

APPENDIX 1 SITE AND SURROUNDING AREA PHOTOS



View of site from Macpherson Street looking south east



View of site from Macpherson St looking south west



Existing dwelling and outbuildings on site



Existing dwelling on site



Existing dwelling on site near intersection of Boondah and Macpherson



Existing dilapidated outbuildings on site



Rear of existing dwelling and structures on site and no 7 Macpherson St



Existing store buildings on site



Rear of the site showing poplar trees with wetlands beyond



Site with poplar trees and wetland to the rear



View of site looking east to Boondah Road



Area of site that will form part of the riparian zone



Existing tanks in the south eastern corner of the site
(off Boondah Road)



Sydney Water Treatment Plant frontage to Boondah
Road



5 Macpherson St



Rear of 5 Macpherson St



7 Macpherson St



Rear of 7 Macpherson St



2 storey buildings in seniors housing development



3 storey buildings in seniors housing development



Townhouse development to the west of the site



Internal streetscape within town house development



View of site looking east from the town house development site



Existing road conditions on the south side of Macpherson St



View looking north along Boondah Road towards the intersection with Macpherson St



Road upgrade improvements in Macpherson St

APPENDIX 2 PITTWATER COUNCIL CONSENT N0526/08 & APPROVED SITE LAYOUT

CONSENT NO: N0526/08
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED)
NOTICE TO APPLICANT OF DETERMINATION
OF A DEVELOPMENT APPLICATION

Applicant's Name and Address:

MERITON PROPERTY MANAGEMENT PTY LTD
C/- GENERAL ACCOUNTS PAYABLE LEVEL 11,
528 KENT STREET
SYDNEY 2000

Being the applicant in respect of Development Application No **N0526/08**.

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Pittwater Council, as the consent authority, of Development Application No **N0526/08** for:

Demolition of existing structures and removal of trees, subdivision to create 140 residential lots, a residue lot (to be retained in private ownership containing water management facilities, an Asset Protection Zone and Environmental Buffer area), and internal road system, and construction of 135 single dwellings (not incorporating any secondary dwellings) and associated works.

At: 14 - 18 BOONDAH ROAD, WARRIEWOOD (Lot 20 DP 1080979)

Decision:

The Development Application has been determined by the granting of consent based on information provided by the applicant in support of the application, including the Statement of Environmental Effects, and in accordance with the following plans drawn by Antoniades Architects.

- as amended in red (shown clouded) or as modified by any conditions of this consent.

DA Plan Numbers	Dated
DA 0.00 Rev C	17/12/08
DA 1.00 Rev F	17/12/08
DA 2.01a Rev D	9/10/08
DA 2.01b Rev D	9/10/08
DA 2.02 Rev E	9/10/08
DA 2.03a Rev D	9/10/08
DA 2.03b Rev C	9/10/08
DA 2.04 Rev E	9/10/08
DA 2.05a Rev C	9/10/08
DA 2.05b Rev C	9/10/08
DA 2.05c Rev C	9/10/08
DA 2.06 Rev E	9/10/08
DA 2.07 Rev C	9/10/08
DA 2.08 Rev C	9/10/08

DA 2.09a Rev E	17/12/08
DA 2.09b Rev E	17/12/08
DA 2.09c Rev E	17/12/08
DA 2.09d Rev B	17/12/08
DA 2.10a Rev E	17/12/08
DA 2.10b Rev E	17/12/08
DA 2.10c Rev E	17/12/08
DA 2.10d Rev B	17/12/08
DA 2.11a Rev E	17/12/08
DA 2.11b Rev E	17/12/08
DA 2.11c Rev B	17/12/08
DA 2.12a Rev E	17/12/08
DA 2.12b Rev E	17/12/08
DA 2.12c Rev B	17/12/08
DA 2.13a Rev E	17/12/08
DA 2.13b Rev E	17/12/08
DA 2.13c Rev B	17/12/08
DA 2.14 Rev G	17/12/08
DA 2.15 Rev F	17/12/08
DA 2.16 Rev G	17/12/08
DA 2.17 Rev F	17/12/08
DA 2.18 Rev F	17/12/08
DA 2.19 Rev F	17/12/08
DA 2.20 Rev G	17/12/08
DA 2.21 Rev D	9/10/08
DA 2.22 Rev D	9/10/08
DA 2.23 Rev C	9/10/08
DA 2.24 Rev C	9/10/08
DA 2.25 Rev C	9/10/08
DA 2.26 Rev C	9/10/08
DA 2.27 Rev C	9/10/08
DA 2.28 Rev D	9/10/08
DA 2.29 Rev C	9/10/08
DA 2.30 Rev E	9/10/08
DA 2.31 Rev D	9/10/08
DA 2.32 Rev B	9/10/08
DA 4.00 Rev D	17/12/08
DA 5.00 Rev E	9/10/08
DA 5.01 Rev E	9/10/08
DA 5.02 Rev D	9/10/08
DA 5.02 Rev F	18/12/08
DA 5.03 Rev B	9/10/08
DA 5.03 Rev C	18/12/08
DA 5.04 Rev B	9/10/08
DA 5.04 Rev D	18/12/08
DA 5.05 Rev B	9/10/08
DA 5.05 Rev C	18/12/08
DA 5.06 Rev B	9/10/08
DA 5.06 Rev C	18/12/08

An unnumbered drawing titled in red as "*Amended Road Layout for southern section of site, adjacent to Boondah Road*" dated 23/3/09 and prepared by Meriton.

The following Landscape Plans have been prepared by Landscape Direct :

DA Plan Numbers	Dated
8007 MP01/C	15/10/2008
8007 MP02/C	15/10/2008
8007 MP03/A	21/01/2009
8007 MP04/A	30/01/2009
8007 MP05/A	03/02/2009
8007 LP01/A	14/10/2008
8007 LP02/B	16/10/2008
8007 LP03/C	27/10/2008
8007 LP04/B	15/10/2008
8007 LP05/B	15/10/2008
8007 LP06/A	14/10/2008
8007 LP07/A	22/10/2008
8007 LP08/A	24/10/2008
8007 LP09/A	27/10/2008
8007 LP010/A	28/10/2008
8007 LP011/A	29/10/2008
8007 LP012/A	31/10/2008

- and the following studies submitted in support of the application:

- *Flora & Fauna Assessment* compiled by Total Earth Care Pty. Ltd and dated September 2008,
- *Arboricultural Assessment/Vegetation Management Report* prepared by TALC and dated 29 September 2008,
- *Bushfire Risk Assessment Report* prepared by Flame Zone Bushfire Consulting and dated September 2008,
- *Stormwater Management Plan* prepared by Brown Consulting and dated October 2008, *Addendum 1*, December 2008,
- *Assessment of Traffic and Access Implications* prepared by Transport and Traffic Planning Associates dated October 2008,
- *Aboriginal Archaeological and Cultural Heritage Assessment* prepared by Banksia Heritage & Archaeology dated September 2008,
- *Environmental Site Assessment* prepared by Environmental Audits of Australia and dated November 2003,
- *Geotechnical Report* prepared by Jeffery & Katauskas Pty. Ltd. dated 30 September and 1 August 2005,
- *Heritage Impact Statement* prepared by Graham Brooks & Associates and dated November 2003 and 17th September 2008,
- *Disability Access Report* prepared by Lindsay Perry Access & Architecture dated 29 September 2008 and 23 December 2008.
- *Architect's statement* – December 2008
- *APZ Management Plan and Bioretention Basin Maintenance Plan* (additions to landscape plans – not dated)

- *Waste Report – 29 September 2008 & Waste Management details* (not dated)
- *Plan of Proposed Subdivision - of Lot 20 in DP 1080979 Macpherson Street and Boondah Road, Warriewood*, prepared by JWB Surveyors Pty Ltd, ref. No. 123899, Subdivision dated 9/10/08.

The reason for the imposition of the attached conditions is to ensure that the development consented to is carried out in such a manner as to achieve the objectives of the Environmental Planning and Assessment Act 1979 (as amended), pursuant to section 5(a) of the Act, having regard to the relevant matters for consideration contained in section 79C of the Act and the Environmental Planning Instruments applying to the land, as well as section 80A of the Act which authorises the imposing of the consent conditions.

Endorsement of date of consent 20 July 2009

Mark Ferguson
GENERAL MANAGER
Per:

PART 1

THE COMMENCEMENT OF THIS CONSENT IS DEFERRED UNTIL THE CONSENT AUTHORITY IS SATISFIED AS TO COMPLIANCE WITH THE FOLLOWING CONDITION/S:

The commencement of this Consent is deferred until the Consent Authority is satisfied as to the compliance with the following condition: -

1. Provision of a revised draft Subdivision Plan and associated legal documents that address the following:
 - (a) Dedication of 6,681m² Creekline Corridor land being the land within 25 metres of the centre line of Fern Creek where it passes through the subject land.
 - (b) Delineation of individual Lots which incorporate the 140 proposed dwellings or dwelling sites.
 - (c) Facilitation of the future dedication of the roads system as Public Roads.
 - (d) Creation of a Residue Lot, being that part of the land not included in (a), (b) or (c) above.
 - (e) Creation of any easement for drainage or water management facilities, services, support, Right of Way or the like, necessary to provide a legal right for any individual property to be provided with these facilities and services where they are located outside the property they benefit.
 - (f) Provision of binding legal mechanisms to ensure the ongoing maintenance of any facilities or activities in the Residue Lot required to be carried out over the life of the development by this Consent, including maintenance of water management facilities, Buffer Areas, Vegetation and Asset Protection Zones in the Residue Lot.
 - (g) Confirmation that the owners of the 140 residential properties, have a right to utilise the residue Lot for private recreational purposes.
 - (h) Creation of any easements benefiting Council necessary to facilitate the legal drainage and treatment of water from the existing and proposed Public Road System.
 - (i) Incorporation of the design layout changes necessary to achieve deferred commencement Condition 2.
 - (j) Dedication of 12.5m² Road Reserve land being a splay corner (5metres x 5 metres) at the intersection of MacPherson Street and Boondah Road.

The form of the Subdivision may be by way of the following subdivision types, provided it meets the requirements for registration at the NSW Land Titles Office:

- Land Subdivision
- Strata Subdivision
- Community Title Subdivision

The 140 residential lots and proposed Public roads are to be dimensioned generally in accordance with the Plan of Proposed Subdivision 1 of Lot 20 in

DP 1080979 prepared by JBW Surveyors Pty Ltd, ref. No. 123899
Subdivision dated 9/10/08.

2. Provision of amended plans for the proposed development which incorporates the following:

- (a) Redesign of the southern most section of the site to achieve a setback of 6.5 metres to all proposed dwellings from Boondah Road. The redesign is to incorporate the proposed pedestrian/cycleway and separate footpath adjacent to the roadway between the development and the wetlands into a single integrated multi-use pathway and maintain the required setbacks and Asset Protection Zones between the development and the Wetlands.
- (b) Within the internal road system, the closest laneway (L) running parallel to Macpherson Street and that intersects the Sector Entry Street (E) off Macpherson Street, be closed to through traffic where it meets the area at its easterly end marked on the Masterplan as "subject to a future 'Development Application submission". An appropriate vehicle turning facility (suitable for Council refuse/recycling service vehicles and emergency service vehicles) be provided at the point of closure at the easterly end of this laneway. This laneway (L) also be closed at the last property boundary when approaching the turning facility from the south easterly direction. Both lanes to be designated as "No Through Road".
- (c) A redesign of those aspects of the proposed development to achieve a 2 metre setback of the side from the Public Road to the proposed dwellings on proposed Lots 13, 14, 16, 17, 48, 49, 68, 92, 93, 104, 105, 116, 117, 119, 134 and 135.
- (d) A redesign for Dwelling Designs 5D Models 1 and 2 to achieve the minimum 30m² private open space area (with minimum dimensions 4m x 4m) for the dwellings on proposed Lots 37 and 38.
- (e) A re-design of these aspects of the development to achieve a setback of 0.5 metres from the road reserve boundary of any retaining wall and a further stepping of a 0.6 metre wide planting bay for any section of retaining wall greater than 1 metre above the finished surface level of the adjoining road reserve. Suitable landscape planting to be provided in both setback areas.

Upon receipt of evidence within twelve (12) months from the date of this consent satisfying the above, the consent will become operative, subject to the conditions listed in Part 2 below.

The consent will lapse if evidence satisfying the above conditions is not received within the prescribed time period.

PART 2

Conditions of Approval

This consent is not an approval to commence building work. The works associated with this consent can only commence following the issue of the Construction Certificate.

Note: Persons having the benefit of development consent may appoint either a Council or an Accredited Certifier as the Principal Certifying Authority for the development or for the purpose of issuing certificates under Part 4A of the Environmental Planning and Assessment Act. When considering engaging an Accredited Certifier, a person should contact the relevant accreditation body to ensure that the person is appropriately certified and authorised to act in respect of the development.

A. Prescribed Conditions:

1. All works are to be carried out in accordance with the requirements of the Building Code of Australia.
2. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, there is to be such a contract in force.
3. Critical stage inspections are to be carried out in accordance with clause 162A of the Environmental Planning & Assessment Regulation 2000. To allow a Principal Certifying Authority or another certifying authority time to carry out critical stage inspections required by the Principal Certifying Authority, the principal contractor for the building site, or the owner-builder must notify the Principal Certifying Authority at least 48 hours before building work is commenced and prior to further work being undertaken.
4. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - a. showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.

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

5. Residential building work within the meaning of the Home Building Act 1989 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 following information:

(a) in the case of work for which a principal contractor is required to be appointed:

- (i) the name and licence number of the principal contractor, and
- (ii) the name of the insurer by which the work is insured under part 6 of that Act.

(b) in the case of work to be done by an owner-builder:

- (i) the name of the owner-builder, and
- (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

6. If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes 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.

7. The hours of construction are restricted to between the hours of 7:00am and 5:00pm Monday – Friday and 7:00am to 1:00pm on Saturdays. No works are to be carried out on Sundays or Public Holidays. Internal building work may be carried out at any time outside these hours, subject to noise emissions from the building or works not being audible at any adjoining boundary.

B. Matters to be incorporated into the development and maintained over the life of the development:

Landscaping and protection of natural environment

1. Compliance with all details and recommendations of the approved Flora and Fauna Plan (Total Earth Care Pty Ltd September 2008), Landscape Plan Plans (Landscape Direct Pty. Ltd dated 29/1/08), Bushfire Management Plan referred to in condition C.5 and Vegetation Management Plan referred to in condition C.5 during construction and over the life of the development, including the following:
 - (a) All fencing is to be passable by Native Wildlife. Dogs are to be kept in an enclosed area such that they cannot enter areas of bushland, unrestrained, on the site or surrounding properties. Cats and ferrets are not permitted to be kept on the site.
 - (b) Only those plant species listed in Warriewood Valley Urban Release Area " Landscape Masterplan and Design Guidelines 2006 or Wetland Fringes - P21 DCP Appendix 3 - Warriewood Valley Urban Land Release Planning Context and Criteria Page 20 are to be planted west

and south of the perimeter road and within 50m of the edge of the existing Warriewood Wetlands (as defined by the DECC), as shown on the applicants Masterplan DA Drawing No. 8007 MP01/C 29th August 2008.

(c) Planting Regime

- (i) Planting in the inner Creek-line Corridor (25m from centre of the creek-line) is to be at a density of 6 plants per metre square for littoral plants, groundcovers and grasses; 1 shrub per metre square; 1 tree per 5 metre square. Turf is not permitted in this zone.
- (ii) Planting in the outer Creek-line Corridor (25-50m from centre of creekline and outside APZ) is to be at a density of 6 plants per metre square for littoral plants, groundcovers and grasses; 1 shrub per 10 metre square ; 1 tree per 15 metre square. Trees are to have shrubs or tall ground plants (e.g. Dianella) planted at their base to a distance of at least 1 m from the trunk. Turf is permitted in this zone.
- (iii) Planting in the 20m wide Wetland Core (adjoining the wetland) is to be at a density of 6 plants per metre square for littoral plants, groundcovers and grasses; 1 shrub per 1 metre square; 1 tree per 5 metre square. Turf is not permitted in this zone.
- (iv) Core riparian land is to be rehabilitated such that it meets the NSW Department of Environment and Climate Change (DECC) and NSW Department of Water and Energy (DWE) requirements of a fully vegetated zone. DECC and DWE requirements will be met by a combination of planting and weed removal. All Noxious and Environmental Weeds are to be removed from this zone.
- (v) The Wetland Buffer Zone, outside the Asset Protection Zone (APZ), is to be in accordance with DECC and DWE requirements. Planting in the wetland buffer zone is to be at a density of 6 plants per metre square for littoral plants, groundcovers and grasses; 1 shrub per metre square; 1 tree per 15 metre square. Turf is not permitted in this zone.
- (vi) Planting in non Asset Protection Zones (and outside the Creekline Corridor, Wetlands core and buffer planting and residential area) is to be at a density of 6 plants per metre square for littoral plants, groundcovers and grasses; and a minimum of 1 shrub per 10 metre square and 1 tree per 50 metre square. Turf is permitted in this zone.
- (vii) Planting in the Asset Protection Zone is to be at a density of 6 plants per metre square for littoral plants, groundcovers and

grasses. Trees and shrubs are to be planted to meet the requirements for outer and inner protection areas as listed in Bushfire Risk Management Assessment Report (Flame Zone, 2008), Standards for Asset Protection Zones (RFS, 2005), Management of Asset Protection Zones 14-18 Boondah Rd, Warriewood Valley (Landscape Direct, 2008) and Planning for Bushfire Protection (RFS, 2006).

- (viii) Bioretention Pond/Swales Discharge of the Bioretention Pond, as shown on Drawing 8007 MP03/A, to the wetland is to be via the currently existing discharge point, i.e. the constructed pond within the Warriewood Wetlands. The Masterplan DA Drawing No. 8007 MP01/C 29th August 2008 is to be amended such that the discharge point is relocated to the existing pond and all reference to discharge elsewhere into the wetlands is to be removed. Discharge from the Bioretention Pond, as shown on Drawing 8007 MP03/A, is to be via an open vegetated drainage swale. The sides of the drainage swale are to be planted with Littoral plants at a rate of 6 per metre square.

- (d) The planting within the wetland core and wetland buffer zones are to be maintained for the life of the development, in accordance with the stated plant densities and weeds removed from these zones.
2. Over the life of the development, all declared noxious weeds under are to be managed/removed in accordance with the Noxious Weeds Act 1993. Environmental weeds are to be removed and/or controlled.
 3. No environmental weeds are to be planted on the site.

Utility Services

4. Street lighting facilities to the development street frontages of the site and to the full length of the existing Public Road reserve frontages (Macpherson Street and Boondah Road) are to be provided at the full cost of the developer and in accordance with the requirements of Energy Australia.
5. All services, including electrical and telecommunications for the proposed lots, shall be provided underground. The location of any trenching and if required, a padmounted substation(s) shall have regard for future and proposed landscaping in the public domain.
6. All utility services including overhead power supply and communication cables located in the adjacent Public Road reserve verge are to be placed and/or relocated underground for the full length of the road reserve frontages (Macpherson Street including 5 and 7 Macpherson Street, and Boondah Road) of the development site to any public road at the full cost to the developer.
7. The adjustment of all public utilities and services is to be at the full cost of the developer.

8. Dwelling(s) are to be constructed to allow internal access for telecommunications, intelligent lighting and home automation facilities from underground street electrical and telecommunications cabling.
9. The installation of in-sink food waste disposal units is prohibited due to the increased loading placed on the Warriewood Sewage Treatment Plant particularly during wet weather.

Built Form

10. At least 67 of the 135 main dwellings are to be designed and constructed to a minimum Class B under AS 4299 - 1995 Adaptable Housing.
11. Materials and colour schemes are to be in accordance with the samples submitted to Council with the application. No white or light coloured roofs are permitted.
12. Roofs to all structures are to be dark grey, brown and/or green tones only.
13. All plumbing and drainage fixtures are to be concealed and not exposed to public view on buildings over one storey in height.
14. All external glazing is to have a maximum reflectivity index of 25%.
15. Redesign of the southern most section of the site to achieve a setback of 6.5 metres to all proposed dwellings from Boondah Road. The redesign is to incorporate the proposed pedestrian/cycleway and separate footpath adjacent to the roadway between the development and the wetlands into a single integrated multi-use pathway and maintain the required setbacks and Asset Protection Zones between the development and the Wetlands.
16. Timber log retaining walls are not permitted and are not to be included in the proposed development. Brushmat fencing is not permitted in the proposed development.
17. Excavation to be minimised to accord with flood storage requirements of the revised Water Management Plan Condition C17 within the 20m Core Riparian Zone and the 10m Buffer Zone. The Masterplan DA Drawing 8007 MP01/C, dated 29 August 2008 is to be amended accordingly.
18. The dwellings are to have a minimum finished floor level of RL4.5m AHD.

Maintenance

19. The Asset Protection Zone for protection from bushfire shall be maintained in accordance with the recommendations of the Bushfire Risk Management Assessment Report (Flame Zone, 2008), Management of Asset Protection Zones 14-18 Boondah Rd, Warriewood Valley (Landscape Direct, 2008), Planning for Bushfire Protection (RFS, 2006), and Standards for Asset Protection Zones (RFS, 2005).
20. The commitments listed in the BASIX Certificate for each dwelling, and forms part of the consent, is to be maintained for the life of the dwelling. Where the commitments require replacement, the replacement must be identical to or is at a higher star rating to that listed in the respective BASIX Certificate.

21. The water management facilities over the life of the development.

Noise

22. Noise from the operation of any plant or equipment at the premises, including air conditioners, shall not exceed 5dB(A) above the background noise level.

NSW Rural Fire Service Requirements

23. The following requirements of the NSW Rural Fire Service are to be met:

Asset Protection Zone:

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building.

- 1) *At the commencement of building works, the property shall be managed in accordance with the Landscape Master Plan prepared by Landscape Direct, drawing number 8007 MP01/C, dated 29/08/2008. Maintenance of the proposed asset protection zones shall be in accordance with Planning for Bush Fire Protection 2006 and the Service's document "Standards for asset protection zones".*

Access:

The intent of measures for public roads is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.

- 2) *Public Road Access shall comply with section 4.1.3(1) of Planning for Bush Fire Protection 2006.*

The intent of measures for property access is to provide safe access to/from the public road system for fire fighters providing property protection during a bush fire and for occupants faced with evacuation.

- 3) *Public Access Roads shall comply with section 4.1.3(2) of Planning for Bush Fire Protection 2006.*

Design & Construction:

- 4) *Construction is to comply with Appendix 3 – Site Bush Fire Attack Assessment of Planning for Bush Fire Protection 2006. In this regard, the following design standards for construction are to be incorporated into the development:*
 - a) *The south-western elevations of buildings on Lots 135-141 shall be constructed to comply with Australian Standards AS3959-1999 "Construction of buildings in bushfire-prone areas" Level 2.*

- (b) *All other elevations of buildings on Lots 135-141, as well as any other building as part of this development within 100 metres of the proposed Public Riparian Zone, shall be constructed to comply with Australian Standard AS3959-1999 "Construction of buildings in bushfire-prone areas" Level 1.*
- (c) *Roofing for all buildings shall be gutterless or have leafless guttering and valleys to prevent the build-up of flammable material. Any materials used shall have a Flammability Index no greater than 5.*

NSW Department of Water & Energy Requirements

24. The following requirements of the NSW Department of Water & Energy are to be met:

Plans, Standards & Guidelines:

- 1) *These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to NO526/08 and provided by Council*
 - (i) *Site plan, map and/or surveys*

Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified the Department of Water & Energy must be notified to determine if any variations to these GTA will be required.
- 2) *Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the Department of Water & Energy. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.*
- 3) *The consent holder must prepare or commission the preparation of:*
 - (i) *Rehabilitation Plan*
 - (ii) *Works Schedule*
 - (iii) *Erosion and Sediment Control Plan*
- 4) *All plans must be prepared by a suitably qualified person and submitted to the Department of Water & Energy for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with Department of Water & Energy guidelines located at: www.naturalresources.nsw.gov.au/water/controlled_activity.shtml.*
 - (i) *Vegetation Management Plans*
 - (ii) *Riparian Corridors*

- (iii) *In-stream works*
- (iv) *Outlet structures*

- 5) *The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the Department of Water & Energy.*

Rehabilitation and maintenance:

- 6) *The consent holder must carry out a maintenance period of two (2) years after practical completion of all controlled activities, rehabilitation and vegetation management in accordance with a plan approved by the Department of Water & Energy.*
- 7) *The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the Department of Water & Energy.*

Reporting requirements:

- 8) *The consent holder must use a suitably qualified person to monitor the progress, completion, performance of works, rehabilitation and maintenance and report to the Department of Water & Energy as required.*

Security deposits:

- 9) *The consent holder must provide a security deposit (bank guarantee or cash bond) - equal to the sum of the cost of complying with the obligations under any approval - to the Department of Water & Energy as and when required.*

Access-ways:

- 10) *The consent holder must design and construct all ramps, stairs access ways, cycle paths, pedestrian paths or other non-vehicular form of access way so that they do not result in erosion, obstruction of flow, destabilisation, or damage to the bed or banks of the river or waterfront land, other than in accordance with a plan approved by the Department of Water & Energy.*
- 11) *The consent holder must not locate ramps, stairs, access ways, cycle paths, pedestrian paths or any other non-vehicular form of access way in a riparian corridor other than in accordance with a plan approved by the Department of Water & Energy.*

Culvert:

- 12) *The consent holder must ensure that no materials or cleared vegetation that may obstruct flow, wash into the water body or cause damage to river banks are left on waterfront land other than in accordance with a plan approved by the Department of Water & Energy.*

Disposal:

- 13) *The consent holder is to ensure that all drainage works (i) capture and convey runoffs, discharges and flood flows to low flow water level in accordance with a plan approved by the Department of Water & Energy; and (ii) do not obstruct the flow of water other than in accordance with a plan approved by the Department of Water & Energy.*
- 14) *The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by the Department of Water & Energy.*

Drainage & Stormwater:

- 15) *The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by the Department of Water & Energy. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.*

Erosion control:

- 16) *The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the Department of Water & Energy.*
- 17) *The consent holder must ensure that any excavation does not result in (i) diversion of any river (ii) bed or bank instability or (iii) damage to native vegetation within the area where a controlled activity has been authorised, other than in accordance with a plan approved by the Department of Water & Energy.*

River bed & bank protection:

- 18) *The consent holder must establish a riparian corridor along the Fern Creek and Warriewood Wetlands in accordance with a plan approved by the Department of Water & Energy.*

C. Matters to be satisfied prior to the issue of the Construction Certificate:

Note: All outstanding matters referred to in this section are to be submitted to the accredited certifier together. Incomplete Construction Certificate applications / details cannot be accepted.

General

1. The applicant must enter into or provide the details of an agreement with Sydney Water which ensures that works will be undertaken at the Warriewood Sewage Treatment Plant ("STP") so as to mitigate the impact of odour from the STP on the development the subject of this consent. The agreement must ensure:
 - (a) That: Sydney Water is to carry out such odour mitigation works at the STP in substantially the form described in the Warriewood STP Odour Mitigation Concept Design Report dated June 2003 prepared by Sydney Water ("Concept Plan Report") as are necessary to ensure that the odour emissions from the STP predicted to be experienced at any part of the site the subject of this development consent do not exceed the odour performance criteria of 2.0 odour units/m³ when assessed using a Level 3 odour impact assessment in accordance with the NSW EPA Draft Policy for Assessment and Management of Odour from Stationary Sources in NSW dated January 2001 and its accompanying Technical Notes using the CALPUFF Odour Dispersion Modelling Methodology (the "Appropriate Criteria"); and
 - (b) The applicant must demonstrate that Sydney Water has or will have carried out the Odour Mitigation Works in accordance with a timetable which will ensure that the Odour Mitigation Works will be completed prior to issue of occupation certificate for any part of the development.
2. The applicant must engage a suitability qualified and experienced consultant to carry out a Level 3 odour impact assessment in accordance with the *EPA Draft Policy for Assessment and Management of Odour from Stationary Sources in NSW* order to assess the likely odour impact from the STP predicted to occur at the site the subject of this development consent following completion of the Odour Mitigation Works. The consultant must be approved by the Council before they are engaged by the applicant and the Council must also approve the brief provided to the Consultant.
3. The odour impact assessment undertaken must demonstrate to the satisfaction of the Council that the odour mitigation works will result in the STP achieving the appropriate criteria.

4. Submission of construction plans and specifications and documentation which are consistent with the approved Development Consent plans, the requirements of Building Code of Australia, and satisfy all conditions shown in Part B above and the conditions imposed by the NSW Rural Fire Service and NSW Department of Water and Energy, are to be submitted to the Principal Certifying Authority.
5. Submission of Landscaping Plans generally as shown on plans prepared by Landscape Direct Landscape Architects Pty Ltd (Plan Reference 8007/MP01/C, MP02/C, MP03/A, MP04/A, MP05/A, and LP01/A, LP02/B, LP04/B, LP05/B, LP06/A) amended to incorporate the following landscape treatment:

(a) The entrances into the development, off Boondah Road and Macpherson Street is to:

(i) be embellished with street tree planting to the central median 400 litre in size incorporating structural soil to accommodate 12m³ root volume per tree. 4-6m tree spacing to landscape edges along entryway with 400 litre tree species and grasses/groundcovers at 4-6 per m².

(ii) incorporate feature entry sculpture and identification of estate name, and feature paving stencilling to roadway.

(iii) At least 2 metered watering points.

(iv) Uplighting to trees are to be separately metered.

(b) Excavation to be minimised to accord with flood storage requirements of the revised Water Management Plan Condition C17 within the 20m Core Riparian Zone and the 10m Buffer Zone.

(c) Street tree planting (at 10m centres, 400 litre trees) is to be provided along the street frontages to Boondah Road and Macpherson Street. No turf.

Additional planting is to be provided at a density of 4-6 plants per m² for grass or hedge species, and island planters are to include 4 palms at 100 litre per tree planting. Watering point, separately metered, are to be provided at 100m centres.

(d) Screen planting having a maturity height of 10m is to be provided and maintained to reduce the bulk and scale of the building when viewed from Macpherson Street and Boondah Road. Species selection is to incorporate locally indigenous species, consistent with the Warriewood Valley Landscape Masterplan. Brush Box is not permitted.

(e) Evidence of a pre-order plant contract with a recognised commercial nursery (generally indicating initiation of super advance tree species order) to be approved by Council (Manager, Reserves & Recreation) prior to release of Construction Certificate.

- (f) Schedule of keyhole inspections by nominated landscape architect/Council representative for surety of final handover quality to Council, These to include:
 - (g) Inspection of plant material prior to installation to check health/size;
 - (h) Excavation of tree pits/proposed garden areas;
 - (i) Installation/metering of proposed water points;
 - (j) Inspection tree pits/gardens, prior to Occupation Certificate.
 - (k) Nominated landscape Consultant / Council representative to prepare ongoing report to certifier and be approved prior to Occupation Certificate.
 - (l) The proposed Pennisetum 'Nafray' grass species is to be deleted from the Landscape Plans (Landscape Direct Drawing Nos. 8007 MP01/02 C 15th October 2008) as it is a potentially invasive species.
 - (m) Planting within the proposed residential Lots is to incorporate locally native canopy trees consistent with those listed in the Warriewood Valley Landscape Masterplan.
6. Submission of a Vegetation Management Plan covering the wetland care and buffer zones, water treatment ponds/swales, the Asset Protection Zone and Swamp Oak Forest, incorporating Council's BMP templates (Forms 3a/3b), the recommendations of the Flora and Fauna Report, Arborist Report, Bushfire Report and Landscape Plans submitted with the Development Application. The VMP is to include a plan showing the APZ, core and buffer zones.
 7. A waste management plan is to be prepared and submitted to the Private Certifying Authority with the Construction Certificate application for all construction and site works including excavation and/or removal of existing waste and debris from the site, construction of roads, drainage facilities, buildings and other structures where waste may be generated.
 8. Incorporation of the recommendations of the Arborist's Report referred to in Condition C.30, necessary to achieve the retention of the existing Angophora Trees adjacent to Boondah Road into the Construction Certificate Plans for the dwelling and associated site works on Lots 84-92.
 9. Erosion and Sediment Management Plan is to be prepared and submitted with the Construction Certificate application. Control over the discharge of stormwater and containment of runoff and pollutants leaving the site shall be undertaken through the installation of erosion control devices such as catch drains, diversion drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, sedimentation basins. Such plan is to be accompanied by a certification, from an appropriately qualified person, that the plans/details have been designed in accordance with the Managing Urban Stormwater: Soils and Construction 2004.

10. The recommendation of the risk assessment required to manage the hazards as identified in Geotechnical Report prepared by Jeffrey and Katauskas is to be incorporated in the construction plans and implemented.
11. Prior to issue of the Construction Certificate, Form 2 of the *Geotechnical Risk Management Policy for Pittwater* (Appendix 5 of P21 DCP) is to be completed and submitted to the Principal Certifying Authority.
12. Prior to the issue of the Construction Certificate, the following approvals are to be obtained:
 - (a) A Controlled Activity approval from the Department of Water and Energy.
 - (b) An amended Bush Fire Safety Authority from the NSW Rural Fire Service, as a result of conditions imposed by this development consent for amendments to the Landscape Master Plan, prepared by Landscape Direct (Drawing No 8007 MP01/C) dated 29 August 2008.

A copy of the said approvals is to be submitted to the Principal Certifying Authority.

The conditions imposed by the Department of Water & Energy and the NSW Rural Fire Service in respect to the subject development being an Integrated Development and the approvals issued under the Water Management Act and Rural Fires Act respectively, are to be completed prior to the issue of an Occupation Certificate Subdivision Certificate.

Section 94 Contribution

13. A contribution of **\$7,882,962.93** is to be made pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, for the provision of public infrastructure in accordance with *Warriewood Valley Section 94 Contributions Plan*. The breakdown of the contribution is as follows:

Element	Contribution	Cashier Code
Traffic & Transport	\$1,282,002.40	SWTT
Multi-functional creek line corridors (works)	\$955,194.80	SWCW
Multi-functional creek line corridors (land)	\$684,123.73	SWCL
Community Facilities	\$1,045,511.60	SWCF
Public Recreation	\$2,660,504.00	SWPR
Pedestrians/Cycleways	\$722,321.60	SWPC
Bushfire Protection	-\$5,063.80	SWBF
Library Services	\$229,503.40	SWLS
Plan Management	\$140,000.00	SWPM

The Contributions are based on:

- 140 dwellings
- Contribution rates for the period 1 July 2008 to 30 June 2009 as set out in the *Warriewood Valley Section 94 Contributions Plan (Amendment No. 16)*, as

amended by the Minister for Planning's Direction under Section 94 dated 10/7/09.

The applicant has the opportunity to negotiate with Council for the direct provision of facilities nominated in the traffic and transport, multi-functional creek line corridors and pedestrian/cycleway elements, pursuant to the material public benefit, works in kind and dedication of land provisions in the Warriewood Valley Section 94 Contributions Plan.

14. Where a Material Public Benefit is sought in lieu of payment of the Section 94 Contributions or part thereof, the Material Public Benefit Agreement is to be finalised and signed by the proponent and Pittwater Council prior to the release of the Construction Certificate.
15. A formal agreement to dedicate to Council 6,681 square metres of land being 50 metre corridor for Fern Creek where it adjoins the subject land (area subject to final survey), (up to 25 metres from the centreline of Fern Creek where it adjoins the subject land) is to be made pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, for the provision of multi-functional creek line corridors in accordance with the Warriewood Valley Section 94 Contributions Plan.

The dedication of land as required under the Plan is to take place prior to the issue of the Subdivision Certificate or by the registration of that plan.

Construction Management

16. Prior to issue of the Construction Certificate a comprehensive Construction Process Plan of Management (CPPM) is to be submitted to the Council that outlines statutory obligations and regulatory requirements affecting all site works and procedures that will be implemented for the duration of all clearing works, earthworks and construction works associated with the approved development that will ensure the safety and amenity of the surrounding residents and the environment are not adversely affected. In particular, the CPPM must address the following requirements:
 - (a) The CPPM must be accompanied by a report from a qualified/practising acoustic consultant addressing the objective of demonstrating that the development may be constructed in compliance with the requirement that the L10 level measured over a period of not less than 15 minutes when the construction site is operating must not exceed the background level by more than 10 db(A) measured inside the nearest dwelling, and outlining the measures necessary for this objective to be achieved, such as: selection of specific noise reduced plant and equipment; silencing of construction site plant and equipment; location of plant; regular site monitoring by the site manager and the acoustic consultant etc. There must also be no delivery of machinery, trucks, plant or equipment to the site outside of the approved work hours.

If that acoustical report discloses that this objective cannot be satisfied, the report must identify the areas of non-compliance and must recommend the implementation of measures to achieve this objective insofar as reasonably practicable, all such measures to be to the reasonable satisfaction of the Council.

- (b) *Site management in terms of delivery of materials, parking for workers (including No Parking provisions in Brands Lane), removal of excavated materials, how temporary power will be supplied, and stabilisation of any temporary structures, stockpiles and stored materials.*
- (c) Measures for air quality management and in particular the control of airborne dust, litter and other contaminants in relation to the neighbouring properties.
- (d) Waste management methodology including details of quantities of material to be transported and implementation of recycling measures (e.g. mulching of vegetative matter).
- (e) Stormwater, sediment and erosion control methodology.
- (f) Provision of site management signage including contact names and telephone numbers for 24 hour contact by the public relating to site issues including the name and telephone contact of the prescribed certifying authority.
- (g) The CPPM must ensure there is a process of 'site induction' to be the responsibility of the site manager whereby each employee or contractor is advised of the procedures relating to the requirements of the CPPM.

The construction must be carried out in accordance with the CPPM approved by the Council as satisfactory to it.

Water Management

17. Prior to the issue of a Construction Certificate, a revised Water Management Report is to be submitted and certified by a qualified practising Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a Corporate member and has appropriate experience and competence in urban stormwater and flood management.

The revised Water Management Plan is to provide additional detailed designs, plans and the required information for all works needed to achieve full compliance with the *Warriewood Valley Water Management Specification* February 2001 (WMS 2001), based on:

- (a) Brown Consulting (2008a) *Stormwater Management Plan Buffer Area 3 – Warriewood Valley, 14-18 Boondah Road, Warriewood. Prepared for Meriton Apartments, October 2008*, and
- (b) Brown Consulting (2008b) *Stormwater Management Plan Addendum*

*1Response to Additional Information. Buffer Area 3 – Warriewood Valley.
14-18 Boondah Road, Warriewood. Prepared for Meriton Apartments,
December 2008.*

18. The detailed design of all works associated with the water management system must provide for a complete system which meets the objectives and requirements of the Warriewood Valley Water Management Specification (February 2001).

The water management system must be in accordance with the revised Water Management Report and designed to meet the objectives and requirements of the *Warriewood Valley Integrated Water Management Strategy* and *Warriewood Valley Water Management Specification* and is to include and provide for:

- (a) Staging of the works is to ensure that the objectives of the Warriewood Valley Water Management Specification are achieved for each stage prior to the release of any Occupation Certificate. Sufficient water quality and water quantity facilities must be provided to service each stage.
- (b) The Stormwater Management System is to include a design for a stormwater drainage system, which drains collected roof, road and surface water from the site and is to cater for flows from upstream catchments. The systems are to include combined piped and overland flow components, which convey the 1% AEP and Probable Maximum Flood events and comply with relevant Australian Standards and contemporary engineering best practice.
- (c) The overland flow path along the western boundary is to be designed to convey peak flows from Macpherson Street to Fern Creek during the PMF event.
- (d) The existing overland flowpath through the existing Swamp Oak Forest from Boondah road to the Warriewood Wetland is to be maintained at or below existing levels.
- (e) No untreated stormwater is to enter the Warriewood Wetlands.

19. The Water Management Report, and all associated plans and detailed design are to be certified as being in accordance with the Warriewood Valley Water Management Specification (February 2001). The certification is to be provided by a qualified practising Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a Corporate member and has appropriate experience and competence in urban stormwater and flood management.

A copy of the revised and certified Water Management Report is to be submitted to the Council for its records.

20. Drainage design details are to be accompanied by a certificate from a qualified practising Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a Corporate member and has appropriate experience and competence in the related field,

that the stormwater management system complies with the requirements of section 3.1.2 *Drainage* of the Building Code of Australia Housing Provision and AS/NZS 3500.3.2 - Stormwater Drainage.

Roads (Pittwater Council acting as the road authority under The Roads Act 1993)

21. Engineering plans and specifications for the construction of all roads, drainage and civil engineering works are to be submitted by the applicant.
 - (a) Engineering plans and specifications for all roads, drainage and other civil engineering works within an existing Public Road reserve (including Macpherson Street including 5 and 7 Macpherson Street, and Boondah Road) must be submitted and approved in writing by the Council prior to the issue of any Construction Certificate.
 - (b) Payment of the Engineering Plan Assessment fee (in accordance with Council's adopted Fees and Charges) is required prior to Council releasing the approved engineering plans.
 - (c) The installation of traffic facilities, signs and markings, (other than those in the 10kph Shared Zones) will require the approval of Council and Council's Traffic Committee prior to commencement of installation.
 - (d) That all roads indicated on the Masterplan as Local Street (B) and Laneway (L) are to be 10kph Shared Zones and be designed in accordance with RTA requirements. The applicant remains responsible for obtaining RTA approval to the 10kph Shared Zones.
22. The Engineering Plans and specifications are to include and provide for the following matters:
 - (a) Works to the full length of the Macpherson Street and Boondah Road frontages of the development site and including works associated with the intersection access to the development, being:
 - (i) Kerb and Guttering (vertical faced kerb only will be permitted);
 - (ii) Landscaping;
 - (iii) Roundabouts at
 - the intersection of Macpherson Street with the Anglican Retirement Villages (ARV) sector entry road. (Remaining portion – all cost sharing to be agreed between the Applicant and ARV),

- the intersection of Macpherson Street and Boondah Road (part of Section 94 Contributions Plan)
 - (iv) Road shoulder and road pavement construction, including pavement design and treatments up to the road centre line (4×10^6 ESA pavement design criteria);
 - (v) Footpath/cycleway 2.5m wide in Macpherson Street including 5 and 7 Macpherson Street, and 2.5m wide footpath/cycleway in Boondah Road;
 - (vi) Associated road and drainage for Macpherson Street and Boondah Road;
 - (vii) Indented parking bays in accordance with the requirements of the Warriewood Valley Roads Masterplan;
 - (viii) Indented bus bays in locations and to the requirements of Sydney Buses.
 - (ix) Incorporation of the design and construction recommendations of the Arborist's Report referred to in Condition C.30 necessary to achieve the retention of the existing Angophora Trees in or adjacent to Boondah Road at Lots 84-92.
 - (x) Dedication of 12.5m^2 Road Reserve land being a splay corner (5metres x 5 metres) at the intersection of MacPherson Street and Boondah Road to allow construction of a roundabout.
- (b) Details in relation to the Sector as a whole as follows:
- (i) Pedestrian facilities;
 - (ii) Cyclist facilities 2.5m wide
 - (iii) Pavement design and treatments. Kerb and Guttering (vertical faced kerb only permitted). Where Kerb and Guttering does not form the edge of a road pavement in a street, a means of preventing vehicles from parking off the road pavement shall be provided;
 - (iv) Drainage facilities and associated water treatment facilities;
 - (v) Threshold treatments;
 - (vi) Street landscape, including street lighting and sign posting;
 - (vii) RTA approval shall be obtained by the Developer for the following:
All traffic calming devices within 10kph Shared Zones
10kph Shared Zone speed limit and Zones;
 - (viii) Entry treatment to include pedestrian/cycle refuge is to be provided at the intersection of the Sector Entry Streets (E) with Macpherson Street and Boondah Road;
 - (ix) All kerbing is to be barrier kerb and gutter;
 - (x) No vehicle access permitted from any private property to either Boondah Road or Macpherson Street

- (c) Within the internal road system, the closest laneway (L) running parallel to Macpherson Street and that intersects the Sector Entry Street (E) off Macpherson Street, be closed to through traffic where it meets the area at its easterly end marked on the Masterplan as "subject to a future 'Development Application submission". An appropriate vehicle turning facility (suitable for Council refuse/recycling service vehicles and emergency service vehicles) be provided at the point of closure at the easterly end of this laneway. This laneway (L) also be closed at the last property boundary when approaching the turning facility from the south easterly direction. Both lanes to be designated as "No Through Road".

23. The Engineering Plans and specifications are to meet the objectives and requirements of:

The Warriewood Valley Roads Master Plan;

Austroroads;

AUSSPEC;

Pittwater 21 DCP

and achieve a road design and landscaped effect consistent with the Warriewood Valley Concept Masterplan (Public Domain), dated October 2007.

24. The engineering design and plans for road and drainage works must be certified as meeting the requirements of these conditions of Consent by an experienced civil engineer who is NPER accredited by the Institution of Engineers (Australia).

Creekline Corridor & Wetland Riparian Edge areas:

25. Amended plans in accordance with conditions as outlined (to tender level of detail) to be submitted to Council for public domain street frontages; internal roadway/laneways; parkland frontages; bio-retention works and riparian corridor for approval prior to release of Construction Certificate.

- In particular: Wetland Riparian edge is currently proposed as predominantly turf. Need to refer to riparian principles as outlined in the Warriewood Valley Landscape Masterplan Strategy and amend accordingly. Need distinct areas of turf beside roadway edge (approximately 10m wide) to be utilised as open space, street trees along roadway at 10m centres (edged/tree guards) cycleway between turf/garden/riparian corridor/wetland.
- Basin should include large ballast stone as backbone to structure and aesthetic element with fencing element to edge.
- Riparian corridor to be planted as per Landscape Masterplan principles and as conditioned

- Details of solar lighting/seating along proposed cycleway to be provided as per Warriewood Valley Landscape Masterplan.
 - Cycleway to generally demarcate edge between any proposed lawn area and riparian planting.
26. The complete detailed design of all works associated with the construction of the Fern Creek corridor section on site, from Sector 11 common boundary to the existing pond in Warriewood Wetlands, is to be submitted and approved in writing by Council prior to the issue of any Construction Certificate. The detailed design is to include plans, longitudinal sections, cross sections (and locations where there are hydraulic controls), location and details of rock outcrops, pools, riffles and full engineering specifications of these works and landscape works.

Utility Services

27. The applicant is to consult with Sydney Water to establish whether there are any Section 73 Compliance Certificate requirements for this proposal, under the provisions of the Sydney Water Act, 1994. A copy of any Notice of Requirements letter which may be issued by Sydney Water, is to be provided to the Private Certifying Authority with the Construction Certificate application.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

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

28. The Accredited Certifier or Council must be provided with a copy of plans that a Quick Check agent/ Sydney Water

Accessibility

29. Design details and technical specifications relevant to the recommendations in the Access Report compiled by Lindsay Perry (dated 29 September 2008) must be submitted to the Accredited Access Adviser for written confirmation which is to be submitted to the Accredited Certifier or Council with the Construction Certificate application.

Protection of trees in and adjacent to Boondah Road

30. Submission of an Arborist's Report outlining the measures to be incorporated in the Construction Certificate Plans for roadworks in Boondah Road and dwelling construction and associated works for Lots 84-92 to protect Angophora Trees in or adjacent to Boondah Road along its frontage with those proposed Lots.

The Arborist's Report to include restrictions on excavation and filling necessary to protect the trees from the impact of works and the measures to be incorporated into the design and construction of works in the vicinity of the trees to ensure their retention.

D. Matters to be satisfied prior to the commencement of works and maintained during the works:

Note: It is an offence to commence works prior to issue of a Construction Certificate.

Site Management

1. Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site.
2. Sedimentation and erosion controls are to be effectively maintained at all times during the course of construction and shall not be removed until the site has been stabilised or landscaped to the Principal Certifying Authority's satisfaction.
3. A site fence and silt and sediment control fence is to be erected and maintained during the course of works along any street boundary and park/reserve boundary to the site.
4. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.
5. The site is to be fully secured by a fence to all perimeters to the site to prevent unauthorised access both during the course of the works and after hours.
6. A clearly legible Site Management Sign is to be erected and maintained throughout the course of the works. The sign is to be centrally located on the main street frontage of the site and is to clearly state in legible lettering the following: -
 - The builder's name, builder's telephone contact number both during work hours and after hours.
 - That no works are to be carried out in Council's Road Reserve without the written approval of the Council.
 - That a Road Opening Permit issued by Council must be obtained for any road openings or excavation within Councils Road Reserve associated with development of the site, including stormwater drainage, water, sewer, electricity, gas and communication

connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.

- That no skip bins or materials are to be stored on Councils Road Reserve.
 - That the contact number for Pittwater Council for permits is 9970 1111.
7. A stamped copy of the approved plans is to be kept on the site at all times, during construction.
 8. Toilet facilities are to be provided in a location which will not detrimentally affect the amenity of any adjoining residents at or in the vicinity of the work site during the duration of the development.
 9. Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must give the owner of the adjoining property at least seven (7) days written notice of their intention to excavate below the level of the base of the footing and furnish the adjoining property owner with particulars of the proposed work.
 10. Any excavated material that is proposed to be used on site is to be assessed for contamination and is also to be assessed for reuse by a qualified geotechnical engineer. Subject to this contamination assessment and validation that this soil can be reused as foundation material, such soil may be reused on site as fill. Any material that is not deemed to be suitable for reuse shall be removed from the site and disposed of in an appropriate fashion.
 11. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
 12. 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.
 13. Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must preserve and protect the building from damage and, if necessary, underpin and support the adjoining building in an approved manner.
 14. Temporary sedimentation and erosion controls are to be constructed prior to commencement of any work to eliminate the discharge of sediment from the site.
 15. An all weather accessway at the front of the property consisting of 50-75mm aggregate or similar material at a minimum thickness of 200mm and 15metres long laid over geotechnical fabric is to be constructed prior to commencement of works and maintenance over the works period.

16. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.
17. Access to the site through an adjoining park/reserve is prohibited without the written approval of the Council
18. If any Aboriginal Engravings or Relics are unearthed, all work is to cease immediately and the Metropolitan Local Aboriginal Land Council (MLALC) and National Parks and Wildlife Service are to be notified.
19. Identification of protection of trees, vegetation, habitat, bush rock or other natural features, prior to works commencing on the site to prevent damage or injury during development.
20. Materials, stockpiles and vehicle stockpile areas are to be located on already cleared and disturbed land well away from creek line, trees, vegetation, habitat, bush rock or other natural features.

Demolition and Waste Materials

21. Any proposed demolition works shall be carried out in accordance with the requirements of AS2601-1991 *The Demolition of Structures*.

Amongst others, precautions to be taken shall include compliance with the requirements of the WorkCover Authority of New South Wales, including but not limited to:

- (a) Protection of site workers and the general public.
- (b) Erection of hoardings where appropriate.
- (c) Asbestos handling and disposal where applicable.
- (d) Any disused service connections shall be capped off.

Council is to be given 48 hours written notice of the destination/s of any excavation or demolition material. The disposal of refuse is to be to an approved waste disposal depot.

22. Waste materials generated through demolition, excavation and construction works are to be minimised by re-use on-site, recycling or where reuse or recycling is not practical, disposal at an appropriate authorised waste facility prior to commencement of site works.
23. Any excavated material that is proposed to be used on site is to be assessed for contamination and its ability to be revised on site by a qualified geotechnical engineer. Subject to this contamination assessment and validation that this soil can be reused as foundation material, such soil may be reused on site as fill. Any material that is not deemed to be suitable for reuse shall be removed from the site and disposed of in accordance with Condition D14 above.
24. Any fill material imported to the site is to be the subject of testing and monitoring throughout the course of the works and is to consist of clean fill

inert material only. That is, non-contaminated excavated material and soil, and suitable material. Putrescible and non-putrescible solid waste (including demolition material) is not permitted. All imported fill must be sourced locally where practicable to reduce traffic movements. A report certifying that fill complies with the requirements of this condition prepared by a suitably qualified person is to be provided to the PCA on completion of the filling works. The batters of the fill area are to be graded to a slope of no more than 4(H):1(V).

25. Demolition works must be carried out in compliance with WorkCover's *Short Guide to Working with Asbestos Cement* and Australian Standard AS 2601 1991 *The Demolition of Structures*.
26. The site must be provided with a sign containing the words *DANGER ASBESTOS REMOVAL IN PROGRESS* measuring not less than 400mm x 300mm and be erected in a prominent visible position on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site and disposed to a lawful waste disposal facility.
27. All asbestos laden waste, including flat, corrugated or profiled asbestos cement sheets must be disposed of at a lawful waste disposal facility. Upon completion of tipping operations the applicant must lodge to the Principal Certifying Authority, all receipts issued by the receiving tip as evidence of proper disposal.

Works within Road Reserve

28. No works are to be carried out in Council's Road Reserve without the written approval of the Council.
29. A Road Opening Permit, issued by Council, must be obtained for any road openings, or excavation within Council's Road Reserve associated with the development on the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.
30. No skip bins or materials are to be stored on Council's Road Reserve.
31. All construction in the public road reserve must be undertaken by a Council authorised contractor.
32. No native canopy trees to be removed from road reserve without prior approval from Council.

Construction Traffic Management Plan

33. A satisfactory construction traffic management plan (CTMP) prepared by a suitably qualified traffic consultant is to be submitted to the Private Certifying Authority prior to the commencement of any site works. The plan is to detail:
 - (a) Quantity of material to be transported

- (b) Proposed truck movements per day
- (c) Proposed hours of operation
- (d) Proposed traffic routes, noting that 3 tonne load limits apply to some roads within Pittwater.

The submitted construction traffic management plan is to be implemented, where required, throughout the construction phase of the development on site.

Certification

- 34. Prior to commencement of works, at least three photographs of the road reserve and footpath area adjoining the site, one front-on and one from each side of the property, are to be submitted to Pittwater Council with the notification of commencement of works, showing the condition of the street trees and road reserve. The photographs must be dated, and accompanied by a statement that they are a true and accurate representation of the scene depicted.
- 35. All declared noxious weeds under the Noxious Weeds Act 1993 together and all undesirable plant species listed in Council's Tree Preservation Order are to be removed and/or controlled using appropriate techniques. Written certification of the completion of weed removal works is to be supplied to Council prior to the commencement of works. Works are to be certified by an experienced and qualified bush regenerator or vegetation management consultant.
- 36. Prior to the commencement of site works, tree protection barriers and exclusion fencing are to be installed around all retained trees and remnant bushland as identified. No further site works are to commence, until such time as that certification has been obtained and copy forwarded to Council.
- 37. Supervision by a qualified Arborist of works within and adjacent to Boondah Road, of works near to the Angophora Trees to be retained, referred to in condition C.30, to ensure that appropriate measures are put into place to protect those trees.
- 38. A suitably qualified wildlife handler to be on site to supervise the relocation of any wildlife disturbed or injured during the removal of the Cottonwood Trees which provide roosting habitat as specified in the Arborist's Report by Tree & Landscape Consultants dated 29th September 2008.

E. Matters to be satisfied prior to the issue of Occupation Certificate:

Note: Prior to the issue of an Occupation Certificate the Principal Certifying Authority is to ensure that Council's assets, including road, kerb and gutter and drainage facilities adjacent or near to the site have not been damaged as a result of the works.