



NOTICE OF DETERMINATION

Application Number: DA2010/2089

APPLICATION DETAILS

Applicant Name and Address: Office Of Strategic Lands
C/- Proust & Gardner Consulting
PO Box 132
LINDFIELD NSW 2070

Land to be developed (Address): Lot 5 DP 514039, Lot 6 DP 514039, Lot 11 DP 244797, Lot 2 DP 526613, Lot A DP 347637, Lot 38 DP 238042, Lot 39 DP 238042, Lot 33 DP 222330, Lot 13 DP 587071, Lot 3 DP 534463, Lot 12 DP 225340, Lot 52 DP 819308, Lot 5 DP 260080, Lot 5/9999 Elm Avenue, Lot 6/9999 Elm Avenue, 6 Elm Avenue, Lot 2 Pringle Avenue, 106A Pringle Avenue, 106B Pringle Avenue, 106C Pringle Avenue, Lot 33 Pringle Avenue, Lot 13 Pringle Avenue, Lot 3/9999 Everton Road, Lot 12 Everton Road, 138 Forest Way, Lot 5 Everton Road BELROSE

Proposed Development: Community Title Subdivision to Create 47 Lots, construction of private roads, infrastructure and transfer of land

DETERMINATION - APPROVED

Made on (Date): 9 June 2011

Consent to operate from (Date): 5 September 2011

Consent to lapse on (Date): 5 September 2016

Details of Conditions

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

NOTE:

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

GENERAL CONDITIONS

CONDITIONS THAT IDENTIFY APPROVED PLANS

1. Approved Plans and Supporting Documentation

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

Subdivision Plans - Endorsed with Council's stamp			
Drawing No.	Dated	Titled	Prepared By
Sector 1			
7/1	05/04/2011	Community Scheme Subdivision	Proust & Gardiner
7/6	Undated	Subdivision / Utility Services	Proust & Gardiner
7/2	Undated	Subdivision / Topography	Proust & Gardiner
7/3	Undated	Subdivision / Trees	Proust & Gardiner
7/4	Undated	Subdivision / Detail	Proust & Gardiner
7/5	Undated	Subdivision / Trees to be removed	Proust & Gardiner
Sector 2			
8/1	05/04/2011	Community Scheme Subdivision	Proust & Gardiner
8/6	Undated	Subdivision / Utility Services	Proust & Gardiner
8/2	Undated	Subdivision / Topography	Proust & Gardiner
8/3	Undated	Subdivision / Trees	Proust & Gardiner
8/4	Undated	Subdivision / Detail	Proust & Gardiner
8/5	Undated	Subdivision / Trees to be removed	Proust & Gardiner
Sector 3			
9/1	05/04/2011	Community Scheme Subdivision	Proust & Gardiner
9/6	Undated	Subdivision / Utility Services	Proust & Gardiner
9/2	Undated	Subdivision / Topography	Proust & Gardiner
9/3	Undated	Subdivision / Trees	Proust & Gardiner
9/4	Undated	Subdivision / Detail	Proust & Gardiner
9/5	Undated	Subdivision / Trees to be removed	Proust & Gardiner
Sector 4			
10/1 1 of 2	05/04/2011	Community Scheme Subdivision	Proust & Gardiner
10/1 2 of 2	05/04/2011	Community Scheme Subdivision	Proust & Gardiner
10/2	05/04/2011	Subdivision / Topography	Proust & Gardiner
10/3	05/04/2011	Subdivision / Trees	Proust & Gardiner
10/4 1 of 2	05/04/2011	Subdivision / Detail	Proust & Gardiner
10/4 2 of 2	05/04/2011	Subdivision / Detail	Proust & Gardiner
10/5	05/04/2011	Subdivision / Trees to be removed	Proust & Gardiner
10/6	Undated	Subdivision / Utility Services	Proust & Gardiner



Warringah Council

Engineering Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Sector 1		
9073/DA102 D	26/04/2011	J.Wyndham Prince
9073/DA103 D	26/04/2011	J.Wyndham Prince
9073/DA104 D	26/04/2011	J.Wyndham Prince
9073/DA105 B	08/04/2011	J.Wyndham Prince
9073/DA106 D	26/04/2011	J.Wyndham Prince
9073/DA107 D	26/04/2011	J.Wyndham Prince
9073/DA108 D	26/04/2011	J.Wyndham Prince
9073/DA109 C	26/04/2011	J.Wyndham Prince
9073/DA110 B	08/04/2011	J.Wyndham Prince
9073/DA111 C	26/04/2011	J.Wyndham Prince
9073/DA112 B	08/04/2011	J.Wyndham Prince
Sector 2		
9073/DA202 D	26/04/2011	J.Wyndham Prince
9073/DA203 C	26/04/2011	J.Wyndham Prince
9073/DA204 C	26/04/2011	J.Wyndham Prince
9073/DA205 B	08/04/2011	J.Wyndham Prince
9073/DA206 C	26/04/2011	J.Wyndham Prince
9073/DA207 C	26/04/2011	J.Wyndham Prince
9073/DA208 B	08/04/2011	J.Wyndham Prince
9073/DA209 C	26/04/2011	J.Wyndham Prince
9073/DA210 B	08/04/2011	J.Wyndham Prince
Sector 3		
9073/DA302 C	26/04/2011	J.Wyndham Prince
9073/DA303 B	08/04/2011	J.Wyndham Prince
9073/DA304 B	08/04/2011	J.Wyndham Prince
9073/DA305 B	08/04/2011	J.Wyndham Prince
9073/DA306 C	26/04/2011	J.Wyndham Prince
9073/DA307 C	26/04/2011	J.Wyndham Prince
9073/DA308 C	26/04/2011	J.Wyndham Prince
9073/DA309 C	26/04/2011	J.Wyndham Prince
9073/DA310 B	08/04/2011	J.Wyndham Prince
9073/DA311 B	08/04/2011	J.Wyndham Prince
Sector 4		
9073/DA401 C	08/04/2011	J.Wyndham Prince
9073/DA402 C	26/04/2011	J.Wyndham Prince
9073/DA403 B	08/04/2011	J.Wyndham Prince
9073/DA404 C	26/04/2011	J.Wyndham Prince
9073/DA405 C	26/04/2011	J.Wyndham Prince
9073/DA406 C	26/04/2011	J.Wyndham Prince
9073/DA407 D	26/04/2011	J.Wyndham Prince
9073/DA408 C	26/04/2011	J.Wyndham Prince
9073/DA409 C	26/04/2011	J.Wyndham Prince
9073/DA410 B	08/04/2011	J.Wyndham Prince

Reports / Documentation		
Report No. / Page No. / Section No.	Dated	Prepared By
Stormwater Management Strategy Report	April 2011	J.Wyndham Prince
Earth Repair 2010 Bushland Management Plan for Belrose Road Corridor Lands	February 2010	Earth Repair Ecology Pty Ltd
Flora and Fauna Assessment Report	November 2010	Conacher Environmental Group
Vegetation and Habitat Management	December 2010	Conacher Environmental Group
Analysis of Building Opportunity within 'Vegetation to be retained' area. Figure 12	Undated	Proust & Gardiner

The development is to be undertaken generally in accordance with the following:

Landscape Plans - Endorsed with Council's stamp			
Drawing No.	Dated	Titled	Prepared By
Sector 1			
LP01 7/7	November 2010	Landscape Plan	Stuart Pittendrigh
Sector 2			
LP02 8/7	November 2010	Landscape Plan	Stuart Pittendrigh
Sector 3			
LP03 9/7	November 2010	Landscape Plan	Stuart Pittendrigh
Sector 4			
LP04 10/7	November 2010	Landscape Plan	Stuart Pittendrigh

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

2. Compliance with External Department, Authority or Service Requirements

The development must be carried out in compliance with the following:

External Department, Authority or Service	E-Services Reference	Dated
Energy Australia	Response Energy Aust Referral	6 January 2011
Aboriginal Heritage Office	Response Aboriginal Heritage Office	7 January 2011
NSW Rural Fire Service	Response Rural Fire Service	2 March 2011
National Parks and Wildlife Service	Response National Parks and Wildlife Service	2 February 2011

(NOTE: For a copy of the above referenced document/s, please see Council's 'E-Services' system at www.warringah.nsw.gov.au)



Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of External Department, Authority or Bodies. (DACPLB02)

3. Prescribed Conditions

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

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

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

Reason: Legislative Requirement. (DACPLB09)

4. General Requirements

- (a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:
7.00 am to 5.00 pm inclusive Monday to Friday
8.00 am to 1.00 pm inclusive on Saturday,
No work on Sundays and Public Holidays.



Demolition and excavation works are restricted to:
8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (c) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (d) Payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (e) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (f) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (g) All sound producing plant, equipment, machinery or fittings will not exceed more than 5dB(A) above the background level when measured from any property boundary and will comply with the Environment Protection Authority's NSW Industrial Noise Policy.)
- (h) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community. (DACPLB10)

5. Section 94A Contributions

The Section 94A Contributions are required to be paid for this development. This amount has been calculated using the Warringah Section 94A Development Contributions Plan. The amount will be adjusted at the time of payment according to the quarterly CPI (Sydney - All Groups Index).

The basis for the contributions is as follows:

Warringah Section 94A Development Contributions Plan		
Contribution based on total development cost of		\$ 8,866,000.00
Contribution - all parts Warringah	Levy Rate	Contribution Payable
Stage 1 (Sector 1)	0.95%	\$21,780.00
Stage 2 (Sector 2)		\$14,630.00
Stage 3 (Sector 3)		\$21,450.00
Stage 4 (Sector 4)		\$30,880.00
Total S94A Levy		\$84,227.00
Total S94A Planning and Administration	0.05%	\$4,433.00
Total	1.0%	\$88,660.00

Details demonstrating payment are to be submitted to the Certifying Authority.

Reason: To retain a level of service for the existing population and to provide the same level of service for the population resulting from new development. (DACPLC01)

6. Compliance with Standards

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

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority.

Reason: To ensure the development is constructed in accordance with appropriate standards. (DACPLC02)

Advice to Applicants: At the time of determination in the opinion of Council, the following (but not limited to) Australian Standards are considered to be appropriate:

- (a) AS2601.2001 - Demolition of Structures**
- (b) AS4361.2 - Guide to lead paint management - Residential and commercial buildings**
- (c) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting**
- (d) AS 4373 - 2007 'Pruning of amenity trees' (Note: if approval is granted) **
- (e) AS 4970 - 2009 'Protection of trees on development sites'**
- (f) AS/NZS 2890.1:2004 Parking facilities - Off-street car parking**
- (g) AS 2890.2 - 2002 Parking facilities - Off-street commercial vehicle facilities**
- (h) AS 2890.3 - 1993 Parking facilities - Bicycle parking facilities**
- (i) AS 2890.5 - 1993 Parking facilities - On-street parking**
- (j) AS/NZS 2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities**
- (k) AS 1742 Set - 2010 Manual of uniform traffic control devices Set**
- (l) AS 1428.1 - 2009* Design for access and mobility - General requirements for access - New building work**
- (m) AS 1428.2 - 1992*, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities**

***Note:** The Australian Human Rights Commission provides useful information and a guide relating to building accessibility entitled "the good the bad and the ugly: Design and construction for access". This information is available on the Australian Human Rights Commission website http://www.humanrights.gov.au/disability_rights/buildings/good.htm



****Note:** the listed Australian Standards is not exhaustive and it is the responsibility of the applicant and the Certifying Authority to ensure compliance with this condition and that the relevant Australian Standards are adhered to.

7. Bonds

(a) Security Bond

A bond (determined from cost of works) of \$20,000 and an inspection fee in accordance with Council's Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

(b) Construction, Excavation and Associated Works Bond (Road)

A Bond of \$10,000 as security against any damage or failure to complete the construction of road pavement/shoulder reconstruction works as part of this consent.

(c) Deleted.

(d) Deleted

(e) Construction, Excavation and Associated Works Bond (Pollution)

A Bond of \$50,000 as security to ensure that there is no transmission of material, soil etc off the site and onto the public road and/or drainage systems.

(f) Construction, Excavation and Associated Works Bond (Failure to Remove Waste)

A bond of \$100,000 as security against damage to Council's road(s) fronting the site caused by the transport and disposal of materials and equipment to and from the site.

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

The developer/applicant must lodge with Council a Maintenance Bond of \$100,000 for the construction of drainage, footpath and road infrastructure that will revert to Council's care and control. The Maintenance Bond will only be refunded on completion of the Maintenance Period, if work has been completed in accordance with the approved plans and to the satisfaction of Council.

(NOTE: This bond may be refunded and replaced by the Maintenance Bond upon submission to Council of the final Compliance Certificate or Subdivision Certificate.)

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection)



All bonds/bank guarantees and fees shall be deposited with Council, details demonstrating payment are to be submitted to the Certifying Authority.

Reason: To ensure adequate protection of Council infrastructure. (DACENC01)

8. Shoring of Adjoining Property

Should the proposal require shoring to support an adjoining property or Council land, owner's consent for the encroachment onto the affected property owner shall be provided with the engineering drawings. Council approval is required if temporary rock anchors are to be used within Council land.

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

Reason: To ensure that owners consent is obtained for ancillary works, and to ensure the protection of adjoining properties and Council land. (DACENC05)

9. Submission of Engineering Plans

Engineering plans are to be submitted to the Certifying Authority for approval. The submission is to include four (4) copies of Civil Engineering plans for the design of all private access roads, interallotment drainage lines, detention structures and water quality devices which are to be generally in accordance with the civil design approved with the Development Application and Council's specification for engineering works - AUS-SPEC #1 and or Council's Minor Works Policy.

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

Reason: To ensure compliance with Council's specification for engineering works. (DACENC08)

10. Structures Located Adjacent to Council Pipeline or Council Easement

All structures are to be located clear of any Warringah Council pipeline or easement. Footings of any structure adjacent to an easement or pipeline are to be designed in accordance with Council's Policy Building Over or Adjacent to Constructed Council Drainage Systems and Easements. Structural details prepared by a suitably qualified Civil Engineer demonstrating compliance are to be submitted to the Certifying Authority for approval.

Reason: Protection of Council's Infrastructure. (DACENC09)

11. Sydney Water (Fire Hydrant System)

Subdivisions involving the creation of private roads are to be serviced with fire hydrant systems to ensure that coverage of no less than 90 metres is maintained to all areas of the development.

(Note: The fire hydrants are to be installed in accordance with all relevant Australian Standards and the requirements of the Sydney Water Authority and the NSW Fire Brigades.)

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

Reason: NSW Fire Brigades Requirement. (DACENC11)



12. Vehicle Crossings Application Formwork Inspection

An application for street levels shall be made with Council subject to the payment of fee applicable at the time of payment. The fee includes all Council inspections relating to the driveway construction and must be paid.

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

Reason: To facilitate suitable vehicular access to private property. (DACENC12)

13. Utilities Services

Evidence is to be submitted to the Certifying Authority that

- (a) A letter from the telecommunications service provider confirming that satisfactory arrangements have been made for the provision of underground telecommunications for the approved development have been made; and
- (b) Evidence that notification has been received from an Electricity Service Provider of electricity supply requirements for the development can be provided.

Reason: To ensure that services have been provided as required by this consent. (DACENC15)

14. Submission of Engineering Plans for Civil Works in the Public Road Reserve

Engineering plans are to be submitted to Council for approval under the provisions of Section 138 of the Roads Act 1993. The submission is to include four (4) copies of Civil Engineering plans for the design of drainage infrastructure that is to revert to Council's care and control, public footpaths and traffic devices, line marking and sign posting which are to be generally in accordance with the Development Application and Council's specification for engineering works - AUS-SPEC #1 and or Council's Minor Works Specification.

The fees associated with the assessment, approval of the plans and inspection are to be in accordance with Council's Fees and Charges.

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

Reason: Ensure engineering works are constructed in accordance with relevant standards. (DACENC17)

15. Structural Adequacy and Excavation Work

Excavation work is to ensure the stability of the soil material of adjoining properties, the protection of adjoining buildings, services, structures and / or public infrastructure from damage using underpinning, shoring, retaining walls and support where required.

All retaining walls are to be structurally adequate for the intended purpose, designed and certified by a Structural Engineer, except where site conditions permit the following:

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



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

Reason: Safety. (DACENC19)

16. Waste / Recycling Requirements to Comply with Policy

Details demonstrating compliance with Warringah Council's Policy Number PL 850 - Waste, including the required 'Waste Management Plan' are to be submitted to the Certifying Authority.

Note: If the proposal, when compliant with Warringah Council's Policy Number PL 850 - Waste, causes inconsistencies with other parts of the approval i.e. architectural or landscaped plans a modification(s) to the development may be required.

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

17. Traffic Calming Devices

Detailed plans are to be submitted to Council for approval showing the repositioning of the speed hump in Elm Avenue at the intersection of proposed Road No.3 and Elm Avenue.

Reason: Traffic safety and management.

18. Landscaping

All plants used in the landscaping for this development must be grown from local provenance seed and cuttings as per the species list for Silvertop Ash-Brown Stringy Bark Forest and Bloodwood Scribbly Gum Woodland available on Council's Website [http://www.warringah.nsw.gov.au/plan_dev/VegetationCommunitySpeciesList.aspx]

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

Reason: To ensure compliance with Council's Local Habitat Strategy (DACNEC01)

19. Trees and / or Landscaping

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

(a) Plans

Where applicable, plans must include reference to:

- (i) Trees to be removed coloured or shaded in the colour red
- (ii) Trees to be retained coloured or shaded in the colour green
- (iii) Trees to be pruned coloured or shaded in the colour blue
- (iv) Trees to be transplanted coloured or shaded in the colour yellow

(b) Existing trees which must be retained

All trees not indicated as removed on Landscape Plan - Endorsed with Council's stamp		
Drawing Numbers	Dated	Prepared By
LP 01, 02, 03, 04	November 2010	Stuart Pittendrigh

(c) Planting

Planting as indicated on the following Landscape Plans is to be undertaken prior to issue of final certificates:

Drawing Numbers	Dated	Prepared By
LP 01, 02, 03, 04	November 2010	Stuart Pittendrigh

Reason: To provide environmental amenity.

20. Kerb Construction within Private Access Roads

All kerbs adjacent to proposed concrete footpaths within the private access roads are to be 150mm high.

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

Reason: To ensure the safety of pedestrians. (Special Condition)

21. Barrier Construction within Private Access Roads

All turning heads at the ends of the private access roads that have a drop in excess of 600mm are to provide a barrier in accordance with Section 2.4.5 of AS/NZS 2890.1:2004.

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

Reason: Ensure engineering works are constructed in accordance with relevant standards. (Special Condition)

22. Kerb Outlet Construction within Private Access Roads

All kerbs adjacent to proposed lots on the high side of the private access roads are to include a kerb outlet on the low side of the lot with a pipe stub connection extending within the lot.

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

Reason: To ensure adequate provision is made for the discharge of stormwater from the proposed lots. (Special Condition)

23. Proposed Relocation of the Speed Hump in Elm Avenue

The applicant is to provide engineering plans for the proposed relocation of the existing speed hump within Elm Avenue. The applicant must ensure the new location is designed in accordance with Council's requirements and is to ensure there is suitable lighting. The applicant must undertake all the necessary public consultation and submit the design to Council for approval by Council's Traffic Committee.

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

Reason: To ensure the safety of road users. (Special Condition)

24. Proposed Headwall Reconstruction in Pringle Avenue

The applicant is to provide a structural engineer's report to Council for assessment addressing the structural integrity of the existing concrete headwall on the western side of Pringle Avenue prior to submitting structural details for the modification of the wing to accept the new box culvert and pipeline.

If the report concludes that the existing structure is inadequate then the structure is to be reconstructed as part of the works with all costs associated to be borne by the applicant.

All recommendations of the report are to be included in the design of the modification to the headwall.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure the structural integrity of Council's infrastructure. (Special Condition)

25. Intersection of Proposed Road No.31 with Pringle Avenue

The applicant is to provide revised engineering plans for the intersection of proposed road no. 31 with Pringle Avenue to ensure it is perpendicular to Pringle Avenue between the boundary and the kerb in Pringle Avenue.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure road design is in accordance with relevant standards. (Special Condition)

26. Proposed Pedestrian Refuge Island in Pringle Avenue

The applicant is to provide engineering plans for the proposed pedestrian refuge island within Pringle Avenue. The applicant must ensure the location is designed in accordance with Council's requirements and is to ensure there is suitable lighting. The applicant must undertake all the necessary public consultation and submit the design to Council for approval by Council's Traffic Committee.

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

Reason: To ensure the safety of road users. (Special Condition)

27. Proposed Flood Wall

The applicant is to provide engineering calculations and plans for the proposed flood wall within Sectors 2 and 3. The wall is to provide a minimum freeboard of 500mm to the proposed lot levels in each Sector for the 1 in 100 year ARI storm event.

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

Reason: To protect the site from flooding in accordance with Council and NSW Government policy. (Special Condition)

27A. Flood Retention Wall - Sector 4

The flood retention wall adjoining the southern boundary in Sector 3 shall be raised in height by 400mm to a finished height of 1.0m.

Details demonstrating compliance shall be submitted to the Certifying Authority.

Reason: Flood protection and management of stormwater.

28. Proposed Pipeline and Overland Flow Path within Sectors 1 and 4

The applicant is to provide engineering calculations and plans for the proposed drainage system and overland flow path within Sectors 1 and 4. The drainage line is to be sized to cater for post climatic change 1 in 100 year ARI flows with a 20% allowance for blockages of the drainage line, the drainage inlet structures are to be sized to cater for post climatic change 1 in 100 year ARI flows with a 50% allowance for blockage and the overland flow path is to be sized to provide the greater flow conveyance associated with either.

- A 100mm deep 'V' depression over the width of the required Council easement
OR
- 10% of the post climatic change 1 in 100 year ARI flow.

Details demonstrating compliance are to be submitted to Council prior to the issue of the Construction Certificate.

Reason: To protect the site from flooding in accordance with Council and NSW Government policy. (Special Condition)

29. Proposed Inlet Headwall within Proposed Lot 10 of Sector 4

The applicant is to provide engineering plans for the proposed inlet headwall within proposed lot 10 of Sector 4 adjacent to proposed road no. 42. The details are to include any retaining structures and any structures required to direct the proposed flows through the culvert.

Details demonstrating compliance are to be submitted to Council.

Reason: To protect the site from flooding in accordance with Council and NSW Government policy. (Special Condition)

30. Proposed Visitor Parking Spaces within Sector 4

The applicant is to provide revised engineering plans to include 2 visitor parking spaces within proposed road no. 42. The positions of the spaces are to be generally in accordance with drawing Figure 10/1 Issue B dated 05/04/11.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure road design is in accordance with relevant standards. (Special Condition)



31. Proposed Road No. 42 within Sector 4

The applicant is to provide revised engineering plans to ensure proposed road no. 42 is a minimum of 5 metres wide for the carriageway and 8 metres wide for the road reserve.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure road design is in accordance with relevant standards. (Special Condition)

32. Proposed Bin Store Area within Sector 4

The applicant is to provide revised engineering plans to include a bin storage area within proposed road no. 42. The positions of the areas are to be generally in accordance with drawing Figure 10/1 Issue B dated 05/04/11.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure road design is in accordance with relevant standards. (Special Condition)

33. Proposed Inter-allotment Drainage Line for Proposed Lot 18 within Sector 1

The applicant is to provide engineering plans for the interallotment drainage line require for proposed Lot 18 through proposed lot 17 within Sector 1.

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

Reason: To ensure adequate provision is made for the discharge of stormwater from the proposed lot. (Special Condition)

34. Proposed Headwall Details within Sector 1

The applicant is to provide engineering details for the headwall and associated scour protection adjacent to the western boundary of Sector 1.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure adequate provision is made for the discharge of stormwater from the proposed subdivision. (Special Condition)

35. Road Cross Section Details within Sector 1

The applicant is to show the location of Council's proposed pipeline within all the cross sections for proposed road no. 11 within Sector 1.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure road design is in accordance with relevant standards. (Special Condition)



36. Proposed Junction Pit Details within Sector 1

The applicant is to provide engineering details for the junction pit on the southern boundary of Sector 1 within proposed lot 15. The details are to include a minimum of 2 cross sections of the pit.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure adequate provision is made for the discharge of stormwater from the proposed subdivision. (Special Condition)

37. Proposed Interallotment Drainage Line within Sector 1

The applicant is to provide engineering details for a piped connection in favour of the properties fronting Camira Close (Lots 7, 8, 9, 10 and 11, DP 239569) through proposed Lots 1, 10, 11, 12 and 13 with a connection to proposed pit 6/7. The pipeline must ensure all existing connections from the private lots are catered for and any future connections via junction pits and stub connections at the low point of each existing lot.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure adequate provision is made for the discharge of stormwater from the upstream properties of the proposed subdivision. (Special Condition)

38. Proposed Inter-allotment Drainage Line within Sector 1

The applicant is to provide engineering details for a piped connection in favour of the properties fronting Maple Place (Lots 34, 36, 37 and 38, DP 227852 and Lots 1 and 2, DP 839811) through proposed Lots 14, 15, 16 and 18 with a connection to proposed pit 1/7. The pipe line must ensure all existing connections from the private lots are catered for and any future connections via junction pits and stub connections at the low point of each existing lot.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure adequate provision is made for the discharge of stormwater from the upstream properties of the proposed subdivision. (Special Condition)

39. Proposed Interallotment Drainage Line within Sector 2

The applicant is to provide engineering details for a piped connection in favour of the properties fronting Kew Close (Lots 7, 9 and 10 DP 236931 and Lots 1 and 2 DP 1005596) through proposed Lot 12 with a connection into the open channel. The pipe line must ensure all existing connections from the private lots are catered for and any future connections via junction pits and stub connections at the low point of each existing lot.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure adequate provision is made for the discharge of stormwater from the upstream properties of the proposed subdivision. (Special Condition)

40. Proposed Inter-allotment Drainage Line within Sector 2

The applicant is to provide engineering details for a piped connection in favour of the properties fronting Birru Place (Lots 5, 6 and 7 DP 224500) through proposed Lots 7 and 12 with a connection into the open channel. The pipe line must ensure all existing connections from the private lots are catered for and any future connections via junction pits and stub connections at the low point of each existing lot.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure adequate provision is made for the discharge of stormwater from the upstream properties of the proposed subdivision. (Special Condition)

41. Proposed Inter-allotment Drainage Line within Sector 3

The applicant is to provide engineering details for a piped connection in favour of the properties fronting Devere Avenue (Lots 31, 32, 33, 34, 35, 36, and 37 DP238042) through proposed Lots 2 – 12 with a connection to proposed pit 2/A. The pipeline must ensure all existing connections from the private lots are catered for and any future connections via junction pits and stub connections at the low point of each existing lot.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure adequate provision is made for the discharge of stormwater from the upstream properties of the proposed subdivision. (Special Condition)

42. Proposed Inter-allotment Drainage Line within Sector 4

The applicant is to provide engineering details for a piped connection in favour of the properties fronting Forest Glen Crescent (Lots 4, 5 and 8 DP 219335) through proposed Lot 11 with a connection into the open channel. The pipe line must ensure all existing connections from the private lots are catered for and any future connections via junction pits and stub connections at the low point of each existing lot.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure adequate provision is made for the discharge of stormwater from the upstream properties of the proposed subdivision. (Special Condition)

43. Proposed Inter-allotment Drainage Line within Sector 4

The applicant is to provide engineering details for a piped connection in favour of the properties fronting Forest Glen Crescent (Lots 1 and 2 DP 227221, Lots 9, 10 and 11 DP225340 and Lots 1, 2 and 3 DP 219335 and Lot 51 DP 819308) through proposed Lots 10 and 11 with a connection into the existing piped connection to Council's pit in Forest Glen Close. The pipeline must ensure all existing connections from the private lots are catered for and any future connections via junction pits and stub connections at the low point of each existing lot.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure adequate provision is made for the discharge of stormwater from the upstream properties of the proposed subdivision. (Special Condition)

44. Proposed Line Marking in Forest Glen Crescent

The applicant is to provide engineering plans for the proposed line marking at the intersection of proposed road no. 41 and Forest Glen Crescent within Sector 4. The applicant must ensure the line marking is designed in accordance with Council's requirements. The applicant must undertake all the necessary public consultation and submit the design to Council for approval by Council's Traffic Committee.

Details demonstrating compliance are to be submitted to Council.

Reason: To ensure the safety of road users. (Special Condition)

45. Proposed Drainage Connections for Proposed Lots 2 and 10 within Sector 4

The applicant is to provide engineering plans for the drainage connection of proposed lots 2 and 10 within Sector 4.

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

Reason: To ensure adequate provision is made for the discharge of stormwater from the proposed lot. (Special Condition)

46. Bushland Covenant

Bushland is to be protected, conserved, rehabilitated and managed through the use of a Section 88B (Conveyancing Act 1919) Instrument in which Warringah Council shall be named as the sole authority to release or modify the restriction.

The instrument is to be written and registered on the title so that the owners are bound to manage and protect the area in perpetuity according to the Bushland Management Plans and Vegetation and Habitat Management plan prepared for the approved development. This instrument is to be approved by Councils Natural Environment Unit prior to lodgement with the NSW Department of Lands.

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

Reason: Management and protection of bushland (DACNEC05)

47. Preparation of Biodiversity Management Plans for each Residential Allotment

Prior to the commencement of work, Biodiversity Management Plans prepared for each one of the residential allotments (including the eco-corridors) are to be prepared by the Project Ecologist and submitted to Council for approval.

The plans should be prepared in accordance with Councils guidelines and will include:

- (a) Figures showing vegetation to be retained;
- (b) Figures showing areas of revegetation within the "Eco corridor" on each lot;
- (c) Figures showing trees to be retained/removed;
- (d) Provide specificity in terms of permanent and non-permanent fencing, including;
- (e) proposed construction materials and dimensions;
- (f) Provide a list of appropriate species for revegetation work;
- (g) Provide for the timing and staging of works;
- (h) Identify management responsibilities; and



Warringah Council

- (i) Will contain copies of the proposed wording for the Section 88B instruments.

The plans should be prepared in accordance with the DCP and make reference to the Bushland Management Plan for the Belrose Road Corridor (Earth Repair Ecology Pty Ltd) and the Vegetation and Habitat Management Report 2010 (Conacher Environmental Group Pty Ltd).

Reason: To ensure consistency with the DCP.

48. Compliance Certificate for Water Quality Modelling

The applicant is to provide a compliance certificate issued by an accredited civil engineer in hydraulics stating that the water quality devices as incorporated in the stormwater drainage design submitted by JW Prince meet the targets set down in the Northern Beaches Stormwater Management Plan dated July 1999. Additionally the accredited engineer is to check that the MUSIC model provided is satisfactory in achieving the above water quality objectives.

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

Reason: To ensure adequate provision is made for the discharge of stormwater from the proposed lot. (Special Condition)

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

49. Certification of Development

In accordance with Section 116(G) of the Environmental Planning and Assessment Act 1979, prior to the commencement of work, the works are to be certified by or on behalf of the Crown to comply with the technical provisions of the State's Building Laws.

Reason: To ensure compliance with the provisions of the Environmental Planning and Assessment Act 1979.

50. Bushland Protection Fencing

Prior to the commencement of any onsite building works or commencement of vegetation clearance/modification, the boundary between the Vegetation to be retained and the subject allotments area as shown in Figure 11 of the SEE which- is to be surveyed and marked clearly on the ground.

A temporary 2.0 metre steel mesh fence is to be erected on the surveyed boundary between the vegetation to be retained and the construction area for the duration of construction work.

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

Reason: To ensure that the vegetation in the restricted development area is protected during and after construction. (DACNED01)

51. Public Liability Insurance - Works on Public Land

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

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land. (DACEND01)

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

52. Project Ecologist

A Project Ecologist is to be employed for the duration of the approved works to ensure all bushland and riparian protection measures are carried out according to the conditions of consent.

The Project Ecologist will provide certification that conditions relating to the Bushland Management Plan are carried out. The Project Ecologist will ensure that all conditions relating to biodiversity management are fully implemented. The Project Ecologist is to be a vegetation management specialist and to have at least 4 years experience in the management of native bushland in the Sydney region and have at least a TAFE Certificate III in Bush Regeneration or Conservation and Land Management – Natural Area Restoration.

Reason: To ensure bushland management (DACNEC07)

53. Weeds

No noxious or environmental weeds, as listed on Warringah Councils website are to be imported on to the site.

Any noxious weeds or environmental weeds on the site are to be managed continuously.

Details prepared by the project ecologist in writing demonstrating compliance is to be submitted to the Principal Certifying Authority.

Reason: To ensure bushland and riparian management. (DACNEE02)

54. Bushland Management During Construction

The procedures, targets and recommendations detailed in the *Bushland Management Plan* must be followed in full to ensure that the remaining bushland on the site is conserved and restored in the appropriate manner by appropriately qualified people. The work outlined in this Plan must be started as soon as site works commence.



The Project Ecologist is to be responsible for ensuring that the works are carried out in accordance with the Plan.

The Project ecologist is to certify that this condition has been complied with and provide the PCA with compliance certificates in the form of bush regeneration reports each three months, copies are to be immediately forwarded to Warringah Council.

Removal of all temporary structures/material and construction rubbish. Once construction has been completed all silt and sediment fences, silt, rubbish, building debris, straw bales and temporary fences are to be removed from site.

Details prepared by the project ecologist in writing demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: Management of bushland. (DACNEE07)

55. Installation and Maintenance of Sediment Control

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004) and in accordance with the Soil and Water Management Plan.

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

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

Reason: To protect the environment from the effects of sedimentation and erosion from development sites. (DACPLE02)

56. Progress Certification (Road & Subdivision)

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

- (a) Silt and sediment control facilities
- (b) Laying of stormwater pipes and construction of pits
- (c) Sub-grade trimmed and compacted **
- (d) Base-course laid and compacted **
- (e) Kerb and gutter construction
- (f) Pavement
- (g) Landscaping and vegetation
- (h) Clean-up of site, and of adjoining Council roadway and drainage system.

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

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

Reason: To ensure compliance of civil works with Council's specification for engineering works (see www.warringah.nsw.gov.au). (DACENE02)

57. Stormwater Pipeline Construction

Where connection to Council's nearest stormwater drainage system is required the applicant shall construct the pipeline in accordance with Council's specification for engineering works (see www.warringah.nsw.gov.au) and shall reconstruct all affected kerb and gutter, bitumen reinstatements, adjust all vehicular crossings for paths, grass verges and household stormwater connections to suit the kerb and gutter levels. All works shall be undertaken at the applicant's cost, and upon completion certified by an appropriately qualified and practicing Civil Engineer.

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

Reason: To ensure compliance of drainage works with Council's specification for engineering works. (DACENE03)

58. Vehicle Crossings

The provision of 4 vehicle crossings 12.5 metres wide at the kerb to 9.5 metres wide at the boundary with transitions to the proposed road width occurring within the boundary in accordance with Warringah Council Drawing No A4-3330/1 Normal and specifications. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

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

Reason: To facilitate suitable vehicular access to private property. (DACENE05)

59. Civil Works Supervision

All civil works approved in the Construction Certificate are to be supervised by an appropriately qualified and practising Civil Engineer.

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

Reason: To ensure compliance of civil works with Council's specification for engineering works. (DACENE06)

60. Footpath Construction

The applicant shall construct a 1.2 metre wide concrete footpath from the existing footpath on the western side of Forest Way to the boundary of Garigal National Park. Also the applicant shall construct a 1.2 metre wide concrete footpath for the entire frontage of the eastern side of Elm Avenue and the eastern frontage of Pringle Avenue. The works shall be in accordance with the following:

- a) All footpath works are to be constructed in accordance with Council's minor works policy.
- b) Council is to inspect the formwork prior to pouring of concrete to ensure the works are in accordance with Council's specification for footpath.
- c) The footpath shall not be located within any eco-corridor of any site.

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

Reason: To ensure compliance of footpath works with Council's specification for engineering works. (DACENE07)

61. Layback Construction

The provision of 4 laybacks 12.5 metres wide (excluding the wings) are to be constructed in accordance with Warringah Council Drawing No A4-2276 and specifications.

Reason: To ensure suitable vehicular access to private property. (DACENE08)

62. Maintenance of Road Reserve

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

Reason: Public Safety. (DACENE09)

63. Notification of Inspections

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

- (a) Installation of Silt and Sediment control devices;
- (b) Prior to backfilling of pipelines;
- (c) Prior to pouring of stormwater gully pits;
- (d) Prior to pouring of kerb and gutter;
- (e) Subgrade level / basecourse level;
- (f) Sealing road pavement.

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

Reason: To ensure new Council infrastructure is constructed to Council's requirements. (DACENE10)

64. Traffic Control During Road Works

Lighting, fencing, traffic control and advanced warning signs shall be provided for the protection of the works and for the safety and convenience of the public and others in accordance with Council's Minor Works Policy and to the satisfaction of the Certifying Authority.

Traffic movement in both directions on public roads, and vehicular access to private properties is to be maintained at all times during the works.

Reason: Public Safety. (DACENE11)

65. Trees Condition

During the construction period the applicant is responsible for ensuring all protected trees are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to. In this regard all protected plants on this site shall not exhibit:

- (a) A general decline in health and vigour;
- (b) Damaged, crushed or dying roots due to poor pruning techniques;
- (c) More than 10% loss or dieback of roots, branches and foliage;
- (d) Mechanical damage or bruising of bark and timber of roots, trunk and branches;
- (e) Yellowing of foliage or a thinning of the canopy untypical of its species;
- (f) An increase in the amount of deadwood not associated with normal growth;
- (g) An increase in kino or gum exudation;
- (h) Inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition;
- (i) Branch drop, torn branches and stripped bark not associated with natural climatic conditions.

Any mitigating measures and recommendations required by the Arborist are to be implemented.

The owner of the adjoining allotment of land is not liable for the cost of work carried out for the purpose of this clause.

Reason: Protection of Trees. (DACLA03)

66. Requirement to Notify about New Contamination Evidence

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

Reason: To protect human health and the environment. (DACHPE01)

67. Waste / Recycling Requirements (Waste Plan Submitted)

During demolition and/or construction the proposal/works shall be generally consistent with the submitted Waste Management Plan titled Preliminary Waste Management Plan, prepared by Proust & Gardiner and dated December 2010.

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

68. Waste/Recycling Requirements (Materials)

During demolition and/or construction the following materials are to be separated for recycling - timber - bricks - tiles - plasterboard - metal - concrete, and evidence of disposal for recycling is to be retained on site.

Reason: To ensure waste is minimised and recovered for recycling where possible.



69. Off-site disposal of contaminated material

All contaminated material removed from the site must be disposed of at a waste facility that can lawfully receive that waste and must be done in accordance with:

- a) *Protection of the Environment Operations Act 1997 (NSW)*; and
- b) *Environment Protection Authority's Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999)*.

Copies of all test results and disposal dockets must be retained for at least 3 years and be made available to authorised Council officers on request.

Reason: For protection of environment and human health and to ensure compliance with the legislation.

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

70. Seed and Plant Material Collection, Propagation and Certification

The person responsible for implementing the Bushland Management Plan must certify that planting's (including follow-up planting's) have been carried out using stock propagated from seed or plant material collected only from native plants from the local botanical provenance.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Interim / Final Occupation Certificate.

Reason: Environmental Protection, Monitoring and Enhancement (DACNEF04)

71. Waste/Recycling Certificate of Compliance with Policy

The proposal shall be constructed in accordance with Warringah Council's Policy Number PL 850 - Waste

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

Reason: To ensure waste and recycling facilities are provided.

72. Positive Covenant for Waste Services

A positive covenant shall be created on the title of the land requiring the proprietor of the land to provide access to the waste storage facilities prior to the issue of an Interim/Final Occupation Certificate. The terms of the positive covenant are to be prepared to Council's standard requirements, (available from Warringah Council), at the applicant's expense and endorsed by Council prior to lodgment with the Department of Lands. Warringah Council shall be nominated as the party to release, vary or modify such covenant.

Reason: To ensure ongoing access for servicing of waste facilities



73. Authorisation of Legal Documentation Required for Waste Services

The original completed request form (Department of Lands standard form 13PC) must be submitted to Council for authorisation prior to the issue of the Interim/Final Occupation Certificate. A copy of the work-as-executed plan (details overdrawn on a copy of the approved plan) must be included with the above submission. Where required by Council or the Certifying Authority, a Compliance Certificate shall also be provided in the submission to Council.

Reason: To create encumbrances on the land. (DACEFaldsd)

74. Neighbourhood Management Statement for Waste Services

Where a development proposes the creation of a neighbourhood scheme, the Neighbourhood Management Statement shall include wording in relation to the provision of waste services in accordance with Council's standard requirements (available from Warringah Council).

Reason: To ensure ongoing access for servicing of waste facilities

75. Environmental Reports Certification

Written certification from a suitably qualified person(s) shall submit to the Certifying Authority and Warringah Council, stating that all the works/methods/procedures/control measures/recommendations approved by Council in the following reports have been completed:

Remedial Action Plan ENVIRHOD00992AB prepared by Coffey Environments Australia Pty Ltd dated 25 June 2010.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To ensure compliance with standards.

CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF ANY COMMUNITY TITLE SUBDIVISION OR SUBDIVISION CERTIFICATE

76. Validation for Remediation

Prior to the issue of the Subdivision Certificate, a validation report issued under the Contaminated Land Management Act 1997, must be submitted to the Council within one month from completion of the remediation work certifying that the site is suitable for its intended use.

Reason: To ensure environmental amenity is maintained.



77. Positive Covenant for Drainage Structures

A positive covenant (under the provisions of Section 88B of the Conveyancing Act) is to be created on the final plan of subdivision and accompanying 88B instrument, requiring the proprietor of the land to maintain the water quality devices in accordance with the standard requirements of Council. The terms of the positive covenant are to be prepared to Council's standard requirements, which are available from Warringah Council. Warringah Council shall be nominated as the sole authority empowered to release, vary or modify such covenant.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To ensure ongoing maintenance of the water quality devices. (DACENH01)

78. Restriction on the Keeping of Animals

No cats, dogs (other than dogs for assistance of vision impaired persons), horses or other animals which fall under the definition of "stock" under the Rural Lands Protection Act 1998 are permitted.

Prior to the issue of a subdivision certificate, a section 88B instrument which includes the restrictive covenant, which prohibits the keeping of said animals, in registrable form, shall be prepared by the owner of the land and produced to Council for approval and execution. The instrument must stipulate that the only person with the right to release, vary or modify the covenant is the Council. All costs associated with the preparation, execution and registration of the instrument are to be borne by the owner of the land.

Reason: To ensure compliance with the DCP

79. Positive Covenant for Drainage Structures

A positive covenant (under the provisions of Section 88B of the Conveyancing Act) is to be created on the final plan of subdivision and accompanying 88B instrument, requiring the proprietor of the land to maintain the trench drain along the southern boundary of proposed lots 13, 14, 15, 16 and 18 of Sector 1 in accordance with the standard requirements of Council. The terms of the positive covenant are to be prepared to Council's standard requirements, which are available from Warringah Council. Warringah Council shall be nominated as the sole authority empowered to release, vary or modify such covenant.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To ensure ongoing maintenance of the water quality devices. (Special Condition)

80. Positive Covenant for On-site Stormwater Detention

A positive covenant (under the provisions of Section 88B of the Conveyancing Act 1919) is to be created on the final plan of subdivision and accompanying 88B instrument, requiring the proprietor of the land to maintain the on-site stormwater detention structures in accordance with the standard requirements of Council. The terms of the positive covenant are to be prepared to Council's standard requirements, which are available from Warringah Council. Warringah Council shall be nominated as the sole authority empowered to release, vary or modify such covenant.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To ensure ongoing maintenance of the on-site stormwater detention system. (DACENH02)

81. Provision of Services for Subdivision

The applicant is to ensure all services including, water, electricity, telephone and gas are provided, located and certified by a registered surveyor on a copy of the final plan.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To ensure that utility services have been provided to the newly created lots. (DACENH03)

82. Restriction as to User (Drainage Structures)

A restriction as to user shall be created on the title over the water quality devices, restricting any alteration to the levels and/or any construction on the land. The terms of such restriction, (available from Warringah Council), are to be prepared by a registered surveyor to Warringah Council's standard requirements at the applicant's expense. Warringah Council shall be nominated as a party to release, vary or modify such restriction.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To ensure no modification of the water quality devices without Council's approval. (DACENH05)

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

A restriction as to user (under the provisions of Section 88B of the Conveyancing Act) is to be created on the final plan of subdivision and accompanying 88B instrument for the on-site stormwater detention system, restricting any alteration or additions to the system. The terms of such restriction are to be prepared to Council's standard requirements, which are available from Warringah Council. Warringah Council shall be nominated as the party to release, vary or modify such restriction.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.



Reason: To ensure no modification to the on-site stormwater detention structure without Council's approval. (DACENH07)

84. Services

All utilities/services and street lighting is to be installed by the applicant/developer. Certification is to be provided to Council stating the above requirement has been complied with.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: Public safety and to ensure services have been provided for the newly created lots. (DACENH09)

85. Stormwater Drainage and Utility Services Plan

A plan of subdivision identifying the location of water, gas, telephone, electricity and stormwater drainage in relation to boundaries and/or relevant easements, prepared by a registered surveyor is to be submitted to Council.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To ensure that services have been provided with appropriate easements as required by the Conveyancing Act 1919. (DACENH10)

86. Council Dedications

All allotments proposed as Council roads and or reserves are to be dedicated to Warringah Council. The subdivision certificate and a certificate of title are to be submitted to Council within one month after registration of the subdivision plan.

Reason: Statutory requirement of the Conveyancing Act 1919.(DACENH11)

87. Survey Plan - Construction Identification

A declaration by a registered surveyor shall be provided to Council as evidence that all construction has been effected within the appropriate property, easement boundaries and rights of carriageway. This shall be in the form of a copy of the final subdivision or easement plan, with the distances from the boundaries to the edges of these structures endorsed in red thereon and signed by the surveyor.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To ensure accurate location of buildings, access and services. (DACENH12)

88. Sydney Water Compliance Certification

A Section 73 Compliance Certificate (one for each of the 4 sectors/stages) under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au <<http://www.sydneywater.com.au>> then refer to "Water



Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

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

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To ensure compliance with the statutory requirements of Sydney Water. (DACENH13)

89. Title Encumbrances

All easements, rights of carriageway, positive covenants and restrictions as to user as indicated on the plans and required by this consent are to be created on the title naming Warringah Council as the sole authority empowered to release or modify.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To ensure proper management of land.(DACENH14)

90. Certification of Utility Services

The provision of all utilities/services and/or street lighting are to be certified by the relevant authority(s) and/or authorised contractor.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To ensure services have been provided in accordance with the relevant authorities requirements. (DACENH15)

91. Easement for Drainage

An easement for drainage (under the provisions of Section 88B of the Conveyancing Act) is to be created on the final plan of subdivision the accompanying 88B instrument to ensure all drainage infrastructure is located within the appropriate easement(s).

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: Council's Subdivision standards and statutory requirements of the Conveyancing Act 1919. (DACENH16)

92. Easement to Drain Water - Channel/Floodways

An easement to drain water shall be created in favour of Council over the channel/floodway to encompass the 1 in 100 year recurrence frequency predicted water surface level, including a 500mm freeboard and a 500mm minimum margin in plan. The easements are to be detailed on the final plan of subdivision.



Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To identify flood affected areas on the property title. (DACENH17)

93. Easement for Services

An easement for services (under the provisions of Section 88B of the Conveyancing Act) is to be created on the final plan of subdivision and the accompanying 88B instrument to ensure all utility services are located within the appropriate easement(s).

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: Council's Subdivision standards and statutory requirements of the Conveyancing Act 1919.(DACENH18)

94. Electrical Substations

The applicant shall dedicate the land required for an electricity sub-station as a public road, if requested by the energy authority. The dedication is to be detailed on the final plan of subdivision, to be submitted to Council with the application for a Subdivision Certificate.

Reason: To comply with statutory requirements of the energy authority (DACENH19).

95. On-Site Stormwater Detention Compliance Certification

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

Reason: To ensure stormwater disposal is constructed to standard specifications AUSPEC 1. (DACENH21)

96. Certification Civil Works

The Civil Engineer responsible for the supervision of the civil drainage works shall certify that the completed works have been constructed in accordance with this consent. Works as Executed data certified by a registered surveyor prepared in accordance with Council's requirements is to be provided to Council. Full details of the information is to be submitted to Council, as part of the Works as Executed Data, are outlined in Council's 'Guideline for preparing Works as Executed data for Council's stormwater assets' which is available from Council's Natural Environment Unit. The Works as Executed data is to be verified by the Certifying Authority prior to submission of any documentation.

The Works as Executed Data is to include but not limited to the following:

- a. Works as Executed (WAE) Plan,
- b. Spreadsheet Schedule of all stormwater asset attributes and
- c. CCTV Report of the completed pipeline.



Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To ensure compliance of drainage works with Council's specification for engineering works. (Special Condition)

97. Street Numbering

Street numbers are to be displayed on a copy of the linen plan in accordance with Warringah Council's standard requirements. The applicant is to ensure that allocation of these numbers is obtained from Warringah Council prior to issue of the Subdivision Certificate.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: Proper identification of properties in accordance with Council's policy. (Special Condition)

98. Operational Manual for the Water Quality Control Pond within Sector 1

A manual for the operation and maintenance of the water quality control pond (WQCP) within Sector 1 is to be submitted to Council for approval prior to the issue of the subdivision certificate.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To minimise the amount of stormwater pollution from entering the downstream catchment. [Special Condition]

99. Water Quality Control Devices

The neighbourhood management statement and section 88B instrument is to incorporate wording for the maintenance of all the water quality control devices by the neighbourhood association. The draft neighbourhood management and 88B instrument is to be submitted to Council for approval prior to the issue of the subdivision certificate.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To provide satisfactory waste collection services. [Special Condition]

100. Water Quality Control Pond within Sector 1

The proposed water quality treatment detention basin within Sector 1 shall be maintained by the applicant as a sedimentation basin for a period of four (4) years from the date of issue of the subdivision certificate, or up until 90% of allotments have been residentially developed, whichever is the lesser period. After this period, the sediment basin is to be converted to a water quality control pond in accordance with the approved landscaping plans. The applicant is to enter into a legal agreement with Council to maintain the sediment basin during this period. The legal agreement is to be



prepared to the satisfaction of Council's solicitor, and all costs associate with this agreement are to be borne by the applicant.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: To minimise the amount of stormwater pollution entering the downstream catchment. [Special Condition]

101. Management Statements

Prior to the issuing of any subdivision certificate a draft management statement including all proposed lots as detailed upon the approved plans listed within Condition No 1 of this Notice of Determination shall be prepared for the subdivision. The management statement must be prepared in accordance with the provisions of the Community Land Development Act 1989 and must be prepared and submitted to the satisfaction of the Principle Certifying Authority.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: Legislative Requirement (Special Condition)

102. Right of Public Pedestrian Access

A right of public pedestrian access (under the provisions of Section 88B of the Conveyancing Act) is to be created on the final plan of subdivision for each sector and the accompanying 88B instrument – or satisfactory mechanism under the provisions of the Community Title Legislation – to include all public pedestrian footpaths within all proposed Sectors.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Subdivision Certificate.

Reason: Council's Subdivision standards and statutory requirements of the Conveyancing Act 1919. (Special Condition)

103. Subdivision Certificate Application

Prior to the issue of the Subdivision Certificate, a completed Subdivision Certificate form, a final plan of subdivision prepared in accordance with the requirements of the Conveyancing Act 1919 are to be submitted to Council. Nine copies of the final plan of subdivision are to be submitted. All plans of survey are to show connections to at least two Survey Co-ordination Permanent Marks. The fee payable is to be in accordance with Council's fees and charges.

Reason: Statutory requirement of the Conveyancing Act 1919. (DACENH24)



Right of Appeal

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.

Signed _____ on behalf of the consent authority

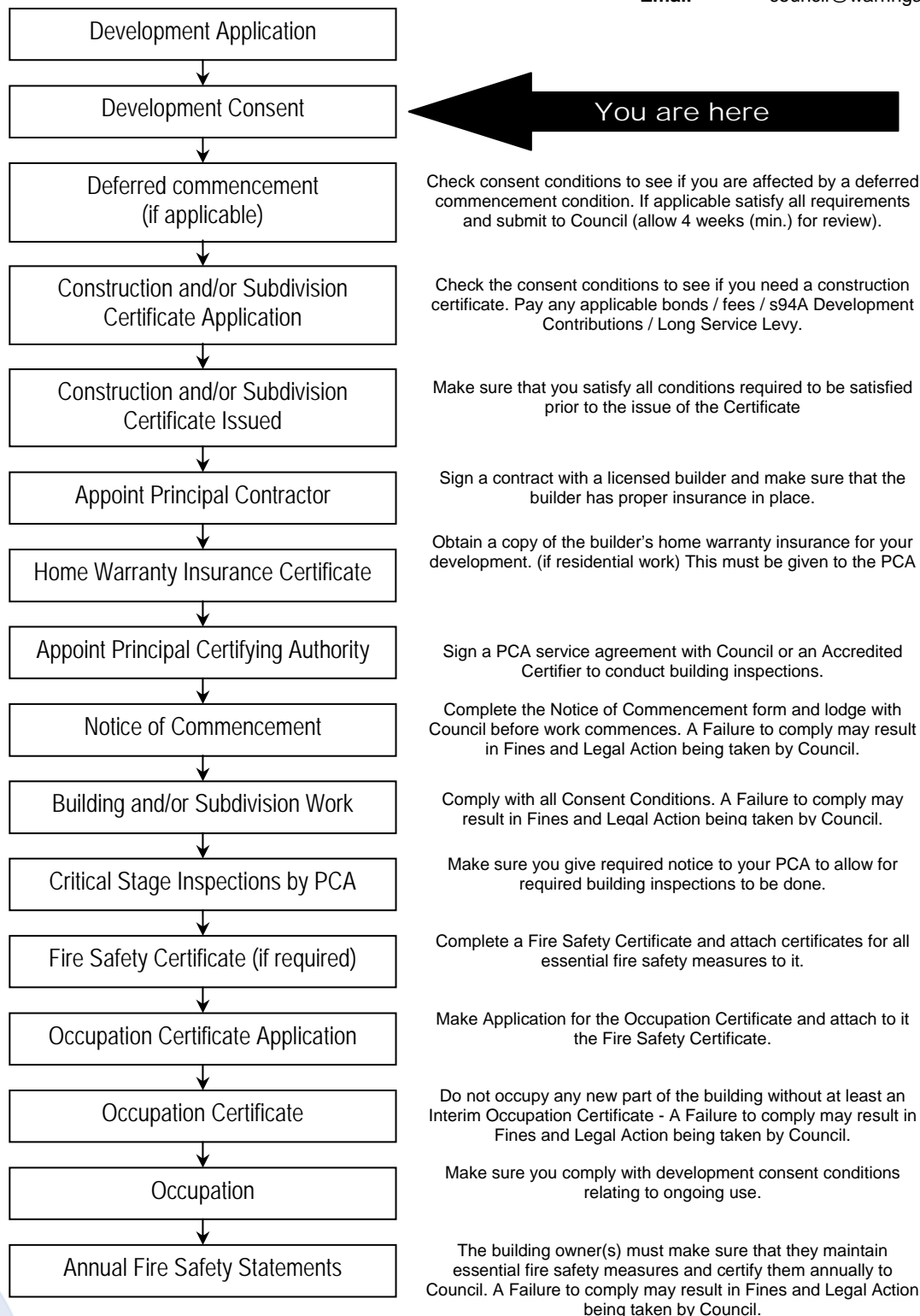
Signature _____
Name Steve Findlay
Team Leader, Development Assessments

Date 5 September 2011

Notice of Determination

Advisory Notes (General)

Where are you in the development process?



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



Warringah Council

General Advice

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

(Note: A failure to comply is a serious breach of the Environmental Planning & Assessment Act 1979 which attracts penalties and may also result in legal action being taken, and orders for demolition.)

Building Certification

The Environmental Planning and Assessment Act 1979 provides that:

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

Please refer to process chart for more detail.

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

Certification Services

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

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

Charges Associated with the Development Consent

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

Acceptable Form of Security Bonds

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

Modifications to the consent

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

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

Other Matters not detailed within the Notice of Determination

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

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

- ☐ Workcover NSW for work safety and asbestos requirements
- ☐ Sydney Water – Quick Check Agent for the provision of water and sewer services
- ☐ Energy & Gas suppliers for utility services
- ☐ Department of Fair Trading for advice about builders and licensing
- ☐ Building Professionals Board for advice about private certifiers
- ☐ NSW Roads and Traffic Authority for works on state roads only
- ☐ Human Rights and Equal Opportunity Commission for access issues
- ☐ NSW Land and Property Information Service for Land Title matters

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Warringah Council

- ☐ **Australia Post** for the positioning and dimensions of mail boxes in new commercial and residential developments;

Model

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

Trade waste agreement

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

Waste collection

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

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

Aboriginal Heritage

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

On-Site Sewage Management System

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

Cost of Works

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

Relocation of stormwater drainage

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

Tree preservation

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

Storage bins on footpath and roadway

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

Protection of Public Places

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

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

- (2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- (3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- (4) Any such hoarding, fence or awning is to be removed when the work has been completed.

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Warringah Council

(5) No access across public reserves or parks is permitted.

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

Road Opening Permit

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

Special Permits

Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely on the property. The applicant, owner or builder must apply for specific permits available from Council. A minimum of forty-eight (48) hours notice is required for all permits except work zones, which may require additional assessment time.

- ☐ **Permit for on-street mobile plant**
Restrictions apply to the hours of operation and the area of operation for on street mobile plant equipment (for example cranes, concrete pumps, cherry pickers). Separate permits are required for each occasion and each piece of equipment. It is the responsibility of the applicant, owner and builder to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.
- ☐ **Hoarding Permit**
Permits are required to erect Class A, Class B and Class C hoardings. If an 'A' Class hoarding is to alienate a section of Council's property, that section will require a permit for the occupation of Council's property.
- ☐ **Storage of building materials and building waste containers (skips) on Council's property**
Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given.
- ☐ **Kerbside restrictions, work zones**
Existing kerbside restrictions apply. An application must be made to Council for the alteration of existing kerbside restrictions or the provision of a construction zone.

Other permits may include out of construction hours permits.

Licensing requirements for removal of bonded asbestos

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

Pool Access

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

- (i) Swimming Pools Act 1992;
- (ii) Swimming Pools Amendment Act 2009;
- (iii) Swimming Pools Regulation 2008
- (iv) Australian Standard AS1926 Swimming Pool Safety
- (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
- (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools

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

Dewatering

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

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Warringham Council

Requirement to Notify about New Contamination Evidence

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

Flood Evacuation Plan

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

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

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

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

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

Utility Service Requirements

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

Plant & Equipment Kept Within Site

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

Lighting

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

OTHER MATTERS

Child Care Centres

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

Disability Access

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

Food Premises

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

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

Wheel washing facility

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

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Warringah Council

Monitoring State of Roadways

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

Storage of Dangerous Goods

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

Storage of Flammable and Combustible Liquids

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

Noise and Vibration

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

Hairdressing/Beauty Treatment/ Skin penetration Requirements

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

A hand wash basin with warm water delivered through a common spout must be provided in the treatment area. The hand wash basin must be provided with liquid soap and paper towel.

The wall behind the hand wash basin from the floor to a height of 450mm above the top of the washbasin and from the centre of the washbasin to a distance of 140mm beyond each side of the wash basin, must be finished with a material that is durable, smooth, impervious to moisture and capable of being easily cleaned (eg tiles).

The premises must be provided with washing, drainage, ventilation and lighting that are adequate for the carrying out of hairdressing/beauty treatment/skin penetration procedures.

The floor coverings must be smooth and impervious.

All furniture, shelves and fittings must be constructed of, or covered with a material that is smooth, impervious to moisture and capable of being easily cleaned.

Adequate lockers must be provided for the storage of employees clothing and personal effects.

The premises must be provided with facilities that are adequate for the purpose of storing of hairdressing/beauty treatment/skin penetration appliance and utensils.

The premises must be provided with a sink sullied with hot and cold water for washing equipment.

Food Premises Construction Requirements

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

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

Legionella Control

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

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