

DA- 312/2019: Bondi Park

APPENDIX A – CONDITIONS OF CONSENT

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

(a) Architectural plans prepared by CHROFI Architects as listed below:

Drawing Number	Rev	Plan Description	Date	Date Received by Council
DA-000	H	Cover Page	29/04/2020	04/08/2020
DA-001	H	Location Plan	29/04/2020	04/08/2020
DA-002	G	Site Analysis	11/06/2019	25/09/2019
DA-SO-101	H	Site Plan Southern Amenities	29/04/2020	15/05/2020
DA-SO-102	H	Southern Amenities QED Level	29/04/2020	15/05/2020
DA-SO-103	H	Southern Amenities Promenade Level	29/04/2020	15/05/2020
DA-SO-201	H	Southern Amenities Beach Elevation	29/04/2020	15/05/2020
DA-SO-301	H	Southern Amenities Section AA, BB & CC	29/04/2020	15/05/2020
DA-SO-302	H	Southern Amenities Section DD & EE	29/04/2020	15/05/2020
DA-SO-901	H	Materials & Finishes Southern Amenities	29/04/2020	15/05/2020
DA-LF-101	G	Site Plan Lifeguard Facilities	11/06/2019	25/09/2019
DA-LF-102	H	Lifeguard Facilities Promenade Level	29/04/2020	15/05/2020
DA-LF-103	H	Lifeguard Facilities Beach Level	29/04/2020	15/05/2020
DA-LF-104	G	Lifeguard Facilities Overall Beach Level	11/06/2019	25/09/2019
DA-LF-201	H	Lifeguard Facilities Beach Elevation	29/04/2020	15/05/2020
DA-LF-202	G	Lifeguard Facilities Tower Elevations	11/06/2019	25/09/2019
DA-LF-301	G	Lifeguard Facilities Section AA & BB	11/06/2019	25/09/2019
DA-LF-302	G	Lifeguard Facilities Section CC, DD & EE	11/06/2019	25/09/2019
DA-LF-303	G	Lifeguard Facilities Section FF	11/06/2019	25/09/2019
DA-LF-901	H	Materials & Finishes Lifeguard Facilities	29/04/2020	15/05/2020
DA-FA-101	H	Site Plan First Aid Facilities	29/04/2020	15/05/2020
DA-FA-102	H	First Aid Facilities Tunnel 3 Beach Level	29/04/2020	15/05/2020
DA-FA-201	H	First Aid Facilities Beach Elevation	29/04/2020	15/05/2020
DA-FA-202	H	First Aid Facilities Elevations	29/04/2020	15/05/2020
DA-FA-301	G	First Aid Facilities Section AA, BB & CC	11/06/2019	25/09/2019

(b) Landscape Plans, prepared by Sprout Landscape Architecture Pty as listed below:

Drawing Number	Rev	Plan Description	Date	Date Received by Council
LS 01	G	Landscape Plan – Queen Elizabeth Drive	04/05/20	15/05/2020
LS 02	G	Landscape Plan – Promenade	04/05/20	15/05/2020
LS 03	G	Landscape Plan – Promenade Option 2	04/05/20	15/05/2020

- (c) Drawing titled Electrical Services Site Plan, Drawing No E002 Rev. A, prepared by Melnhardt Australia Pty Ltd., dated November 2019.
- (d) Report titled Heritage Impact Statement Bondi Beach and Bondi Park Additional Amenities dated September 2019 as amended by letter, Re: Addendum to Heritage Impact, Development Application DA-312/2019, Bondi Beach & Park Amenities, dated 1 May 2020, both prepared by City Plan Heritage P/L.
- (e) Structural sketches SK/01 dated April 2019, SK/A1 and SK/A3, dated January 2020, all prepared by SDA Structures Pty Ltd.
- (f) Report titled Report on Geotechnical Investigation Proposed Bondi Park Additional Amenities Queen Elizabeth Drive, Bondi Beach, prepared by Douglas Partners, dated December 2018.
- (g) Report titled Building Code of Australia Assessment Report, prepared by Advance Building Approvals Pty Ltd, dated 24 June 2019.
- (h) Report titled Bondi Park Amenities Coastal Risk Report, prepared by Royal Haskoning DHV, dated 16 July 2019.
- (i) Report titled Hazardous Building Materials (HBM) Survey, prepared by Douglas Partners, dated December 2018.
- (j) Crime Prevention Through Environmental Design (CPTED) Consultancy - Final Report – Amenities Building Bondi Beach, prepared by Harris Crime Prevention Services, dated 23 April 2020.
- (k) Site Waste And Recycling Management Plan (SWRMP) for proposed Amenities and Kiosk, received by Council on 15 May 2020.
- (l) Site Waste And Recycling Management Plan (SWRMP) for proposed Lifeguard Amenities and First Aid Facilities, received by Council on 15 May 2020.
- (m) Report titled Traffic Impact Statement, prepared by Traffix, dated 22 July 2019.

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The proposal shall be amended as follows:

- (a) All external concrete finishes are to be closely matched to the appearance of existing concrete work in the promenade walls and to avoid high glaze, slow weathering finishes. A sample panel is to be provided to Council's Heritage Advisor for written approval prior to the issue of the relevant Construction Certificate.
- (b) Means of improving outlook from the Lifeguard Tower should be further addressed including a potential CCTV camera mounted on the roof to improve vision over waves along the break zone. Any changes to facilitate an improved outlook from within the Lifeguard tower over the surf are to be provided to Council's Heritage Advisor for written approval prior to the issue of the relevant Construction Certificate;
- (c) The door width to all accessible toilets is to be a minimum of 1050mm, plans are to be amended to demonstrate this;
- (d) The staircase closest to the new proposed southern amenities facility are to be upgraded (including nosing contrast to the stairs, installation of Tactile Ground Surface Indicators (TGSIs) and installation of compliant handrails;
- (e) Details of security measures (such as the provision of screens/shutters) to minimise unlawful access (particularly at night or when not in use) for the First Aid room, kiosk and Lifeguard facilities are to be submitted and approved by Council's Manager, Development Assessment (or delegate).

The amendments are to be approved by Council's Heritage Office and/or Manager, Development Assessment (where specified), or delegate prior to the issue of the relevant Construction Certificate under the Environmental Planning and Assessment Act 1979.

3. HERITAGE COUNCIL OF NEW SOUTH WALES - GENERAL TERMS OF APPROVAL

APPROVED DEVELOPMENT

A. Development must be in accordance with:

a. Architectural drawings, prepared by Chrofi Architect as listed below:

Cover Page	29/04/20	H
Location Plan	29/04/20	H
Site Analysis	11/06/19	G
Site Plan Southern Amenities	29/04/20	H
Site Plan First Aid Facilities	29/04/20	H
First Aid Facilities Tunnel 3 Beach Level	29/04/20	H
First Aid Facilities Beach Elevation	29/04/20	H
First Aid Facilities Elevations	29/04/20	H
Lifeguard Facilities Promenade Level	29/04/20	H
Lifeguard Facilities Beach Level	29/04/20	H
Lifeguard Facilities Beach Elevation	29/04/20	H
Materials & Finishes Lifeguard Facilities	29/04/20	H
Site Plan Southern Amenities	29/04/20	H
Southern Amenities QED Level	29/04/20	H
Southern Amenities Promenade Level	29/04/20	H
Southern Amenities Beach Elevation	29/04/20	H
Southern Amenities Section AA, BB and CC	29/04/20	H
Southern Amenities Section DD & EE	29/04/20	H
Materials & Finishes Southern Amenities	29/04/20	H

b. Landscape drawings, prepared by Sprout Landscape Architecture Pty as listed below:

Landscape Plan – Queen Elizabeth Drive	4/05/20	-
Landscape Plan – Promenade	4/05/20	-
Landscape Plan – Promenade Option 2	4/05/20	-

c. Drawing titled Electrical Services Site Plan, Drawing No E002 Rev. A, prepared by Melnhardt Australia Pty Ltd., dated November 2019.

d. Report titled Heritage Impact Statement Bondi Beach and Bondi Park Additional Amenities dated September 2019 as amended by letter, Re: Addendum to Heritage Impact, Development Application DA-312/2019, Bondi Beach & Park Amenities, dated 1 May 2020, both prepared by City Plan Heritage P/L.

e. Letter, Re: Heritage Values of Bondi Beach & Park Development Application DA-312/2019, Bondi Beach & Park Amenities, prepared by City Plan Heritage P/L, dated 1 May 2020.

- f. Letter, Re: Peer review of heritage impact statement addendum – DA-312/2019, Bondi Beach & Park Amenities, prepared by EMM, dated 15 May 2020.
- g. Structural sketches SK/01 dated April 2019, SK/A1 and SK/A3, dated January 2020, all prepared by SDA Structures Pty Ltd.
- h. Report titled Bondi Additional Amenities Design Verification Statements, prepared by Chrofi.
- i. Report titled Report on Geotechnical Investigation Proposed Bondi Park Additional Amenities Queen Elizabeth Drive, Bondi Beach, prepared by Douglas Partners, dated December 2018.
- j. Report titled Building Code of Australia Assessment Report, prepared by Advance Building Approvals Pty Ltd, dated 24 June 2019.
- k. Report titled Statement of Environmental Effects, Bondi Park Additional Amenities, prepared by Symons Goodyer, dated September 2019.
- l. Report titled Bondi Amenities Feasibility Proposal Final, prepared by Arup, dated May 2018.

EXCEPT AS AMENDED by the following general terms of approval:

FURTHER INFORMATION

- B. Proposed plantings in all areas shall be single-species only, en masse, using *Carpobrotus edulis*, pigface plants, to simplify both visual impact on the 1920s parkland landscaping scheme and limit their vertical height to a minimum. Amended landscape plans shall be submitted for approval to the Heritage Council of NSW (or delegate) with the section 60 application.

Reason: To better reflect the simplicity of the 1920s parkland landscaping scheme, which is an element of exceptional heritage significance.

- C. The following additional information must be submitted for approval to the Heritage Council of NSW (or delegate) with the section 60 application:
 - i. Details of proposed new services including air conditioning services. The design details are to be planned with input by the nominated heritage consultant to limit any adverse heritage impacts on significant fabric and to ensure works are in accordance with best practice conservation principles.
 - ii. Details of the self-supporting secondary tunnel structure to the existing tunnel walls. The design must ensure the works are reversible.
 - iii. Structural assessment and drawings including methodologies for retention and restoration of significant retaining wall structure and fabric.

Reason: The assessment and management of these details is considered essential in order to obtain a good heritage outcome.

- D. Proposed concrete finish of new works shall closely match the existing concrete finish of the promenade. New work should be identifiable on close inspection or through additional

interpretation. Samples of concrete finish shall be submitted for approval to the Heritage Council of NSW (or delegate) prior to the issue of a Construction Certificate.

Reason: To ensure consistency in finishes and appearance of the promenade and to minimise visual 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.

CONSERVATION WORKS

- H. A detailed schedule of conservation works for the affected sites must be prepared in accordance with the Burra Charter guidelines and should be guided by the relevant CMPs. The schedule of conservation works shall be submitted for approval to the Heritage Council of NSW (or delegate) with the section 60 application. The works shall be implemented as part of the project prior to the issue of an Occupation Certificate.

Reason: To ensure that significant features and fabric are restored and conserved.

HERITAGE INTERPRETATION PLAN

- I. A detailed 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 be based on a comprehensive interpretation strategy for the overall Bondi Beach Cultural landscape and shall be developed to integrate a range of interpretive options including tours, displays and visually appropriate signage (entry, wayfinding and interpretive signs), events and activities and conservation of significant elements including natural, landscape and built components.

The plan must respond to and convey significant Aboriginal and non-Aboriginal cultural values of the place as recognised by any relevant Conservation Management Plans and the National Heritage listing and State Heritage Register listing. The plan shall 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.

ABORIGINAL OBJECTS

- N. The Applicant must submit an Aboriginal cultural heritage assessment and investigation proposed for the site under any Aboriginal Heritage Impact Permit under the National Parks and Wildlife Act 1974 with the section 60 application.

Reason: Additional values linked to Aboriginal cultural and archaeological heritage of the Bondi Beach Cultural Landscape have been identified in the recently Endorsed Conservation Management Plan. However, these values have not yet been reconsidered under the Heritage Act 1977. It is appropriate that results of the physical testing are

provided to the Heritage Council of NSW to understand what results may have been identified during this investigation.

- O. Should any Aboriginal objects be uncovered by the work which is 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: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

COMPLIANCE

- P. 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

- Q. 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

Section 148 of the Heritage Act 1977 (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

B. COMPLIANCE PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

4. 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 & Assessment Act 1979*; and
- (b) A Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the *Environmental Planning & 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.

The owner/applicant may make application to Council or an Accredited Certifier for the issue of a Construction Certificate and to be the Principal Certifying Authority.

5. 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:
 - (1) Where the total development cost is less than \$500,000:
"Waverley Council Cost Summary Report"; or,
 - (2) 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 may be obtained from Waverley Council Customer Service Centre or downloaded from: www.waverley.nsw.gov.au/publications/

- (b) 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.
- (c) Should a section 4.55 modification result in any change to the total cost of the work, the Section 7.12 contribution is to be revised and amended. Prior to the issue of the Construction Certificate, evidence must be provided that the revised levy has been paid to Council in accordance with this condition.

Waverley Council Development Contributions Plans 2006 may be inspected at Waverley Council Customer Service Centre.

Advisory Note

- A development valued at \$100,000 or less will be exempt from the levy.

- A development valued at \$100,001 - \$200,000 will attract a levy of 0.5%.
- A development valued at \$200,001 or more will attract a levy of 1% based on the full cost of the development.

6. SECURITY DEPOSIT

A deposit (cash or cheque) or guarantee for the amount of \$ 160,000 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 established prior to the issue of any Construction Certificate. The full amount of the difference after recovery of Council's cost 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.

7. 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 Council 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.

8. 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.

9. BUILDING CODE OF AUSTRALIA

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

10. 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

lifeguard tower, tunnels and storage rooms 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) Emergency lighting, exit signs and warning systems – Part E4;
 - (x) Sanitary and other facilities – Part F2;
 - (xi) Room heights – Part F3; and
 - (xii) 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, an alternative building solution in accordance with Part A0 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 96 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.

11. FIRE SAFETY AND BCA UPGRADE WORKS TO BE REVIEWED BY A REGISTERED HERITAGE ARCHITECT

Any required fire safety works recommended by any BCA Report, Fire Safety and Upgrade Report or Fire Safety Consultant are to be reviewed by a registered Heritage Architect to ensure that these works are generally consistent with the heritage significance of the area/building. In this respect, the project's Heritage Architect and Building Surveyor must jointly confer and agree on these works. These works may be modified to address a balance between retention of the heritage significance of the building and contemporary building standards.

The Heritage Architect's report is to be provided as an addendum to the approved and suitably modified Building Code of Australia Compliance Report prior to release of the relevant Construction Certificate for the building.

12. SERVICE AUTHORITIES

The applicant is to seek approval from the relevant service providers regarding any possible modification to the service authorities infrastructure prior to the issue of the relevant Construction Certificate.

13. GREEN STAR DESIGN AND AS-BUILT RATING

The applicant is to submit an Energy Assessment Report to satisfy the provisions of Part 2.6 the Waverley Development Control Plan 2012 (Amendment 6, adopted on the 1st of November 2018). The Energy Assessment Report is to demonstrate how the project will deliver a development with greenhouse gas emissions that are 30% less than those of a reference building would need to be submitted. The GHG emissions of the reference building should take into account the whole building (including the tenants) and not only Waverley Council's energy consumption.

Details to be submitted and approved by Council's Executive Manager, Environmental Sustainability (or delegate) prior to the issue of the relevant Construction Certificate.

14. CONSTRUCTION TRAFFIC MANAGEMENT PLAN (CTMP)

The applicant is to submit a Construction Traffic Management Plan (CTMP) and be approved by 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

15. AMENDED SITE WASTE AND RECYCLING MANAGEMENT PLAN

The approved Site Waste and Recycling Management Plan (SWRMP) is to be amended to address the following points:

- The allocated collection points for the disposal of waste generated at both the lifeguard tower, first aid facilities and public toilet and shower facilities are to be identified.

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 dockets 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.

16. HOARDING

To ensure the site is contained during construction, hoarding may be required for the approved works. If required, the hoarding shall be designed and constructed in accordance with the requirements of **Safe Work NSW**.

The hoarding is to be erected on the street alignments of the property prior to the commencement of building operations and be maintained during the course of building operations. Details of the hoarding are to be provided to Council for record and be to the satisfaction of the Principal Certifying Authority prior to issue of the relevant Construction Certificate.

Where the hoarding is to be erected over the footpath or any public place, the approval of Council must be obtained prior to the erection of the hoarding.

17. EROSION, SEDIMENT AND POLLUTION CONTROL

Erosion, sediment and pollution control measures are to be implemented on this site. A Soil and Water Management Plan (also known as an Erosion and Sediment Control Plan) shall be prepared according to SSROC's Soil and Water Management Brochure and the NSW Environment Protection Authority (EPA) Managing Urban Stormwater: Soils and Construction. These measures are to be implemented prior to commencement of any work or activities on or around the site. The Soil and Water Management Plan is to be submitted to Council prior to the issuing of the relevant Construction Certificate.

18. ENGINEERING DETAILS

Structural details prepared and certified by a practicing Structural Engineer being furnished to Council or Accredited Certifier in connection with all structural components prior to the issue of the relevant Construction Certificate.

The adequacy of the existing building structure to carry the extra load of the proposed additions is to be provided to Council or the Accredited Certifier prior to the issue of the relevant Construction Certificate.

19. STORMWATER MANAGEMENT

The stormwater plans prepared by Meinhardt Australia, dated 19/07/2019, Project No. 120100, DWG No. C101, C200, Rev. P01 and P04 shall be revised and resubmitted and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

The plans to consider and include:

- a) Sydney Water Approval: Approval from Sydney Water shall be provided for the proposed 1500Ø RCP realignment. All recommendations and requirements provided by Sydney Water regarding the existing trunk drainage amendment shall be communicated to Council's Infrastructure Services.
 - a. Additional drainage provision to be considered within Queen Elizabeth Drive at the Western side of the amenities building roof.
- b) Long -Sections and HGL: A Hydraulic Grade Line (HGL) analysis of the pipe realignment and new pit and pipe sections to be provided.
- c) GPT or Sediment Capture Trap: Applicant to provide details of a sediment and/or gross pollutant capture device attached to the line connecting the outdoor free-standing showers. A non-return valve also to be considered at the outlet pipe at the connection point with Sydney Water's stormwater line so that stormwater cannot surcharge back into the property disposal system.

20. COASTAL RISK ASSESSMENT AND EMERGENCY EGRESS

Prior to construction commencement the associated architectural and engineering plans shall be presented to a qualified engineering consultant to undertake an updated Coastal Risk Assessment. The assessment must consider worst-case scenario estimates of wave runup using coincident AEP water levels, future sea level rises and respective wave height data.

The study must outline any design recommendations for building openings and shut-out systems to support a worst-case scenario. 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) to be available if flood gates are in operation so that any person can exit the building safely.

All recommendations within the current Coastal Risk Report, prepared by Royal Haskoning DHV, dated 16/07/2019, ref. PA1939M&ARP1811141533 shall be considered. The updated report and any coastal inundation mitigation measures shall be submitted and approved by Council's Executive Manager, Infrastructure Services, or delegate prior to the issue of the relevant Construction Certificate.

21. AMENDED LANDSCAPE PLAN

Prior to construction commencement the Landscaping Plans for the development are to be updated to reflect the approved architectural design of the development and to include the following additional details:

- a) To both comply with control (a) of Section 3.2 of the Waverley DCP and to satisfy the General Terms of Approval from the Heritage Council of NSW, proposed plantings in all areas shall be single-species only, en-masse, using *Carpobrotus edulis*, pigface plants. Details of pot sizes and planting density is to be provided on the plans. The details are to be provided for all landscaped areas, including the proposed roof garden of the building. Consideration is to be provided to the maintenance requirements.
- b) Council is supportive of the southern amenities block roof being accessible, however the roof planting must have a minimum soil depth of 300mm and use lightweight soil mixes that are porous, able to drain freely, and suitable for *Carpobrotus edulis*.
- c) To further match the design aesthetic in Bondi Park the design of the walling surrounding the seating (southern amenities block) is to be amended so that it is angled to create a shadow line similar to the seating walls at the picnic shelters and soon to be built Pavilion courtyards.
- d) Prior to final handover a landscaping maintenance plan is to be submitted to Council for implementation, upon receiving an occupation certificate for the development.
- e) All proposed public footpaths, stairs and ramp works must meet Australian Standards 1428 for Access and Mobility, ensuring handrails to both sides of ramps and stairs.
- f) All proposed public seating should provide minimum 50% with back and arm rest provisions to ensure they appeal to a wide range of users.

The amended landscape plan/s are to be submitted to Council for the approval of Council's Executive Manager, Infrastructure Services, or delegate prior to the issue of the relevant Construction Certificate.

22. LANDSCAPED SLABS

Details shall be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate indicating the proposed method of water-proofing and drainage of any concrete slabs over which landscaping is proposed.

23. PUBLIC LIGHTING PLANS

The applicant is to engage an Ausgrid Accredited Service Provider (ASP) and electrical design consultant to design any proposed public lighting works to the exterior of the building. The new lighting and power to the premises shall be serviced by metered underground power.

The new public lighting shall be designed and installed to Australian Standard AS1158:2010 - Lighting for Roads and Public Spaces. The plans to be approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

Lighting should consider CPTED principles and ensure the immediate area to the proposed facilities are subject to a suitable lighting scheme which enables users to identify all persons in proximity to the facility during darkened hours. This would include graduated lighting on approach if necessary to broaden the distance of reconnaissance.

4. TRAFFIC / PARKING MODIFICATION ARRANGEMENTS

- (a) The two proposed accessible parking bays, with a shared transfer space, close to the new southern amenities facility are to be installed. These two spaces should not reduce the number of accessible parking spaces at other locations on Queen Elizabeth Drive.
- (b) Vehicle parking bays along the northern side of Queen Elizabeth Drive should be considered for realignment of angled parking bays. In this regard, consideration to re-linemarking of this strip of parking to provide angled parking with front entry capability (vehicles then reverse to exit) would assist to reduce congestion along this roadway, particularly extending from the southern amenities block pedestrian crossing to the Campbell Parade roundabout entry point.

Details to be submitted and approved by Council's Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

C. COMPLIANCE PRIOR TO AND DURING CONSTRUCTION

24. PRIOR TO SITE WORKS

The Principal Certifying Authority must be informed in writing before any site works, building or demolition commences of:

- (a) The name and contractor licence number of the licensee who has contracted to do, or intends to do, work ; or
- (b) The name and permit number of the owner/builder who intends to do the work; and
- (c) Any change to these arrangements for doing of the work.

25. 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.

26. OBSTRUCTION TO PUBLIC AREAS

If a public place or pedestrian vehicular traffic may be obstructed because of the carrying out of work involved in the erection or demolition of a building; or a public place is required to be enclosed in connection with the erection or demolition of a building; then:

- (a) a hoarding fence must be erected between the building site and the public place of the proposed building and the public place. If necessary, an awning sufficient to prevent any substance from, or in connection with, the work falling into the public place, is also to be erected;
- (b) the work is to be kept lit during the time between sunset and sunrise if the work may be of a sort of danger to persons using the public place; and
- (c) a hoarding, fence or awning is to be removed when it is no longer required for the purpose it was provided.

27. TOILET FACILITIES

Toilet facilities being provided on the work site in accordance with the requirements of Sydney Water.

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

Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

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.

Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footpaths or in any locations which could lead to the discharge of materials into the stormwater drainage system.

29. 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) The Saturday (except minor renovation or refurbishment to a single dwelling construction) and Sunday which form part of public holiday weekends; and
- (b) Sundays and public holidays
- (c) 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 2000.

30. NATIONAL CONSTRUCTION CODE (NCC)

All building work must be carried out in accordance with the requirements of the National Construction Code.

31. PRE-CONSTRUCTION STORMWATER PIPE CCTV DILAPIDATION REPORT

Prior to the issue of the relevant Construction Certificate, internal inspection of the existing Sydney Water and Council stormwater conduits to determine the structural conditions must be carried out by a Closed Circuit Television (CCTV) system, by an approved contractor. The report is to be submitted to Council's Executive Manager, Infrastructure Services or delegate for its review.

32. PUBLIC DOMAIN PRE-CONSTRUCTION MEETING

To ensure all public infrastructure works approved under this consent will be completed to Council's satisfaction and a program of required inspections is established, a preconstruction meeting shall be arranged with Council's Executive Manager, Infrastructure Services, or delegate prior to works commencing on site.

33. ENGINEERING PLANS ASSESSMENT AND WORKS INSPECTION FEES

The applicant is to pay to Council fees for assessment of all engineering plans and inspection of the completed works in the public domain inclusive of all stormwater assessment, 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 subject development.

34. NOISE FROM BUILDING WORKS - RESTRICTED ACTIVITIES

Where there is a strong community reaction to noise associated with demolition, excavation and/or construction, Council may require respite periods by restricting the hours that the specific noisy activity can occur.

Note: If this is imposed, Council will take into account:

1. Times identified by the community when they are less sensitive to noise
2. If the community is prepared to accept a longer period of construction in exchange for restrictions on construction times.

35. PUBLIC DOMAIN PRE-CONSTRUCTION MEETING

To ensure all public infrastructure works approved under this consent will be completed to Council's satisfaction and a program of required inspections is established, a preconstruction meeting shall be arranged with Council's engineering inspector/s prior to works commencing on site.

36. DEMOLITION AND CONSTRUCTION WASTE MANAGEMENT

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

- (a) To minimise the amount of construction waste that is sent to landfill;
- (b) To minimise waste generated during demolition and construction;
- (c) To increase efficiency of development and encourage sustainable practices;
- (d) To maximise the re-use of clean excavated material, concrete, bricks and timber; and
- (e) 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:

- (f) 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.
- (g) 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:
 - (i) Landfill waste;
 - (ii) Recyclable waste;
 - (iii) Materials to be re-used on-site; and / or
 - (iv) Excavation materials (refer to Annexure B1-1 for common building materials that can be re-used and recycled).
- (h) Waste that can be recycled or reclaimed is to be identified in the SWRMP, as well as the intended methods for recovery and reclamation.
- (i) 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).

37. HAZARDOUS BUILDING MATERIAL RECOMMENDATIONS

The "recommendations" as outlined in the Hazardous Building Material Survey report prepared by Douglas Partners [Project No. 86599.00] dated December 2018 shall be implemented.

38. ASBESTOS REMOVAL

- (a) All demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover NSW Friable Class A Asbestos Removal Licence or where applicable a Non-friable Class B (bonded) Asbestos Removal Licence. Removal must be carried out in accordance with the "Code of Practice on how to safely remove asbestos" published by WorkCover NSW (catalogue no.WC03561) and Waverley's Asbestos Policy.
- (b) All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and email address.
- (c) No asbestos products are to be reused on site.
- (d) Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400m x 300mm are to be erected in prominent visible positions on the site during asbestos removal works.
- (d) No asbestos laden skips or bins are to be left in any public place without the approval of Council.

39. FOOD PREMISES (KIOSK)

The following requirements apply to premises that commercially provide food:

- (a) The premises must comply with the Food Act, 2003 and the Food Standards Code there under;
- (b) The applicant must arrange for an inspection by Council's Environmental Health Officer Surveyor prior to Occupation;
- (c) Notification of the businesses Food Safety Supervisor must be provided prior to operation.
- (d) The premises are to be registered with Council prior to the issue of the Occupation Certificate;
- (e) The premises must be constructed in accordance with the requirements of Council's "Policy for fit-out and construction of food premises". Copies of the policy can be purchased at Council's Customer Service Centre; and

- (f) The proprietor must pay any fees incurred by the carrying out of food safety inspections as determined by Council's Pricing Policy, Fees and Charges.

40. REFRIGERATION UNITS & MECHANICAL PLANT

All refrigeration motors/units and other mechanical plant are to be installed within the building in an acoustically treated plant room. In this regard, adequate provision is to be made within the confines of the building for any refrigeration motors/units or other mechanical plant associated with the use of the building.

41. COMPLIANCE WITH SAFE WORK NSW

All site works are to comply with the occupational health and safety requirements of SAFE WORK NSW.

42. 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.
 - (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.

43. POTENTIAL DEWATERING OF THE SITE

Should dewatering of the site be required, the onus is on the developer to:

- (a) Undertake the necessary site investigations prior to construction;
- (b) Prove that a water table is present or absent;
- (c) Assess the feasibility of alternative construction methods;
- (d) Assess the potential contaminated site, acid sulphate soil and saline intrusion issues;
- (e) Design an appropriate and safe dewatering system;
- (f) Apply for a dewatering licence,
- (g) Provide a detailed geotechnical and hydrogeological report regarding construction dewatering and monitoring;
- (h) Design and implement a monitoring program;

- (i) Monitor, analyse, interpret and report on dewatering to Council, and possibly NSW EPA throughout construction;
- (j) Inform Council of unexpected site conditions (such as water tables or high seepage rates) and subsidence issues.

44. ACCESSIBILITY

- (a) The staircase closest to the new proposed southern amenities facility are to be upgraded (including nosing contrast to the stairs, installation of Tactile Ground Surface Indicators (TGSIs) and installation of compliant handrails.
- (b) The two proposed accessible parking bays, with a shared transfer space, close to the new southern amenities facility are to be installed. These two spaces should not reduce the number of accessible parking spaces at other locations on Queen Elizabeth Drive.

45. INFORMATIVE / DIRECTIONAL SIGNAGE

- (a) Appropriate signage / markings at Queen Elizabeth Drive shall be implemented for emergency services when responding to incidents if patients will be triaged in the First Aid room / area.
- (b) Male and Female Toilet Signage should be clearly provided at the two (2) way entry to the change area noted as a location for art works to the southern amenities block.
- (c) Appropriate signage and tactile information indicating accessible facilities shall be provided at the main entrance directory or wherever directional signage or information is provided in the building. Such signage shall have regard to the provisions of AS1428.1.

Signage to be implemented prior to the issue of an Occupation Certificate.

46. SURVEILLANCE CAMERAS TO BE MAINTAINED

A closed-circuit television (CCTV) system must be maintained encompassing the surrounds of the facilities of Bondi Park. The CCTV system must comply with the following requirements:

- (a) It must record continuously.
- (b) It must record in digital format and at a minimum of 15 frames per second,
- (c) Any recorded image must specify the time and date of the image;
- (d) The system's cameras must cover:
 - i. all entry and exit points of the First Aid room, Lifeguard facility and toilet block,
 - ii. the footpath immediately adjacent to the First Aid room, Lifeguard facility and toilet block, and
 - iii. all publicly accessible areas (other than toilets) on the premises.
- (e) CCTV recordings must be retained for at least 30 days.
- (f) Signage shall be clearly displayed adjacent to the principal entry alerting persons that CCTV is in operation.

- (g) Ensure the CCTV system provides for low light capabilities.
- (h) Provide a back to base alarm system or similar to supplement these security arrangements.
- (i) Provide any recordings made by the system to an Authorised Council or Police Officer within 24 hours of any request by an Authorised Council or Police Officer to provide such recordings

D. COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION

47. CERTIFICATION OF STORMWATER SYSTEM

Prior to issue of any Occupation Certificate, certification prepared by a suitably qualified Civil Engineer is to be submitted and accepted by Council's Executive Manager, Infrastructure Services or delegate. All works to be constructed in accordance with the approved stormwater management plans and to best engineering practice.

Similarly, stormwater assets owned by Sydney Water shall be approved and accepted to their requirements.

48. WORKS-AS-EXECUTED DRAWINGS – STORMWATER DRAINAGE

Prior to the issue of an Occupation Certificate, Works-As-Executed Drawings prepared and signed by a registered surveyor for the new pits, pipes and stormwater connection works on shall be submitted to and approved by Council's Executive Manager, Infrastructure Services or delegate. Where changes have occurred with the approved plans shall be marked-up in red ink and shall include levels and location for the drainage structures and works.

49. CERTIFICATION OF PUBLIC INFRASTRUCTURE WORKS

To ensure public infrastructure works required under the consent are completed to Council's satisfaction a final inspection of the completed works is required from Council's Executive Manager, Infrastructure Services, or delegate. The Occupation Certificate shall not be issued until certification has been obtained from Council confirming the public infrastructure works have been constructed to Council's satisfaction.

Notes:

- The issue of a Compliance Certificate from the Council officer will be withheld should there be any outstanding fees and charges applicable to the development. This includes but not limited to fees applicable for engineering plans assessment and work inspection fees.
- To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works completed by the applicant/developer following completion of the development. The defects liability period shall commence from the date of issue of the Occupation Certificate for the development. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period.

50. 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.

51. NOISE EMISSIONS

The use of the premises shall not give rise to:

- (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 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.

52. MECHANICAL VENTILATION SYSTEMS

- (a) The premises are to be ventilated in accordance with the requirements of the Building Code of Australia & relevant Australia Standards.
- (b) Any proposed mechanical ventilation system shall comply with the Australian Standard AS 1668 - 1991 (Parts 1 and 2). Prior to installation, the design is to be certified by a person competent to do so. At completion of the installation of the system and prior to the issue of the Occupation Certificate, the work shall be certified by a person competent to do so. The certification shall include:
 - (i) inspection, testing and commissioning details;
 - (ii) date of inspection, testing and commissioning details;
 - (iii) the name and address of the individual who carried out the test; and
 - (iv) a statement that the service has been designed, installed and is capable of operating to the above standard.

53. CONSTRUCTION AND FITOUT OF FOOD PREMISES

- (a) The floor of the food premises must be finished in an approved non absorbent material, evenly laid, or graded and drained to a trapped floor waste.
- (b) The walls of the food preparation area must be of solid construction and finished with glazed ceramic tiles or other rigid, smooth-faced impervious material.
- (c) Ceilings within the food preparation and storage areas must be free of gaps and open joints and must be finished with an impervious sealed material. Drop in panels are not permitted in food preparation areas, food storage areas or areas where open food is displayed or served.
- (d) Hand wash basin/s, with hot and cold running water mixed through a common spout, hand wash soap and hand drying facilities must be provided in all food preparation/bar areas.

- (e) A double bowl sink or two compartment tub (the capacity of which must be capable of fitting all food contact equipment) must be provided in the food preparation area, in addition to the hand basin,

OR

A single bowl sink and a dishwasher must be provided in the food preparation or designated area, (where all the food contact equipment will fit in the dishwasher) in addition to the hand basin.

- (f) The cooking appliances require an approved air handling system designed in accordance with AS1668 or alternative solution satisfying the performance objectives of the Building Code of Australia.

54. CERTIFICATION OF MECHANICAL EXHAUST

The mechanical exhaust ventilation system is to comply with the approved plans and specifications in addition to Australian Standards AS 1668 (part 1, 1998 and part 2, 2012). A Certificate of Test together with a copy of the final test figures is to be submitted by a competent person and approved by the Principle Certifying Authority prior to the issue of the Occupation Certificate.

55. CERTIFICATION OF AIR CONDITIONING SYSTEM

The installed air conditioning system shall be the subject of an air filter cleaning/replacement service and regular servicing. In this regard, documentary evidence is to be submitted to Council or an Accredited Certifier enabling a Compliance Certificate to be issued on request certifying satisfactory compliance with this condition and the efficient performance of the system.

56. OCCUPATION CERTIFICATE

Prior to occupation or use of the development, the Principal Certifying Authority must issue an Occupation Certificate. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of the *Environmental Planning & Assessment Act 1979* have been satisfied.

57. SLIP TESTS OF COMMON AREAS

Common area tiles should not have slippery finishes. Slip tests should be undertaken in wet conditions, prior to the issue of an Occupation Certificate.

58. LANDSCAPE PLAN

The site is to be landscaped in accordance with the approved landscaped plan with the landscape works completed prior to the issue of the Occupation Certificate.

E. OPERATIONAL CONDITIONS DURING OCCUPATION

59. FIRE SAFETY MAINTENANCE

Access to all essential fire safety measures, such as fire hydrants, fire hose reels, portable fire extinguishers and the like must be maintained at all times and not be blocked or obstructed by furniture, equipment or the like.

60. WATER PROTECTION

The operation of the premises shall be conducted in a manner which does not pollute waters as defined by the *Protection of the Environment Operations Act 1997*.

61. SEPARATE APPLICATION FOR USE AND FITOUT OF FOOD PREMISES (KIOSK)

This consent does not approve the use of the kiosk (food premises). The proposed use and fitout of the kiosk is to be subject to a separate development application to and approval from Council.

This approval does not permit cooking to be undertaken on the premises. Any proposal to utilise cooking equipment/appliances will be subject to a separate development application to Council and if approved will require an air handling system designed in accordance with AS 1668.1-1998 and AS1668.2-1991 or alternative solution satisfying the performance objectives of the Building Code of Australia.

62. 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.

63. 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.
- (f) Lighting should consider CPTED principles and ensure the immediate area to the proposed facilities are subject to a suitable lighting scheme which enables users to identify all persons in proximity to the facility during darkened hours. This would include graduated lighting on approach if necessary to broaden the distance of reconnaissance.

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.

I. 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 , in person (at Council's Customer Service Centre) or via post service.
- 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 14days. Times may vary or be delayed if information is not received in this required manner.
- Any queries, please contact Council's Duty Planner on duty.planner@waverley.nsw.gov.au

II. SYDNEY WATER REQUIREMENTS

You are 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.

If you are increasing the density of the site, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. The 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.

III. 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.

IV. EXCAVATION TO BE LIMITED

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

V. 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.

VI. 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.

VII. WORK OUTSIDE PROPERTY BOUNDARY

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

VIII. 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. (Reason: To ensure the amenity of surrounding land uses)

IX. RIGHT OF APPEAL - HERITAGE NSW, DEPARTMENT OF PREMIER AND CABINET

If you are dissatisfied with this determination, section 70A of the Heritage Act 1977 gives you the right of appeal to the Land and Environment Court.