

Tolucy Pty Ltd
C/- Playoust Churcher Architects



Preliminary Site Investigation:
Proposed Seniors Living Development,
25 Laitoki Road, Terrey Hills, NSW,
Lot 261 / DP 775299

ENVIRONMENTAL



WATER



WASTEWATER



GEOTECHNICAL



CIVIL



PROJECT
MANAGEMENT



P1806682JR02V01
January 2019

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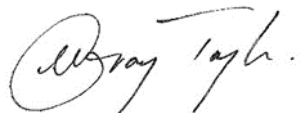
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All enquiries regarding this project are to be directed to the Project Manager.

Contents

Abbreviations	5
1 OVERVIEW	7
1.1 Introduction	7
1.2 Objectives	7
1.3 Project Scope	7
2 SITE DESCRIPTION	8
2.1 Site Location and Existing Land Use	8
2.2 Hydrogeology	9
3 SITE BACKGROUND ASSESSMENT	10
3.1 Historical Site Records Review	10
3.2 NSW EPA Records	10
3.3 Historical Aerial Photograph Review	10
3.4 Site Walkover Inspection	12
3.5 Areas of Environmental Concern/Contaminants of Potential Concern	12
3.6 Sensitive Receptors and Exposure Pathways	13
4 CONCLUSIONS AND RECOMMENDATIONS	14
4.1 Conclusions	14
4.2 Recommendations	15
5 LIMITATIONS STATEMENT	16
6 REFERENCES	17
7 ATTACHMENT A – FIGURES	18
8 ATTACHMENT B – HISTORICAL AERIAL PHOTOGRAPHS	21
9 ATTACHMENT C – AEC MAP	28
10 ATTACHMENT D – NORTHERN BEACHES COUNCIL CORRESPONDENCE	30

Abbreviations

ACM – Asbestos containing material

AEC – Area of environmental concern

ASC NEPM – National Environmental Protection (Assessment of Site Contamination) Measure – (2013)

AST – Above ground storage tank

BA – Building application

BTEXN – Benzene, toluene, ethylbenzene, xylene, naphthalene

COPC – Contaminants of potential concern

DA – Development application

DEC – NSW Department of Environment and Conservation

DP – Deposited plan

DPIW – Department of Primary Industries Water

DSI – Detailed site investigation

EPA – NSW Environmental Protection Authority

HM – Heavy metals

LGA – Local Government Area

LPI – NSW Land and Property Information

MA – Martens & Associates Pty Ltd

mAHD – Metres, Australian Height Datum

mbgl – Metres below ground level

NBC – Northern Beaches Council

NSWSS – NSW Spatial Services

OCP – Organochloride pesticides

OEH – NSW Office of Environment and Heritage

OPP – Organophosphate pesticides

PACM – Potential asbestos containing material

PAH – Polycyclic aromatic hydrocarbons

PSI – Preliminary site investigation

SAC – Site acceptance criteria

TRH – Total recoverable hydrocarbons

1 Overview

1.1 Introduction

This report, prepared by Martens and Associates (MA), documents a preliminary site contamination investigation (PSI) to support a development application (DA) to Northern Beaches Council (NBC) for a new seniors living development at 25 Laitoki Road, Terrey Hills (Lot 261 / DP 775299) ('the site').

1.2 Objectives

Investigation objectives include:

- Identification of historic and current potentially contaminating site activities.
- Evaluation of areas of environmental concern (AEC) and associated contaminants of potential concern (COPC) within investigation area.
- Assess identified AECs and associated COPCs.
- Provide comment on suitability of investigation area for future development use, and where required, provide recommendations for additional investigations and / or remediation.

1.3 Project Scope

Scope of works includes:

- Walkover inspection to review current land use, potential contaminating activities and neighbouring land uses.
- Site history review using six historical aerial photographs and Council records.
- Review NSW EPA notices under the Contaminated Land Management Act (1997).
- Preparation of a report in general accordance with the relevant sections of NSW OEH (2011) and ASC NEPM (2013) and NSW EPA (2017).

2 Site Description

2.1 Site Location and Existing Land Use

Site information is summarised in Table 1, site location and general surrounds shown in Figure 1, Attachment A.

Table 1: Site background information.

Item	Description / Detail
Site address	25 Laitoki Road, Terrey Hills, NSW
Legal Identification ¹	Lot 261, DP 775299
Survey area.	2.023 ha (Bee & Lethbridge, 2017)
Local Government Area (LGA) ¹	Northern Beaches Council (NBC).
Current zoning ¹	RU4 – Primary production small lots
Proposed land use	A preliminary proposal plan (provided by client) indicates that the development will include construction of senior living housing development with associated access roads and basement car park.
Site description	<ul style="list-style-type: none"> o Rural residential property with large brick dwelling including three car garage, carport and inground pool. o Large metal horse stables on fill mound in the south east. o Horse paddock in the south. o Corrugated metal shed to the south west of dwelling. o Dense vegetation and Neverfail Gully creek in the west of the site.
Surrounding land uses	Rural residential properties to the north, west and south, with horse stables on adjacent property to the south. Low density residential properties to the east of Laitoki Road.
Topography	<p>The site generally has a south westerly aspect across the eastern portion (i.e. east of existing natural watercourse) and southerly aspect across the western portion (i.e. east of existing natural watercourse), with grades of approximately 5 - 20 % across the development area.</p> <p>Surveyed site elevation ranges between approximately 179.5 mAHD (southern boundary) and 192 mAHD (eastern boundary).</p>
Expected geology	<p>The Sydney 1:100,000 Geological Series Sheet 9130 (1983) describes site geology as Hawkesbury Sandstone consisting of medium to coarse grained quartz sandstone, very minor shale and laminate lenses.</p> <p>The NSW Environment and Heritage eSPADE website identifies the site as having soils of the Somersby soil landscapes consisting of moderately deep to deep red earths and yellow earths overlying laterite gravels and clays on crests and upper slopes; yellow earths and earthy sands on mid-slopes; grey earths, leached sands and siliceous sands on lower slopes and drainage lines; gleyed podzolic soils in low lying poorly drained areas.</p>
Environmental receptors	A northeast to southwest aligned natural watercourse extends across the western portion of the site. Site drainage is via overland flow into the natural watercourse.
Sensitive receptors	Future site residents, visitors and workers.

Item	Description / Detail
	Site workers during future construction work.
	Surrounding residents, visitors and workers.

Notes

¹ NSW Planning Portal.

2.2 Hydrogeology

Review of NSW Department of Primary Industries Water's (DPIW) database indicated seven groundwater bores with available information within 500 m of the site. (Table 2). Groundwater bore locations are shown in Figure 2 (Attachment A).

Table 2: Available hydrogeological information

Groundwater Bore Identification	Approximate Distance / Orientation from Site	Depth To Groundwater (mBGL)	Intended Use	Water Bearing Zone Substrate
GW020300	140m east	6	Stock, irrigation, domestic	Sandstone
GW108073	360m northwest	86.5	Stock, domestic	Sandstone
GW019376	410m north east	3	Irrigation	Clay
GW105402	450 m south	81	Domestic	Sandstone
GW019433	450m north	9.1	Stock irrigation	Sandstone
GW016926	450m north west	1.5	Stock, domestic	Sandstone
GW19625	500m north east	15.8	Domestic	Sandstone

Ephemeral perched groundwater may also be encountered in the soil profile originating from infiltration of surface water during prolonged or intense rainfall events. Should further information on permanent site groundwater levels be required, additional investigation would need to be carried out (i.e. installation of groundwater monitoring wells).

3 Site Background Assessment

3.1 Historical Site Records Review

Development, building and construction records held by NBC were reviewed and summarised in Table 3.

Three records were located which indicated construction of a dwelling in 1988, pool in 1989 and stable in 2006.

Table 3: Site history information.

Lot ID	Year	Record No.	Description
Lot 261 DP775299	1988	BA1660	Construction of dwelling
Lot 261 DP775299	1989	1163/89	Construction of pool
Lot 261 DP775299	2006	DA2005/1030	Construction of horse stables

3.2 NSW EPA Records

No notices for sites in the Terrey Hills area, were identified under the Contaminated Land Management Act (1997), the Environmentally Hazardous Chemicals Act (1985) nor on the list of NSW contaminated sites notified to the EPA.

3.3 Historical Aerial Photograph Review

Historical aerial photographs taken of the site during 1930, 1955, 1970, 1986, 2005 and 2018 were reviewed to investigate historic site land uses (Table 4). Copies of aerial photographs are provided in Attachment B.

Photos indicate that the site was likely undeveloped before 1930, with clearing of the southern portion of the site occurring between 1930 and 1955. Construction of a small building / dwelling in the north east occurred between 1955 and 1970 with construction of new brick double storey dwelling and a horse stable after 1986 and 2005 respectively.

Table 4: Historic aerial photograph observations 1930 – current.

Year (source)	25 Laitoki Road (Lot 261, DP 775299)	Surrounding Land Use
1930 ¹ (LPI)	Site appears undeveloped with tree cover over entire site	Surrounding areas appear undeveloped with tree cover.
1955 (LPI)	Cleared grassland/ paddock in the south of the site, tree cover over the north. The north east corner appears to have access tracks and possible structures built.	Mixture of cleared grassland/paddocks and bushland in all directions. Laitoki Road constructed.

Year (source)	25 Laitoki Road (Lot 261, DP 775299)	Surrounding Land Use
1970 (LPI)	Decrease in vegetation in the west, otherwise, little to no change from previous image.	Low density residential development to the east, likely market gardens and agricultural buildings constructed to the north.
1986 (LPI)	Additional structures on clearing in the north east and adjacent to clearing in the south.	Large increase in low density dwelling construction to the east, several new buildings constructed on paddocks in the west, removal of some buildings on paddocks in the north.
2005 (Google Earth)	New dwelling and pool constructed in the north east over previous structure footprint, grass clearing in the south and west.	Cleared, likely horse arena constructed on adjacent lot to the south. Removal of several agricultural buildings in the north.
2018 (Nearmap)	Stable constructed in the southeast, increase in vegetation in the west.	Construction of seniors living development to the north, Alteration of horse arenas to the south. Additions and modifications to some surrounding dwellings.

Notes

¹ 1930 image of poor quality.

3.4 Site Walkover Inspection

Results of the site walkover inspection on 19 July, 2018 were as follows:

- The site was a rural residential property on the western side of Laitoki Road, Terrey Hills.
- The site generally had a south westerly aspect with a paved driveway access to a large brick dwelling with tiled roof, multiple garages / carport. A paved pool area was located behind (west of) the dwelling. The dwelling was likely constructed on a fill pad.
- A large painted corrugated metal horse stable constructed on a concrete slab was located in the south east of the site, on a fill pad.
- Surrounding the stable were minor amounts of waste including metal drums stored next to stable and plastics scattered in vegetation nearby.
- East of the stable along the southern portion of the site was a horse arena containing trees, grass and bare earth. Several horses were present at time of inspection.
- North of the horse arena was a corrugated metal storage shed on a concrete slab containing general household items.
- Buried septic tanks were located north of the shed.
- North western and western portion of site contained dense vegetation and Neverfail Gully

3.5 Areas of Environmental Concern/Contaminants of Potential Concern

Our assessment of site AECs and COPCs (Table 5) for the investigation area is made on the basis of available site history, aerial photograph interpretation and site walkover. A map showing locations of identified AECs is provided in Attachment C.

Table 5: AEC and COPC within the investigation area.

AEC ¹	Potential for Contamination	COPC
AEC A – Dwelling including 2 m curtilage.	Building (and curtilage) may currently (or have previously) stored fuel, oils or leaked from parked vehicles (TRH, BTEXN, PAH), PACM, pesticides and/or been treated with heavy metals and pesticides (pest control). Building construction may include ACM, zinc treated (galvanised) metals, and/or lead based paints.	HM, TRH, BTEXN, PAH, OCP/OPP and asbestos
AEC B – Sheds / stables including 2 m curtilage and minor surrounding waste / storage drums.	Sheds / stable may currently (or have previously) stored fuel, oils (TRH, BTEXN, PAH), PACM, pesticides and/or been treated with heavy metals and pesticides (pest control). Building construction may include PACM, zinc treated (galvanised) metals, and/or lead based paints.	HM, TRH, BTEXN, PAH and OCP/OPP and asbestos.
AEC C – Fill pads.	Fill material of unknown quality was likely used to create fill pads for dwelling and stable.	HM, TRH, BTEXN, PAH, OCP/OPP and asbestos

3.6 Sensitive Receptors and Exposure Pathways

Table 6 provides a summary of identified sensitive receptors and potential exposure pathways connecting receptors to identified AECs and COPCs outlined in Table 5.

Table 6: Summary of receptors and potential pathways.

Receptor	Pathway
<u>Human Receptors:</u>	
<ul style="list-style-type: none"> Future site residents, visitors and workers. Site workers during future construction works. Surrounding residential occupants. 	<ul style="list-style-type: none"> Dermal contact. Oral ingestion of potentially contaminated soil. Inhalation.
<u>Environmental Receptors</u>	
<ul style="list-style-type: none"> Site drainage is via overland flow to Neverfail Gully creek to the south west. Existing site flora and fauna. 	<ul style="list-style-type: none"> Migration of contaminated runoff. Direct contact with site flora and fauna.

4 Conclusions and Recommendations

4.1 Conclusions

Results of the site history review indicate that the site was likely undeveloped before 1930, with clearing of the southern portion of the site occurring between 1930 -1955. Construction of a small building / dwelling in the north east occurred between 1955 and 1970 with construction of new brick double storey dwelling occurring between 1988 - 89 (likely over existing building footprint) and a horse stable in the south east in 2006.

Potential contamination sources are summarised as:

- Existing and previous dwelling construction and maintenance have the potential to have introduced contaminants in the form of asbestos (as a construction material), OCP / OPP (pest control) and heavy metals (paints, pest control, use of galvanised materials). Parked vehicles and storage of fuel / oils may have introduced hydrocarbon contamination.
- Existing shed and stable may currently or previously have stored fuel, oils or other chemicals, leading to hydrocarbon contamination (TRH / BTEXN / PAH). Lead based paints, PACM (fibrous cement sheeting containing asbestos) and galvanised steel may have been used during construction.
- Fill may have been imported when constructing pad for dwelling and stable as well as paddock. Fill may have introduced site contaminants such as heavy metals, hydrocarbons, OCP/OPP and asbestos to the soils/site.

Overall, the site is considered to have a risk of widespread contamination and in hot spot contamination in the vicinity of the fill pads and building footprints. To determine potential risk of harm to human health and environment under proposed development conditions, assessment of the identified AEC should be undertaken prior to any future development.

4.2 Recommendations

Prior to the proposed seniors living development, assessment of the AECs and COPCs as noted in this PSI should be undertaken.

To address potential identified AECs and COPCs, a detailed site investigation (DSI) including intrusive soil sampling and testing is recommended.

The DSI plan is to be developed in accordance with NSW EPA (1995) *Sampling Design Guidelines* and a risk based assessment. Assessment shall address each of the identified AECs and associated COPC identified in Table 5. Results of the site testing shall be assessed against site acceptance criteria (SAC) developed with reference to ASC NEPM (1999).

Provided the above recommendations are adhered to, we consider that the site shall be able to be made suitable for the proposed seniors living development.

Where material is excavated and removed offsite, it is to be classified in accordance with NSW EPA (2014).

5 Limitations Statement

The preliminary site investigation was undertaken in line with current industry standards.

It is important, however, to note that no land contamination study can be considered to be a complete and exhaustive characterisation of a site nor can it be guaranteed that any assessment shall identify and characterise all areas of potential contamination or all past potentially contaminating land-uses such as filling of land and under existing structures. Therefore, this report should not be read as a guarantee that no contamination shall be found on the site. Should material be exposed in future which appears to be contaminated or inconsistent with natural site soils, additional testing may be required to determine the implications for the site.

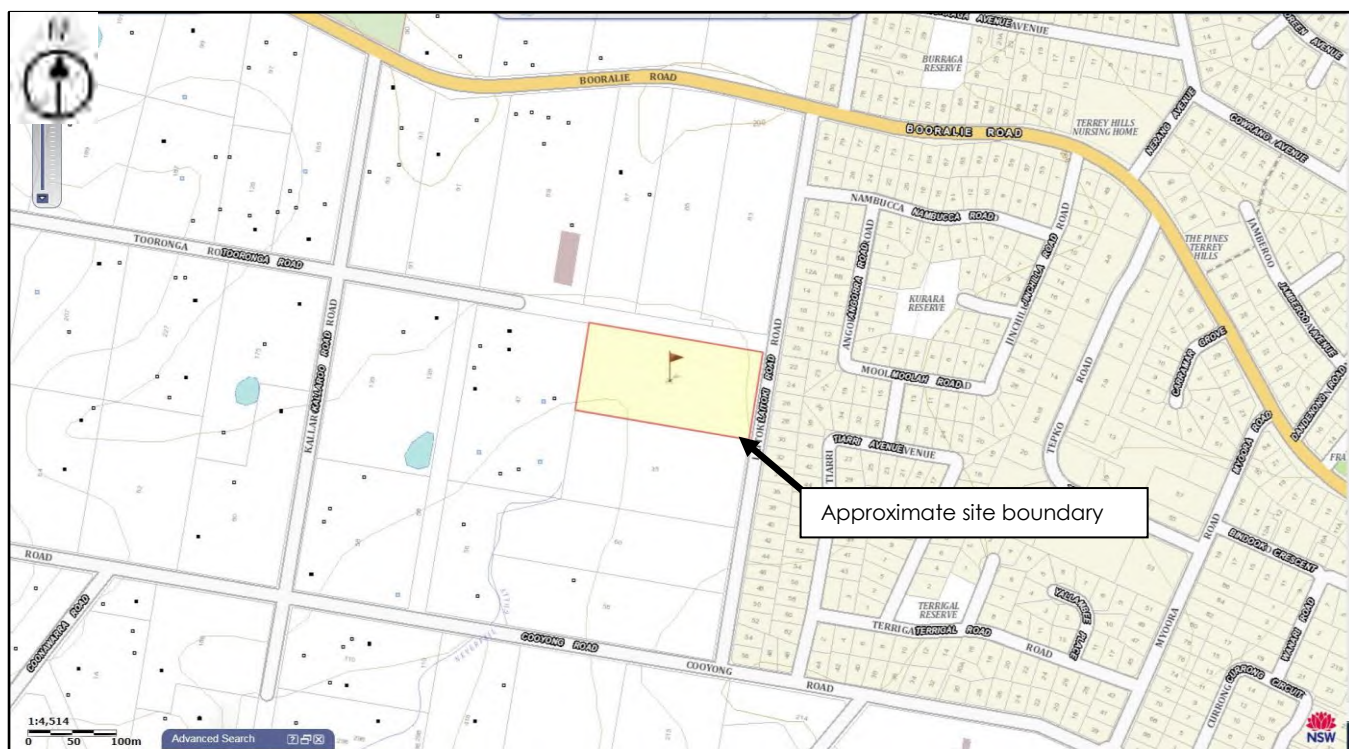
Martens & Associates Pty Ltd has undertaken this assessment for the purposes of the current development proposal. No reliance on this report should be made for any other investigation or proposal. Martens & Associates Pty Ltd accepts no responsibility, and provides no guarantee regarding the characteristics of areas of the site not specifically studied in this investigation.

6

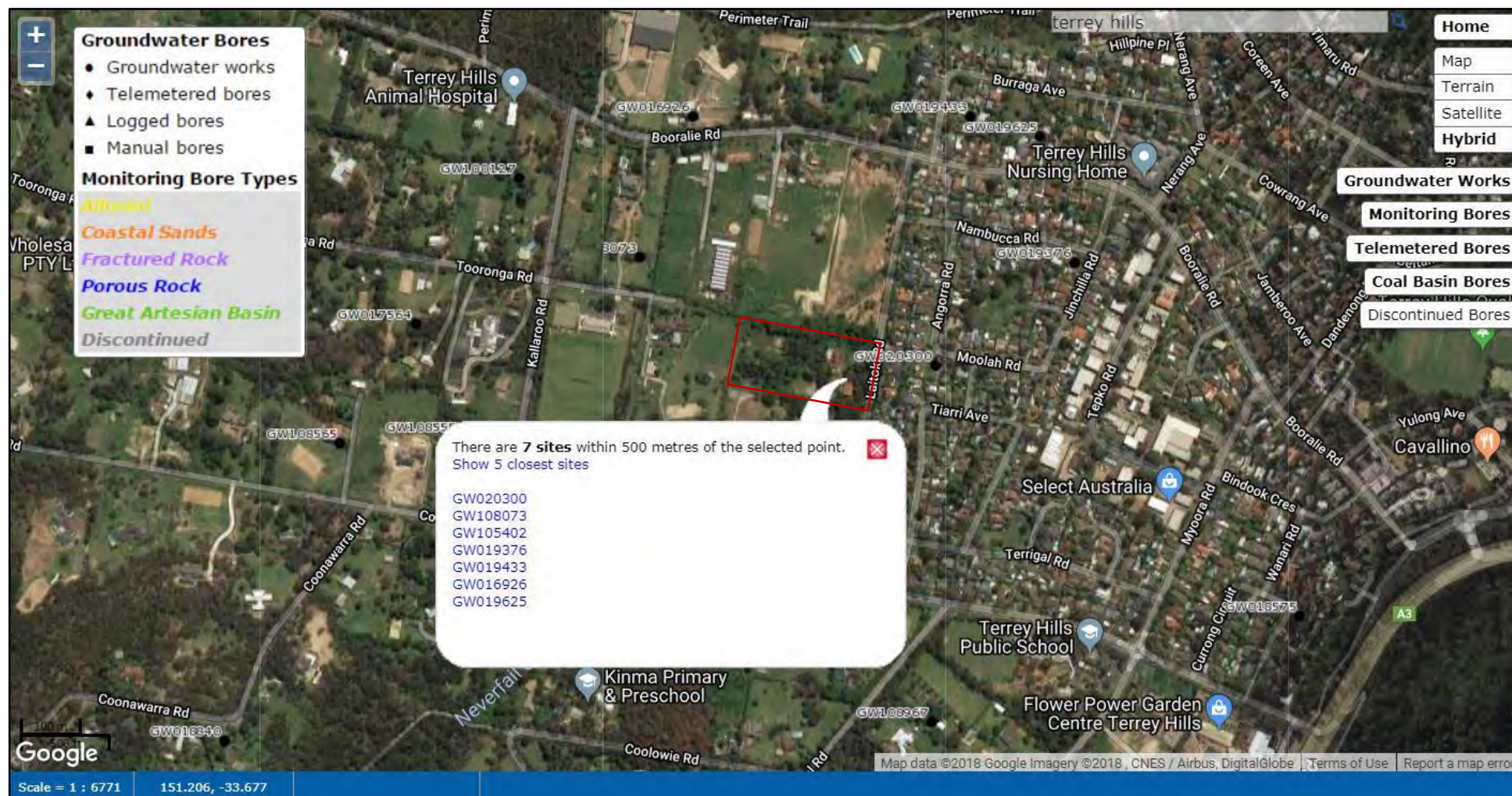
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- SEPP 55 Remediation of Land.

7 Attachment A – Figures



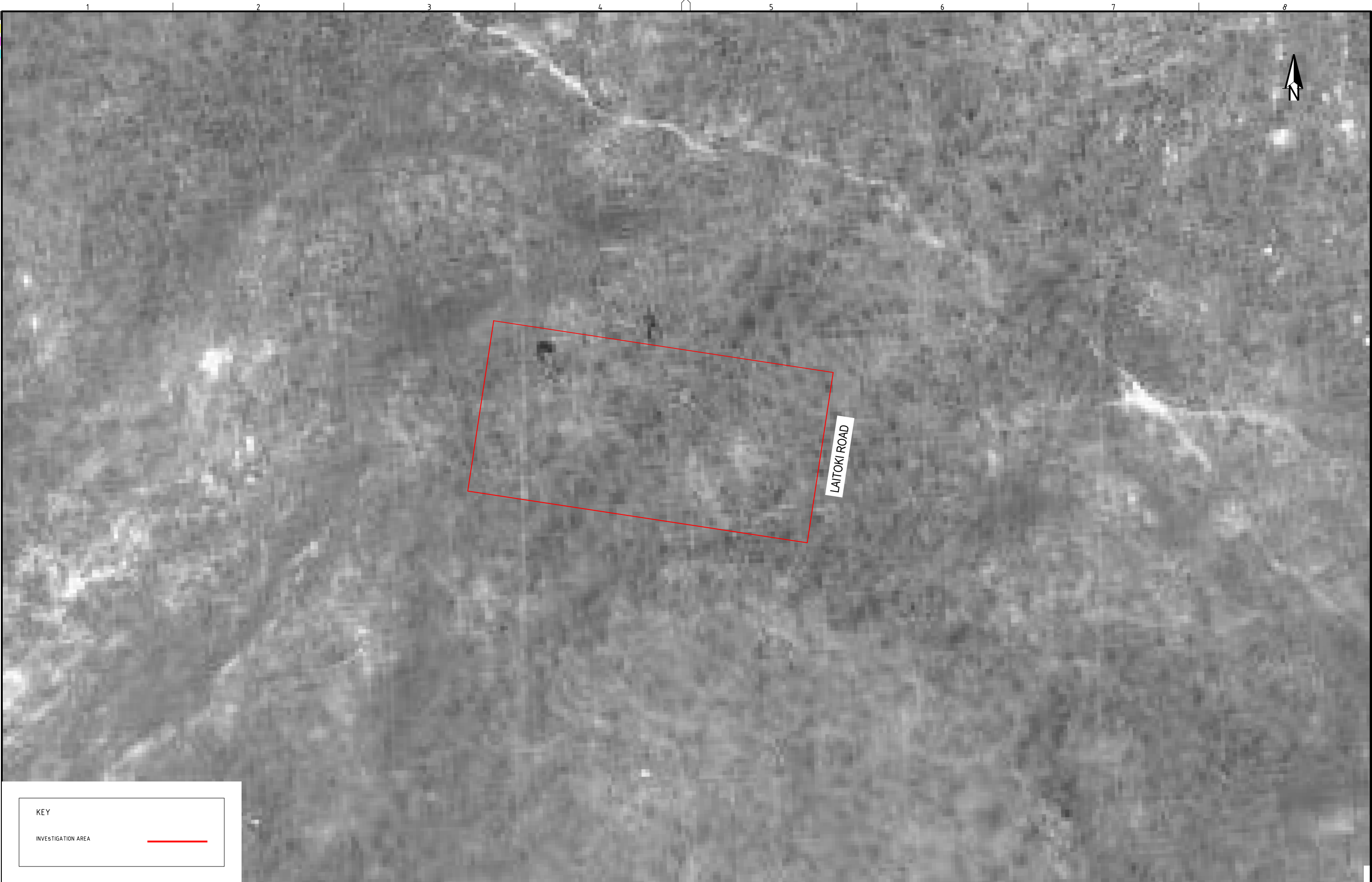
Martens & Associates Pty Ltd ABN 85 070 240 890		Environment Water Wastewater Geotechnical Civil Management	
Drawn:	MV	Site Location 25 Laitoki Road, Terrey Hills, NSW (Lot 10 DP 201553) Source: NSW SIX Viewer, 2018	Drawing No:
Approved:	GT		FIGURE 1
Date:	19.08.2018		
Scale:	Not to Scale		Job No: P1806682



Approximate site boundary

Martens & Associates Pty Ltd ABN 85 070 240 890		Environment Water Wastewater Geotechnical Civil Management	
Drawn:	MV	Groundwater Bore Locations 25 Laitoki Road, Terrey Hills, NSW Source: NSW DPI Water Groundwater Database, 2018	Drawing No:
Approved:	GT		Figure 2
Date:	19.08.2018		
Scale:	Not to Scale		Job No: P1806682

8 **Attachment B – Historical Aerial Photographs**



KEY

INVESTIGATION AREA

REV		DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPRVD	<div><div><div><div></div><div></div></div><div><div></div><div></div></div></div><div><div><div><div></div><div></div></div><div><div></div><div></div></div></div><div><div><div><div></div><div></div></div><div><div></div><div></div></div></div></div><div>Consulting Engineers</div><div>Environment</div><div>Water</div><div>Geotechnical</div><div>Civil</div></div></div>	DRAWING TITLE
B	FINAL AND APPROVED		30/01/2019	GM	MV	GT	GT		AERIAL PHOTOGRAPH 1930 SOURCE: NSWSS
A	INITIAL REVISION		17/09/2018	GM	MV	GT	GT		



KEY

INVESTIGATION AREA

REV	DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPRVD	SCALE	GRID	DATUM	PROJECT MANAGER	CLIENT	DRAWING TITLE				
1	FINAL AND APPROVED	30/01/2019	GM	MV	GT	GT		GDA94	mAHD	SN	TOLUCY PTY LTD	 Consulting Engineers Environment Water Geotechnical Civil Suite 201, 20 George St, Hornsby, NSW 2077 Australia. Phone: (02) 9476 9999 Fax: (02) 9476 8767 Email: mail@martens.com.au Internet: www.martens.com.au	AERIAL PHOTOGRAPH 1955 SOURCE: NSWSS			
A	INITIAL REVISION	17/09/2018	GM	MV	GT	GT		PROJECT NAME/PLANS TITLE					DISCLAIMER & COPYRIGHT This plan must not be used for construction unless signed as approved by principal certifying authority. All measurements in millimetres unless otherwise specified. This drawing must not be reproduced in whole or part without prior written consent of Martens & Associates Pty Ltd (C) Copyright Martens & Associates Pty Ltd			
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								25 LAITOKI ROAD, TERREY HILLS S. NSW								
A1 / A3 LANDSCAPE A3 L C v02.0.01								DRAWING ID: P1806662-PS01-R02-AZ02								



KEY

INVESTIGATION AREA

REV	DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPROVED
B	FINAL AND APPROVED	30/01/2019	GM	MV	GT	GT
A	INITIAL REVISION	17/09/2018	GM	MV	GT	GT

SCALE

0 10 20 30 40 50 60 70 80 90 100 METRES

A1 (A3) 1:1,000 (1:2,000)

GRID	DATUM	PROJECT MANAGER	CLIENT
GDA94	mAHd	SN	TOLUCY PTY LTD

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PROJECT NAME/PLANSET TITLE

ENGINEERING SERVICES
PRELIMINARY SITE INVESTIGATION
25 LAITOKI ROAD, TERREY HILLS, NSW

Consulting Engineers
Environment
Water
Geotechnical
Civil

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Email: mail@martens.com.au Internet: www.martens.com.au

DRAWING TITLE

AERIAL PHOTOGRAPH
1970
SOURCE: NSWSS

PROJECT NO.	PLANSET NO.	RELEASE NO.	DRAWING NO.	REVISION
P1806602	P501	R02	PS01-AZ03	B

DRAWING ID: P1806602-PS01-R02-AZ03

A1 / A3 LANDSCAPE (A1)_v02.010



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REV	DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPRVD	<div>SCALE</div> <div><div><div>0</div><div>10</div><div>20</div><div>30</div><div>40</div><div>50</div><div>60</div><div>70</div><div>80</div><div>90</div><div>100</div></div><div>A1 (A3)</div><div>1:1,000 (1:2,000)</div><div>METRES</div></div>	GRID	DATUM	PROJECT MANAGER	CLIENT	<div><div><div><div></div><div></div></div><div><div></div><div></div></div></div><div><div><div><div></div><div></div></div><div><div></div><div></div></div></div><div><div><div><div></div><div></div></div><div><div></div><div></div></div></div></div><div>Consulting Engineers</div><div>Environment</div><div>Water</div><div>Geotechnical</div><div>Civil</div><div>Suite 201, 20 George St, Hornsby, NSW 2077 Australia Phone: (02) 9476 9999 Fax: (02) 9476 8767 Email: mail@martens.com.au Internet: www.martens.com.au</div></div></div>	DRAWING TITLE																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								
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KEY

INVESTIGATION AREA

REV	DESCRIPTION	DATE	DRAWN	DESIGNED	CHECKED	APPROVED
B	FINAL AND APPROVED	30/01/2019	GM	MV	GT	GT
A	INITIAL REVISION	17/09/2018	GM	MV	GT	GT

SCALE
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M
A1 (A3) 1:1,000 (1:2,000)

GRID
GDA94

DATUM
mAHd

PROJECT MANAGER
SN

CLIENT
TOLUCY PTY LTD

PROJECT NAME/PLANSET TITLE
ENGINEERING SERVICES
PRELIMINARY SITE INVESTIGATION
25 LAITOKI ROAD, TERREY HILLS, NSW

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Email: mail@martens.com.au Internet: www.martens.com.au

DRAWING TITLE				
AERIAL PHOTOGRAPH 2018 SOURCE: NEARMAP				
PROJECT NO.	PLANSET NO.	RELEASE NO.	DRAWING NO.	REVISION
P1806602	P501	R02	PS01-AZ06	B

DRAWING ID: P1806602-PS01-R02-AZ06

9 Attachment C – AEC Map

**10 Attachment D – Northern Beaches Council
correspondence**

Matthew Vaughan

From: Carol Freshwater <Carol.Freshwater@northernbeaches.nsw.gov.au>
Sent: Wednesday, 25 July 2018 2:46 PM
To: Matthew Vaughan
Subject: 25 laitoki
Attachments: Notice of Determination.DOC

Follow Up Flag: Follow up
Flag Status: Flagged

Matthew

Attached is a consent for stables at 25 Laitoki.

A dwelling was built BA1660/88 and pool added 1163/89 . If you would like these applications please supply written permission from the owner .

I could find nothing earlier.
Carol

CAROL FRESHWATER
INFORMATION ACCESS OFFICER
Northern Beaches Council- Information Management and Technology
T 02 9942 2111 D 9942 2676
carol.freshwater@northernbeaches.nsw.gov.au

Northern Beaches Council

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[Northern Beaches Council](#)



NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

Development Application No: DA 2005/1030

DEVELOPMENT APPLICATION DETAILS

Applicant Name: J W Buildings Pty Ltd

Applicant Address: 53 Jersey Street Hornsby Sydney NSW 2077

Land to be developed (Address): Lot 261, DP 775299, 25 Laitoki Road Terrey Hills

Proposed Development: Horse stables

DETERMINATION

Made on (Date): 26th May 2006

Consent to operate from (Date): 26th May 2006

Consent to lapse on (Date): 26th May 2011

Details of Conditions – (including Section 94 conditions)

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

NOTE:

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

GENERAL CONDITIONS

CONDITIONS THAT IDENTIFY APPROVED PLANS

1. Approved Plans And Supporting Documentation

The development is to be carried out in compliance with the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of consent:

Drawing No.	Drawing Title	Revision No.	Revision Date	Prepared By
A01	Floor plan	B	September 2005	JW Buildings Pty Ltd
A02	Elevations -Sheet 1	B	September 2005	JW Buildings Pty Ltd
A03	Elevations -Sheet 2	B	September 2005	JW Buildings Pty Ltd
A04	Site Plan	A	February 2006	JW Buildings Pty Ltd
C1700/T3ESKB	Engineering specification	A	August 2005	JW Buildings Pty Ltd
C1700/2B	Engineering Specification	A	Undated	JW Buildings Pty Ltd
C1700/2C	Engineering Specification	A	Undated	JW Buildings Pty Ltd
C1700/2D	Engineering Specification	A	Undated	JW Buildings Pty Ltd
C1665/9A	Engineering Specification	A	August 2004	JW Buildings Pty Ltd
C1665/9B	Engineering Specification	A	Undated	JW Buildings Pty Ltd
C1665/9C	Engineering Specification	A	Undated	JW Buildings Pty Ltd
C1665/9D	Engineering Specification	A	Undated	JW Buildings Pty Ltd

No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

Note: Further information on Construction Certificates can be obtained by contacting Council's Call Centre on 9942 2111, Council's website or at the Planning and Assessment Counter.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. [A1 (1)]

2. Plans on Site

A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) shall be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance. [A2]

2. Compliance with notations in red on plans

Compliance with notations made in red on the face of the plans. Amended plans demonstrating compliance with these notations are to be submitted with the Construction Certificate.

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

CONDITIONS THAT REQUIRE SUBSIDIARY MATTERS TO BE COMPLETED PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

3. Stormwater Disposal

Details relevant to the site regarding the collection and disposal of stormwater from the site, buildings, paved areas and where appropriate, adjacent catchments, shall be submitted with the application for Construction Certificate. Stormwater shall be conveyed from the site to the existing Council pipe drainage system / Suitably designed Absorption trench system/ etcetera). The works shall be certified as compliant with Australian Standard 3500.3.2, National Plumbing and Drainage Code upon completion and prior to the issue of an Interim or Final Occupation Certificate.

Reason: To ensure appropriate provision for disposal and stormwater management arising from the development. [C8]

4. Kerb Security Bond

A bond of \$550 shall be deposited with Council and inspection fees paid, prior to the issue of any construction certificate, against the potential for damage to Council's footpath and road reserve infrastructure during the construction process. (See Schedule)

Reason: To ensure appropriate security is in place for the protection or repair of Public Infrastructure. [C16]

5. Protection of Footpaths and Roadways

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

Reason: Protection of footpath and roadways. [C22]

6. Vehicle Crossings

Provision of 1 vehicle crossing(s) 5m wide in accordance with Warringah Council Drawing No A4-3330 normal to low and specifications. All redundant laybacks and crossings are to be restored to footpath/grass.



The construction of all vehicular crossings and associated works on Council's road reserve must be completed by a Council approved concrete contractors, for details see Warringah Council's website www.warringah.nsw.gov.au <<http://www.warringah.nsw.gov.au>>, or phone (02) 9942 2111.

Prior to pouring of concrete the crossings are to inspected by Council or an Accredited Certifier (Civil Works) and certification issued to the PCA stating the crossing levels and reinforcement is in accordance with the issued levels and specifications.

If Council is to undertake the inspection, the inspection fee is to be paid 48 hours prior to pouring of concrete. (See Council's standard fees and charges)

Reason: To facilitate suitable vehicular access to private property. [C32]

7. Pruning

Any tree pruning necessary for construction shall be carried out under the supervision of an appropriately qualified arborist. Details prepared by an appropriately qualified person, on measures to be employed during construction indicating the nature of the pruning and the long term effects on the tree shall be submitted to the Council / Accredited Certifier for approval with the Construction Certificate

Reason: To ensure the protection and longevity of existing significant trees. [C41]

8. Sediment Control

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

- (a) All details of drainage to protect and drain the site during the construction processes;
- (b) All sediment control devices, barriers and the like;
- (c) Sedimentation tanks, ponds or the like;
- (d) Covering materials and methods;
- (e) A schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.



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

Reason: *To protect the environment from the effects of sedimentation and erosion from development sites. [C46]*

9. Roofing Materials - Reflectivity

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. The metal roof shall not be of light colours such as off white, cream, silver or light grey colours. Details to be submitted with the Construction Certificate.

Reason: *To ensure that excessive glare or reflectivity nuisance from roofing materials does not occur as a result of the development. [C55]*

10. Security Bond Schedule

All fees and security bonds in accordance with the schedule below must be paid or in place prior to the issue of the required Construction Certificate:

SECURITY BOND & FEE SCHEDULE	
25 Laitoki Road, Terrey Hills	
DEVELOPMENT APPLICATION NUMBER: 2005/1030 DA	
SECURITY BONDS	AMOUNT (\$)
Builders Road/Kerb Security Bond	\$550
TOTAL BONDS	\$550
FEES	
Kerb Security Inspection Fee	\$200.00
Long Service Levy	\$175
TOTAL FEES	\$375
Additional Inspection fees (where Council acts as PCA)	\$1750

Reason: *Compliance with the development consent. [C71]*

11. Noise from Plant in Residential Zone

A certificate from an appropriately qualified Acoustic Engineer is to be submitted with the Construction Certificate certifying that the development and all sound producing plant, equipment, machinery or fittings will not exceed more than 5dB(A) above the background level during the day and evening and not exceeding the background level at night (10.00pm -6.00 am) when measured at the boundary of the property, and will comply with the Environment Protection Authority Industrial Noise Policy.

Reason: *To comply with best practice standards for residential acoustic amenity. [C79]*

12. Sydney Water

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater and /or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site www.sydneywater.com.au <<http://www.sydneywater.com.au>> see Building Developing and Plumbing then Quick Check or telephone 13 20 92.

A Quick Check agent or Sydney Water must have appropriately stamped the plans before the issue of any Construction Certificate.

Reason: To comply with Sydney Water's requirements

NOTE: The consent authority or a private accredited certifier must either:

- Ensure that a Quick Check agent/Sydney Water has appropriately stamped the plans before the issue of any Construction Certificate; or
- Where there is a combined Development/Construction Certificate application or Complying Development, include the above condition as one to be met prior to works commencing on site.

Alternatively the Consent Authority can require the Applicant, prior to consent to comply with the following process:

To have submitted the plans to a Sydney Water customer Centre or Quick Check agent, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The plans will be appropriately stamped. All amended plans will require restamping. For Quick Check agent details please refer to the web site www.sydneywater.com.au <<http://www.sydneywater.com.au>> see Building Developing and Plumbing then Quick Check or telephone 13 20 92.

Reason: To comply with Sydney Water's requirements

13. Management of Horse Effluent

Horse waste stockpile is to be located outside of the Riparian Zone of the creek and is to be kept covered at all times to prevent any leachate from the waste entering the ground or the creek.

Details of the way the runoff (from waste stockpile, washdown areas and from hosing out of stables) is to be treated before it enters the waterway is required to be submitted to the PCA prior to the issuing of any associated Construction Certificate. Any untreated runoff from the areas in contact with Horse waste must be poured into the sewer and not, under any circumstances be allowed to soak into the ground around the machinery shed/stable building or be absorbed into absorption trenches.



Examples of best practice can be found in the following publication available from NSW Department of Environment and Conservation (DEC) entitled '*Horse Properties on the Rural Urban Fringe*'.

Reason: *Protection of the natural environment (special condition)*

14. Illegal structure (carport)

This consent relates solely to the proposed works (stables and driveway) and not in anyway to the existing unauthorised carport structure to the side of the existing dwelling.

Reason: *To ensure compliance with the terms of this consent (special condition).*

15. Environmental Management

As per guidance within NSW Department of Environment and Conservation (DEC) document entitled 'Environmental management on the '*Horse Properties on the Rural Urban Fringe: Best Practice Environmental Guide for Keeping Horses*'. The applicant must provide details as follows to Council's Catchment Management Team for assessment and approval prior to the issue of any Construction Certificate in relation to 2005/1030 DA:

- (a) storage, handling, management and disposal of manure,
- (b) fenced and grassed swales for the treatment of runoff from horse paddocks, and details of the long-term management of such areas.
- (c) accurate plans showing the location of fences excluding horses from the watercourse.

Reason: *To protect the local environment and the amenity of the property for neighbours and the horses (special condition).*

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

16. Silt & Sediment Control

Provision shall be made throughout the period of demolition / Excavation & Construction to prevent transmission of soil to the public road and drainage system by vehicles leaving the site.

Reason: *To avoid siltation to adjoining properties and waterways. [D1]*

17. Construction Certificate

A Construction Certificate is required to be approved and issued by either Council or an Accredited Certifier, prior to the commencement of any works on the site.



Reason: *Legislative requirements. [D3]*

18. Notice of Commencement

At least 2 days prior to work commencing on site Council must be informed, by the submission of a Notice of Commencement in Accordance with section 81A of EP & A Act 1979 of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence.

Reason: *Legislative requirement for the naming of the PCA. [D4]*

19. Structural adequacy and Excavation work

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

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

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

Before excavation, the responsible person must notify their intention to the adjoining owner/s and shall at the same time furnish to such owner/s particulars of the work proposed to be carried out.

Reason: *Safety. [D9]*

20. Protection of Trees During Works

All trees that are to be specifically nominated to be retained by notation or condition as a requirement of development consent shall be maintained and protected during demolition, excavation and construction on the site. Protection methods shall be provided to the Principal Certifying Authority by an appropriately qualified person prior to commencement of any works on the site.

Reason: *To ensure compliance with the requirement to retain significant planting on the site. [D10]*



21. Excavation/Building Works

No excavation or building works shall be carried out until a Construction Certificate has been issued.

Reason: *To ensure compliance with statutory provisions. [D13]*

22. Inspection Fees

Where Council is acting as the Principal Certifying Authority and where an inspection of building, civil or landscape work is required by these conditions, inspection fees and component certification fees must be paid to Council before Council will undertake any inspections. These fees may be paid at the time of submission of the required Notice of Commencement of works. This condition applies regardless of whether a Certification fee is also payable.

Note: The submission of a Notice of Commencement of works form to Council at least two (2) days prior commencing works is a statutory requirement.

Reason: *Statutory requirement and information. [D14]*

23. Cigarette Butt Receptacle - Residential

A cigarette butt receptacle is to be provided on the site for the duration of demolition/construction process, for convenient use of site workers.

Reason: *To ensure adequate provision is made for builders' waste. [D16]*

24. Public Liability Insurance - Works on Public Land

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

(Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.)

Reason: *To ensure the community is protected from the cost of any claim for damages arising from works on public land. [D17]*

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

25. Sign on Site

A visually prominent sign to be erected and maintained on-site adjacent to the property's access point, for the duration of the landfill works. This condition must be complied with during demolition and building work.

Reason: Proper identification of landfill works. [E2]

26. Height

The maximum overall height of the proposed machinery shed from existing ground level to ridgeline is not to exceed 5.75m metres.

Reason: To ensure compliance with the terms of this development consent. [E3]

27. Road Reserve works

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

Traffic movement in both directions on public roads, and vehicular access to private properties is to be maintained at all times during the works. This Condition must be complied with during demolition and building work.

Reason: Public Safety. [E4]

28. Progress Inspections (Class 1 and 10 Buildings)

The Principal Certifying Authority (PCA) SHALL BE given a minimum of forty-eight (48) hours notice for mandatory inspection of the following, where applicable:

- (a) At the commencement of the work, and
- (b) After excavation for, and prior to the placement of any footings, and
- (c) Prior to pouring any in-situ reinforced concrete building element, and
- (d) Prior to covering of the framework for any floor, wall roof or other building element, and
- (e) Prior to covering over waterproofing in any wet areas, and
- (f) Prior to covering over stormwater drainage connections, absorption pits and other



drainage works, and

- (g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The appointed Principal Certifying Authority MUST do the first inspection at the commencement of building work, and at completion of building work.

Notes:

- (1) The appointed Principal Certifying Authority has a discretion to determine additional inspections, or nominate other Accredited Certifiers to undertake inspections other than the first and last inspections, which are required to ensure compliance or otherwise with relevant codes and standards. In any event, the Principal Certifying Authority MUST be advised at all of the stages of construction identified above.
- (2) The PCA must advise the person with the benefit of the consent of the mandatory critical stage inspections referred to in the EP & A Regulations.
- (3) Where Warringah Council is acting as the Principal Certifying Authority for the project, notice is to be given by telephone to Council on 9942 2111 and requesting an relevant inspection. Failure to advise Council at the stages of construction identified above may result in fines being imposed.
- (4) Failure to advise the Principal Certifying Authority of the need for MANDATORY INSPECTIONS at the critical stages of construction detailed above may result in fines being imposed, works being required to be demolished, or delays experienced in obtaining final certification and occupation of the development in order to resolve issues.

Reason: Prescribed mandatory inspections under legislation. [E7]

29. Replacement of Principal Certifying Authority

If the person exercising the benefits of a development consent changes or replaces the Principal Certifying Authority (PCA) during works on the site, the replacement PCA must notify Warringah Council within two (2) days of appointment. If the original PCA was Warringah Council, written approval from Council must be obtained for any change to the PCA role.

(Note: Special legislative provisions in the Environmental Planning and Assessment Act 1979 apply to the procedure for replacing a PCA)

Reason: Statutory requirement. [E11]

30. Noise and Vibration



Noise emissions and vibration must be minimised where possible and work is to be carried out in accordance with Environment Protection Authority guidelines for noise emissions from construction/demolition works and must also comply with the provisions of the Protection of the Environment Operations Act 1997. This Condition must be complied with during demolition and building work.

Reason: *To ensure residential amenity is maintained in the immediate vicinity. [E17]*

31. No Removal of Trees on Public Property

No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved in its consent shall be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works.

Reason: *Protection of existing environmental infrastructure and community assets. [E21]*

32. Protection of Trees

All trees, which are not declared as noxious, located within the 20m front setback area from Laitoki Road and within 17m from the Southern boundary other than those which must be removed to allow for the construction of the new driveway as per the stamped plans.

Reason: *Protection of existing environmental infrastructure and community assets. [E22]*

33. Noxious Plants

All lantana, privet, rubber trees, parateria, and other declared noxious plants on the site, shall be eradicated before the commencement of landscape works.

Reason: *To ensure that plants identified as weed species are not allowed to proliferate or interfere with a quality-landscaping outcome. [E25]*

34. Construction Hours

Building construction shall be restricted to within the hours of 7.00 am to 5.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works shall be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the



activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

The builder and excavator shall display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

Reason: *To ensure that works do not interfere with reasonable amenity expectations of residents and the community. [E26]*

35. Out of Hours Work Permits

Where it is necessary for works to occur outside those hours allowed by these conditions, approval for such will be subject to issue of a permit on each occasion from Council's Customer Services Centre. Such permit must be obtained and the appropriate fee paid at least two (2) clear working days in advance of each relevant date. Such occurrence shall be limited to two occasions per calendar month and shall only be approved if public safety or convenience is at risk. Any further variation shall require the lodgement and favourable determination of a modification application pursuant to Section 96 of the Environmental Planning and Assessment Act 1979.

(Note: Failure to obtain a permit for work outside of the approved hours will result in on the spot fines being issued, or Council pursuing any action required (including legal proceedings) to have the out of hours work cease, without prior warning.)

Reason: *To ensure that works do not interfere with reasonable amenity expectations of residents and the community. [E27]*

36. Installation and Maintenance of Sediment Control

Techniques used for erosion and sediment control on building sites are to be adequately maintained at all times and must be installed in accordance with Warringah Council guidelines. All techniques shall remain in proper operation until all development activities have been completed and the site fully stabilised. This Condition must be complied with during demolition and building work.

Reason: *To protect the environment from the effects of sedimentation and erosion from development sites. [E28]*

37. Health and Safety

The work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements to prepare a health and safety plan. Site fencing must be installed sufficient to exclude the public from the site. Safety signs must be erected that; warn the public to keep out of the site, and provide a contact telephone number for enquiries.

This Condition shall be complied with during demolition and building work.



Further information and details regarding occupational health and safety requirements for construction sites can be obtained from the Internet at www.WorkCover.nsw.gov.au.

Reason: *To ensure the health and safety of the community and workers on the site.*
[E30]

38. Aboriginal Heritage

If in undertaking excavations or works, any Aboriginal site or relic is, or is thought to have been found, all works are to cease immediately and the applicant is to contact Aboriginal Heritage Officer for Warringah Council, and the National Parks and Wildlife Service (NPWS). Any work to a site that is discovered to be the location of an Aboriginal relic, within the meaning of the National Parks and Wildlife Act, requires a permit from the Director of the NPWS.

Reason: *Aboriginal Heritage Protection.* **[E34]**

39. Prohibition on Use of Pavements

Building materials shall not be placed on Council's footpaths, roadways, parks or grass verges and a suitable sign to this effect shall be erected adjacent to the street alignment.

Reason: *To ensure public safety and amenity on public land.* **[E35]**

40. Plant & Equipment Kept Within Site

All plant and equipment used in the erection of the building, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries. This condition shall be complied with during demolition and building work.

Reason: *To ensure public safety and amenity on public land.* **[E36]**

41. Trees

- (1) Tree roots of 50mm or greater in diameter encountered during excavation, shall only be cut following consultation with a qualified Arborist. Tree roots between 10mm and 50mm in diameter, severed during excavation, shall be cut cleanly by hand.

Reason: *Protection of trees.* **[E37 (2)]**

- (2) Underground services should use common trenches as far away from tree roots as possible. If the services need to be run within the protection zone, all utility pipes are to be laid using appropriate directional boring techniques. Directional Boring



shall be carried out at least 600mm beneath natural ground to avoid damage to tree/trees root system. Entry and exit points are to be located outside the protected area. No tree roots are to be severed, or damaged during this work. Should problems arise, work is to cease until those problems are resolved and confirmed in writing by Council's Tree Management Officer and Assigned DA Officer.

Reason: Protection of trees. [E37 (3)]

- (3) All overhead utility services are to be located outside the canopies of existing trees.

Reason: Protection of trees. [E37 (4)]

- (4) The following guidelines are to be complied with at all times:
- (a) The applicant shall ensure that at all times during the development period no activities, storage or disposal of materials shall take place beneath the canopy of any tree covered under Council's Tree Preservation Order unless specifically approved by Council.
 - (b) Trees marked for retention are not to be damaged or used to display signage, or as fence or cable supports for any reason.
 - (c) Siting of sheds, stockpiles and vehicle parking should be sited so that they are remote from trees.
 - (d) Site personnel are to be made aware of tree requirements and protective measures. Paving materials placed within the dripline of any tree should be of a porous material.

Reason: Protection of trees. [E37 (5)]

- (5) During the construction period the applicant is responsible for ensuring all protected trees are maintained in a healthy and vigorous condition. This is to be done by ensuring that all identified tree protection measures are adhered to. In this regard all protected plants on this site shall not exhibit:
- (a) A general decline in health and vigour.
 - (b) Damaged, crushed or dying roots due to poor pruning techniques.
 - (c) More than 10% loss or dieback of roots, branches and foliage.
 - (d) Mechanical damage or bruising of bark and timber of roots, trunk and branches.
 - (e) Yellowing of foliage or a thinning of the canopy untypical of its species.
 - (f) An increase in the amount of deadwood not associated with normal growth.
 - (g) An increase in kino or gum exudation.
 - (h) Inappropriate increases in epicormic growth that may indicate that the plants are in a stressed condition.
 - (i) Branch drop, torn branches and stripped bark not associated with natural climatic conditions.

The presence of any of these symptoms or signs may be considered by Council as



a breach of the Conditions of Development Approval.

Reason: *Protection of trees. [E37 (6)]*

42. Applicant's Cost of Work on Council Property

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

Reason: *To ensure the proper management of public land and funds. [E38]*

43. Maintenance of Road Reserve

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

Reason: *Public Safety [E39]*

OPERATIONAL CONDITIONS IMPOSED UNDER EP&A ACT AND REGULATIONS AND OTHER RELEVANT LEGISLATION

44. Building Code of Australia

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

Reason: *Prescribed - Statutory. [F1]*

45. Home Building Act

(1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:

- (a) in the case of work to be done by a licensee under that Act:
 - (i) has been informed in writing of the licensee's name and contractor licence number, and
 - (ii) is satisfied that the licensee has complied with the requirements of the Home Building Act, or
- (b) in the case of work to be done by any other person:
 - (i) has been informed in writing of the person's name and owner-builder permit number, or
 - (ii) has been given a declaration, signed by the owner of the land, that

states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in section 29 of that Act, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: The amount referred to in paragraph (b)(ii) is prescribed by regulations under the Home Building Act 1989. As at the date on which this Regulation was gazetted, that amount was \$3,000. As those regulations are amended from time to time, that amount may vary.

- (2) A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.
- (3) If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to Council is out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

Reason: *Prescribed - Statutory. [F2]*

Note: Evidence of insurance required PRIOR to commencement of work.

46. Excavation / Backfilling

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

Reason: *To ensure that work is undertaken in a professional and responsible manner and protect adjoining property and persons from potential damage. [F5]*

47. Site Sign

- (1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited;



- (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
 - (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.
- (2) Any such sign must be maintained while building work or demolition work is being carried out, but must be removed when the work has been completed.
 - (3) This condition does not apply to building works being carried out inside an existing building.

Reason: *Statutory requirement. [F9]*

48. Long Service Levy

Payment of the Long Service Levy is required prior to the release of the Construction Certificate. This payment can be made at Council or to the Long Services Payments Corporation.

Advisory note: The rate of the Long Service Levy at the time of consent is 0.35% of the building construction works. At the time of consent, payment is not required where the value of the works is less than \$25,000. For works that are \$25,000 or over, a fee is required at the prescribed rate. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply and is based on the building construction works identified in the Construction Certificate.

Reason: *Prescribed - Statutory. [F12]*

49. Retaining Walls & Drainage

If the soil conditions require it:

- (a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and
- (b) adequate provision must be made for drainage in accordance with the provisions of AS3500.3.2.

Reason: *To ensure appropriate measures are in place to address site conditions and provide appropriate site drainage. [F13]*

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

50. Occupation Certificate Required

An Interim / Final Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of those parts of the building.

***Reason:** To ensure compliance with the provisions of the Environmental Planning and Assessment Act. [G1]*

51. Provision of wet chemical fire extinguisher and fire blanket

The provision of a wet chemical fire extinguisher and installation of a fire blanket to the stable block.

***Reason:** Fire Safety. [G2]*

52. Storage of Hazardous or Toxic Material

To ensure hazardous and toxic materials are not a threat to the environment they must be stored in accordance with WorkCover Authority requirements. All tanks, drums and containers of toxic and hazardous materials shall be stored in a bunded area. The bund walls and floors shall be constructed of impervious materials and shall be of sufficient size to contain 110% of the volume of the largest tank plus the volume displaced by any additional tanks within the bonded area.

***Reason:** To ensure the health and safety of the public and workers. [G13]*

53. Utility Services

All utility services shall be adjusted, to the correct levels and/or location/s required by this consent, prior to final completion and the issue of any Occupation Certificate.

***Reason:** To ensure compliance with the terms of this consent. [G23]*

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

54. No Commercial Use

Nothing in this consent shall authorise the use of the stable block for non-residential purposes.

***Reason:** Information and clarification of terms of this consent. [II]*



55. Single Occupancy

- (a) Nothing in this consent shall authorise the use of the property other than for a single occupancy being the existing dwelling. The stable block may not be used as a separate occupancy at any time or for habitable purposes.

Reason: *To ensure compliance with the terms of this consent. [15]*

Right to Review by the Council

You may request the Council to review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979. Any request to review the application must be within 12 months after the date of determination shown on this notice.

NOTE: A fee will apply for any request to review the determination.

Right of Appeal

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

Signed _____ on behalf of the consent authority

Signature _____
Name Rebecca Fisher
Team Leader

Date 26th May 2006