain the amenity of adjoining properties, audible site works must be restricted to between 7.00am and 6.00pm, Monday to Friday and 7.00am to 1.00pm Saturday. No site works can be undertaken on Sundays or public holidays.

Unless otherwise approved within a Construction Traffic Management Plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Reason: To prevent disturbance to the surrounding community.

50 (4CD03)

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 person or part of 20 persons employed at the site, by effecting either a permanent or temporary connection to the Sydney Water's sewerage system or by approved closets.

Reason: To maintain sanitary conditions on building sites.

51 (4CD04)

All hoardings must be lit between the hours of sunset and sunrise. Lights are to be erected at intervals of not greater than 5.0 metres for the length of the hoarding. The applicant must keep the hoarding presentable to the public for the whole of the time it is erected. There must be no catch points or protrusions likely to cause injury or damage to the public from the hoarding. The hoarding must be constructed of demountable timber frame sections lined with a smooth face material, and painted with an approved white paint which will not wash or rub off.

Reason: To ensure public safety and amenity on public land.

Internal Note: This condition is to be imposed with 2CD03 and 3CD04.

52 (4CD05)

Retaining walls being constructed in conjunction with excavations must be in accordance with structural engineer's details. Certification by a structural engineer that the constructed works comply with the structural detail must be submitted to the Principal Certifying Authority.

Reason: To ensure the structural adequacy of the retaining walls.

53 (4CD06)

All construction works must be strictly in accordance with the Reduced Levels (RLs) as shown on the approved drawings. Certification is to be submitted to the Principal Certifying Authority during construction by a registered surveyor certifying complying and finished ridge levels.

Reason: To ensure compliance with the consent.

54 (4CD07)

Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW. Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence.

All removal, repair or disturbance of or to asbestos material must comply with the following:

- The Occupational Health and Safety Act 2000,
- The Occupational Health and Safety Regulation 2001,
- The Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (1998)],
- The Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998)] <http://www.nohsc.gov.au/>], and
- The Workcover NSW Guidelines for Licensed Asbestos Removal Contractors.

Note: The Code of Practice and Guide referred to above are known collectively as the Worksafe Code of Practice and Guidance Notes on Asbestos. They are specifically referenced in the Occupational Health and Safety Regulation 2001 under Clause 259. Under the Occupational Health and Safety Regulation 2001, the Worksafe Code of Practice and Guidance Notes on Asbestos are the minimum standards for asbestos removal work. Council does not control or regulate the Worksafe Code of Practice and Guidance Notes on Asbestos. Those involved with work to asbestos should be made aware of the requirements by visiting www.workcover.nsw.gov.au or one of Workcover NSW's offices for further advice.

Reason: To ensure the health of site workers and the public.

55 (4DS01)

A suitable sub-surface drainage system is to be provided adjacent to all excavated areas and such drains being connected to an approved disposal system.

Reason: To prevent uncontrolled seepage entering excavated areas.

67 (4DS02)

Any de-watering from the excavation or construction site must comply with the Protection of the Environment Operations Act 1997 and the following:

- 1) Ground water or other water to be pumped from the site into Council's stormwater system must be sampled and analysed by a NATA accredited laboratory or Manly Council for compliance with ANZECC Water Quality Guidelines, and
- 2) if tested by NATA accredited laboratory, the certificate of analysis issued by the laboratory must be forwarded to Manly Council as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997, prior to the commencement of de-watering activities; and
- 3) Council will grant approval to commence site de-watering to the stormwater based on the water quality results received, and
- 4) It is the responsibility of the applicant to ensure during de-watering activities, the capacity of the stormwater system is not exceeded, there are no issues associated with erosion or scouring due to the volume of water pumped; and turbidity readings must not at any time exceed the ANZECC recommended 50ppm (parts per million) for receiving waters.

Reason: To ensure compliance with legislation and to protect the surrounding natural environment.

56 (4DS03)

Rainwater tanks must be installed on residential properties by a suitably qualified and licensed plumber and in accordance with the following:

- Australian/New Zealand Standard AS/NZS 3500:2003,
- NSW Code of Practice Plumbing and Drainage, 2006 produced by Committee on Uniformity of Plumbing and Drainage Regulations in NSW (CUPDR).

Reason: To protect public health and amenity.

57 (4FP01)

The existing footpath level and grade at the street alignment of the property must be maintained.

Reason: To ensure appropriate access and infrastructure protection.

Internal Note: This condition is to be imposed with 2FP02, 3FP01 and 5FP01.

58 (4FR01)

The building is to be erected in Type A construction for a Class 6 & 7A building in accordance with the Fire Resistance Provisions of the Building Code of Australia.

Reason: To specify the standard of construction and the level of fire safety required by the Building Code of Australia.

59 (4FR02)

All requirements of the NSW Fire Brigades for the building must be complied with in accordance with the requirements of the Building Code of Australia.

Reason: To comply with the requirements of the Building Code of Australia and to provide an adequate level of fire safety for the occupants of the building.

60 (4LD03)

The felling, lopping, topping, ringbarking, wilful destruction or removal of any tree/s unless in conformity with this approval or subsequent approval is prohibited.

Reason: To prohibit the unnecessary damage or removal of trees without permission from Council during any construction.

61 (4LD04)

The following precautions must be taken when working near trees to be retained:

- harmful or bulk materials or spoil must not be stored under or near trees,
- prevent damage to bark and root system,
- mechanical methods must not be used to excavate within root zones,
- topsoil from under the drip line must not be added and or removed,
- ground under the drip line must not be compacted, and
- trees must be watered in dry conditions.

Reason: This is to ensure no damage is caused to trees from various methods of possible damage.

62 (4MS01)

Should you appoint Council as the Principal Certifying Authority (PCA) to undertake inspections during the course of construction, then the following inspection/certification are required:

- Silt control fences,
- Footing inspection - trench and steel x 4
- Reinforced concrete slab x 6,

- Framework inspection,
- Wet area moisture barrier,
- Drainage inspection,
- Driveway crossing/kerb layback,
- Landscaping inspection,
- Health inspection,
- Final inspection.

The cost of these inspections by Council is \$5130.00 (being \$270 per inspection inclusive of GST). Payment of the above amount is required prior to the first inspection. Inspection appointments can be made by contacting the Environmental Services Division on 9976 1414.

At least 24 hours notice should be given for a request for an inspection and submission of the relevant inspection card. Any additional inspection required as a result of incomplete works will incur a fee of \$130.

Reason: To ensure that the development is completed in accordance with the terms of the development consent and with the Building Code of Australia.

63 (4MS02)

In order to ensure compliance with approved drawings, a Survey Certificate, to Australian Height Datum, must be prepared by a registered surveyor as follows:

- 1) at the completion of the first structural floor level indicating the level of that floor and the relationship of the building to the boundaries, and
- 2) at the completed height of the building, prior to the placement of concrete in form work, or the laying of roofing materials, and
- 3) at completion, the relationship of the building, and any projections thereto, to the boundaries.

Progress certifications in response to points (a) through (c) must be provided to the Principal Certifying Authority at the time of carrying out relevant progress inspections. Under no circumstances will work be allowed to proceed should such survey information be unavailable or reveal discrepancies between the approved drawings and the proposed works.

Reason: To ensure compliance with the development consent.

64 (4MS04)

The Sediment Control Plan is to be implemented from the commencement of works and maintained until completion of the development.

Reason: To protect the environment from the effects of sedimentation and erosion from development sites.

Internal Note: This condition is to be imposed with 2MS02.

65 (4MS05)

All excavation, construction and associated works must be conducted in accordance with the approved Acid Sulfate Soil Management Plan: Ref E20009Klet2 dated 2 July 2009 by Environmental Investigation Services.

Reason: To ensure management of potential acid sulfate soils.

66 (4MS06)

In compliance with the State Environmental Planning Policy No. 55 – Remediation of Land, all remediation work must be carried out in accordance with any contaminated land planning guidelines issued under Section 145C of the Act, any guidelines in force under the Contaminated Land Management Act 1997, and the remediation plan approved under this consent.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council immediately upon discovery.

Reason: To protect public health and the surrounding natural environment.

67 (4MS08)

At no time during the building works can any encroachment, temporary or permanent be made onto another property without prior written agreement being entered into with all persons to whom these encroachments affect and any persons whose land is subject to the encroachment.

Reason: To ensure adequate protection of property.

68 (4PT01)

All requirements of the Local or Regional Traffic Advisory Committees are to be complied with.

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

69 (4US01)

The installation of water cooling systems, evaporative coolers and hot/warm water systems within the premises (including access to the system for maintenance) must comply with:

- Public Health Act 1991,
- Public Health (Microbial Control) Regulation 2000,
- Australian/New Zealand Standard AS/NZS 3666.1:2002 – Air Handling and Water Systems of Buildings – Microbial Control – Design, installation and commissioning;
- Australian/New Zealand Standard AS/NZS 3666.2:2002 – Air Handling and Water Systems of Buildings – Microbial Control – Operation and Maintenance;
- Australian/New Zealand Standard AS/NZS 3666.3:2002 – Air Handling and Water Systems of Buildings – Microbial Control –Performance based maintenance of cooling water systems.

Water cooling systems must be maintained by a qualified person to ensure air born disease is prevented.

Reason: To comply with the provisions of the Public Health Act 1991 and to protect public health and amenity.

Internal Note: This condition is to be imposed with 2US07 and 6US01.

70 (4WM01)

The only waste derived material which may be received at the development site is:

- 1) Virgin excavated material (within the meaning of the Protection of the Environment Operations Act 1997), and
- 2) Any other waste-derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any (b)-type material received at the development site must be accompanied by documentation certifying the materials compliance with the exemption conditions; and this documentation must be provided to the Principal Certifying Authority on request.

Reason: To ensure imported fill is of an acceptable standard for environmental protection purposes.

71 (4WM03)

Hazardous waste must be contained, managed and disposed of in a responsible manner in accordance with the Protection of Environment and Operations Act 1997.

Reason: Compliance with the provisions of the Protection of the Environment and Operations Act 1997.

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

72 (5BS01)

The premises requires an Environmental Health Inspection upon completion of works by Council prior to the issue of an Occupation Certificate.

Reason: To comply with legislation.

73 (5BS02)

Trading must not commence until the proprietor of the food business formally register their business details with The NSW Food Authority Notification and Food Safety Information System (NAFSIS).

Reason: To ensure compliance with legislation and the Australia and New Zealand Food Standards Code.

74 (5DS01)

Stormwater drainage from the proposed addition/extension must be disposed of to the existing drainage system. All work is to be carried out in accordance with Council standards and specifications for stormwater drainage. Work is to be completed prior to the issue of the Occupation Certificate.

Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure infrastructure reverting to Council's care and control is of an acceptable standard.

75 (5DS02)

A copy of the approved Onsite Stormwater Detention (OSD) or Onsite Stormwater Retention (OSR) drawing showing Works as Executed (WAE) details must be submitted to Council for approval prior to the issue of the Occupation Certificate. The WAE drawing is to be in accordance with Council's standards and Specification for Stormwater Drainage 2003 and Specification for On-site Stormwater Management 2003.

Reason: Compliance with the consent and Council standards and specifications.

76 (5DS03)

A positive covenant in respect of the installation and maintenance of onsite detention works is required to be imposed over the area of the site affected by onsite detention and/or pump system prior to the issue of the Occupation Certificate for the building and prior to the release of the trust fund deposit.

Reason: To ensure the on-site detention and/or pump system is maintained to an appropriate operational standard.

77 (5FP01)

All surplus vehicular crossings and/or kerb laybacks must be removed and the kerb and nature strip reinstated prior to issue of the Occupation Certificate.

Reason: To provide on-street parking, suitable vehicular access to private sites, and infrastructure protection.

Internal Note: this condition is to be imposed in conjunction with 2FP01,3FP01 and 4FP01.

78 (5FP02)

The reconstruction and/or construction of footpath paving and any associated works along all areas of the site fronting Roseberry and Hayes Street is required. These works are to be carried out prior to the issue of the Occupation Certificate by a licensed construction contractor, at the applicants expense and must be in accordance with Council's Specification for Civil Infrastructure Works and Paving Design Guide.

Reason: To ensure the provision of public infrastructure of an appropriate quality arising from the development works to service the development.

79 (5HT02)

Where there is an existing surplus vehicular crossing and/or kerb layback to be removed, the kerb and nature strip is to be reinstated prior to issue of the Occupation Certificate. If there is heritage listed stone kerb, as identified in the Manly Local Environmental Plan 1988, the kerb must be reinstated to Council's specification with stone to match the existing heritage listed kerb. Kerbing stones may be purchased from Council by contacting Council's Works Superintendent on 9976 1455 between 8.00am and 4.00pm Mon-Fri.

Reason: To allow for preservation of cultural resources within the Manly Council area.

Internal Note: this condition is to be imposed in conjunction with 2HT06 and 4HT03.

80 (5MS01)

Documentation is to be supplied by a practising mechanical engineer certifying the mechanical exhaust ventilation system, as installed, complies with Australian Standard AS 1668, and must be provided to Council Principal Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To ensure the mechanical exhaust ventilation system complies with Australian Standard AS 1668.

81 (5NL01)

An Acoustic Compliance Report, prepared by a qualified and experienced acoustical consultant, must be submitted certifying noise levels emitted from the (building's/premises) (services, equipment, machinery and ancillary fittings) does not exceed 5dBA above the background level in any octave band from 63.0 Hz centre frequencies, inclusive at the boundary of the site.

Note: This method of measurement of sound must be carried out in accordance with Australian Standard AS 1055.1-1997.

Reason: To ensure compliance with legislation and to protect public health and amenity.

82 (5US01)

Any adjustment to a public utility service is to be carried out in compliance with its standards; where consent is required, with its concurrence; and with the full cost being borne by the applicant.

Reason: To ensure compliance with the terms of this consent.

83 (5WM01)

The applicant must contact Sydney Water (Tel.- 131110) to determine whether a Trade Waste Permit is required before discharging any trade waste to the sewerage system.

Reason: To comply with legislation.

84 (5WM02)

Prior to issue of an Occupation Certificate, the owner must provide evidence of a contract with a licensed contractor for the removal of all trade waste.

Reason: Responsible disposal management of trade waste.

85 (5WM03)

The premises must have adequate holding facilities for waste oil to meet Australian Standards for bunding and provide evidence of a current contract for the waste oil's recycling to the Principal Certifying Authority prior to the issuing of the Occupation Certificate.

Reason: To ensure responsible disposal of waste oil.

ONGOING CONDITIONS RELATING TO THE OPERATION OF THE PREMISES OR DEVELOPMENT

86 (6AQ01)

The use of the premises must not give rise to air impurities in contravention of the Protection of the Environment Operations Act 1997 and must be controlled in accordance with the requirements of this Act.

Reason: To ensure compliance with legislation and to protect public health and amenity.

87 (6BS02)

The ongoing operation and fit out of the premises must be maintained in accordance with the following requirements:

- Food Act 2003
- Food Regulations 2004
- Australian Standard AS4674-2004: Construction and fit out of food premises
- Australia and New Zealand Food Standards Code 3.2.3: Food Premises and Equipment
- Australia and New Zealand Food Standards Code 3.2.2: Food Safety Practices and General Requirements

Reason: To ensure compliance with legislation and to protect public health and safety.

Internal Note: this condition is to be imposed in conjunction with 2BS01 and 4BS01.

88 (6BS05)

All potentially hazardous food must be kept under temperature control. Adequate equipment must be provided for the storage of such food, in addition, a Food Safety Plan shall be developed to manage temperature control on a daily basis. A food safety program must be made available to Council upon request.

Reason: To ensure compliance with legislation and to protect public health.

89 (6BS06)

All food contact surfaces including but not limited to; glasses, plates, cutlery, chopping boards, preparation benches and wipe clothes are to be cleaned and sanitised whenever they are a likely source of contamination. Sanitising can be achieved through heat or chemical and is the second step after cleaning. Adequate facilities must be provided and include a double bowl sink for manual cleaning and sanitising or a mechanical dishwasher. Machines used for sanitising are to operate on a sanitising rinse cycle at the manufacturers recommended temperature and time. Preparation benches and dishwash cloths are to be first cleaned to remove any dirt or food debris then rinsed with a food grade sanitiser to disinfect and minimise bacteria present to a safe level in accordance with the Food Standards Code.

Reason: To ensure compliance with legislation and to protect public health.

90 (6BS07)

The premises must prevent access to pests including but not limited to; insects and rodents. Insect and pest proofing will include mesh screening to prevent access and the use of insect devices that should be placed away from work areas where food may be contaminated. Holes and inaccessible spaces are to be sealed.

Reason: To ensure compliance with legislation and to protect public health.

91 (6DS01)

The ongoing use and operation of the rainwater tank(s) must be maintained in accordance with:

- Sydney Water Guidelines for Rainwater Tanks on Residential Properties, 2003.
- Australian Government EnHealth Council publication Guidance on the use of Rainwater Tanks, 2004.

Reason: To protect public health and amenity.

92 (6FP01)

No sandwich boards, goods or the like are to be placed on Council's footpath.

Reason: To ensure pedestrian safety.

93 (6LP02)

No tree other than on land identified for the construction of buildings and works as shown on the building drawing can be felled, lopped, topped, ringbarked or otherwise wilfully destroyed or removed without the approval of Council.

Reason: To prevent the destruction of trees on other properties adjoining the development site.

94 (6MS02)

No person shall use or occupy the building or alteration which is the subject of this approval without the prior issue of an Occupation Certificate.

Reason: Statutory requirement, Environmental Planning and Assessment Act 1979.

95 (6NL02)

All lights used to illuminate the exterior of the buildings or site must be positioned and/or fitted with cut off luminaires (baffles) so as to prevent the emission of direct light onto adjoining roadways, adjoining land and waterways.

Reason: To protect the amenity of neighbours and limit the obtrusive effects of outdoor lighting in public places.

96 (6NL03)

The ongoing use of the premises/property must not give rise to 'offensive noise' as defined under the provisions of the Protection of the Environment Operations Act 1997.

Reason: To ensure compliance with legislation and to protect public health and amenity.

97 (6PT03)

Loading and unloading of vehicles and delivery of goods to the land must be carried out within the site. The car parking area shown on the approved drawings must be used for vehicle parking only. Any loading or unloading of materials of potential environmental damage must be appropriately bunded with adequate spill response equipment in place to ensure nil runoff from the site.

Reason: To ensure the safety and amenity of the general public using public streets, and to ensure the protection of the environment from spillage of materials.

98 (6US01)

The ongoing operation of water cooling systems, evaporative coolers and hot/warm water systems within the premises (including access to the system for maintenance) must comply with the following:

- Public Health Act 1991,
- Public Health (Microbial Control) Regulation 2000,
- NSW Health's NSW Code of Practice for the Control of Legionnaire's Disease.

Water cooling systems must be maintained by a qualified person to ensure air born disease is prevented.

Reason: To comply with the provisions of the Public Health Act 1991 and to Protect public health and amenity.

Internal Note: this condition is to be imposed in conjunction with 2US07 and 4US01.

99 (6WM01)

Activities must not detrimentally affect impact existing and future amenity of the adjoining occupations and the neighbourhood in general by the emission of noise, smoke, dust, fumes, grit, vibration, smell, vapour, steam, soot, ash, waste water, waste products, oil, electrical interference or otherwise.

Reason: To protect existing and future amenity of the adjoining occupations from excessive waste emissions.

100 (6WM03)

Waste bins used for commercial premises are to be left on public footpaths for the minimum time necessary for waste collection and then promptly removed. Lids should be closed to prevent littering.

Reason: To ensure waste and bins are promptly removed from public places following collection; to limit obstruction of footpaths or roads; and to minimise public amenity impacts.

101 (6WM04)

All non-recyclable waste from commercial premises must be presented for collection in a lidded receptacle. Waste receptacles are not to be stored in public spaces such as footpaths.

Reason: Public amenity and litter minimisation.

102 (6WM05)

No waste generated on site from any commercial operation is to be placed in public place bins. Commercial operators must maintain their commercial waste bins in an organised, clean and sanitary condition, preventing potential for litter from overflowing bins.

Reason: To communicate policy regarding illegal trade waste dumping in public bins; and maintenance of trade waste bins.

103 (6WM06)

Signage on the correct use of the waste management system and materials to be recycled must be posted in the communal waste storage cupboard/room or bin bay prior to receiving an occupation certificate. Signs are available from Manly Council's Customer Service.

Reason: To ensure all residents are aware of Council's waste and recycling system with regard to their dwelling.

104 (6WM08)

This commercial premises should investigate opportunities to compost food waste wherever practicable and recycle commonly recycled (non-putrescible) items such as paper and cardboard, steel and aluminium cans and recyclable plastic containers.

Reason: To promote waste minimisation in accordance with Manly Council's waste policies, the Waste Avoidance and Resource Recovery Act 2001 and the Manly Development Control Plan for Waste Minimisation and Management 2000.

105 (6WM10)

The operation of the premises must be conducted in a manner that does not pollute waters as defined by the Protection of the Environment Operations Act, 1997.

Reason: To ensure compliance with legislation and to protect public health and amenity.

106 (7US02)

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator; for details see the Sydney Water web site www.sydneywater.com.au or telephone 13 20 92.

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

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to release of the linen plan/occupation of the development.

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

Note from NSW Office of Water:

It is noted that the proposal includes dewatering of the subject site and the construction of basement car parking which may intersect groundwater. Please note that the NSW Office of Water will not allow any proposal that requires permanent or semi-permanent pumping of groundwater to protect a structure. Therefore any proposal must ensure that the design of the structure will not require this style of facility or activity. To facilitate this requirement, the construction of a basement, or any structure that may be impacted by groundwater, will require a waterproof retention system (i.e. a fully tanked structure) with an adequate provision for future fluctuations of the watertable level.

A Licence under Part V of the *Water Act 1912* may be required in relation to this development, and Council should contact the relevant section of the Department (phone 9895-6273) if it is required. It is recommended that a groundwater study be conducted at the appropriate location to determine whether groundwater is intersected by the proposal. If ground water is found to be an issue please provide necessary documentation so that the Department (NSW Office of Water) can issue a GTA appropriate for a groundwater license.

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