

The consent authority must be satisfied as to the following matters before the consent can operate.

DEFERRED COMMENCEMENT

That the Sydney Eastern City Planning Panel grant deferred commencement consent in accordance with the provisions of Section 4.16 (3) of the Environmental Planning and Assessment Act 1979.

The consent is not to operate until the applicant has satisfied Waverley Council as to the following matters:

HERITAGE COUNCIL OF NSW - GENERAL TERMS OF APPROVAL

DEFERRED COMMENCEMENT

1. This approval is subject to Deferred Commencement in accordance with section 63A of the Heritage Act 1977 and is subject to the following conditions being met to the satisfaction of the **Heritage Council of NSW (or its delegate)**:

- (a) Ensure the roof structural supports, rainwater gutters and downpipes suit the character and design of the roof, the robust nature of the buildings, and the broader context of the pavilion. This should be reflected in the detailed drawings required in Condition 4. (Note: this relates to **Condition 2(c)** of the Approved Development conditions in Appendix B)

Reason: To minimise visual impacts and to ensure that BSBLSC and the Bondi Pavilion can be appreciated as part of an architectural group designed to relate to each other.

- (b) The narrow strips of landscaping around the first-floor perimeter of the building and around the ground floor courtyard arch length are not approved. Amended drawings must be submitted to and approved by the Heritage Council of NSW (or its delegate).

Reason: To ensure the new additions are sympathetic to the heritage character of BSBLSC. These embellishments detract from the integrity of the original form and do not respond to the design of the Bondi Pavilion.

- (c) Roof cover to the courtyard along the northern façade of BSBLSC building shall be redesigned to allow for improved views and appreciation of original stair tower. Amended drawings must be submitted to and approved by the Heritage Council of NSW (or its delegate).

Reason: To minimise visual impact on significant views and setting of BSBLSC and to ensure reinstated elements to the northern façade can be appreciated in the round as originally designed.

- (d) The design of the glazed balustrade to the upper level (beach front southern elevation) shall be amended to be sympathetic with the solid masonry character

of the BSBLSC and the pavilion building. Amended drawings must be submitted to and approved by the Heritage Council of NSW (or its delegate).

Reason: To ensure the new additions are sympathetic to the heritage character of BSBLSC and the Pavilion.

HERITAGE – WAVERLEY COUNCIL

2. The following conditions are to be submitted to and approved by **Council's Heritage Officer (or delegate)**:
 - (a) The proposed roof form lacks any form of roof drainage to the broad eaves. This is to be addressed with the submission of amended plans and documentation with downpipes cohesive to the proposed form and suited to the climatic extremes of the beachfront location.
 - (b) The type, appearance, finish and colour of the lightweight cladding to the upper floor is to be clarified.
 - (c) The treatment of the existing ground floor front verandah remains problematic as the outdoor showers will be located in front of large windows serving the male and female change areas. Indications that the windows will be obscure are not sufficient to address water splashing and entering the masonry walls at the external shower base. Revised plans are to be submitted addressing the treatment of the existing ground floor front verandah.
 - (d) The indicative layout appears to relate poorly to the adjacent Pavilion. The outdoor showers shown along the widened pathway remain unrelated to any specific access to either building and are within a potential wind tunnel. Revised plans are to be submitted demonstrating the relocation of the showers.
 - (e) The original timber paneled doors are indicated to be retained however, no details are provided. These doors should be retained for out of hours closure in conjunction with the glazed doors. This is a common detail where historic door forms are of significance. Additional details are to be provided demonstrating the retention of the original timber paneled doors.
 - (f) Exhaust outlets and ventilation of the basement area are not indicated. It was noted that the basement will be naturally ventilated. This is likely to encounter serious moisture issues particularly in respect to the proposed archive storage area in the basement and any items of fabric stored there. Revised plans demonstrating mechanical ventilation are to be submitted.
 - (g) The storage of club archives in the basement is not supported as this is an area of high humidity and potential flooding. The storage of club archives is to be relocated.
 - (h) The lightweight nature of the arched, blind colonnades to the rear pavilion is not supported unless of more durable material, to the satisfaction of Council's Heritage Advisor.

Accessibility

3. At least one unisex accessible toilet is to be included as part of the development.

Landscaping

4. Amended landscape plans are to be submitted to and approved by **Council's Executive Manager, Environmental Sustainability (or delegate)** with a plant species list with a minimum of 50% of the proposed plantings (not including turfed areas) to be indigenous or local native plants as listed in Annexure B2 - 1 of the *Waverley Development Control Plan 2012*.

This development consent does not operate until the applicant satisfies Waverley Council, in accordance with the regulations, as to the matters specified in the above conditions and Waverley Council confirms such satisfaction in writing.

These conditions must be satisfied within 1 year of the date of this consent.

Appendix B**DA-173/2021**

Upon satisfying the consent authority as to the matters in Appendix A, the following conditions will apply.

A. APPROVED DEVELOPMENT**1. APPROVED PLANS AND DOCUMENTATION**

The development must be in accordance with:

(a) Architectural Plans prepared by Lockhart – Krause Architects including the following:

Plan Number	Revision	Plan Description	Plan Date	Date received by Council
01	-	Cover Sheet, Proposed	-	14/04/2022
05	A	Site Plan, Proposed	21/04/2021	12/05/2021
06	A	Ground Plan, Proposed	16/02/2022	18/02/2022
07	A	First Plan, Proposed	16/02/2022	18/02/2022
08	A	Second Plan, Proposed	16/02/2022	18/02/2022
09	A	Roof & Basement Plan, Proposed	16/02/2022	18/02/2022
10	B	Elevation South, Existing	13/04/2022	14/04/2022
11	B	Elevation South, Proposed	13/04/2022	14/04/2022
12	B	Elevation North, Existing	13/04/2022	14/04/2022
13	B	Elevation North, Proposed	13/04/2022	14/04/2022
14	B	Elevation East, Existing	13/04/2022	14/04/2022
15	B	Elevation East, Proposed	13/04/2022	14/04/2022
16	B	Elevation West, Existing	13/04/2022	14/04/2022
17	B	Elevation West, Proposed	13/04/2022	14/04/2022
18	B	Section AA & BB, Proposed	13/04/2022	14/04/2022
19	A	Section CC & DD, Proposed	21/04/2021	12/05/2021
20	B	Section EE & FF, Proposed	13/04/2022	14/04/2022
21	B	Section GG, Proposed	13/04/2022	14/04/2022
23	A	Ramp Drawing	21/10/2021	23/11/2021
24	A	Ramp Drawing	21/10/2021	23/11/2021
25	A	Access Drawing	21/10/2021	23/11/2021
28	C	Ground Plan, Demolition	13/04/2022	14/04/2022
29	C	First Plan, Demolition	13/04/2022	14/04/2022
30	C	Elevation East & West, Demolition	13/04/2022	14/04/2022
31	C	Elevation North & South, Demolition	13/04/2022	14/04/2022

- (b) Heritage Impact Statement Bondi Surf Bathers Life Saving Club, Queen Elizabeth Drive, Bondi Beach prepared by Urbis dated 28/04/2021 and received by Council on 12/05/2021.
- (c) Conservation Management Plan, issue F, prepared by Jean Rice Architect, dated October 2021 and received by Council on 12/05/2021.
- (d) Due Diligence Aboriginal Archaeological Heritage Impact Assessment prepared by Dominic Steele Consulting Archaeology dated 29 April 2021 and received by Council on 12 /05/2021
- (e) Addendum to Heritage Impact Statement, prepared by Urbis, dated 14/04/2021 and received by Council on 14/04/2021.
- (f) Acoustic Report and documentation prepared by Acoustic Studio dated 20/04/2021, and received by Council on 12/05/2021
- (g) Addendum to Acoustic Report prepared by Acoustic Studio dated 16 February 2022, and received by Council on 18/02/2022
- (h) Arborist Report prepared by L & Co Consultancy Arboriculture Plant Pathology dated 22/04/2021, and received by Council on 12/05/2021
- (i) Geotechnical Report and documentation prepared by Douglas Partners dated November 2020 and received by Council on 12/05/2021
- (j) Geoarchaeological Desktop Assessment prepared by Down to Earth Geoarchaeological Services dated 22 November 2021, and received by Council on 23/11/2021,
- (k) National Construction Code Report (Access) and documentation prepared by Credwell dated 19/04/2021, and received by Council on 12/05/2021,
- (l) Preliminary Fire Safety Engineering Review prepared by Warrington Fire dated 21/04/2021, and received by Council on 12/05/2021,
- (m) National Construction Code Report (BCA Report) and documentation prepared by Credwell dated 19/04/2021, and received by Council on 12/05/2021
- (n) Council approved Plan of Management
- (o) ESD Report prepared by Steensen Varming dated 23/09/2020 and received by Council on 12/05/2021
- (p) Structural Report prepared by Cantilever dated 15/09/2020, and received by Council on 12/05/2021
- (q) Traffic Impact Assessment prepared by TTW dated 16/04/2021, and received by Council on 12/05/2021
- (r) Loading Dock Management Plan prepared by TTW dated 16/04/2021 and received by Council on 12/05/2021
- (s) Waste Management Plan prepared by MRA Consulting Group dated 15/04/2020, and received by Council on 12/05/2021;

Except where amended by the following conditions of consent.

NOTE – Plan references above are likely to change following satisfaction of the deferred commencement matter. As this occurs, condition 1 will be updated to reflect the new documentation.

2. HERITAGE COUNCIL OF NSW - GENERAL TERMS OF APPROVAL

APPROVED DEVELOPMENT

(a) Approved Development

Development must be in accordance with Plan References and Reports identified in Condition 1 of this consent.

EXCEPT AS AMENDED by the following General Terms of Approval:

NOTE – Plan references above are likely to change following satisfaction of the deferred commencement matter issued by Heritage Council of NSW with their General Terms of Approval. As this occurs, condition 2(a) will be updated to reflect the new documentation.

FURTHER INFORMATION

- (b) The proposed lighting proposal dated 20 April 2021 prepared by Electrolight provides general lighting approach to BSBLSC and the surrounding pathways and is supported in principle. Detailed proposal shall be submitted to and approved by the Heritage Council of NSW (or its delegate) with the section 60 application. The proposal shall be supported and informed by a lighting strategy for the broader Bondi Beach Cultural Landscape to ensure a coordinated approach for such upgrades and a heritage impact statement.

Reason: The details requested were not supplied during the assessment of the application. The assessment and management of these details is considered essential in order to obtain a good heritage outcome.

- (c) Detailed drawings of the proposed works affecting the 1930s BSBLSC building shall be submitted to and approved by the Heritage Council of NSW (or its delegate) with the section 60 application.

Reason: The details requested were not supplied during the assessment of the application. The assessment and management of these details is considered essential in order to obtain a good heritage outcome.

- (d) A detailed schedule of conservation works for the BSBLSC building shall be submitted to and approved by the Heritage Council of NSW (or its delegate) with the section 60 application. The works shall be implemented as part of this project prior to issue of an Occupation Certificate.

Reason: To ensure the building is conserved appropriately and to mitigate impacts.

HERITAGE CONSULTANT

- (e) A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

SPECIALIST TRADESPERSONS

- (f) All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice.

SITE PROTECTION

- (g) Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

- (h) The installation of new services shall be carried out in such a manner as to minimise damage to or removal of historic fabric and shall not obscure historic features. Any new penetrations through heritage fabric shall be minimised. Where possible, existing service points shall be used.

Reason: To minimise impact on significant fabric and to allow significant fabric and elements to remain visible.

HERITAGE INTERPRETATION PLAN

- (i) An interpretation plan must be prepared in accordance with the Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005) and submitted for approval to the Heritage Council of NSW (or delegate) prior to the issue of a Construction Certificate/Government certification.
- (j) The interpretation plan must detail how information on the history and significance of BSBLSC and its moveable heritage items will be provided for the public, and make recommendations regarding public accessibility, activities, signage (entry, wayfinding and interpretive signs) and lighting. The plan should respond to and convey significant Aboriginal and non-Aboriginal cultural heritage values of the place as recognised by any relevant Conservation Management Plans and National Heritage listing and State Heritage Register listing. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.
- (k) The approved interpretation plan must be implemented prior to the issue of an Occupation Certificate.

Reason: Interpretation is an important part of every proposal for works at heritage places.

PHOTOGRAPHIC ARCHIVAL RECORDING

- (l) A photographic archival recording of the affected areas must be prepared prior to the commencement of works, during works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). The digital copy of the archival record must be provided to Heritage NSW, Department of Premier and Cabinet.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

- (m) The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.

COMPLIANCE

- (n) If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

SECTION 60 APPLICATION

- (o) An application under section 60 of the Heritage Act 1977 must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

ADVICE - ABORIGINAL OBJECTS

- The Applicant shall submit evidence of how potential impacts to Aboriginal objects have been assessed in accordance with Heritage NSW guidelines (available online at: <https://www.heritage.nsw.gov.au/applications/aboriginal-objects-and-places/before-you-apply/>). The assessment shall be provided with the Section 60 application.
- The applicant must identify any requirement for an Aboriginal Heritage Impact Permit under the National Parks and Wildlife Act 1974 (as amended) at the time of submitting the section 60 application, based on the outcome of an Aboriginal cultural heritage assessment prepared in accordance with Heritage NSW guidelines.
- Should any Aboriginal objects be uncovered by the work which are not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the National Parks and Wildlife Act 1974 (as amended). Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

Reason: Additional values linked to Aboriginal cultural and archaeological heritage of the Bondi Beach Cultural Landscape have been identified in the Conservation Management Plan. The above advice will ensure that the values are identified, assessed and protected in an appropriate manner.

3. PUBLIC AREAS AND RESTORATION WORKS

At all times, public areas must be kept in a safe condition. The restoration of disturbed road and footway areas caused by construction activities must be made safe for the public and must be prioritised. This includes, but is not limited to, work done for the purpose of connecting to public utilities, as well as repairs to damaged infrastructure. If Council

discovers any unsafe construction activities in the public areas surrounding the development, the works must be completed immediately and to Council's satisfaction.

4. SEPARATE APPLICATION FOR SIGNAGE

Any proposed advertising structures to be displayed at the premises are to be subject to a separate development application to and approval from Council (if required).

B. PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies the approval of Council or a Council Officer is required.

5. NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE

The building work, or demolition work, must not be commenced until:

- (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the *Environmental Planning and Assessment Act 1979*;
- (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*; and
- (c) Council is given at least two days' notice in writing of the intention to commence the building works.

6. SECTION 7.12 CONTRIBUTION

A cash contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and Waverley Council Development Contributions Plan 2006 in accordance with the following:

- (a) A cost report indicating the itemised cost of the development shall be completed and submitted to Council:
 - (i) Where the total development cost is less than \$500,000:
"Waverley Council Cost Summary Report"; or,
 - (ii) Where the total development cost is \$500,000 or more:
"Waverley Council Registered Quantity Surveyor's Detailed Cost Report".

A copy of the required format for the cost reports are in the Waverley Council Contributions Plan 2006, available on Council's website.

- (b) As legislated in section 25K of the *Environmental Planning and Assessment Regulation 2000*, the levy must be paid in accordance with the following;
 - (i) A development valued at \$100,000 or less will be exempt from the levy.
 - (ii) A development valued at \$100,001 - \$200,000 will attract a levy of 0.5% OR
 - (iii) A development valued at \$200,001 or more will attract a levy of 1% based on the full cost of the development.

Prior to the issue of any Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than \$100,000.

7. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of **\$346,514.28** must be provided to Council for any damage caused to any property of the consent authority (ie. public

land) as a consequence of the works and completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with the consent.

This deposit (cash or cheque) or guarantee must be provided to Council prior to the issue of any Construction Certificate. The full amount of the deposit, minus Council's costs for any repair of damage to Council property or rectification of unauthorised works on Council property, will be refunded after satisfactory completion all of works associated with this consent (including the required public works) to the person who paid the deposit.

8. LONG SERVICE LEVY

A long service levy, as required under Section 34 of the *Building and Construction Industry Long Service Payments Act, 1986*, is to be paid in respect to this building work. In this regard, proof that the levy has been paid is to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate.

Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.35% of building work costing \$25,000 or more.

9. HOARDING

To ensure the site is contained during construction, a hoarding is required for the approved works which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and applicable fees paid, prior to the erection of the hoarding.

10. EROSION & SEDIMENT CONTROL

A Soil and Water Management Plan (SWMP), also known as an Erosion and Sediment Control Plan shall be prepared in accordance with Waverley Council's Water Management Technical Manual be installed and maintained until construction activities have been completed and the site is fully stabilised. A copy of the SWMP must be kept on site at all times and made available to Council officers upon request.

11. DETAILS OF EXCAVATION, SHORING OR PILE CONSTRUCTION

A report shall be prepared by a suitably qualified and practising Structural Engineer/Geotechnical Engineer detailing the proposed methods of bulk excavation, shoring or pile construction, including details of vibration emissions and any possible damage which may occur to adjoining or nearby properties as a result of the proposed building and excavation works.

In addition, per the recommendations of the submitted Geotechnical Report prepared by Douglas Partners dated November 2020, long-term groundwater monitoring is to be undertaken using data loggers in at least two groundwater wells to compare the groundwater table level relative to the proposed basement floor level and any other deeper, localised excavation levels.

Any practices or procedures specified in the Structural Engineer's report in relation to the avoidance or minimisation of structural damage to adjoining properties are to be fully

complied with and incorporated into the plans and specifications together with the Construction Certificate.

12. ENGINEERING DETAILS

Structural details are to be prepared and certified by a practicing Structural Engineer in connection with all structural components of the approved works, prior to the issue of the relevant Construction Certificate.

13. MANAGEMENT OF ACIDIC SOIL

Should the subject site show evidence of acid sulphate soils, the following shall apply:

- (a) To address issues arising from the natural acidity of the soil on-site, any concrete that is in contact with this soil is to be designed to restrict acid and sulphate attack. The Cement and Concrete Association of Australia Technical Note TN57 is to be adhered to for precautionary measures.
- (b) Prior to the commencement of any works, the applicant shall nominate an appropriately qualified Environmental Scientist to supervise the management of acid sulphate soils. The Scientist shall:
 - i. Provide an acceptance in writing to supervise the aforementioned works to ensure compliance with the relevant conditions of Development Consent including the preparation of an Acid Sulfate Soil Management Plan.
 - ii. On completion of the works certify that the aforementioned works have been constructed in compliance with the approved plans, specifications and conditions of consent.
- (c) The nominated supervising Environmental Scientist shall certify that the management of acid sulphate soil was undertaken in accordance with the Development Consent. Prior to the use or occupation of the building (or Occupation Certificate being issued), the Principal Contractor / Developer shall submit to Waverley Council a copy of the aforementioned Certificate.

14. GREEN ROOF LANDSCAPING DETAILS

The construction certificate landscape plans are to comply with the controls for green roofs in Part B3.1 of the *Waverley Development Control Plan 2012* including;

- (a) Comprise plants that are suitable for the site in relation to the environmental conditions (sun, wind and views) and include indigenous or local native plants to Waverley (see Annexure B2 – 1).
- (b) Have a minimum soil depth of 300mm and use lightweight soil mixes that are porous, able to drain freely, and suitable for the selected plant species;
- (c) The green roof is to be designed to be a non-trafficable area (with no balustrades) and must be irrigated without requiring frequent maintenance access. Any access to the roof is to be for servicing purposes only.

A qualified landscape architect must review the design and verify that it complies with the above requirements.

15. MECHANICAL VENTILATION SYSTEMS

The premises are to be ventilated in accordance with the requirements of the Building Code of Australia & relevant Australia Standards.

16. ACOUSTIC REPORT RECOMMENDATIONS

The "recommendations" as outlined in the acoustic report prepared by Acoustic Studio [Reference No. 20210420 LOC.0002.Rep.docx] dated 20 April 2021 shall be implemented.

17. VERMIN AND RAT CONTROL

A *Pest and Vermin Control Management Plan* prepared by a suitable qualified person outlining measures to be taken to reduce rat/vermin populations is to be submitted for the approval of **Council's Manager, Health and Compliance (or delegate)** prior to the issue of a Construction Certificate for the demolition of existing buildings.

18. NOISE – ACOUSTIC REPORT

An Acoustic Assessment Report prepared by a suitably qualified acoustic consultant shall be prepared to assess the impacts of (internal and external areas) any mechanical plant, refrigeration motors and air conditioning units and make recommendations to ensure that the noise from the development will be within the acceptable limits of the Protection of the Environment Operations Act 1997 and relevant legislation. The plan must be submitted to the satisfaction of Council's Executive Manager, Compliance (or delegate).

Note: Any management measures recommended in the acoustic report shall be incorporated into a Plan of Management, which will be required to be submitted to Council for approval prior to the issue of an Occupation Certificate.

For further information on the requirements, refer to Council's website:

[https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications - conditions of consent](https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent)

19. BUILDING CODE OF AUSTRALIA

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

20. ESSENTIAL SERVICES - EXISTING BUILDING

Details of the currently implemented and proposed essential fire safety measures shall be submitted to Council, with the Construction Certificate, in the form of a Fire Safety Schedule. This Schedule shall be prepared by a person competent to do so and shall specify the minimum standard of performance for each essential fire safety measure included in the Schedule.

At the completion of the installation, a Final Fire Safety Certificate shall be attached to the Occupation Certificate, certifying that each essential fire safety measure specified within the current Fire Safety Schedule:

- (a) has been assessed by a properly qualified person; and
- (b) found to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the Certificate is issued.

21. EXITS & EGRESS PATHS

The number and dimensions of exits and paths of travel to exits are to comply with Section D of the Building Code of Australia.

22. FIRE SAFETY UPGRADING WORKS

- a) In addition to all new works fully comply with the Building Code of Australia, pursuant to Clause 94 of the Environmental Planning and Assessment Regulation 2000, all existing areas of the building must be upgraded to comply with the following provisions of the Building Code of Australia (BCA):
- (i) Fire resistance and stability – Part C1;
 - (ii) Compartmentation and separation – Part C2;
 - (iii) Protection of openings – Part C3
 - (iv) Provision for escape – Part D1;
 - (v) Construction of exits – Part D2;
 - (vi) Access for people with a disability – Part D3;
 - (vii) Fire fighting equipment – Part E1;
 - (viii) Smoke hazard management – Part E2;
 - (ix) Lift installations – Part E3;
 - (x) Emergency lighting, exit signs and warning systems – Part E4;
 - (xi) Sanitary and other facilities – Part F2;
 - (xii) Room heights – Part F3; and
 - (xiii) Light and ventilation – Part F4.
- b) If compliance with the deemed-to-satisfy provisions of the BCA and the matters listed in condition (a) above cannot be achieved, a performance solution in accordance with Part A2 of the BCA must be prepared by a suitably qualified and accredited person and be submitted to the Certifying Authority illustrating how the relevant performance requirements of the BCA are to be satisfied. Prior to a Construction Certificate being issued, the Certifying Authority must ensure that the building complies with the Building Code of Australia.
- c) The BCA matters identified in (a) above are not an exhaustive list of conditions to verify compliance or non-compliance with the BCA. Any design amendments required to achieve compliance with the BCA must be submitted to Council. Significant amendments may require an application under Section 4.55 of the Act to be lodged with Council to amend this consent.
- d) Prior to the commencement of the required upgrade works, a Construction Certificate must be issued by an accredited Certifying Authority and an accredited PCA be appointed. The required upgrading works detailed in this condition must be completed prior to the issue of an Occupation Certificate.

Note: The provisions of Clause 94 of the Environmental Planning and Assessment Regulation 2000 have been considered in the assessment of the proposed development.

23. LANDSCAPE/ BONDI PARK PLAN OF MANAGEMENT (POM) WORKS

Prior to the issue of the relevant Construction Certificate, detailed engineering, landscape drawings and specifications, prepared by a suitably qualified and experienced consultant, shall be submitted, and approved by **Council's Executive Manager, Infrastructure Services (or delegate)**.

The landscape and building design must ensure the design reflects the materials and design elements in the wider park setting, is functional and remains a flexible open space for public use.

Submissions on the detailed design and documentation stages of the development of works, for the 30%, 60% and 90% design review prior to tender and construction packages must be submitted.

The following items need to be addressed:

- (a) Consistency of paving design throughout park; the paving cut outs in the concrete paths are not supported as they introduce a new design element which are not otherwise found at Bondi Park.
- (b) The plans must ensure high wear areas are considered such as outside the proposed kiosk. Robust paving materials to be used in these locations.
- (c) The courtyard roof (arch sails) is to be made of light weight material and consider the shading already created by Northern Building. The roof shall be remotely (electronically) retractable/semi-permanent to allow for retraction/removal. This will allow for night-time activation, flexibility of use for this space and protecting the structure in weather events.
- (d) Colonnade between the buildings shall be clear of obstruction to allow visual and pedestrian access to the Pavilion. No gates and screens to be used in this area.
- (e) Hybrid turf as opposed to synthetic turf is to be used the courtyard which will help blend with the surrounding park lawn while providing a high wear material.
- (f) Furniture such as the water station and bicycle parking to be consistent with Councils Public Domain Technical Manual.
- (g) Specifications for concrete seating wall to be consistent in design aesthetic and specification with Bondi Park Picnic Shelters and seating walls to ensure the integrity of the design across the park.
- (h) Seating design adjoining the eastern pedestrian path to be relocated to the courtyard space to support community use of this space. Some seating to have backrests.
- (i) Paving to the front of the club to match adjoining brick paving, use of a concrete threshold to be reserved for the Pavilion only. Forecourt design to be developed in consultation with Waverley Council during detailed design.
- (j) The proposed outdoor showers are to be removed from the scope. Bondi Park and the Bondi Pavilion building provide these services.
- (k) The access ramp joining to the beach is not supported in its current form. The ramp shall be redesigned to match the approved concepts presented to Councillors at their workshop. The ramp must be designed to only accommodate pedestrian movements with physical separation to prevent vehicular use. The revised design shall be outside of the impact zone of the existing Norfolk pipe which must not be removed.
- (l) Only one new bubbler is required, ideally to be located adjoining the main pedestrian path between the surf club and Pavilion.

- (m) Remove the existing Banksia tree in the vehicle turnaround which has been demolished as part of the pavilion works.
- (n) Review the extent of the loading dock. Plans illustrating vehicle movement shows some of the loading dock area is not essential. To investigate and where possible provide additional garden beds.
- (o) Design to illustrate vehicle barriers as identified in the Hostile Vehicle Mitigation Report to ensure the works are coordinated. Noted that the vehicle mitigation is being designed and installed by others. Bollards in submitted design the shared zone/loading dock shall be removed.

24. PUBLIC ART

1% of the projected overall budget for the development should be directed to the infrastructural costs related to the development and building of the museum space proposed in the public area of the surf club. The budget must be allocated to engaging the following;

1. Services of a professional Museum consultant to work with the architects, builders and other technical experts to design a bespoke site specific museum space.
2. The infrastructural costs of appropriate exhibition display systems and equipment, signage and development of content for exhibiting in the museum for the public.

25. PUBLIC DOMAIN WORKS – DETAILED ENGINEERING DRAWINGS

Before the relevant Construction Certificate is issued, detailed engineering drawings and specifications prepared by a suitably qualified and experienced engineering consultant must be submitted to and approved by **Council's Executive Manager, Infrastructure Services (or delegate)** for the following:

- (a) Accessible path of Travel from Bus Stop on Cambell Pde to Building
- (b) The pedestrian space along Queen Elizabeth Drive, between the Bondi Surf Bathers Life Saving Club – Bondi Pavilion, and all other hardstand areas are to be paved in line with the existing palate within the vicinity. Any amendments to the materials proposed are subject to review and approval.
- (c) The proposed vehicle manoeuvring for the loading dock shall be shared with the adjacent Bondi Pavilion. Vehicles will not be permitted within the pedestrian zones on all other site frontages.
- (d) Suitable pedestrians / vehicular separation measures shall be implemented.
- (e) All pedestrian spaces will need to be lit in accordance with AS1158 and in compliance with the Bondi Park Lighting Masterplan.
- (f) The road, kerb and gutter, footpath, stormwater upgrades proposed as part of the development must be in accordance with Council's specifications and guidelines.

Note: Council's contact for public domain: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4.00pm Monday to Friday).

26. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

The applicant is to pay to Council fees for assessment of all engineering and public domain plans and inspection of the completed works in the public domain, in accordance with Council's Schedule of Fees & Charges at the time of engineering plan approval, prior to such approval being granted by Council.

An invoice will be issued to the Applicant for the amount payable, which will be calculated based on the design plans for the public domain works.

27. STORMWATER AND PUBLIC INFRASTRUCTURE MANAGEMENT

To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted and approved by the **Executive Manager, Infrastructure Services (or delegate)** prior to the issue of the relevant Construction Certificate.

The applicant must submit plans and specifications to comply with the current Waverley Council Water Management Technical Manual and Development Control Plan (DCP) at the time of engineering plan approval. The submitted plans shall be prepared by a suitably qualified and practising Civil Engineer and:

- (a) The stormwater management plan must specify any components of the existing system to be retained and certified during construction to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required.
- (b) Shall show pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings and their location.
- (c) Include calculation(s) demonstrating the grated drains have sufficient capacity to cater and convey flows from the uphill/upstream lands.
- (d) Include calculation(s) demonstrating that any proposed swale and downstream pit and pipe network have sufficient capacity to cater for the uphill/upstream lands draining to it as well as a velocity x depth product no higher than 0.40 within any proposed swale.
- (e) The capacity of any proposed swale shall be able to cater for at least 20% more than the volume of runoff generated by the uphill/upstream lands draining to it (unless demonstrated that infiltration rates are adequate to cater for this factor of safety) to allow for the growth of vegetation and minor variations to the ground level that will occur as part of the general maintenance.
- (f) The top water level in the proposed swale(s) shall be 150 mm lower than the finished floor level of the adjacent building.
- (g) All proposed surface collection pits shall be cast-in situ and the concrete cover shall be as per the relevant Australian Standard(s).
- (h) A long section of the proposed stormwater drainage system shall be provided (drawn to a suitable scale) and its details must be included (e.g. the chainage/location of

existing services crossing and the clearances, existing and proposed surface levels, obvert and invert of any stormwater conduit and invert level of the outlet pipe).

- (i) Any affected Council's infrastructure as the result of construction activities within the public domain area, inclusive of stormwater, stormwater outlet/s, kerb and gutter, pavement, grass verges and vehicle crossovers within the extent works shall be replaced as per Waverley Council Public Domain Technical Manual. All associated costs shall be borne by the applicant.

Notes:

- Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday)

28. COASTAL RISK ASSESSMENT AND EMERGENCY EGRESS

The architectural and engineering plans shall be presented to a suitably qualified and practising engineering consultant to undertake a Coastal Risk Assessment. The report must be submitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate and at a minimum:

- (a) Describe the site/study area and demonstrate a detailed appreciation for the proposed scope of works.
- (b) Discuss any legislation and development controls applicable (such as Coastal Management Act 2016 and State Environmental Planning Policy (Coastal Management) 2018).
- (c) Discuss the coastal processes; the hazards and protection (for example evolutionary morphology, history of any major events that led to damages of structures in the area, coastal erosion and recession and wave impacts).
- (d) Discuss construction aspects such as materials and the effect any storms may have on construction related activities and any maintenance requirements.
- (e) Provide an assessment of the architectural and stormwater plans with respect to the relevant legislation and controls.
- (f) Provide measures that will assist with mitigating coastal risks to the proposed development in accordance with the relevant legislation. Design recommendations for building openings and shut-out systems to support a worst-case scenario flood or coastal event (factoring in a combination of water levels, climate change adaptation, future sea level rise and wave heights). Building egress in the case of an emergency shall be provided to any area of the building affected by flooding or coastal inundation. Details of proposed emergency flood gates or large drainage systems shall be considered. Internal egress (including access from the building roof shall be considered) shall be available if flood gates are in operation so that any person can exit the building safely.

Notes:

- Council's contact for infrastructure assessment: E-mail: assets@waverley.nsw.gov.au or Phone: 9083 8886 (operational hours between 9.30am to 4pm Monday to Friday)

29. SECTION J - NCC

A Section J Energy Efficiency Report is required to demonstrate compliance with the NCC (2019) NSW Subsection J (B) Energy Efficiency requirements.

30. ENERGY ASSESSMENT REPORT

In accordance with Part B2-2.5 of the Waverley Development Control Plan, any commercial development with cost of works of more than \$3 million, must provide an Energy Assessment Report which recommends design solutions to reduce the predicted operational energy demand and greenhouse gas emissions of the proposed development by 30% less than a reference building (ie. BCA, Section J compliant only). The Energy Assessment Report is to be provided to the satisfaction of Council's Coordinator, Sustainable & Resilience prior to the issue of a construction certificate. Further clarifications on report requirements can be sought from Council's Coordinator, Sustainable & Resilience.

31. CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

The applicant is to submit a Construction Traffic Management Plan (CTMP) for the approval of **Council's Executive Manager, Infrastructure Services, or delegate** prior to the issue of any Construction Certificate. For further information on what is required in the CTMP, please refer to Council's website at:

https://www.waverley.nsw.gov.au/building/development_applications/post_determination/development_applications_-_conditions_of_consent

32. TREES TO BE REMOVED AND RETAINED

(a) Trees to be removed & retained as per Arboricultural Impact Assessment Report prepared by Dr Matthew Laurence L&Co Consultancy Arboriculture Plant Pathology Date: 22/04/2021.

Tree No.	Species	Location	Action	Comments
T 1	<i>Araucaria heterophylla</i> (Norfolk Island Pine)	On-site	Remove	Raised bed 350mm above grade. Small (<25mmØ) epicormic growth in low volumes. Wound(s), no visible sign of decay. Limited crown clearance. Structures within SRZ. 84.2% (Within SRZ)
T 2	<i>Araucaria heterophylla</i> (Norfolk Island Pine)	On-site	<i>Retain as per 12.0 APPENDIX 8 / TREE PROTECTION SPECIFICATION</i>	TPZ fencing should be installed prior to any site works and remain in place for the duration of the demolition and construction phases associated with the building works. Strictly no materials, waste storage and temporary services should not be located

				within the TPZ fenced area.
T 3	<i>Banksia integrifolia</i> (Coastal Banksia)	On-site	Remove	Localised crown death. Crown density 50-75%. Small (<25mmø) & medium (25-75mmø) deadwood in high volumes. Flush cuts. Codominant inclusions, major. Wound(s), early signs of decay. Trunk cavity(s), minor. 99.2% (Within SRZ)
T 4	<i>Araucaria heterophylla</i> (Norfolk Island Pine)	On-site	<i>Retain as per 12.0 APPENDIX 8 / TREE PROTECTION SPECIFICATION</i>	TPZ fencing should be installed prior to any site works and remain in place for the duration of the demolition and construction phases associated with the building works. Strictly no materials, waste storage and temporary services should not be located within the TPZ fenced area.
T 5	<i>Araucaria heterophylla</i> (Norfolk Island Pine)	On-site	<i>Retain as per 12.0 APPENDIX 8 / TREE PROTECTION SPECIFICATION</i>	TPZ fencing should be installed prior to any site works and remain in place for the duration of the demolition and construction phases associated with the building works. Strictly no materials, waste storage and temporary services should not be located within the TPZ fenced area.
T 6	<i>Araucaria heterophylla</i> (Norfolk Island Pine)	On-site	<i>Retain as per 12.0 APPENDIX 8 / TREE PROTECTION SPECIFICATION</i>	TPZ fencing should be installed prior to any site works and remain in place for the duration of the demolition and construction phases associated with the building works. Strictly no materials, waste storage and temporary services should not be located within the TPZ fenced area.
T 7	<i>Banksia integrifolia</i> (Coastal Banksia)	On-site	Remove	Poor form. Congested branches. 103.5% (Within SRZ)
T 8	<i>Banksia integrifolia</i> (Coastal Banksia)	On-site	Remove	Localised crown death. Crown density 50-75%. Small (<25mmø) & large (>75mmø) deadwood in

				high volumes. Wound(s), early signs of decay. Phototrophic lean, moderate. 99.5% (Within SRZ)
T 9	<i>Banksia integrifolia</i> (Coastal Banksia)	On-site	<i>Retain as per 12.0 APPENDIX 8 / TREE PROTECTION SPECIFICATION</i>	TPZ fencing should be installed prior to any site works and remain in place for the duration of the demolition and construction phases associated with the building works. Strictly no materials, waste storage and temporary services should not be located within the TPZ fenced area.
T 10	<i>Araucaria heterophylla</i> (Norfolk Island Pine)	On-site	<i>Retain as per 12.0 APPENDIX 8 / TREE PROTECTION SPECIFICATION</i>	TPZ fencing should be installed prior to any site works and remain in place for the duration of the demolition and construction phases associated with the building works. Strictly no materials, waste storage and temporary services should not be located within the TPZ fenced area.
T 11	<i>Banksia integrifolia</i> (Coastal Banksia)	On-site	<i>Retain as per 12.0 APPENDIX 8 / TREE PROTECTION SPECIFICATION</i>	TPZ fencing should be installed prior to any site works and remain in place for the duration of the demolition and construction phases associated with the building works. Strictly no materials, waste storage and temporary services should not be located within the TPZ fenced area.
T 12	<i>Banksia integrifolia</i> (Coastal Banksia)	On-site	Remove	Localised crown death. Crack. Crown density 50-75%. Small (<25mmø) & medium (25-75mmø) deadwood in high volumes. Wound(s), early signs of decay. Trunk cavity(s), major. Order branch cavity, major. Structures within SRZ. Phototrophic lean, slight. 71.9% (Within SRZ)
T 13	<i>Banksia integrifolia</i> (Coastal	On-site	Remove	Crown density 0-25%. Small (<25mmø) & medium (25-75mmø) deadwood in

	<i>Banksia</i>)			high volumes. Wound(s), advanced stages of decay. Trunk cavity(s), major. Salt lean, severe. Within Development Footprint
T 14	<i>Lagunaria patersonia</i> (Norfolk Island Hibiscus)	On-site	Remove	Crown density 50-75%. Small (<25mm ϕ) deadwood in moderate volumes. Small (<25mm ϕ) epicormic growth in high volumes. Mechanical damage to exposed surface roots. Wound(s), early signs of decay. Order branch cavity, minor. Within Development Footprint
T 15	<i>Araucaria columnaris</i> (Cook Island Pine)	On-site	Remove	Small (<25mm ϕ) deadwood in low volumes. Structures within SRZ. Within Development Footprint
T 16	<i>Lagunaria patersonia</i> (Norfolk Island Hibiscus)	On-site	Remove	exposed surface roots. Wound(s), early signs of decay. Trunk cavity(s), minor. Within Development Footprint
T 17	<i>Banksia integrifolia</i> (Coastal Banksia)	On-site	Remove	Localised crown death. Crown density 50-75%. Small (<25mm ϕ) & medium (25-75mm ϕ) deadwood in high volumes. Mechanical damage to exposed surface roots. Wound(s), early signs of decay. Structures within SRZ. Storm damage. Grade alteration, cut. Soil compaction. Within Development Footprint
T 18	<i>Metrosideros excelsa</i> (New Zealand Christmas Tree)	On-site	Remove	Co-dominant inclusions, minor. Wound(s), no visible sign of decay. Limited crown clearance. Structures within SRZ. 39.8% (Within SRZ)

(b) Appointment of Project Arborist

Prior to commencement of works a Project Arborist should be engaged to monitor compliance with the protection measures. The Project Arborist will inspect tree protection measures and prepare a compliance certification for the principal certifying authority prior to the release of compliance certification. Contractors and site workers are to receive these specifications at least 3 days prior to commencing works. Contractors and site workers working within the TPZ should sign the site log

confirming they have read and understood these specifications prior to commencing works.

(c) Compliance

The Project Arborist will conduct regular site visits to certify the works are compliant with this specification. A compliance document will be prepared by the Project Arborist following each site inspection. The compliance document will include evidence of compliance with the tree protection measures detailed in this specification.

(d) Tree & Vegetation Removal

Tree and vegetation removal will be undertaken prior to installation of tree protection measures. Tree removal works should be undertaken in accordance with the Safe Work Australia Guide for Managing Risks of Tree Trimming and Removal Work (2016). Tree and vegetation removal must not damage trees to be retained.

(e) Tree Protection Zone

Trees that are to be retained must be protected prior to and during construction from works that could negatively impact their health and structural integrity. The following works should not occur within the TPZ unless authorised by the Project Arborist:

(i) Tree Protection Fencing

The TPZ fencing must be positioned at the perimeter of the TPZ and may be combined to form a single area where the TPZs of multiple trees overlap. The approximate location of the TPZ fencing is outlined in the Arboricultural Impact Assessment with the exact location determined by consultation between the Principle Contractor/Project Manager and the Project Arborist prior to the commencement of works. Fencing may be setback to allow for demolition/construction access and for the installation of pavements only where appropriate ground protection is installed and approved by the Project Arborist. The TPZ fencing must be at least 1.8m above grade and made of wire mesh panels that are supported by concrete feet and fastened together to prevent sideways movement. Tree damage, including any low branches, must be avoided during the installation of the tree protection fencing. The TPZ fencing must include signage to identify the TPZ fencing and include the Project Arborist contact details.

(ii) Site Management

Materials, waste storage and temporary services should not be located within the TPZ.

(iii) Works within the Tree Protection Zones

In certain situations, works within the TPZ may be authorised by the determining authority. These works must be supervised by the Project Arborist. When working within the TPZ, special care should be taken to avoid damage to the tree's root system, trunks and lower branches. If roots (>25mm \varnothing) are encountered during excavation, demolition and construction works, these roots must be retained undamaged and advice sought from the

Project Arborist. The design and final levels must remain flexible to enable the retention of roots >25mm where deemed necessary by the Project Arborist.

(iv) Ground Protection

The movement of machinery should be restricted to existing paved areas or in areas with temporary ground protection (i.e. steel road plates, ground mats) when deemed necessary by the Project Arborist. Ground protection should be installed as per AS4970 and Appendix 7- Typical Tree Protection Detail. If irrigation is considered necessary, it should be installed first and by a licensed irrigator under the supervision of the Project Arborist with no trenching. The irrigation should be covered with a layer of geotextile and mulched to a depth of 100mm with a non-toxic product (i.e. woodchips) with no fines. Once the irrigation, geotextile and mulch are in place then the ground protection boards (steel plates or rumble boards) can in be installed. Boards should remain in place for the entire build.

(v) Trunk & Branch Protection

If trunk protection is required it should be installed by wrapping the trunk and first order branching with padding (i.e. carpet underlay or 10mm thick geotextile) to a minimum height of 2m. Timber battens (90 x 45mm), spaced at 150mm centres should be strapped together and placed over the padding (Refer to AS4970 for further details). Branch protection should be installed when considered necessary by the Project Arborist. Branches should be wrapped with padding (i.e. Ableflex) to provide protection. Where possible, ranches should be tied back and construction works to take place around branches (with appropriate branch protection installed as required). If pruning is unavoidable it should be in accordance with AS4373 and supervised by the Project Arborist.

(vi) Structure & Pavement Demolition

The Project Arborist should supervise the demolition of existing structures/pavement within the TPZ. Machinery is to be excluded from the TPZ unless operating from existing slabs, pavements or areas of ground protection. Machinery should not contact the tree's roots, trunks, branches and crown. Existing pavement should be hand lifted to minimise disturbance to the existing sub-base and to prevent damage to tree roots. Wherever possible, the existing sub-base material should remain in situ. When removing slab sections within the TPZ, machinery must work from the tree outwards to ensure the machinery always remains on the un-demolished section of slab. Wherever possible, footings or elements below grade should be retained to minimise disturbance to the tree's roots. Structures must be shattered with hand-operated pneumatic/electric breaker before removal when considered necessary by the Project Arborist. If roots (>25mm \varnothing) are encountered during excavation, demolition and construction works these roots must be retained undamaged and advice sought from the Project Arborist. Exposed roots must be protected from direct sunlight, drying out and extremes of temperature by using 10mm thick jute geotextile fabric. This fabric should be kept moist at all times. Where the Project Arborist determines that the tree is using underground elements (i.e. footings, pipes, rocks etc.) for support, these elements should be left in situ.

(vii) Pavement/Kerb Installation

Installation of pavements and sub-base within the TPZ must be supervised by the Project Arborist. New surfaces and sub-base materials should be placed above grade to minimise excavations and retain roots (unless prior root mapping has determined that there are no roots within the area of construction). If roots (>25mm) are encountered during the installation of the new sub-base and surfaces these roots must be retained undamaged and advice sought from the Project Arborist. The design and final levels must remain flexible to enable the retention of roots >25mm where deemed necessary by the Project Arborist. Compaction of the ground prior to the installation of fill is not permitted. New sub-base material should be a 20mm no-fines road base (i.e. Benedict Sand & Gravel- Product Code 20NF/RB or similar). Recycled concrete aggregates should not be used to avoid raising soil pH levels. If required, bedding sand should be washed river sand (no crushed paving blends). The bedding and should be consolidated with a pedestrian operated plate compactor only. If possible, pavement material should be permeable. Kerbs within the TPZ should be modified to bridge roots (>25mm) unless root pruning is approved and undertaken by the Project Arborist.

(viii) Underground Services

The installation of underground services should be located outside of the TPZ. Where this is not possible they should be installed around or below roots (>25mm) using either hydrovac or hand excavation and supervised by the Project Arborist. Boring methods may be used for the installation of services 800mm below grade. Excavations for starting and receiving pits for the boring equipment should be located outside of the TPZ or located to avoid roots (>25mm, or determined by the Project Arborist).

(ix) Excavations, Root Protection & Root Pruning

Excavations and root pruning within the TPZ must be supervised by the Project Arborist and should be avoided where possible. No over-excavation, battering, or benching should be undertaken beyond the footprint of any structure unless approved by the Project Arborist. Hand excavation and root pruning along the excavation line should be completed prior to the commencement of mechanical excavation to prevent tearing and shattering damage to the roots. Roots >25mm should be pruned by the Project Arborist only. Roots <25mm may be pruned by the Principle Contractor. Root pruning should be undertaken with clean, sharp secateurs or a pruning saw to ensure a smooth wound face, free from tears. Damaged roots should be pruned behind the damaged tissues with the final cut made to the undamaged part of the root.

(f) Tree Protection

Precautions shall be taken when working near trees to ensure their retention, including the following:

- (i) Do not store harmful or bulk materials or spoil under or near trees;
- (ii) Prevent damage to bark and root system;
- (iii) Do not use mechanical methods to excavate within root zones;
- (iv) Do not add or remove topsoil from under the drip line;
- (v) Do not compact ground under the drip line;

- (vi) Do not mix or dispose of liquids within the drip line of the tree; and
- (vii) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter.

TPZ – A 1.8m chain link wire fence or the like shall be erected around the above trees to be retained to protect them from damage during construction. Fencing is not to be removed until all building work has been completed. Fencing to be installed to the dimensions outlined in the table above.

Soil levels are not to be changed around any trees.

To prevent compaction within the root zone, excavation undertaken within the specified radius of the trunks of the following trees must be hand dug. Beyond this radius, mechanical excavation is permitted, when root pruning by hand along the perimeter line of such works is completed. Any hand excavation must be carried out in the presence of experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate).

If any tree roots are exposed during any approved works then roots smaller than 30mm are to be pruned as per the specifications below. Any roots greater than 30mm are to be assessed by a qualified arborist before any pruning is undertaken.

If tree roots are required to be removed for the purposes of constructing the approved works they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate).

It is the arborist's responsibility to determine if such root pruning is suitable. If there are any concerns regarding this process, then Waverley Council's Tree Management Officer is to be contacted to make final determination.

33. SITE WASTE AND RECYCLING MANAGEMENT PLAN

The approved Site Waste and Recycling Management Plan (SWRMP) is to be amended and shall be submitted for approval of **Council's Waste Officer** prior to the issue of the relevant Construction Certificate to address the following points:

- (a) The bulky waste storage area is to be increased in size to accommodate the needs of future tenants;
- (b) The amended SWRMP is to include details of the volume, dimensions and overall capacity of the bulky goods storage area;
- (c) The bulky waste storage area shall be clearly marked within the waste storage room either with a cage or using tape/paint on the ground;
- (d) Measures to encourage use of the proper routes from retail spaces to the waste storage area should be included. Mitigation measures to prevent tenants crossing through the courtyard and the like should be identified as well;
- (e) The SWRMP is to identify whether the nominated 5:1 compaction ratio will be accepted by a service provider. If not, a suitable alternative compaction ratio is to be used; and
- (f) The maximum 2:1 ratio to satisfy the peak summer generation should be listed in Table 6 'Waste and recyclables capacity' of the SWRMP.

Additionally, a SWRMP Checklist 2 shall be submitted to the Principal Certifying Authority for approval in accordance with Waverley DCP 2012 prior to the issue of the relevant Construction Certificate. In this regard, Council expects demolition and excavated material to be reused and/or recycled wherever possible.

The builder and all subcontractors shall comply with the approved SWRMP Part 1 and 2 at all times during construction. At least one copy of the SWRMP is to be available on site at all times during construction. Copies of demolition and construction waste docket that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction

C. COMPLIANCE PRIOR TO WORK COMMENCING AND DURING CONSTRUCTION

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies the approval of Council or a Council Officer is required.

34. CONSTRUCTION SIGNS

Prior to commencement of any works on the site and during construction a sign shall be erected on the main frontage of the site detailing the name, address and contact details (including a telephone number) of the Principal Certifying Authority and principal contractor (the coordinator of the building works). The sign shall be clearly legible from the adjoining street/public areas and maintained throughout the building works.

35. DILAPIDATION REPORT

A Dilapidation report is to be prepared for any adjoining or nearby property that may be subject to potential damage as a result of any works being undertaken. The dilapidation report is to be made available to affected property owners.

Note: Any damage that may be caused is a civil matter. This consent does not allow or authorise any party to cause damage, trespass, or any other unlawful act and Council will not be held responsible for any damage that may be caused to adjoining buildings as a consequence of the development being carried out. Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

36. USE OF FILL ON SITE

All fill imported on to the site shall be free of building and other demolition waste, and contain virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 of the Protection of the Environment Operations Act, 1997 and

Sampling and analysis of the fill material should be conducted in accordance with the NSW EPA Sampling Design Guidelines (1995) to ensure that the material is not contaminated.

Any other waste derived material the subject of a resource recovery exemption under cl. 51A of the *Protection of the Environmental Operations (Waste) Regulations 2014* that is permitted to be used as fill material.

Any waste derived material the subject of resource exemption received at the development site must be accompanied by documentation as to the materials compliance with the exemption conditions and must be provided to the Principal Certifying Authority on request.

37. DEMOLITION – ASBESTOS AND HAZARDOUS MATERIALS

The demolition, removal, storage, handling and disposal of products and materials containing asbestos must be carried out in accordance with the relevant requirements of SafeWork NSW and the NSW Environment Protection Authority (EPA), including:

- Work Health and Safety Act 2011;

- Work Health and Safety Regulation 2017;
- SafeWork NSW Code of Practice for the Safe Removal of Asbestos;
- Australian Standard 2601 (2001) – Demolition of Structures;
- The Protection of the Environment Operations Act 1997;

At least 5 days prior to the demolition, renovation work or alterations and additions to any building, the person acting on the consent shall submit a Work Plan to the Principal Certifying Authority in accordance with Australian Standard AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared by a person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall:

- Outline the identification of any hazardous materials, including surfaces coated with lead paint;
- Confirm that no asbestos products are present on the subject land; or
- Particularise a method of safely disposing of the asbestos in accordance with the Code of Practice on how to safely remove asbestos published by SafeWork NSW (catalogue WC03561)
- Describe the method of demolition;
- Describe the precautions to be employed to minimise any dust nuisance; and
- Describe the disposal methods for hazardous materials.

38. CONTROL OF DUST ON CONSTRUCTION SITES

The following requirements apply to demolition and construction works on site:

- Hazardous dust is not to be allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended. Any existing accumulations of dust (e.g.: ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particle air (HEPA) filter. All dusty surfaces and dust created from work are to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during adverse winds, which may cause dust to spread beyond the site boundaries.
- All contractors and employees directly involved in the removal of hazardous dusts and substances are to wear protective equipment conforming to Australian Standard AS1716 Respiratory Protective Devices.

39. CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS

Prior to the exportation of waste (including fill or soil) from the site the material must be classified in accordance with the provisions of the Protection of the Environment Operations Act, 1997 and the NSW EPA Waste classification guidelines 2014.

40. EXCAVATION AND BACKFILLING

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards and must be properly guarded and protected to prevent them from being dangerous to life or property.

If an excavation associated with the erection or demolition of a building extends below the level of the footings of a building on an adjoining allotment of land. The excavation is to be managed by a practising structural engineer.

41. CONSTRUCTION HOURS

Demolition and building work must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays and 8am to 3pm on Saturdays with no work to be carried out on:

- (a) Sundays and public holidays;
- (b) Excavation works involving the use of heavy earth movement equipment including rock breakers and the like must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays with no such work to be carried out on Saturday, Sunday or a public holiday.

Noise from construction activities shall comply with the Protection of the Environmental Operations (Noise Control) Regulation 2017.

42. CONSTRUCTION INSPECTIONS

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) in accordance with the Building Legislation Amendment (Quality of Construction) Act 2002 and clause 162A *Critical stage inspections for building work* of the *Environmental Planning and Assessment Regulation 2000*.

43. CERTIFICATE OF SURVEY – LEVELS

All construction works are to be in accordance with the Reduced Levels (RLs) as shown on the approved plans. Certification from a Registered Surveyor certifying ground, upper floor/s and finished ridge levels is to be submitted to the Principal Certifying Authority during construction and prior to continuing to a higher level of the building.

44. WORK OUTSIDE PROPERTY BOUNDARY

This consent does not authorise any work outside the property boundary.

45. FOOD PREMISES (KIOSKS AND UPPER LEVEL KITCHEN INCLUDING BARS)

The fitout of the premises must be in accordance with the *Waverley Council Policy for Fit-out and Construction of Food Premises* available on Council's website, as well as any other relevant legislation.

https://www.waverley.nsw.gov.au/building/compliance_and_regulations/environmental_health_regulations/food_safety

46. PRE-CONSTRUCTION DILAPIDATION REPORT

To ensure Council's infrastructure is adequately protected a pre-construction dilapidation report on the existing public infrastructure within the vicinity of the proposed development and along the travel routes of all construction vehicles is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable:

- Road pavement
- Kerb and gutter

- Footpath
- Drainage pits and lintels
- Traffic signs
- Any other relevant infrastructure.

The report is to be dated, submitted to, and accepted by Council's Engineer, prior to any work commencing on the site.

47. PUBLIC DOMAIN ENGINEERING INSPECTIONS

To ensure all public infrastructure engineering works required by Council under this consent will be constructed to Council satisfaction, inspection(s) will be required, and compliance certificates must be obtained from Council's Engineer for the stormwater, footpath paving, lighting, landscaping and plantings.

48. ENERGY ASSESSMENT REPORT

The recommendations outlined in the Energy Assessment Report are to be verified by a Certified Energy Assessor to ensure that the recommendations have been designed and incorporated at the Construction Certificate stage.

49. STOCKPILES, STORAGE OF MATERIALS AND LOCATION OF BUILDING OPERATIONS

All building materials and any other items associated with the development are to be stored within the property. No materials are to be stored on Council's footpath, nature strip, or road reserve without prior Council approval.

50. DEMOLITION AND CONSTRUCTION WASTE MANAGEMENT

The applicant must meet the following objectives for sustainable demolition and construction waste management:

- To minimise the amount of construction waste that is sent to landfill;
- To minimise waste generated during demolition and construction;
- To increase efficiency of development and encourage sustainable practices;
- To maximise the re-use of clean excavated material, concrete, bricks and timber; and
- To ensure the safe removal and disposal of hazardous building materials.

The applicant must ensure that the demolition and construction phase complies with the following:

- A construction waste storage area is to be located within the property boundary and is to be identified on the site plans as part of the SWRMP.
- Separate construction waste collection bins or construction waste storage areas are to be provided, giving consideration to slope, drainage, vegetation, access and handling requirements and may include:
 - Landfill waste;
 - Recyclable waste;
 - Materials to be re-used on-site; and / or
 - Excavation materials (refer to Annexure B1-1 for common building materials that can be re-used and recycled).
- Waste that can be recycled or reclaimed is to be identified in the SWRMP, as well as the intended methods for recovery and reclamation.
- All sandstone must be re-used on site or reclaimed through an appropriate contractor.

- (j) Asbestos and other hazardous material is to be managed under the Protection of the Environment Operations Act 1997, in accordance with the provisions of Safe Work NSW, and Council's Asbestos Policy.
- (k) Materials that cannot be reused or recycled must be:
 - (i) Disposed of at a State Government approved facility and specified in the SWRMP; and
 - (ii) Disposed of via a contractor that operates in accordance with the Proximity Principle outlined in State Government Legislation.
- (l) Records are to be retained on-site demonstrating lawful disposal of waste.
- (m) Easy vehicular access to waste and recycling material storage areas must be provided and detailed in the SWRMP.
- (n) Construction materials are to be stored away from waste and recycling materials to enable easy access for waste collectors. Skip bins are to be utilised and located in accordance with Council's building waste and hoardings policy.
- (o) All materials are to be stored in way that:
 - (i) Prevents damage from the elements, and reduces odour, health risks and windborne litter; and
 - (ii) Prevents impacts to the environment under State Government Legislation (including stormwater pollution and runoff).

D. PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE OR SUBDIVISION CERTIFICATE

The requirements outlined in this section are to be provided to the satisfaction of the Principal Certifying Authority in all instances, except where a condition explicitly specifies the approval of Council or a Council Officer is required, prior to the issue of an Occupation Certificate or Subdivision Certificate, whichever applies.

51. FINAL OCCUPATION CERTIFICATE

Prior to occupation or use of the development, the Principal Certifying Authority must issue an Occupation Certificate. The Principal Certifying Authority must be satisfied that the requirements of the Environmental Planning & Assessment Act, 1979 have been satisfied including all critical stage inspections. Documentary evidence of all required inspections is to be submitted to Council.

52. CERTIFICATION OF ALL MECHANICAL PLANT

A Certificate of Test of all mechanical plant together with a copy of the final test figures, conducted by a suitably qualified person, certifying that the system complies with the conditions of this consent, National Construction Code (NCC) and relevant Australian Standards.

53. CERTIFICATION OF ACOUSTIC PERFORMANCE

An acoustic report/certificate prepared by a suitably qualified acoustic consultant is to be submitted to the Principal Certifying Authority and the Council, certifying that all acoustic recommendations (made in above report) and conditions of consent (including the operational conditions) have been satisfied.

54. CERTIFICATION OF LANDSCAPING

At the completion of all works a certificate is to be submitted to the Principal Certifying Authority from a qualified Landscape and/or Arboriculture Consultant certifying that the work has been completed in accordance with the approved Landscape Plan and that a maintenance program has been established. If relevant, the waterproofing on any green roof is to be tested and evidence of the test is to be provided with the certification.

55. AWNING OPERATION

An Operational and Maintenance Plan is to be prepared and handed over to Council outlining ongoing operation of the retractable awning. A schedule of operation with expected usage (hours of operation) of the awning and automatic retraction system is to be prepared based on time of use and seasonality. Responsibility for the ongoing servicing (Planned Preventative Maintenance) shall be consistent with maintenance requirements of the building operations. Operational control of the awning remains the sole responsibility of Council's Infrastructure Services Department.

The Operational and Maintenance Plan is to be submitted and approved by **Council's Executive Manager, Infrastructure Services (or delegate)** prior to Final Occupation Certificate.

56. WORK-AS-EXECUTED PLAN – PUBLIC DOMAIN

To ensure public infrastructure works required under the consent are completed in accordance with approved plans and specifications, a Work-as-Executed plan of the works, prepared by a registered surveyor is to be submitted to the principal certifying Authority and Council for review with any required rectification works completed and approved by **Council's Executive Manager, Infrastructure Services (or delegate)** prior to issue of any Occupation Certificate.

The W.A.E plans are to note all departures clearly in red on a copy of the approved Construction Certificate plans and certification from an experienced chartered civil engineer shall be submitted to support all variations from approved plans.

57. COMPLETION OF THE PUBLIC DOMAIN WORKS

All footpath upgrades and public domain works are to be completed to the agreed design and standard for the satisfaction of **Council's Executive Manager, Infrastructure Services (or delegate)** prior to the issue of any Occupation Certificate.

58. CERTIFICATION OF STORMWATER SYSTEM

Prior to issue of an occupation certificate, certification is to be provided from a suitably qualified Hydraulics Engineer, that the stormwater system has been constructed in accordance with the approved stormwater management plans and to best engineering practice.

59. WORKS-AS-EXECUTED DRAWINGS – STORMWATER DRAINAGE SYSTEM

A Works-As-Executed drawing (WAED) of the stormwater drainage system must be prepared by a Registered Surveyor. This drawing must detail the alignment of all pipelines, pits, swales and other drainage related infrastructure. An original or a colour copy must be submitted to Waverley Council. Where changes have occurred, the Council approved plans shall be marked-up in red ink and shall include levels and location for the drainage structures and works.

A suitably qualified and practising Engineer must provide certification of the WAED of the stormwater drainage system that the stormwater drainage works were constructed to their satisfaction and in accordance with the Development Consent, Water Management Technical Manual, all applicable Codes, Policies, Plans, Standards and good engineering practice.

60. POST-CONSTRUCTION STORMWATER PIPE CCTV DILAPIDATION REPORT

Prior to the issue of the Occupation Certificate, a post-construction CCTV report shall be submitted to Council on any newly installed stormwater conduits and at least up to the next pit downstream of the proposed works. This is to ensure Council's stormwater infrastructure is adequately protected and there are no damages due to proposed construction activities and property drainage connections.

An electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator that assesses the condition of any newly installed stormwater conduits and at least up to the next pit downstream of the proposed works is

required. The report is to be dated and submitted to and accepted by Council's Executive Manager, Infrastructure Services (or delegate).

The report shall be used by **Council's Executive Manager, Infrastructure Services (or delegate)** to assess whether any rectification works will be required. The applicant shall obtain written approval from Council's Executive Manager, Infrastructure Services (or delegate) prior to the issue of the Occupation Certificate.

61. ENERGY ASSESSMENT REPORT

The recommendations outlined in the Energy Assessment Report are to be verified by a Certified Energy Assessor to ensure that the recommendations have been incorporated in the construction of the building at Occupation Certificate stage.

62. MECHANICAL EXHAUST MAINTENANCE

A maintenance program is required for the mechanical exhaust ventilation system that includes the cleaning of the system at six (6) monthly intervals. The maintenance program is to be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

63. NOISE – ACOUSTIC REPORT

An acoustic investigation of the use for the premises (ie- amplified music, speakers, patron noise) shall be undertaken by a suitably qualified acoustic consultant describing and assessing the impact of noise emissions from the use and is to be submitted within 60 days of the Occupation Certificate. The investigation shall include, but not be limited to:

- (a) The identification of sensitive noise receivers potentially impacted by the use;
- (b) The quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified and in accordance with relevant Australian Standards and the NSW Environment Protection Authority (EPA) requirements);
- (c) The formation of a suitable assessment criteria having regard to the guidelines contained in the NSW EPA Industrial Noise Policy;
- (d) The identification of operational noise producing facets of the development and the subsequent predictions of resultant noise at the identified sensitive receiver locations from the operation of the use. Where appropriate the predication procedures must be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation;
- (e) A statement indicating that the development/use will comply with the relevant criteria together with details of acoustic control measures that will be incorporated into the development/use, will not create adverse noise impacts to surrounding development.

64. FOOD PREMISES

The premises are to be registered with Waverley Council and inspected by **Council's Environmental Health Officer** prior to the issue of the Occupation Certificate.

E. OPERATIONAL MATTERS

The following operational conditions must be complied with at all times, throughout the use and operation of the development or use.

65. PLAN OF MANAGEMENT (PoM) TO BE SUBMITTED AND APPROVED

The POM dated 16 February 2022 accompanying this Development Application has not been approved by this consent.

The POM shall be amended or a new POM submitted which includes details of all operational and management procedures of BSBLSC. In particular, the PoM shall address the following (with respect to the entire venue):

- (a) Amenity impacts to the surrounding neighbourhood of the premises;
- (b) Compliance with conditions (relating to patron capacity, approved hours of operation, types and manner of functions permitted, any trial periods, noise conditions, handling of complaints);
- (c) The behaviour of patrons;
- (d) Security management practices,
- (e) Liquor practices (if licensed, including the responsible service of alcohol);
- (f) Staffing roles and responsibilities (including security personnel if required);
- (g) Management of patrons within the premises and their exit and dispersal from the area; and
- (h) Other such operational matters to ensure compliance with relevant regulatory requirements.
- (i) The indicated use of the central court appears to remain unresolved in terms of child safety v public access and the extent of enclosure, the later removing the aesthetic value of an open central court. This is further exacerbated by reference to leasing of the proposed kiosk. A revised Plan of Management is to be submitted to clearly include use of the court by 'nippers' on Sundays – this likely to impact on the kiosk at a key operating time.

In addition to the above, the PoM shall detail the following additional aspects with respect to the Function Space:

- (a) The capacity of the function space;
- (b) Types and manner of functions permitted,
- (c) Details of any applicable liquor licence that will be utilised for the sale, supply and consumption of liquor for the function activity.
- (d) Details as to the management of third party hiring or tenancy of the function space and authorities to be utilised if liquor is to be sold, supplied or consumed.
- (e) Hours of operation are to be between 7:00am to 12.00am (midnight), Monday – Saturday and between 8.00am – 10.00pm Sunday.
- (f) Function activity at the premises shall be restricted to no more than 52 functions per year, excluding 'coldies' (as defined within the 'Liquor Act').
- (g) Management of function activity, including those 'prohibited' by this consent.

The POM shall be approved by **Council's Manager, Development Assessment (or delegate)** prior to the commencement of operations of works approved in this consent, with input from the Local Police Area Command.

66. OPERATION IN ACCORDANCE WITH PLAN OF MANAGEMENT (PoM)

- (a) The operation and management of the premises shall be in accordance with a Council approved Plan of Management (PoM) at all times.
- (b) The approved PoM shall be adopted by the Management of the premises and filed with Council and the Licensing Police of the Local Area Command prior to the commencement of operations.
- (c) The plan shall be reviewed (at minimum) on an annual basis, and at any time there is a change in business ownership of the premises.

67. COPIES OF CONSENTS AND MANAGEMENT PLANS

A full copy of all current development consents (including approved plans) for the operation of the premises, any compliant registers (or other) required and any required Plan of Managements must be kept on the premises and made available for inspection immediately upon request by Council Officers, Police Officers and/or ILGR Authorised Officers.

68. HOURS OF OPERATION

The hours of operation for the premises are restricted to:

- **Basement Storage:** 4:00am – 10:00pm, 365 Days A Year
- **Surf Club Offices:** 7:00am – 7:00pm Monday – Friday,
9:00am – 5:00pm Saturday – Sunday
- **Patrol Operations:** 24 Hours a Day, Monday – Sunday
- **IRB Workshop:** 4:00am – 10:00pm, Monday - Sunday
- **Community Facility/Youth Room:** 7:00am – 7:00pm Monday – Friday,
9:00am – 5:00pm Saturday – Sunday.
- **Caretaker:** 24 Hours a Day, Monday – Sunday.
- **Kiosk:** 6:00am – 4:00pm, Monday – Sunday.
- **Merchandise:** 7:00am – 7:00pm Monday – Friday,
9:00am – 5:00pm Saturday – Sunday.
- **Amenities (Ground Floor – South):** 4:00am – 10:00pm, Monday – Sunday.
- **Surf Museum:** 10:00am – 4:00pm, Monday – Saturday
(Closed Sunday).

Booked Events For Tour Groups Or Activities Undertaken Prior To The Museum Opening Will Conclude By 9.45am To Avoid Conflicts.

- **Gymnasium:** 4:00am – 10:00pm, Monday – Sunday.
- **Level 1 Flexible Training/Meeting Room:** 7:00am – 10:00pm, Monday – Friday and 7:00am – 11:00pm, Saturday – Sunday.
- **Level 2 Multipurpose Training and Meeting Rooms:** 7:00am – 10:00pm, Monday – Friday and 7:00am – 11:00pm, Saturday – Sunday.
- **Function Room, Including Kitchen:** 8:00am – 12:00am (Midnight), Monday – Saturday, 8.00am – 10.00pm Sunday.

69. FUNCTION ACTIVITY

- (i) The following function activity is prohibited on the premises without prior written approval by the Commander (or delegate), of the Eastern Suburbs Local Police Command;
- (a) Non surf club related functions for 16 - 21 year old persons including 18th and 21st celebrations.
 - (b) 'Bucks' and 'hens' nights.
 - (c) Any function in which dancing, dance party, rave, dj performance, or other entertainment act is the primary activity.

In such circumstances that approval is sought for a 'prohibited' function to take place, management must provide such request 14 days prior to the scheduled function.

Should approval be given, management must adhere to any conditions that accompany such written approval as issued by the Commander (or delegate), of the Eastern Suburbs Local Police Command.

- (ii) Council reserves the right to further include (by way of written advice) types of functions considered 'prohibited' under this condition.
- (iii) Food of a nature and quantity consistent with the responsible sale, supply and service of alcohol must be made available whenever liquor is made available at the function.
- (iv) No use of the external courtyard/terrace/balconies at first or second floor level is to occur after 10.00pm. In this regard, the doors to the courtyard/terrace/balconies shall remain closed after 10.00pm.

The PoM is to be updated to reflect these aspects of this condition.

70. FUTURE TENANT OR HIRER OF EVENT/FUNCTION SPACE

Prior to commencement of operations, an Operation Manual shall be implemented in conjunction with **Council's Executive Manager, Property and Facilities (or delegate)** for the Bondi Surf Bathers Life Saving Club (BSBLSC) that provides all relevant operational conditions applicable to the use and management of rooms or event space. The Operational Manual shall be provided to all future tenants, leaseholders or hirer's of space within the BSBLSC (as part of their lease agreement) to ensure those persons are familiar with relevant conditions of this consent that apply to their use and management of a space. Elements to include though not limited to; approved management plans,

emergency evacuation procedures, outdoor dining zone, maximum patron capacity, hours of operation etc.

71. MAXIMUM PATRON CAPACITY

(a) The approved patron capacity (excluding staff)* for the premises is limited to:

Internal area:

Level	Use	Maximum number of persons accommodated
Ground (South, existing building)	Surf Museum and Heritage Hall	200 persons
	Men’s amenities	50 persons
	Women’s amenities	50 persons
Ground (North, new building)	Youth Room	200 persons
	Kiosk, Caretaker, Merchandise	20 persons
	Patrol Operations, IRB Workshop and Offices	10 persons
Level 1	Gymnasium, flexible meeting/training space	34 persons
Level 2	Function room, amenities and kitchen	200 persons
	Surf Club multipurpose meeting/training rooms	200 persons

Total: 964 persons*

(b) Any person/s attending the premises for the purpose of 'takeaway' products / services will not be considered a 'patron' for the purposes of subclause (a), provided no food and or drink is consumed by those persons on the premises.

(c) Management are responsible for ensuring the number of patrons in the premises does not exceed the approved capacity specified in sub clause (a).

(d) Patron numbers with respect to the BCA

The patron numbers contained in this condition are a maximum. Should the BCA / Fire Safety Reports lodged by Applicant require a lesser number of patrons in certain areas of the premises, the lesser patron capacity number shall apply.

72. SIGNAGE TO BE DISPLAYED

(a) Signage (in lettering not less than 15mm in height on a contrasting background) is to be erected in a prominent position near each entry to the premises. The signage shall state the relevant details for each zone of the premises:

Approved hours of operation

Approved patron capacity (internal): 964

(b) Signage (in lettering not less than 15mm in height on a contrasting background) is to be erected near the main principle entry to the premises, in such manner that it would be reasonable to expect that a person leaving the premises will be alerted to its contents. The signage shall state:

Upon leaving please respect local residents by minimising noise

- (c) Signage specified in sub clauses (a) and (b) is to be erected prior to the commencement of operations.
- (d) Signage (in lettering not less than 15mm in height on a contrasting background) is to be erected in a prominent position near the main entrance of any room / area where a specific patron capacity is stipulated. Wording must include the name of the room / area and the applicable patron capacity authorised.

73. PATRON BEHAVIOUR

The management shall ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management shall be responsible for the control of noise and litter generated by patrons of the premises and shall ensure that patrons leave the vicinity of the premises in an orderly manner to the satisfaction of Council. If so directed by council, the management is to employ private security staff to ensure that this condition is complied with.

74. NO SPRUIKERS

Spruikers (with or without sound amplification) shall not operate without the prior written consent of Council.

75. NOISE EMISSIONS

- (a) The use of the premises shall not give rise to the transmission of "Offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy.
- (b) A sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard 1055.

76. NOISE FROM SPEAKERS

All speakers shall:

- (a) be placed on anti-vibration mountings;
- (b) Be completely independent of the building structure (particularly where there is a residential portion in the building); and
- (c) Be positioned so noise does not emanate in the direction of residential receivers.

77. NOISE COMPLAINTS

If, during on-going use of the premises, substantiated complaints of breaches of noise emission conditions and/or the protection of the environment operations act, 1997 occur, an acoustic report assessing the impact of the operation will be required to be carried out by a suitably qualified acoustic consultant. The report is to be submitted to the satisfaction of council's health compliance unit within 60 days of written request. The investigation shall include, but not be limited to:

- (a) the identification of sensitive noise receivers potentially impacted by the proposal;

- (b) the quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified and accordance with relevant Australian standards and NSW Environment Protection Authority (EPA) requirements);
- (c) the formation of a suitable assessment criteria having regard to the guidelines contained in the NSW EPA Industrial Noise Policy;
- (d) the identification of operational noise producing facets of the use and the subsequent predictions of resultant noise at the identified sensitive receiver locations from the operation of the use. Where appropriate the prediction procedures must be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation;
- (e) a statement indicating that the operation of the premises complies with the relevant criteria together with details of acoustic control measures that will be incorporated into the development/use, will not create adverse noise impacts to surrounding development.

78. LIQUOR SALE / SUPPLY / CONSUMPTION

- (a) No liquor may be sold, supplied or consumed on the premises except with the approval and authorisation from the relevant Liquor Authority.
- (b) The sale and/or supply of liquor must cease 15 minutes prior to the cessation of the respective hours of operation for the specified indoor and outdoor seating areas.
- (c) Liquor may only be sold or supplied on the premises by way of opened cans, opened bottles, or other opened containers.
- (d) There is to be no consumption, possession or movement of opened liquor within the internal stairwells of the premises.
- (e) Management is to ensure that persons are not permitted to leave the ground floor, first floor, second floor or Club premises in the possession of open liquor.

79. LIQUOR LICENSE PREMISES (LAB CRITERIA)

Noise emissions from the licensed premises shall comply with the following:

- (a) The LA10 noise level emitted from the licensed premises shall not exceed 5dB above the background (LA90) noise level in any Octave Band Centre Frequency (31.5Hz to 8KHz inclusive) between the hours of 7.00am and 12.00 midnight when assessed at the nearest affected residential boundary. The background noise level shall be measured in the absence of noise emitted from the licensed premises.
- (b) The LA10 noise level emitted from the licensed premises shall not exceed the background (LA90) noise level in any Octave Band Frequency (31.5Hz to 8KHz inclusive) between the hours of 12.00 midnight and 7.00am when assessed at the nearest affected residential boundary. The background noise level shall be measured in the absence of noise emitted from the licensed premises.

- (c) Notwithstanding compliance with the above clauses, the noise from licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12.00 midnight and 7.00am.

NOTE: Where this condition is inconsistent with the requirements imposed by the Liquor Administration Board or Liquor Licensing Court, the more stringent conditions shall prevail.

80. AMENITY

The management of the premises is to:

- (a) Ensure that the manner in which the business of the premises is conducted and/or the behaviour of persons entering and leaving the premises does not cause undue disturbance to the amenity of the neighbourhood.
- (b) Record in a formal register full details of any disturbance complaint/s made by a person to management or staff in respect to the manner in which the business of the premises is conducted and/or the behaviour of persons entering or leaving the premises. Such recording will include time, date, nature of the complaint/s and any complainant details if provided.
- (c) Respond to any disturbance complaint/s in a timely and effective manner. All actions undertaken by management / staff to resolve such complaint/s shall be recorded in the register.

81. AIR EMISSIONS

The use of the premises shall not give rise to air impurities in contravention of the Protection of the Environment Operations Act, 1997.

82. NOISE EMISSIONS

The use of the premises shall not give rise to the transmission of "Offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy.

83. ENTERTAINMENT NOISE

Musical instruments, drums and percussion or amplified sound in the form of DJs, live bands and performers are not permitted on the premises without the written approval of Council.

84. NO ENTERTAINMENT EXTERNAL TO THE PREMISES

No sound reproduction device nor any form of entertainment is to be operated external to the premises.

Speakers must not be installed and music must not be played to the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas / public domain.

85. NOISE – MECHANICAL PLANT

Noise associated with mechanical plant shall not give rise to any one or more of the following:

- (a) Transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy.
- (b) A sound pressure level at any affected property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the use. The source noise level must be assessed as a LAeq, 15 minute.
- (c) Notwithstanding compliance with (a) and (b) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential premises between the hours of 12.00 midnight and 7.00am.
- (d) A Certificate is to be submitted at the completion of all work and prior to the issue of an Occupation Certificate, from a suitably qualified Acoustic Engineer. The Certificate is to certify all plant and equipment complies with the terms of approval in relation to noise.

86. LIQUOR LICENSE PREMISES

Noise caused by the approved use including music and other activities must comply with the following criteria:

- (a) The LA10 noise level emitted from the premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz - 8kHz inclusive) by more than 5dB between 07:00 am and 12:00 midnight at the boundary of any affected residence.
- (b) The LA10 noise level emitted from the premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz - 8kHz inclusive) between 12:00 midnight and 07:00 am at the boundary of any affected residence.
- (c) Notwithstanding compliance with (a) and (b) above, the noise from the premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 07:00 am.
- (d) The use of the premise must be controlled so that any emitted noise is at a level so as not to create an "Offensive Noise" as defined in the Protection of the Environment Operations Act, 1997 to any affected receiver.

87. NOISE LIMITERS (PLACE OF PUBLIC ENTERTAINMENT)

- (a) All amplification equipment used in the premises is to be controlled by a root mean square (RMS) noise limiter, calibrated and set by the Project Acoustical Consultant to ensure compliance with Council's noise emission criteria. The Project Acoustical Consultant must certify that the limiters are installed and calibrated to satisfy the requirement of Council's noise criteria. The calibration levels and assessment background levels must be reported on calibration sheets for each area (if necessary) and submitted to Council. The noise limiters must be installed in a locked cabinet located in a secure area. Access to noise limiter post calibration must be restricted to the Licensee of the premises and made available to Council officers upon request.
- (b) All on-stage and front of house sound equipment must be connected in such a manner to the one system so that the noise levels produced can be effectively controlled by the noise limiter referred to above and the house mixer/sound engineer.

88. MANAGEMENT RESPONSIBILITY

The management of the premises shall be responsible for:

- (a) Ensuring patrons do not loiter at the front of the premises.
- (b) Ensure no crowding in front of the premises occurs that obstructs pedestrian access and flow.
- (c) Patron's behaviour of those utilising the sanitary facilities.

89. REFRIGERATION UNITS & MECHANICAL PLANT

Air conditioning units, refrigeration motors/units and other mechanical plant are not to be installed outside the building without the prior consent of Council in order to assess the cumulative impacts of noise to adjoining properties. All plant is to be installed within the confines of the building and be acoustically treated to ensure that it within the acceptable limits.

90. NO BARBECUE OR CHARCOAL TYPE COOKING

This approval does not permit the installation of barbecue or charcoal type cooking appliances. Comprehensive details must be submitted with a formal application to Council for approval prior to the installation of any such equipment.

91. OPERATIONAL VEHICLES

Operational vehicles including delivery vehicles, Bondi Surf Bathers Life Saving Club member private vehicles, and other Bondi Surf Club vehicles shall not be driven or parked on/around the site with the exception of designated delivery manoeuvring area between Bondi Pavilion building and Bondi Surf Bathers Life Saving Club.

92. STORAGE OF EQUIPMENT AND MATERIAL

The Bondi Surf Bathers Life Saving Club's tools, equipment and materials must be stored outside the building curtilage.

93. ADVERTISING / SPONSORSHIP

Any advertising in the form of banners, stands or signs (or like) are not permitted unless explicitly approved by Council for an event or through a Development Application process.

94. ONGOING MAINTENANCE – STORMWATER DRAINAGE SYSTEM

Council will need to be provided with a Maintenance Schedule that supports the routine maintenance activities. At a minimum, the proposed swales must be:

- Kept clean and free from silt, rubbish and debris.
- Be maintained so that it functions in a safe and efficient manner.
- Not be altered without prior consent in writing of the Council.

95. WASTE AND RECYCLING STORAGE AND COLLECTION

The proposal must have minimum storage space capable of accommodating the following:

Commercial:

- 1 x 10m³ compactor for waste 5:1 compaction ratio
 - 1 x 10m³ compactor for comingled recycling – compaction ration dependant on recycling service contract requirements.
 - Bulky storage space with area allocated for kegs, milk/bread crates, cardboard and/or packaging and clearly marked on the drawings
 - Include a monitoring program post-construction to monitor the frequency of collections to ensure minimal excess waste/litter issues and adjust frequency of collection accordingly.
- (a) All waste and recycling storage rooms must be built to meet all appropriate design requirements set in Part B of Waverley Council Development Control Plan 2012. All waste and recycling storage rooms must be graded and drained to the sewerage system and approved by Sydney Water.
- (b) A waste service compartment (waste and recycling area) is to be provided on each floor of the building and have sufficient capacity to store at least 1 day's volume of waste and recycling likely to be generated on that floor.
- (c) The proposal must have a system for the convenient transportation of waste and recyclables to the communal waste and recycling storage area (i.e. service lift dedicated for the transportation of waste).
- (d) Details of ongoing waste management strategy are to be documented within the SWRMP, and reviewed every 5 years to employ updated waste reduction strategies and technologies
- (e) Waste storage space is to be designed with flexibility to accommodate a future change in use to a use with a higher waste generation rate.
- (f) Kitchens, office tea rooms, and the like are to be designed with sufficient space for the interim storage of recyclable, organic and regular waste in separate receptacles.
- (g) Sufficient space must be allocated within the building for the storage of reusable items such as crates, kegs, bulky cardboard and pallets that is off the public domain.
- (h) Separate space must be allocated for the storage of liquid wastes and oils etc. The liquid waste storage areas must be undercover, bunded and drained to a grease trap. The area must be underground or within the building.
- (i) Liquid waste (including waste oil) from grease traps must only be removed by licensed contractors approved by Sydney Water and NSW EPA.
- (j) All new developments are to provide adequate storage for waste to accommodate future change of uses including grease traps.
- (k) All businesses at this development must have written evidence, held on-site, of a valid and current contract with a licensed collector of waste and recycling.
- (l) Clear and easy signs identifying the different MGB and where the MGBs should be stored in the storage area(s) must be displayed.
- (m) All waste and recycling receptacles are to be collected onsite. The storage and/or presentation of bins on the kerbside on public land and kerbside is not permitted at any time.
- (n) Organic waste should be either treated in a composting or worm farming system or stored in a Council approved bin or skip (refer to Annexure B1-5).
- (o) The transport schedule for transporting waste and recycling from the commercial tenants to the WSRA and cleaning of receptacles needs to be specified in contracts with tenants, cleaners, and building manager so as not to interfere with activities and events occurring in the Bondi Pavilion open space.
- (p) The building manager is required to implement a monitoring and evaluation program with clear Key Performance Indicators and measures to assess the efficiency of the waste and recycling compactors and cardboard baler, and identify optimal frequency and time of collections particularly during the summer peak times.

- (q) The road access and turning radius for the hook-lift truck that will service the waste and recycling compactors must be approved by Council's traffic engineer.
- (r) The grease traps must be constructed, approved, and the trade waste management contracts finalised with Sydney Waster prior to any tenant occupancy.

96. DISPLAY OF WASTE MANAGEMENT PLAN

Tenants shall be provided with at least one copy of the Waste Management Plan. An additional copy of the plan shall be displayed in a secure, visible and accessible position within or adjacent to the waste storage area. The approved Waste Management Plan must be complied with at all times during occupation.

97. RECYCLING OF WASTE PAPER

The operator of the business shall ensure that waste paper is recycled. In this regard, the operator shall make arrangements with the owner to transfer paper for recycling to the recycling room for removal by a recycling agent.

98. NOISE FROM GLASS REMOVAL

Glass must not be emptied or transferred from one receptacle to another anywhere in a public place. All glass must be emptied / transferred within the premises and removed in containers.

99. GLASS SORTING OR COLLECTION

No bottle or glass sorting, recycling or collection shall take place between 8.00pm on any day and 8am Monday to Friday, 9am Saturday and 10am Sundays and Public Holidays.

This condition is imposed to protect the amenity of neighbouring residents.

100. DISPOSAL OF LIQUID WASTE

All liquid wastes, are to be disposed of in accordance with the NSW Environment Protection Authority (EPA) Waste Classification Guidelines 2009 and The Protection of the Environment Operations Act 1997 (NSW).

101. SURVEILLANCE CAMERAS TO BE MAINTAINED ON THE PREMISES

The Management must install and maintain a closed-circuit television (CCTV) system on the premises. The CCTV system must comply with the requirements of Waverley Council and the Local Area Command. Please refer to Council's website for further information.

https://www.waverley.nsw.gov.au/data/assets/pdf_file/0008/172466/Requirements_f_or_CCTV_PDF_.pdf

102. LIGHTING

- (a) Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Australian Standard AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting.
- (b) All external lighting fixtures should be vandal resistant.

- (c) Lighting should be carefully considered in areas covered by CCTV to allow for optimum viewing.
- (d) Lighting should be free of obstructions, such as tree branches, pipes, etc.
- (e) Transition lighting should also be used throughout the site to reduce vision impairment, i.e. impairment caused by walking from dark to light places and light to dark places.

103. INTRUDER ALARM

- (a) The premises shall be fitted with an Intruder alarm system that has been designed and installed to the Australian Standard (Domestic and Commercial Alarm Systems).
- (b) A duress facility should be incorporated into the system to enable staff to activate the system manually in the event of an emergency, such as a robbery.
- (c) Intruder alarm/s associated with the development must operate only in accordance with the requirements of Clause 53 of the *Protection of the Environment Operations (Noise Control) Regulation 2008* under the *Protection of the Environment Operations Act, 1997*.

104. NO FLASHING SIGNS

The use of flashing lights, flashing illuminated signs and the like is prohibited.

105. LOCATION OF SIGNS

No advertising signs or notices are to be affixed to the windows of the premises.

106. NO SIGNS OR GOODS ON PUBLIC AREA

Portable signs or goods for sale or display must not be placed on the footway or other public areas, without the prior approval of Council.

F. ADVISORY MATTERS

The following advisory matters are provided as additional information to ensure compliance with the relevant legislation and requirements. You must also check other Commonwealth and NSW Acts and Regulations which may apply to the works or use approved in this application.

AD1. POST CONSENT CONDITIONS REQUIRING COUNCIL INPUT

Various conditions require further input, review or approval by Council in order to be satisfied following the determination of the application (that is, post consent). In those instances, please adhere to the following process to avoid delays:

- Please read your conditions carefully.
- Information to be submitted to Council should be either via email to info@waverley.nsw.gov.au or via the NSW Planning Portal (if required).
- Attention the documentation to the relevant officer/position of Council (where known/specified in condition).
- Include DA reference number.
- Include condition number/s seeking to be addressed.
- Where multiple conditions need Council input, please try to group the documentation / email/s into relevant subjects (multiple emails for various officers may be necessary, for example).
- Information to be submitted in digital format – refer to ‘Electronic lodgement guidelines’ on Council’s website. Failure to adhere to Council’s naming convention may result in documentation being rejected.
- Where files are too large for email, the digital files should be sent to Council via CD/USB. Council does not support third party online platforms (data in the cloud) for receipt of information.
- Please note, in some circumstances, additional fees and/or additional documents (hard copy) may be required.
- Council’s standard for review (from date the relevant officer receives documentation) is 14 days. Times may vary or be delayed if information is not received in this required manner.

AD2. SYDNEY WATER REQUIREMENTS

You may be required to submit your plans to the appropriate Sydney Water office to determine whether the development will affect Sydney Water’s sewer and water mains, stormwater drains and/or easements.

Contact Sydney Water for more information.

AD3. DIAL BEFORE YOU DIG

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

via contacting the Dial Before You Dig service in advance of any construction or planning activities.

AD4. TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

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

AD5. EXCAVATION TO BE LIMITED

Excavation shall be limited to that shown in the approved plans. Any further excavation will require Council approval.

AD6. BONDI - ROSE BAY SAND BODY

This site may be located within the Bondi - Rose Bay Sand Body as identified in Council's Aboriginal Cultural Heritage Study 2009. Should an object of potential Aboriginal or archaeological significance be discovered during the demolition, excavation or construction period associated with this development, works are to immediately cease and the NSW National Parks and Wildlife Service must be contacted.

Waverley Council must be notified of any referral to the NSW National Parks and Wildlife Service and be provided with a copy of any subsequent response.

AD7. SEPARATE APPLICATION FOR SIGNAGE

No signage has been proposed in this application, therefore any advertising or signage requires the separate approval from Council, unless deemed Exempt Development under Division 2 of the SEPP (Exempt and Complying Development) 2008.

AD8. TREE REMOVAL/PRESERVATION

Any trees not identified for removal in this application have not been assessed and separate approval may be required. Any pruning of trees on adjoining properties required for the erection of scaffolding and/or the construction of the building may also require approval.

AD9. WORK OUTSIDE PROPERTY BOUNDARY

This consent does not authorise any work outside the property boundary.

AD10. BUILDING TO BE WRAPPED

The applicant is encouraged to investigate possibilities of extracting an image of the completed building onto the hoarding and mesh surrounding the site during the demolition and construction stages of the development to minimise the visual intrusion of what is otherwise a large single coloured mesh 'block' during this time. Any advertising on the hoarding requires Council's written approval.

AD11. SYDNEY WATER CERTIFICATE

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. **Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water website.**

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

AD12. PUBLIC ART

Specific details and design of the proposed public art feature shall comply with 'Public Art in the Private Domain Guidelines' which can be viewed on Council's website and by liaising with Council's Cultural Development Officer.

AD13. OUTDOOR DINING

Any proposal to utilise an area external of the building for dining will be subject to a separate application to Council and if approved will require the applicant and/or owners to sign a lease agreement.

AD14. LIQUOR LICENSING ACCORD

The Licensee is encouraged to join and adopt the principles and terms of the local Liquor Licensing Accord. For information visit the Eastern Suburbs Liquor Accord website: www.esla.net.au/

AD15. SIGNS/GOODS IN THE PUBLIC WAY

No signs or goods are to be placed on the footway adjacent to the property.

AD16. SUITABLY QUALIFIED ACOUSTIC CONSULTANT

In these conditions, reference to a suitably qualified acoustic consultant means an individual who possesses the qualifications to render them eligible for membership of both the Australian Acoustics Society and Institution of Engineers Australia at the grade of member or an individual who is employed by a member firm of the Association of Australian Acoustic Consultants.