

Annexure A1

DETERMINATION OF APPLICATION FOR MODIFICATION OF DEVELOPMENT CONSENT

Modification Application No: DA-472/2022/A

Development Consent modified: DA-472/2022

Description of development to be carried out under the consent (as previously modified): Demolition of buildings and amalgamation of lots and construction of a new part three, part 4 storey shop top housing development with two levels of basement parking (PAN-274436)

Address and particulars of title of land on which development to be carried out: 141-155 Curlewis Street, Bondi Beach (Lot A in DP 955097, Lot 1 in DP 724290, Lot 1 in DP 102895 and Lot 1 in DP 724793).

Description of modification to the development consent: Modification to alter internal layout, ceiling heights, basement level and various other modifications

Determination: The development consent is modified as follows:

A. APPROVED DEVELOPMENT

1. APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

(a) Architectural Plans prepared by PBD Architects of Project No: 2223 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA098 Rev. F L	Basement 02 Floor Plan	20/06/2023 8/7/24	29/06/2023 2/8/24
DA099 Rev. F L	Basement 01 Floor Plan	20/06/2023 8/7/24	29/06/2023 2/8/24
DA100 Rev. K S	Ground Floor Plan	27/06/2023 18/9/24	29/06/2023 18/9/24
DA101 Rev. G M	Level 1 Plan	27/06/2023 8/7/24	29/06/2023 2/8/24
DA102 Rev. G M	Level 2 Plan	27/06/2023 8/7/24	29/06/2023 2/8/24
DA103 Rev. G M	Level 3 Plan	27/06/2023 8/7/24	29/06/2023 2/8/24
DA104 Rev. G N	Roof Plan	27/06/2023 29/7/24	29/06/2023 2/8/24
DA200 Rev. G M	Elevations	27/06/2023 29/7/24	29/06/2023 2/8/24
DA201 Rev. G M	Elevations	27/06/2023 29/7/24	29/06/2023 2/8/24
DA300 Rev. G M	Sections 01	27/06/2023 8/7/24	29/06/2023 2/8/24
DA301 Rev. F M	Sections 02	20/06/2023 29/7/24	29/06/2023 2/8/24
DA302 Rev. F M	Sections 03	20/06/2023 29/7/24	29/06/2023 2/8/24
DA400 Rev. D J	Material Schedule	16/09/2022 8/7/24	01/11/2022 2/8/24

(b) Landscape Plan No. 650_DA_01, 650_DA_02, 650_DA_10, 650_DA_11, 650_DA_12, 650_DA_13, 650_DA_45, 650_DA_50 **all rev C** and documentation prepared by Myles Baldwin Design, dated 30/08/2022 **4/12/23**

(c) BASIX and NatHERs Certificate/s

(d) Arborist Report prepared by Redgum Horticultural dated 23 August 2022

(e) **Geotechnical Investigation Report, G23385-1 prepared by Geotechnical Consultants Australia, dated 23 November 2023**

(f) Detailed Site Investigation **E2360-1-Rev A prepared by Geotechnical Consultants Australia, dated 6 November 2023**

(g) Stormwater Plans ~~Drawing No. SW001, SW010, SW011, SW020, SW030, SW031, SW032, SW040, SW050, SW060, SW070 Issue B, dated 05/12/2023, by Mance Arraj Civil & Structural Engineers (Project No. 7102-DA)~~ **Drawing No. SW001, SW010, SW011,**

SW020, SW030, SW031, SW032, SW040, SW050, SW060, SW070 Issue B, dated 05/12/2023, by Mance Arraj Civil & Structural Engineers (Project No. 7102-DA)

- (h) Traffic Noise Assessment prepared by Rodney Stevens Acoustics dated 15 September 2022
- (i) Acoustic Assessment of Void letter dated 23 May 2023 prepared by E-LAB Consulting
- (j) Waste Management Plan **rev 2.10**, prepared by Auswide Consulting, dated ~~June 2023~~ **May 2024**
- (k) Survey Sheet 1 & 2 prepared by SDG Pty Ltd (Ref 8600) and dated 07/03/2024**
- (l) Structural Design Statement prepared by Dunning's Consulting Engineers, dated 13 March 2024**
- (m) Supplementary Letter of Advice of Mixed use development at 135-155 Curlewis St, Bondi prepared by McLaren Traffic Engineering and dated 13 June 2024**
- (n) Consultant Advice note 'Minimum Floor to Floor Heights in Residential Buildings' prepared by IGS and dated 12 March 2024**

Except where amended by the following conditions of consent.

(Amended DA-472/2022/A)

1A. COORDINATION OF DEVELOPMENT

The works approved by this development consent must occur in coordination with the works approved by DA-381/2023 at 135 – 139 Curlewis Street, Bondi Beach:

- **The application for a construction certificate required to erect the development approved by this development consent must be lodged at the same time as the application for a construction certificate sought pursuant to DA-381/2023,**
- **The application for an occupation certificate relating to this development consent must be lodged at the same time as the application for an occupation certificate sought pursuant to DA-381/2023.**

Condition reason: To promote the orderly development of land and limit amenity impacts to adjoining residents and the public.

(Inserted DA-472/2022/A)

2A. COORDINATION OF DEVELOPMENT

The works approved by this consent must occur in coordination with the works approved by DA-381/2023 at 135 – 139 Curlewis Street, Bondi Beach:

- (a) Condition 10A requires a consolidated (and staged, where applicable) construction certificate(s) to be sought that relates to this development consent and DA-381/2023,**
- (b) Condition 64B requires a consolidated (and staged, where applicable) occupation certificate(s) to be sought that relates to this development consent and DA-381/2023.**

(Inserted DA-472/2022/A)

2. MULTI UNIT HOUSING DEVELOPMENT DESIGN (SEPP 65 HOUSING 2021 DEVELOPMENT)

The approved design (including any element or detail of that design) or materials, finish or colours of the building must not be changed without the written approval of Council.

(Amended DA-472/2022/A)

4. PUBLIC DOMAIN IMPROVEMENTS

The public domain is to be upgraded on Curlewis Street frontage for the development site in accordance with the current Waverley Council Development Control Plan (DCP) and Public Domain Technical Manual (PDTM) at the time of engineering plan approval. These works are to be designed in conjunction with Council's *Curlewis Street Streetscape Upgrade* works planned for 2023/2024 financial year. A public domain plan for the following works shall be submitted to Council, and approved by the Executive Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

- Vehicular crossing;
- ~~Street lighting and the associated works~~
- Street tree planting and landscaping;
- **Pedestrian footpath;**
- **Road pavement;**
- **Kerb and gutter; and**
- **Stormwater infrastructure within the Council kerb and/or footpath.**

Condition reason: This is to ensure that public domain upgrade or any modifications to Council's infrastructure assets are as per Council's DCP and PDTM requirements.

(Amended DA-472/2022/A)

4A. GEOTECHNICAL AND HYDROGEOLOGICAL RISK MANAGEMENT

The following geotechnical and hydrogeological risk management measures must be followed:

- (a) The recommendations set out in the Geotechnical Investigation Report prepared by Geotechnical Consultants Australia (GCA), Ref. G23385-1, dated 23 November 2023 must be addressed in the detailed design documentation and followed through the construction, and post occupation stages.**
- (b) Prior to the issue of any Construction Certificate a Construction Methodology Report (CMR) must be prepared and submitted for the review and approval of the Executive Manager, Infrastructure Services (or delegate).**
 - i. The CMR must be prepared or reviewed by a senior Geotechnical Engineer/Engineering Geologist and Structural Engineer (CP Eng or equivalent and with at least 10 years relevant experience).**
 - ii. The CMR must include a review of, but not limited to, the full detailed design including the temporary and permanent excavation, shoring support**

- systems, dewatering (if applicable), footing design, earthworks, drainage, pavements, and any other relevant items.**
- iii. The CMR must include a review of the geotechnical report and advise on the need of any further assessment work such as additional geotechnical investigation, groundwater monitoring, further assessment of the stability of the slope or cliff line. The CMR must be followed in its entirety unless otherwise agreed by the authors of the CMR (or their organisation).**
 - iv. The CMR must include the methodology to be adopted in undertaking excavation, measures to reduce vibrations, shoring works and measures to maintain the stability of the neighbouring structures and the slope or cliff line.**
 - v. The CMR must include an appropriate monitoring plan to confirm that ground surface movement on the site boundaries (and beyond) and deflections of shoring systems fall within acceptable limits and identify hold points and contingency plans for any exceedances.**
 - vi. The CMR must include proposed excavation techniques to be undertaken to reduce vibrations and prepare a Vibration Monitoring Plan which identifies hold points and contingency plans for any exceedances. The vibration monitoring must ensure that the peak vibration velocity (V_i , max) or Maximum Peak Particle Velocity falls within 'safe' limits as defined in the German Standard DIN 4150-3, dated 2016: Structural vibration – Part 3: Effects of vibration on structures.**
 - vii. The CMR must include a statement confirming that the proposed development is suitable for the site and will maintain the stability of the site, any slopes or cliff lines and the neighbouring buildings and structures.**
 - viii. The CMR must be submitted to the Principal Certifier and Council for review and approval. The approved CMR is to be submitted to Council's Infrastructure Services Department for records.**
- (c) Where groundwater is encountered and dewatering is expected to be required, prior to the issue of any Construction Certificate a hydrogeological investigation must be carried out that includes a minimum of three wells to be installed for future groundwater monitoring purposes in accordance with the NSW Department of Planning, Industry and Environments (DPIE) document: 'Minimum Requirements for Building Site Groundwater Investigations and Reporting', dated October 2022 (or the current revised version).**
- (d) Where a hydrogeological investigation is required in accordance with (c) above, the groundwater investigation, monitoring, inflow (seepage) analysis and reporting must be in accordance with the NSW Department of Planning, Industry and Environments document, Titled 'Minimum Requirements for Building Site Groundwater Investigations and Reporting', dated October 2022, or the most recent version. Groundwater level monitoring must be carried out for a minimum of three months as required by DPIE/WaterNSW requirements.**
- (e) In accordance with DPIE/WaterNSW requirements, where any seepage analysis required by (c) and (d) above demonstrates a seepage volume of less than 3ML/year then only a Water Supply Works approval must be obtained, unless otherwise directed by DPIE/WaterNSW. Where the seepage analysis demonstrates a seepage volume in excess of 3ML/year then a Water Access**

Licence (WAL) will also need to be obtained from WaterNSW. This is likely to require the purchase of 'water shares' in accordance with DPIE/WaterNSW requirements.

- (f) Prior to the issue of any Construction Certificate, if required based on items (c), (d) and (e), an application pursuant to the Water Management Act 2000 shall be made with WaterNSW to obtain Water Supply Works (WSW) approval. A copy of the aforementioned approval must be submitted to Waverley Council or details confirming (by WaterNSW) why a WSW approval is not required.**
- (g) During the piling and bulk excavation stages, a qualified supervising engineer will be required to be present on site at staged intervals advised by a geotechnical engineering consultant, and an inspection report is to be completed for each inspection. A final geotechnical engineering inspection report is to be submitted to the Principal Certifier.**
- (h) Inspections of any unsupported vertical excavations into bedrock are required by a qualified geotechnical engineer/engineering geologist (tertiary qualified with at least 5 years relevant experience) and must be completed in accordance with the Monitoring Program detailed in the CMR.**

Inspections must be completed or reviewed by a qualified geotechnical engineer/engineering geologist (as defined in 'h' above) during shoring works to confirm socket requirements below the bulk excavation level have been achieved for the shoring and during the excavation/drilling of high level footings/pile footings to confirm that the foundation materials are in accordance with the requirements of the structural drawings and/or geotechnical report, as applicable.

Condition reason: The proposed development for this site includes excavation and construction of storage area and lift below 135-139 Curlewis Street and excavation and construction of two basement level carparks below 141-155 Curlewis Street.

(Inserted DA-472/2022/A)

8. GROUND FLOOR PAVED AREA TO REAR

The rear ground floor paved area adjoining retail tenancies ~~01 and 02~~ **and 03** as shown on drawing DA100 rev ~~K~~ **R**, is not approved for any use or activity. This area, and the adjoining ground floor retail/commercial floor space must be subject to separate development application(s) for use. Any ground floor commercial/retail use(s) that propose to include the rear paved area must include a Plan of Management for the use of this space detailing actions and responsibilities to minimise noise potentially generated and with the potential to cause disturbance to adjoining residential dwellings and to apartments within the building. The Plan of Management must, as a minimum, specify maximum hours of use, maximum numbers of users and require that there be no use of any music, speakers or any forms of entertainment.

(Amended DA-472/2022/A)

10A. RELATIONSHIP TO DEVELOPMENT CONSENT DA-381/2023 – CONSOLIDATED CONSTRUCTION CERTIFICATE

A consolidated (and staged, where applicable) construction certificate application(s) must be sought to combine the approved works under the subject development

consent with those under Development Consent DA-381/2023 (and any subsequent modifications, where relevant).

(Inserted DA-472/2022/A)

11. SECTION 7.12 CONTRIBUTION

~~A monetary development contribution is payable to Waverley Council pursuant to section 7.12 of the *Environmental Planning and Assessment Act 1979* and the *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 provided 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% of the full cost of the development; or~~

~~(iii) A development valued at \$200,001 or more will attract a levy of 1% of 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.~~

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

(a) Where the total development cost is \$500,000 or less:

(i) a Cost Summary Report or Building Contract (dated within 12 months) or similar is to be submitted to Council's Customer Service Centre to process payment.

(b) Where the total development cost is more than \$500,000 but less than \$1,000,000:

(i) a Detailed Cost Report (dated within 12 months) prepared by a registered Quantity Surveyor, Building Contract, or similar is to be submitted to Council's Customer Service Centre to process payment.

(c) Where the total development cost is \$1,000,000 or more:

(i) **a Detailed Cost Report (dated within 12 months) prepared by a registered Quantity Surveyor, Building Contract, or similar is to be submitted to and approved by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate).**

- **Please forward documents to info@waverley.nsw.gov.au attentioned to Strategic Planning, and reference the relevant application number, address and condition number to satisfy.**

(ii) **Upon confirmation of the contribution amount by Council's Executive Manager, Urban Planning, Policy and Strategy (or delegate), payment is to be processed via the Customer Service Centre.**

(iii) **Should there be a discrepancy between the cost of works approved in subclause (b)(i) and the DA fee nominated in the original DA, then additional DA Fees may be payable prior to the issue of a Construction Certificate.**

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

(d) **As legislated in section 209 of the Environmental Planning and Assessment Regulation 2021, 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% of the full cost of the development; or**
- (iii) **A development valued at more than \$200,000 will attract a levy of 1% of 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.

**(Amended DA-
472/2022/A)**

12. SECURITY DEPOSIT

A deposit (cash or cheque) for the amount of ~~\$799,100~~ **\$832,636** 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) 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.

**(Amended DA-
472/2022/A)**

13A. PLANNING AGREEMENT

(a) **The owner/applicant is to:**

- (i) **Enter into an Agreement in accordance with the applicant's letter of offer to enter into a voluntary planning agreement dated 21 August 2024 and Waverley Council's Planning Agreement Policy 2014 (Amendment 4) prior to the issue of any Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary work for construction purposes including site hoardings and temporary site sheds that relates to works contained in DA-472/2022/A; and**
 - (ii) **Pay a monetary contribution amount of \$573,680 prior to the issue of any Occupation Certificate for the Development (calculated in accordance with Waverley Council's Planning Agreement Policy 2014 (Amendment 4) at 142m² of GFA exceedance at a rate of \$4,300 (for the proportion of residential floor space) and \$3,000 (for the proportion of non-residential floor space).**
- (b) **The Planning Agreement will be entered into under Section 7.4 of the Environment Planning and Assessment Act 1979 between the applicant/owner of the land the subject of the Development and Council.**
- (c) **In accordance with the said offer, the Planning Agreement shall make provision in respect to the following:**
 - (i) **The Planning Agreement shall be registered upon the title to the land the subject of the Development prior to the issue of any Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary works for construction purposes including site hoardings and temporary site sheds that relates to works contained in DA-472/2022/A.**
 - (ii) **The owner/applicant shall provide Council with a Bank Guarantee to secure the payment of the Monetary Contribution prior to the issue of any Construction Certificate that relates to any building work, other than demolition, excavation, piling, shoring and ancillary works for construction purposes including site hoardings and temporary sheds that relates to works contained in DA-472/2022/A for the Development which is:**
 - **In a form acceptable to Council and from an institution acceptable to Council**
 - **Irrevocable**
 - **Unconditional**
 - **With no end date**
- (d) **The payment of the Monetary Contribution to Council is to be made prior to the issue of any Occupation Certificate for the Development and is to be applied towards a public purpose in accordance with the Agreement and Waverley Council's Planning Agreement Policy 2014 (Amendment 4).**

(Inserted DA-472/2022/A)

15. PUBLIC INFRASTRUCTURE WORKS

Public infrastructure works shall be designed and constructed as outlined in this condition of consent. The approved works must be completed to Council's satisfaction at no cost to Council.

Full design engineering drawings to be prepared by a suitably qualified and experienced engineering professional and be submitted to Council for the approval of the Executive

Manager, Infrastructure Services (or delegate) prior to the issue of the relevant Construction Certificate.

The Applicant must submit plans and specifications for the following infrastructure works to Council's Public Infrastructure Engineer:

- a) Footpath, Kerb and Gutter: Replace any damaged footpath, kerb and gutter traversing Curlewis Street frontage. Any damaged stormwater kerb lintel infrastructure within the extent of kerb and gutter works shall be replaced.
- b) Street Trees: A minimum of four (4) street trees must be planted along Curlewis Street frontage. All new trees proposed within the Council verge will require the installation of suitable tree types, pits, surrounds, and root cell barriers as per the Waverley Council Public Domain Technical Manual. The chosen tree species and location shall not interfere with the wheel-swept path or obstruct the proposed vehicular crossing. The council shall be contacted at the time of installing the root cell barriers prior to planting the new trees.
- c) ~~Streetlights: Make provision for Multi-Function Poles (MFP) with new streetlights and at least one (1) electric vehicle charger serviced by metered underground power. Designs shall be submitted to Council's Executive Manager, Infrastructure Services for approval and comply with the specifications detailed in the Public Domain Technical Manual.~~
Road Pavement: The full renewal and reconstruction of concrete pavement for half road width in Curlewis Street frontage, unless deemed not required by Council as a result of the Curlewis Street Streetscape Upgrade works. The details of the sub-grade and road pavement treatments are to be advised by Council subject to the asphalt pavement remaining undamaged.
- d) Measures to protect the existing parking meter and any other Councils existing assets must be undertaken. Any damages or replacement cost of the assets shall be borne by the applicant.
- e) Any existing or proposed utility pillars on the site frontage to be either underground or inside the property boundary of the proposed development. Applicant must liaise with the relevant authorities for their approval and communicate to Council with written confirmation, before executing any works.
- f) All mains electrical connections to the development must be routed underground. Council will not accept the erection of newly placed electricity columns within the Councils Public Domain to support the new development.
- g) ***The full public domain traversing the Curlewis Street frontage must be protected from the proposed building works. The applicant will be required to replace any damaged footpath, street furniture, pavement, kerb and gutter, and Council's infrastructure at no cost to Council.***

Notes:

The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development.

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).

(Amended DA-472/2022/A)

16. VERIFICATION OF CONSTRUCTION CERTIFICATE DOCUMENTATION (SEPP 65 HOUSING 2021 BUILDINGS)

The preparation of the construction certificate plans shall be supervised and be to the satisfaction of an architect who is registered in accordance with the *Architects Act 2003* (i.e. a qualified designer) in accordance with the requirements of the *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development Housing 2021*.

In accordance with the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, the Principal Certifier must not issue a construction certificate unless it has received a design verification statement from a qualified designer which verifies that the construction certificate plans and specifications achieve or improve the design quality of the development for which development consent was granted, having regard to the design quality principles set out in *State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development Housing 2021*.

(Amended DA-472/2022/A)

21. UNIVERSAL HOUSING

Apartments **3.2, 3.3 and 3.4** in the development are to be provided with universal design features (as outlined in the *Liveable Housing Design Guidelines*) to meet the changing need of occupant's over their lifetimes in accordance with Part B7 of the *Waverley Development Control Plan 2012*.

(Amended DA-472/2022/A)

29. STRUCTURAL DOCUMENTATION

- (a) A construction management plan must be submitted to an independent, third party structural engineer and the project geotechnical engineer for approval. The engineers must have relevant experience, have chartered status with the Institute of Engineers Australia and be registered on the National Engineers Register. The construction management plan must incorporate and reflect the intent of the following documents:

- i. ~~Geotechnical Report and documentation prepared by Geotechnical Consultants Australia Pty Ltd dated 15 September 2022, and received by Council on 1 November 2022~~ **Geotechnical Investigation Report, G23385-1 prepared by Geotechnical Consultants Australia, dated 23 November 2023**

Satisfaction of the third party structural engineer and project geotechnical engineer that the construction management plan will provide for the retention of the building and its structural integrity must be demonstrated to the consent authority prior to the issue of the relevant Construction Certificate.

- (b) The documentation provided by the principal structural engineer as part of the construction certificate should detail the follow:
- i. Design and documentation of the Strengthening and Stability requirements to ensure the existing building is suitable for the intended alteration and additions, and
 - ii. Provide detailed procedure on the methodology and constructability of the proposed work within the existing / approved building envelope, in particular to the excavation works.

(Amended DA-472/2022/A)

31. 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 submitted stormwater management plan prepared by Mance Arraj Engineering Pty Ltd, Project No. 2955-DA, Drawing No. SW001, SW010, SW020, SW021, SW022 & ER010, Issue A, dated 08.09.2022 are considered concept only.~~

The submitted stormwater management plan prepared by Mance Arraj Engineering Pty Ltd, Project No. 7102-DA, Drawing No. SW001, SW010, SW011, SW020, SW030, SW031, SW032, SW040, SW050, SW060, SW070 Issue B, dated 05/12/2023 are considered concept only.

The applicant must submit amended 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) Upper level and basement level 1 drainage network plans are to be included in the detailed design.
- b) A grated trench drain shall be provided across the (garage entrance/driveway/street boundary) within private property. Unless otherwise sized by a suitably qualified and practising Engineer, the dimensions of the trench grate shall be no less than 300mm wide by 100mm deep at the shallow end and have a "bottom" slope of 2%. This trench drain shall be connected to an approved drainage system.
- c) Provide calculations of gutter sizing for 1% AEP storm event and minimum number of downpipes required.
- d) Pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits and inspection openings and their location shall be provided. Calculations demonstrating the proposed stormwater drainage system can cater for the 1% AEP storm event shall be provided.
- e) ~~Permissible site discharge (PSD) for new development is a 5 minute, 1 in 5-year storm event with a fraction imperviousness of 0.1. Recalculate PSD accordingly.~~
- f) ~~Above ground OSD Design:~~
 - a. ~~Due to updated permissible site discharge, Recalculate OSD storage and orifice size.~~
 - b. ~~A sump (with a base level set below that of the main storage) shall be provided at the outlet point. It is set below the level of the main storage to collect debris. Where a discharge point pit is included in the storage, this shall contain a sump set at a minimum of 1.5 times the diameter of the orifice of the outlet below the centreline of the orifice or 200 mm, whichever is more. Sumps shall be provided with weepholes to drain out to the surrounding soil and shall be founded on a compacted granular base.~~
 - c. ~~Any retaining walls surrounding the above ground storage, including a spillway, shall be in watertight concrete or masonry construction and structurally adequate to accommodate the hydrostatic loading from full storage.~~
 - d. ~~Provide an inspection/access grate 600mm x 600mm directly over outlet.~~

g) ~~Rainwater tank~~

- a. ~~The council does not accept the combination of OSD and Rainwater tank due to the reuse function of rainwater tank and potential polluted risk of OSD backwater.~~
- b. ~~Provide the roof drainage network directed to the rainwater tank.~~

h) Pump in basement:

- a. Any underground basement shall be protected from possible inundation by surface waters from the street.
- b. Show an alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
- c. Make sure pump to be designed in accordance with AS/NZS 3500.3:2018 Section 8 and ensure pump meets these requirements.
- d. In the event of the failure of both the duty and standby pumps, an overland flow path and/or surcharge and pondage in a suitably visible area must be provided. In circumstances where no overland path exists, pondage may be approved in a suitable area. These areas must be sited with a view to minimising the cost of damage to occupiers of the property and include signage warning residents that inundation of the area may occur in the event of a pump failure.
- e. Provide screening details. All electrical fittings and supply located min. 0.3m freeboard above max. water level and/or overland flow paths.
- i) Seepage water must not be directly or indirectly discharged to Council's street gutter.
- j) ***If required by Condition 4A (c – f), ensure that an appropriate design is in place to restrict*** ~~Show sub-soil drainage to less than 3ML/year restricted from entering the basement areas of the building and the stormwater drainage system by waterproofing and tanking the basement areas of the building.~~
- k) The development must at all times maintain the water quality system to achieve the following minimum pollutant removal targets for the entire site in perpetuity as per Council's Water Management Manual 2021:

Required percentage reductions in post development average annual load of pollutants

Pollutant	% post development pollutant reduction targets
Gross Pollutants	90
Total Suspended Solids	80
Total Phosphorous	55
Total Nitrogen	40

The applicant must submit plans and specifications for the proposed Stormwater Quality Improvement device (SQID). The submitted plans shall be prepared by a suitably qualified and practising Civil Engineer showing complete and detailed SQID design including with cross-sections. The practising Civil Engineer to demonstrate the hydraulics for proposed SQID. MUSIC model to be provided to Council for assessment.

- l) The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands. The design must include the collection of such waters and discharge to the Council drainage system.
- m) 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.
- n) A rainwater reuse system with a minimum storage volume of 10,000 litres must be installed.**
- o) Details of any rainwater tank must be provided, including the overflow connection to the stormwater drainage system.**
- p) Due to existing flooding at the trapped low point at Curlewis Street, all site runoff must be discharged east in Curlewis Street.**
- q) The design must not increase or concentrate flooding on any private property or road reserve. The supporting evidence must include details and modelling of any surcharge that will occur at the downstream end of the proposed drainage system in cases where the new system has greater capacity than the existing downstream pipes.**
- r) Calculations must be provided demonstrating the proposed modifications to Council's drainage system have a design capacity that meets or exceeds the 5% AEP storm event.**
- s) The minimum pipe size of the inground drainage public infrastructure must be 375mm diameter at a minimum 1% grade.**
- t) A long section of the connection to Council's infrastructure must be provided and its details included (e.g. the location of existing services crossing and the clearances, existing surface levels, obvert and invert of existing pipe and invert level of the outlet pipe).**

Notes:

- The checklist as set out on pages 68-76 on Council's Water Management Technical Manual (Oct 2021) available online shall be completed and submitted with any revision of Construction Certificate Plan Submission.
- Since a sewer main runs through the property, plans must also be presented to a Sydney Water Tap in™ for their approval
- The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths and pavement prior to setting the floor levels for the proposed development.
- Waverley Council standard drawings for public domain infrastructure assets are available upon request. Details that are relevant may be replicated in the Engineering design submissions however, Council's title block shall not be replicated.
- Prior to commencement of works a security deposit will be made payable to Council to ensure any additional damage or unauthorised works within the Council property, not conditioned above. Council will reserve the right to withhold the cost of restoring the damaged assets from the security deposit should the applicant fail to restore the defects to the satisfaction of Council.
- 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). The expected duration to review and approve

the stormwater management plan may take at least 15 working days from the date of submission

Condition reason: To ensure that the stormwater system is designed and constructed in accordance with Waverley Council's Water Management Technical Manual and will minimise the likelihood of stormwater related issues to the property owner, occupiers, neighbours and broader community.

(Amended DA-
472/2022/A)

32. DETAIL SITE INVESTIGATION REPORT RECOMMENDATIONS

The recommendations provided in the Detailed Site Investigation **E2360-1-Rev A** prepared by Geotechnical Consultants Australia dated ~~12 April 2023~~ **November 2023** are to be implemented in full.

(Amended DA-
472/2022/A)

33. SITE AUDIT STATEMENT

Once the demolition of the existing buildings has been completed and the recommendations provided in the Detailed Site Investigation **E2360-1-Rev A** prepared by Geotechnical Consultants Australia dated ~~12 April 2023~~ **November 2023** have been implemented, a Site Audit Statement (SAS) prepared by a NSW Environment Protection Authority (EPA) accredited site auditor is to be submitted to Council certifying that the site is suitable for the intended use. This is to occur prior to the issue of the relevant construction certificate for any works associated with the basement levels and erection of the approved building **for the land to which the SAS applies**.

Recommendations of the SAS must be implemented in full. Where the SAS is subject to conditions that require ongoing review by the Auditor or Council these conditions should be discussed with Council before the Site Audit Statement is issued.

(Amended DA-
472/2022/A)

38. WASTE STORAGE AREAS

The development must have a bin storage area with sufficient space to accommodate the following minimum number of bins and storage for the development:

- **Residential** 15 x 3-bedroom units
 - 8 x 240L Mobile Garbage Bins (MGBs) for general waste (collected weekly)
 - 8 x 240L MGBs for paper and cardboard recycling (collected fortnightly)
 - 8 x 240L MGBs for container recycling (collected fortnightly)
 - 1 x 240L MGB for garden organic waste should this be generated at the development.
 - A minimum of **54m² area** ~~for is required for on-site storage of bulky household waste~~ **to accommodate furniture and other bulky materials** awaiting collection.
 - ~~○ A minimum of 1m² is required for additional problem waste awaiting collection.~~
- **Commercial**
 - ~~85~~ x 660L Mobile Garbage Bins (MGBs) for general waste, collected daily (7 days a week)

- ~~85~~ x 660L MGBs for comingled recycling, collected three times a week.
Or
 - ~~53~~ x 1100L Mobile Garbage Bins (MGBs) for general waste, collected 4 days a week.
 - ~~53~~-x 1100L MGBs for comingled recycling, collected twice per week.
 - The frequency of collection must be monitored and adjusted accordingly, particularly during summer.
 - Sufficient space must be allocated within the building for the storage of reusable items such as crates and pallets.
 - 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 is preferably to be within the building, however if circumstances do not permit, an area that is screened from the public and commercial domains may be negotiated with Council.
 - For commercial premises whose waste contains 20% or more food waste, or other waste which is considered by Council to have potential amenity impacts, a daily waste collection may be required.
- All waste and recycling storage rooms must be built to meet all appropriate design requirements set in Part B1 of the *Waverley Council Development Control Plan 2012* to the satisfaction of the Principal Certifier.
 - All commercial waste should be collected off street and no commercial waste should be presented on the street.

(Amended DA-472/2022/A)

39. 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~~ **building works**.

(Amended DA-472/2022/A)

43. ~~PRE-CONSTRUCTION DILAPIDATION REPORT~~ PRE-DEMOLITION DILAPIDATION REPORT

To ensure Council's infrastructure is adequately protected a ~~pre-construction~~ pre-demolition 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 Public Infrastructure Engineer, prior to any work commencing on the site. All fees and charges associated with the collation of this report shall be at the cost of the Applicant.

Condition reason: This condition is imposed to protect Council's existing infrastructure and assets including the roadways and footpath from the construction activities undertaken by the developments.

(Amended DA-472/2022/A)

44. DILAPIDATION REPORT - GENERAL

A Dilapidation report is to be prepared for any adjoining or nearby property, including any outbuildings on these sites that may be subject to potential damage as determined by a practicing geotechnical or structural engineer as a result of any works being undertaken, including (but not necessarily limited to):

- ~~135-139 Curlewis Street, Bondi Beach;~~
- 157-159 Curlewis Street, Bondi Beach;
- 116 Roscoe Street, Bondi Beach;
- 118 Roscoe Street, Bondi Beach;
- 120 Roscoe Street, Bondi Beach;
- 122 Roscoe Street, Bondi Beach.

The dilapidation report is to be made available to affected property owners.

The report is to be dated, submitted to, and accepted by the Principal Certifier, prior to any work commencing on the site.

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.

(Amended DA-472/2022/A)

46. 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 Public Infrastructure Engineer for any **road pavement**, kerb and gutter, stormwater, footpath paving, ~~street lights~~, street trees or landscaping hold points.

All applicable engineering inspection fees in accordance with Council's Management Plan are to be fully paid prior to the issue of the Construction Certificate for the works. A minimum 48 hours' notice will be required when booking for the site inspections.

Condition reason: The reason for this condition is to ensure the proposed work within public domain area is constructed in accordance with approved design plans and Council's specifications and guidelines.

(Amended DA-472/2022/A)

64A. AMALGAMATION OF LOTS

Due to the shared stormwater system and basement, the following lots are required to be amalgamated into one lot prior to the issue of an Occupation Certificate:

- Lot A in DP 955097,
- Lot 1 in DP 724290,
- Lot 1 in DP 102895,
- Lot 1 in DP 724793,
- SP 20512

(Inserted DA-472/2022/A)

64B. RELATIONSHIP TO DEVELOPMENT CONSENT DA-381/2023 – CONSOLIDATED OCCUPATION CERTIFICATE

A consolidated (and staged, where applicable) occupation certificate application(s) must be sought to combine the approved works under the subject development consent with those under Development Consent DA-381/2023 (and any subsequent modifications, where relevant).

(Inserted DA-472/2022/A)

~~72. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR OSD SYSTEM (CONDITION TO BE DELETED)~~

~~***Prior to the issue of an Occupation Certificate, a “Positive Covenant” and “Restriction on the Use of Land” shall be created for the On-Site Stormwater Detention (OSD) system, under Section 88E of the Conveyancing Act 1919. This is to place a restriction on the Title that the OSD system is maintained and kept free of debris/weed to allow unobstructed passage of stormwater through the site and underneath the residence. The property owner/occupant shall not modify or remove the OSD system without consent from Council.***~~

~~***The wording of the Instrument shall be submitted to and approved by Executive Manager, Infrastructure Services (or delegate) prior to lodgement at NSW Land Registry Services.***~~

(Deleted DA-472/2022/A)

~~74. CREATION OF POSITIVE COVENANT AND RESTRICTION FOR WATERQUALITY AND RAINWATER CREATION OF POSITIVE COVENANT AND RESTRICTION FOR PUMP OUT SYSTEM AND WSUD ELEMENT~~

~~***Prior to the issue of an Occupation Certificate, a “Positive Covenant” and “Restriction on the Use of Land” shall be created for the Stormwater Quality Improvement Devices in accordance with the requirements of Council’s Water Management Manual 2021. The Restriction to User and Positive Covenant must be registered with NSW Land Registry Services prior to the Final Occupation Certificate.***~~

A “Positive Covenant” and “Restriction on the Use of Land” must be created for the pump out system and WSUD element, under Section 88E of the Conveyancing Act 1919.

This is to place a restriction on the Title that the pump out system and WSUD element are maintained and kept free of debris/weed to allow unobstructed passage of stormwater through the site and underneath the residence. The property

owner/occupant must not modify or remove the pump out system and WSUD element without consent from Council.

The wording of the Instrument must be submitted to and approved by Executive Manager, Infrastructure Services (or delegate) prior to lodgement at NSW Land Registry Services.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land must be created via an application to the NSW Land Registry Services using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the pump out system and WSUD element, including its relationship to the building footprint. Electronic colour photographs of the pump out system and WSUD elements must accompany the application for the Positive Covenant and Restriction on the Use of Land.

The Instrument must be registered, and a registered copy of the document must be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate or use of the building.

The property owner/occupant must not modify or remove the pump out system and WSUD element without consent from Council.

All associated costs will be borne by the applicant.

Condition reason: This is to place a restriction on the Title that the pump out system and WSUD element are maintained and kept free of debris to allow unobstructed passage of stormwater through the site and underneath the residence.

(Amended DA-472/2022/A)

78A. STRUCTURAL AND GEOTECHNICAL CERTIFICATION

The project structural and geotechnical engineers must prepare separate certificates confirming that the development was completed in accordance with the CMR and identifying any departures from the CMR that were approved and implemented during construction. The Geotechnical Certificate must also include a statement on the stability of the site and neighbouring properties.

Condition reason: This condition aims to ensure adherence to the Construction Management Plan and verify the stability of the site and neighbouring properties after the completion of construction.

(Inserted DA-472/2022/A)

80. PLAN OF MANAGEMENT - WASTE AND RECYCLING STORAGE

A Waste Management Plan must be submitted to Council's Executive Manager, Environmental Sustainability (or delegate) and include the following where relevant:

- (a) All arrangements including relevant and current contracts for recyclables and all other waste (collection and disposal)
- (b) The waste storage area and bins must be cleaned and maintained regularly with appropriate lighting.
- (c) The role and responsibility of managing composting facilities (if provided).

- (d) Clear signage identifying the different bin types and storage area for bulky household waste and problem waste must be displayed.
- (e) The recycling bins must be placed alongside the general waste bins for ease of access and to encourage recycling habits.
- (f) Responsibilities for transporting bins from the storage points to the nominated collection area, cleaning of bins, cleaning of storage areas and booking and transporting bulky waste for Council pick up must be outlined in contracts with the building manager, cleaners and tenants.
- (g) All waste and recycling bins must only be placed out on Council footpath for collection no earlier than 5:30 p.m. on the day prior to the designated waste collection day and retrieved from the kerbside as early as possible.
- (h) The occupant/body corporate shall be provided with at least one copy of the Waste Management Plan.
- (i) At no times shall bins be stored on the public domain (e.g. footpaths).
- (j) Confer with Sydney Water regarding whether a Trade Waste Agreement is required. A copy of the agreement shall be forwarded to Council if one is entered into with Sydney Water.**
- (k) Responsibilities for regular monitoring of bins for contamination and educating residents on how to use the waste and recycling services.**
- (l) Responsibilities to inspect, maintain and repair all waste management equipment, such as chutes, bin lifts, compactors and other equipment.**
- (m) Responsibilities to liaise with the council or the collection contractor on waste management issues and service requests.**

(Amended DA-472/2022/A)

82. CAR PARKING

A total of **48 52** car vehicle parking spaces are to be provided within the development, allocated in the following manner:

- (a) **27-23** residential parking spaces of which a minimum of 3 spaces are to be accessible spaces
- (b) **4 3** visitor spaces
- (c) **17 26** retail spaces

Five of the parking spaces are to be accessible. Two of the visitor parking spaces are to be provided with EV charging points.

Car parking spaces are to be allocated with the rates specified in the DCP, with no more than 2 spaces allocated to any residential unit/dwelling. All car spaces are to be appropriately signposted and marked.

Accessible parking spaces are to be designed in accordance with Australian Standard AS2890.6 - 2022 Off Street Parking for People with Disabilities.

Car parking spaces shall not be independent lots, but rather part lots attached to units in any future Subdivision Plans.

(Amended DA-472/2022/A)

83. BICYCLE PARKING

A minimum of ~~19~~ **24** bicycle parking spaces are to be provided within the development.

The bicycle spaces are to be designed in accordance with Australian Standard AS2890.3 - 2015 Parking Facilities - Bicycle Parking.

The bicycle spaces are to be provided by way of a secure lockable area, individual lockers or suitable bicycle racks and are to be located within the ground floor foyer or adjacent within any forecourt or within the basement car parking area. Signage and line-marking (way finding) is to be provided to guide visitors to the allocated bicycle parking spaces to ensure a safe path of travel to the bicycle spaces (separate to cars). Details of this are to be submitted to Council for the approval of the Executive Manager, Infrastructure Services, or delegate.

(Amended DA-472/2022/A)

84. MOTORCYCLE PARKING

A minimum of ~~16~~ **18** motorcycle parking spaces are to be provided within the development.

The motorcycle spaces are to be designed in accordance with Australian Standard AS2890.1 - 2004 Off Street Car Parking.

(Amended DA-472/2022/A)

86. ALLOCATION OF STREET NUMBER

The redevelopment of the property has led to the following allocation of primary and sub-premises numbering:

- No. 141-143 - primary address site number
- Curlewis Street - primary address location.

The primary address site number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level, located near the pedestrian entry point and be clearly visible on the site boundary that fronts Curlewis Street.

The following sub addressing principles will apply:

- Shops ~~G01-~~ G02 **and G03** for the commercial sub-address sites within the building correlating with the ground floor plans for the building,
- Nos. ~~101-106~~ **102 -107** for the residential sub-address site within the building correlating with the First-floor plans for the building.
- Nos. ~~201-206~~ **202 -207** for the residential sub-address site within the building correlating with the Second-floor plans for the building.
- Nos. ~~301-303~~ **302 -304** for the residential sub-address site within the building correlating with the third-floor plans for the building.

The address number for a sub-address site shall consist of the sub-address followed by the number of the primary address site.

The address number for a sub-address site shall not consist of the primary address number on its own.

Sub-address numbers shall be applied in a logical sequence and within a primary address site shall be unique regardless of the type of the address.

The primary and sub-address numbers are to be positioned on the site prior to the issue of the Occupation Certificate and Council notified of the corresponding sub-address numbers to lot number prior to the issue of the Occupation Certificate.

Any variation to the above premises numbering requires a new application for a Change of street number and/or location to be lodged with Council.

Condition reason: To ensure the property address is clearly identified.

(Amended DA-472/2022/A)

87A RELATIONSHIP TO DEVELOPMENT CONSENT DA-381/2023

This development consent shall operate concurrently with Development Consent DA-381/2023 (and any subsequent modifications, where relevant). In particular, waste disposal and parking arrangements for the building are shared in the basement level across 135 – 155 Curlewis Street.

(Inserted DA-472/2022/A)

99. HEADROOM CLEARANCE

The headroom clearance on entry, within the basement level shall be a minimum of **3.0** ~~2.2~~ metres **to adequately accommodate a small rigid vehicle (SRV) head height of 2.8 metres.**

The headroom clearance within the accessible parking spaces and adjacent shared zones shall be a minimum of 2.5 metres.

The headroom clearance on the ramp and for access to the loading bays shall be a minimum of 3.0 metres.

Adequate information signage or treatments, up to and including low clearance signage at the entrance, and via information packets for prospective users, shall be provided to the satisfaction of Council.

(Amended DA-472/2022/A)

AD13. PLANNING AGREEMENT

After a development application has been approved with a planning agreement, the legal agreement must be drafted by council, exhibited and endorsed by Council prior to fulfilling the requirements of the DA condition. This process will take a minimum of 4 months, so please contact the strategic town planning team (email strategictownplanning@waverley.nsw.gov.au) at least 4 months before you intend to obtain the relevant Construction Certificate associated with the Voluntary Planning Agreement (VPA) under this DA to commence the process.

(Inserted DA-472/2022/A)

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the Building and Development Certifiers Act 2018.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Council means Waverley Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the Environmental Planning and Assessment Act 1979.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2021.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Waverley Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the Strata Schemes Development Act 2015 that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the Conveyancing Act 1919.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.

Suitably qualified acoustic consultant means 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.