

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON TUESDAY, 14 JUNE 2005

Present: The Mayor, Councillor A Ryan (Chairperson) (Gordon Ward)
Councillors A Andrew & E Malicki (Comenarra Ward)
Councillors L Bennett & T Hall (St Ives Ward)
Councillors I Cross & N Ebbeck (Wahroonga Ward)
Councillors G Innes AM & M Shelley (Roseville Ward)
Councillor M Lane (Gordon Ward)

Staff Present: General Manager (Brian Bell)
Director Development & Regulation (Michael Miocic)
Manager Development Assessment Services (Matthew Prendergast)
Director Planning & Environment (Leta Webb)
Director Technical Services (Greg Piconi)
Director Open Space (Steven Head)
Manager Sustainability & Catchment (Peter Davies)
Director Community Services (Janice Bevan)
Director Finance & Business (John McKee)
Senior Governance Officer (Geoff O'Rourke)
Office Co-ordinator/WP (Casey Locke)

The Meeting commenced at 7.04pm

The Mayor offered the Prayer

APOLOGIES

File: S02194

Note:

The General Manager tendered an apology for late arrival (family commitment).

DECLARATION OF PECUNIARY INTEREST

The Mayor adverted to the necessity for Councillors and staff to declare a Pecuniary Interest in any item on the Business Paper.

The Mayor, Councillor A Ryan declared a Conflict of Interest in GB.5 - Sponsorship Proposal - Network North Business Connection (Patron of the Network North Business Connection).

207 CONFIRMATION OF REPORTS TO BE CONSIDERED IN CLOSED MEETING

File: S02499

Resolved:

(Moved: Councillors Cross/Andrew)

That in accordance with the provisions of Section 10 of the Local Government Act 1993, all officers' reports be released to the press and public, with the exception of:

C.1 **Waste Disposal Negotiations** (*Section 10A(2)(c) - Information that would confer a commercial advantage*)

CARRIED UNANIMOUSLY

ADDRESS THE COUNCIL

The following member of the public addressed Council on items not on the Agenda:

M De Stoop

DOCUMENTS CIRCULATED TO COUNCILLORS

The Mayor adverted to the documents circulated in the Councillors' papers and advised that the following matters would be dealt with at the appropriate time during the meeting:

Late Item: 2A & 2B Killara Avenue, 493 Pacific Highway, Killara - Report by Director Development & Regulation dated 7 June 2005

Refer GB.1: 1 to 9 Woniora Avenue, Wahroonga - Memorandum by Director Development & Regulation dated 14 June 2005

Refer GB.2: 10 to 16 Marian Street, Killara - Memorandum by Director Development & Regulation dated 14 June 2005

Refer GB.14: 2A & 2B Killara Avenue, Killara - Memorandum by Director Development & Regulation dated 14 June 2005

CONFIRMATION OF MINUTES

208 Minutes of Ordinary Meeting of Council

File: S02131

Meeting held 24 May 2005

Minutes numbered 180 to 206

Resolved:

(Moved: Councillors Lane/Innes)

That Minutes numbered 180 to 206 circulated to Councillors were taken as read and confirmed as an accurate record of the proceedings of the Meeting.

CARRIED UNANIMOUSLY

Briefing Report - The Future of Local Government - 2005 Summit

File: S02217

Councillor Ebbeck presented a report on behalf of the Mayor, Councillor Ryan, Councillor Lane and himself on the 2005 Summit regarding The Future of Local Government.

Resolved:

(Moved: Councillors Ebbeck/Hall)

That the report be tabled.

CARRIED UNANIMOUSLY

*A Motion was moved by Councillors Malicki and Hall
to hear all speakers was CARRIED.*

*For the Resolution: The Mayor, Councillor A Ryan, Councillors Andrew,
Bennett, Cross, Ebbeck, Hall, Malicki and Shelley*

Against the Resolution: Councillors Innes & Lane

*The above Resolution was carried as an Amendment to the Original Motion.
The Original Motion was:*

*A motion was moved by Councillors Innes and Lane to hear a maximum of 3 speakers
for and 3 against on particular items.*

GENERAL BUSINESS

Application for Rezoning 3 to 5 Water Street (Prouille School), 33 to 41 Billyard Avenue (Holy Name Church) and 39 Chilton Parade, Wahroonga (Convent)

File: S03746

To consider an application for the rezoning of Church/School/Convent lands at 3 to 5 Water Street (Prouille School), 33 to 41 Billyard Avenue (Holy Name Church and seminary) and 39 Chilton Parade, Wahroonga (Convent).

Resolved:

(Moved: Councillors Lane/Cross)

- A. That consideration of Application for Rezoning at 3 to 5 Water Street, 33 to 41 Billyard Avenue and 39 Chilton Parade, Wahroonga and be deferred pending a site inspection.
- B. That the applicant be requested to have the location of the proposed development pegged out on site for the inspection.

For the Resolution: *The Mayor, Councillor A Ryan, Councillors Andrew, Bennett, Cross, Ebbeck, Hall, Lane, Malicki*

Against the Resolution: *Councillors Innes and Shelley*

211 **Concrete Works, 2005 to 2006 - Schedule of Rates Contractor List**

File: S04162

To consider the appointment of tenders to a list of Schedule of Rates Contractors for Concrete Works for 2005/2006.

Resolved:

(Moved: Councillors Lane/Malicki)

- A. That Council accepts the Schedule of Rates for Concrete Works submitted by the following tenderers and these tenderers make up the list of Contractors to be engaged as needed for the construction, reconstruction, restoration and repair of concrete footpaths, kerbs, gutters and associated works for the period ending 30 June 2006:

Kelbon Concrete & Paving
Gilbert's Asphalt
CW Concrete Pty Ltd
Comfortone Constructions
Ally Property Services
Foster Civil Contracting Constructions Pty Ltd
Performance Concreting Services

- B. Letters of acceptance be forwarded to the listed contractors
- C. That the Common Seal of Council be affixed to the necessary documents.

CARRIED UNANIMOUSLY

212 **2005 to 2006 Roads and Traffic Authority Block Grant Agreement**

File: S02585

To consider acceptance of the 2005/2006 Block Grant for assistance from the Roads and Traffic Authority for works on Regional Roads.

Resolved:

(Moved: Councillors Lane/Malicki)

- A. That the General Manager be authorised to accept the Roads component of \$178,000 and the Ex 3x3 component of \$82,000 of the Regional Roads Block Grant for 2005-2006.

- B. That Council not accept the Traffic Facilities component of the Regional Roads Block Grant for 2005-2006 and continue to use RTA resources to carry out traffic facilities work.

CARRIED UNANIMOUSLY

213 **17 Highbridge Road, Killara - Connection to Council Stormwater Pipeline and Easement**

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File: DA1011/03

To consider a request by the owners of 17 Highbridge Street, Killara to alter the terms of the Council drainage easement over the downstream property and to permit the discharge into a Council pipeline.

Resolved:

(Moved: Councillors Lane/Hall)

- A. That Council grants approval to the alteration to the terms pursuant to section 88B Conveyancing Act 1919. These terms specify the release of Easements, in dealing number D429041, over Department of Education and Training lands occupied by Killara Public School and creation of new terms for an Easement to Drain Water 1.83 wide to benefit 17 Highbridge Road, Killara.
- B. That authority be given to affix the common Seal of the Council to the instrument for release and creation of new easement.
- C. That altering the terms of said Easements for drainage including release and being conditional on payment to Council of Council's legal costs and disbursements.
- D. That Council approves the connection of the stormwater drainage pipeline in accordance with revised stormwater plans and details, drawing number 342972/D2, Revision C, dated April 2005, prepared by AFCE Environment and Building.

For the Resolution: The Mayor, Councillor A Ryan, Councillors Andrew, Cross, Ebbeck, Hall, Innes, Lane, Malicki and Shelley

Against the Resolution: Councillor Bennett

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

214 **Raising the Profile of Our Planning for Town Centres**

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File: S04151

Notice of Motion from Councillor E Malicki dated 6 June 2005.

I move that:

Council should raise the profile of the planning process we are undergoing in our Town Centres. This should include displaying posters in every library, in Council buildings and throughout the Town Centres with co-operation from our Business Community.

These should be personalised for each centre, with a theme similar to: "Creating a Better Turramurra". They should be accompanied by a brochure or postcard to be distributed throughout each centre giving details of the project, as well as updates of the stage reached, including where to see any design work, and the consultation sessions available. The Council's Website should also include information about the process being undertaken for each centre as well as give an opportunity for feedback and interaction.

I further move that we attempt to involve anyone who is interested in the consultation process to avoid the situation where people who wish to be more involved are being turned away. Methods to deal with consultation and to include anyone who wishes to be involved should be discussed at the next meeting of the Planning Committee.

Resolved:

(Moved: Councillors Malicki/Andrew)

That the above Notice of Motion as printed be adopted.

For the Resolution: The Mayor, Councillor A Ryan, Councillors Andrew, Bennett, Cross, Ebbeck, Hall, Innes, Malicki and Shelley

Against the Resolution: Councillor Lane

215 **Undergrounding of Car Parks and S94 Contributions**

File: S02073

Notice of Motion from Councillor L Bennett dated 6 June 2005.

I move that:

- A. Council seek advice as a matter of urgency from a planner/lawyer who has experience in S94 issues on the following questions

"(i) Could the partial or total undergrounding of Council car-parking between the Village Green and the Shopping Centre (as part of the redevelopment of the CBD) and its replacement with landscaping be considered a public domain improvement and attract s94 contributions on that basis?"

If the answer to (i) is positive:

"(ii) Given the various land use options under consideration what proportion of the costs of undergrounding car parking (partial or total) might be recouped from a S94 plan for residential/retail/commercial redevelopment as per the land use options given in Part B of the motion.

- B. That the consultant be provided with the detailed land use options (A, B1, B2 and C) for the St Ives Town Centre
- C. That recent public domain/s94 plan decisions in the Land and Environment Court be specifically addressed in the advice provided to Council.

Resolved:

(Moved: Councillors Bennett/Hall)

That the above Notice of Motion as printed be adopted.

For the Resolution: The Mayor, Councillor A Ryan, Councillors Andrew, Bennett, Cross, Ebbeck, Hall, Innes, Malicki and Shelley

Against the Resolution: Councillor Lane

216 **11 Woniora Avenue, Wahroonga - Preparation & Exhibition of Draft LEP to Rezone to Residential 2(D3) under the Ku-ring-gai Planning Scheme Ordinance**

File: P63533

Notice of Motion from Councillor N Ebbeck and Councillor I Cross dated 24 May 2005.

We move:

- "A. That Council prepare and exhibit a draft LEP to rezone 11 Woniora Avenue, Wahroonga to Residential 2(d3) under the Ku-ring-gai Planning Scheme Ordinance.
- B. That Council notify the Department of Infrastructure, Planning and Natural Resources as required under Section 54 of the Environmental Planning and Assessment Act 1979 No 203 and consult with relevant authorities as required under Section 62 of the Environmental Planning and Assessment Act 1979 No 203.
- C. That Council use its delegation under Section 65 of the Environmental Planning and Assessment Act 1979 No 203 to exhibit the draft LEP.
- D. That a report be brought back to Council following the completion of the exhibition period."

Resolved:

(Moved: Councillors Ebbeck/Cross)

That the above Notice of Motion as printed be adopted.

CARRIED UNANIMOUSLY

GENERAL BUSINESS (cont)

217 **Waste Disposal Negotiations**

File: S02418

Report by Director Technical Services dated 26 May 2005.

Resolved:

(Moved: Councillors Shelley/Lane)

- A. That Council accepts the offer from WSN Environmental Solutions for a 3 year term Contract with a 2 year option for the receipt of Council's Domestic, Commercial and Green Waste materials.
- B. That Collex Pty Ltd be advised of Council's resolution.

CARRIED UNANIMOUSLY

*Standing Orders were suspended following
a Motion moved by Councillors Innes and Hall
to deal with items where there are speakers
was CARRIED UNANIMOUSLY*

218 **1 to 9 Woniora Avenue, Wahroonga**

File: DA1364/04

The following members of the public addressed Council:

**I Ramage
L Dixon
R Phelan
D Vickery
A Byrnes**

To address matters raised at the site inspection of 14 May 2005 and for Council to determine a development application for the demolition of the existing structures on site and construction of 58 dwellings within three separate buildings; associated access, basement parking and landscaping and strata subdivision.

Resolved:

(Moved: Councillors Ebbeck/Andrew)

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979:

That the Council, as the consent authority, grant development consent to DA1364/04 for the demolition of existing structures on site and the construction of 58 apartments within three separate buildings, associated access, basement parking, landscaping and strata subdivision on land at 1-9 Woniora Avenue, Wahroonga, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

1. The development must be carried out in accordance with plans identified within the following table, and endorsed with Council's approval stamp, except where amended by the following conditions:

- DA01 Site Plan, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA02 Ground Floor Plan, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA03 Level 1 Floor Plan, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA04 Level 2 Floor Plan, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA05 Level 3 Floor Plan, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA06 Level 4 Floor Plan, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA07 Basement Level 1, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA08 Basement Level 2, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA09 Block A – East and West Elevations, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA10 Block B – East and West Elevations, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA11 Block C – East and West Elevations, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA12 South and North Elevations, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA13 Section A-A, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA14 Site Analysis Plan, Issue D, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA15 Shadow Diagram 9:00am-12:00pm 21 March, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA16 Shadow Diagram 3:00pm 21 March – 9:00am 21 June, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA17 Shadow Diagram 12:00pm – 3:00pm 21 June, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05, and lodged 12.04.05.
- DA18 Site Areas Calculations, Site Management Plan, Survey, Issue D, by Owen and Gilsenan Architects, Dated 05.04.05 Received 12.04.05
- LDA101 Landscape Plan (Ground Floor Plan), Issue C, by Site Image Landscape Architects, Dated 14.12.04, Revised 11.04.05, and lodged 12.04.05..
- LDA201 Landscape Planting Plan (Ground Floor Plan), Issue C, by Site Image Landscape Architects, Dated 14.12.04, Revised 11.04.05, and lodged 12.04.05..
- LDA202 Landscape Planting Plan (Upper Levels Plan), Issue A, by Site Image Landscape Architects, Dated 15.12.04, Revised 15.12.04, and lodged 12.04.05..
- LDA301 Landscape Plan (Ground Floor Plan), Issue C, by Site Image Landscape Architects, Dated 14.12.04, Revised 11.04.05, and lodged 12.04.05..
- LDA302 Landscape Soils Plan (Upper Levels Plan), Issue B, by Site Image Landscape Architects, Dated 15.12.04, Revised 16.03.05, and lodged 12.04.05..
- LDA401 Landscape Details, Issue A, by Site Image Landscape Architects, Dated 26.11.04, and lodged 12.04.05..
- LDA402 Landscape Details, Issue A, by Site Image Architects, Dated 26.11.04, and lodged 12.04.05.

2. The approved building shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and an Occupation Certificate has been issued.
3. The opening of any footway, roadway, road shoulder or any part of the road reserve shall not be carried out without a Road Opening Permit being obtained from the Council (upon payment of the required fee) beforehand.
4. 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).*
5. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.
6. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.

7. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
8. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
9. All excavations shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.
10. To maintain existing ground levels all excavated material shall be removed from the site.
11. Any excavation of rock involving hydraulic or compressed air rock hammers or other excavation equipment shall comply with the requirements of Council's Code for the Control and Regulation of Noise on Building Sites.

12. No rock breaking or other machinery for the excavation, drilling or removal of rock shall be used on the site without the prior approval of the Principal Certifying Authority. Should rock breaking or associated machinery be required, the following details are to be submitted to the Principal Certifying Authority for consideration:
 - a. The type and size of machinery proposed.
 - b. The routes of all trucks to convey material to and from the site.
 - c. A report by a Geotechnical Engineer detailing the measures recommended in undertaking the work so as to prevent any damage to any adjoining or nearby buildings.
13. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
14. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

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.
15. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - a. must preserve and protect the building from damage, and
 - b. if necessary, must underpin and support the building in an approved manner, and
 - c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.
16. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
17. Any fencing and associated footings shall be constructed entirely within the boundaries of the property.
18. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
19. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.

20. Demolition work, including removal of material or debris from the site, on any building in a residential area shall only be carried out during the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted.
21. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.

The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.

22. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
23. Dust control measures shall be taken on all demolition sites so as to avoid a nuisance to adjoining properties and harm to the environment.
 - a. A person taking down or demolishing or causing to be taken down or demolished any building or portion of any building shall:
 - i. cause the windows or other openings in the external walls to be close boarded or otherwise covered;
 - ii. cause screens of canvas, hessian, boards, mats or other suitable material to be fitted in appropriate locations;
 - iii. cause areas, components and debris to be wetted down; in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.
 - b. Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor or into any basement of such building any building materials or any other matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.
24. Soil on vacant sites is to be stabilised as soon as possible to prevent erosion and the site shall be kept clear of excess vegetation.
25. A temporary construction exit and sediment trap to reduce the transport of sediment from the site onto public roads shall be provided before demolition commences.
26. Existing stormwater lines on the site are to be blocked and made inoperable after buildings are demolished so as to prevent the conveyance of silt or sediments into the gutter or street drainage system.
27. All combustible material shall be removed from the site on a daily basis. Material shall not be burnt on the site.

28. Materials salvaged from a demolition may be stored on site provided they are non combustible, neatly and safety stockpiled and not likely to become a harbourage for vermin.
29. Trees and vegetation on a site shall not be disturbed except with the approval of the Council.
30. Fire hoses are to be maintained on site during the course of demolition.
31. Adequate precautions shall be taken to ensure the protection of adjoining premises and persons therein from damage and injury during the process of demolition.
32. Buildings built prior to the 1970's may contain lead based paint. Lead dust is a hazardous substance. You are advised to follow the attached WorkCover guidelines to prevent personal and environmental contamination.
33. The applicant or builder/developer is responsible for the cost of making good any damage that may be caused to any Council property as a result of work associated with the demolition.
34. Archival recording to be undertaken to the Heritage Office guideline for local heritage significance. The document is to be approved by Council's Heritage Advisor before any demolition works commence.
35. 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, and
 - b. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Any such sign is to be removed when the work has been completed.

This clause does not apply to:

- a. building work carried out inside an existing building, or
 - b. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
36. All demolition materials of value for re-use either on-site or elsewhere, shall be separated and made available for re-cycling.
37. "Peep holes" shall be provided to the entrance doors of all units for personal security.
38. Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level shall be piped to Council's stormwater pit in Woniora Avenue. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.

39. A mandatory rainwater re-use tank system, together with the additional on-site stormwater detention/retention requirements described in chapter 6 of Councils Water Management Development Control Plan 47 (DCP47), must be provided for the development. Retained water must be made available for garden irrigation, car washing, all toilet flushing and laundry use within each unit. DCP47 is available in hard copy at Council and on the Council website. A mains top-up shall be provided for periods of low rainfall.
40. For stormwater control a 200mm wide grated channel/trench drain with a heavy-duty removable galvanised grate is to be provided to collect driveway runoff and must be connected to the main stormwater drainage system. The channel drain shall have an outlet of minimum diameter 150mm to prevent blockage by debris.
41. A maintenance period of six (6) months shall apply to the work in the public road reserve carried out by the applicant after works have been completed to Council's satisfaction. In that period, the applicant shall be liable for any section of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the operating conditions.
42. Where required, the adjustment of any utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.
43. All public footways and roadways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where circulation is diverted on to the roadway, clear directional signage and protective barricades must be installed in accordance with AS1742-3 1996 "*Traffic Control Devices for Work on Roads*". **If pedestrian circulation is not satisfactorily maintained, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**
44. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
45. Driveways and access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard 2890.1 – 2004 "Off-Street car parking".
46. For the purpose of any inspections by Council engineers, the corresponding fees set out in Councils adopted Schedule of Fees and Charges are payable to Council. A re-

inspection fee per visit may be charged where work is unprepared at the requested time of inspection, or where remedial work is unsatisfactory and a further inspection is required. Engineering fees must be paid in full prior to any final consent from Council.

47. The Applicant must obtain a **Section 73 Compliance Certificate** under the *Sydney Water Act 1994*. An application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s web site at www.sydneywater.com.au then the “e-developer” icon or telephone 13 20 92. Following application a “Notice of Requirements” will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.
48. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems shall be installed to control runoff as far as the approved point of stormwater discharge. Such measures shall be to the satisfaction of the Principal Certifying Authority (PCA).
49. Approval is to be obtained from Ku-ring-gai Council Traffic Committee for any temporary public road closures and/or placement of cranes on public land.
50. The relocation of the sewer main is to be carried out in accordance with the requirements of Sydney Water.
51. Geotechnical aspects of the development works, particularly excavation, support, retention and hydrogeological considerations must be undertaken in accordance with the recommendations of the report by Coffey Geosciences dated 16 December 2004 and the subsequent geotechnical investigations carried out for construction purposes.
52. A Tree Preservation Order exists within the Ku-ring-gai Council area whereby the removal, lopping or destruction of any tree exceeding 5.0 metres in height or 4.0 metres in canopy spread (except where exempt as defined under Council’s Tree Preservation Order) without prior written consent of Council is prohibited.

Release of the Construction Certificate gives automatic approval to the removal ONLY of those trees located on the subject property within the footprint of a proposed new building/structure or within 3.0 metres of a proposed new dwelling. Where this application is for a building/structure other than a dwelling then ONLY trees within the area to be occupied by this building/structure may be removed. Other trees SHALL NOT be REMOVED or DAMAGED without an application being made under Council’s Tree Preservation Order.

53. Landscape works shall be carried out in accordance with Landscape Drawing No LDA101 Rev C, LDA201 Rev C, LDA202 Rev A, LDA301 Rev C, LDA302 Rev B, LDA401 Rev A and LDA402 Rev A prepared by Site Image and dated 14/12/2004 submitted with the Development Application, except as amended by the following:

- The proposed planting of *Angophora costata* (Sydney redgum) adjacent to the south west site corner/Woniora Ave is to be relocated 10m to the east so that it is away from the proposed electricity substation
 - The proposed stepping stones located within the grassed areas at the rear of the site are to be deleted.
 - The proposed gravel and stepping stone path adjacent to the western site boundary/Block A is to be hard paved and reduced to a maximum width of 1.0m until it reaches the rear building line.
 - The proposed stepping stone within grass path located adjacent to the eastern site boundary/Block C is to be hard paved and reduced to a maximum width of 1.0m until it reaches the rear building line.
 - The proposed planting of *Syncarpia glomulifera* (Turpentine) located on each side of the proposed vehicular entry/egress point are to have a minimum setback from the driveway of 4.0m
 - To maintain biodiversity, the proposed tree planting of 13 *Syncarpia glomulifera* (Turpentine) located adjacent to the rear site boundary is to be a variety of tree species from both Sydney Bluegum High Forest and Sydney Turpentine Ironbark Forest, and consist of a mix of the following tree species; *Eucalyptus saligna* (Bluegum), *Eucalyptus pilularis* (Blackbutt), *Angophora floribunda* (Rough barked apple), *Eucalyptus paniculata* (Grey Ironbark).
54. REMOVAL/PRUNING of the existing trees located on Council's Woniora Ave nature strip shall be undertaken at no cost to Council by an experienced Tree Removal Contractor/Arborist holding Public Liability Insurance amounting to a minimum cover of \$10,000,000. Following removal of the trees from Council's nature strip, the nature strip shall be rehabilitated to the satisfaction of Council's Director Open Space at no cost to Council.
55. Tree roots between 10mm and 50mm diameter, severed during excavation, shall be cut cleanly by hand and the tree subsequently treated with a root growth hormone and wetting agent, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.
56. No tree roots of 50mm or greater in diameter located within the specified radius of the trunk/s of the following, tree/s shall be severed or injured in the process of any site works during the construction period.
- | | |
|---|-------------------|
| Tree/Location | Radius From Trunk |
| Beneath the canopy drip line of ANY tree to be retained located on site or adjoining properties | |
57. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
58. The following tree species shall be planted, at no cost to Council, in the nature strip fronting the property along Woniora Ave. The trees are to be planted as an evenly spaced, formal avenue planting. The tree/s used shall be 25 litre container size specimen/s:

Tree Species

Angophora costata (Sydney redgum) x6

59. All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.
60. The colour, texture and substance of all external materials shall be generally as detailed in the application.
61. One hundred and nineteen (119) car parking spaces shall be provided and maintained at all times on the subject site. The spaces shall be allocated in the following proportions:
 - 104 - Residential
 - 15 – Visitors/Service Vehicles

Such spaces are to be identified on-site by line-marking and numbering upon the completion of the works. Car-parking provided shall only be used in conjunction with the uses contained within the development and in the case of Strata subdivision, shall be individually allocated to residential units. Under no circumstances shall Strata By-Laws be created to grant exclusive use of nominated Visitors Parking spaces to occupants/owners of units or tenancies within the building. *(Reason: To ensure that adequate parking facilities to service the development are provided on site)*

62. At least one visitor parking bay shall be provided with a tap, for car washing purposes, in accordance with DCP55 Part 5.
63. Fencing, lapped and capped to a height of 1.8 metres, shall be provided to either side boundary and to the rear. Fencing shall extend to the front boundary on the eastern side of the property, and to the front setback of 1/11 Woniora Avenue on the western side of the property.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

64. The Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the Building and Construction Industry Payments Act 1986 prior to the issue of the Construction Certificate.

Note: Required if cost of works exceed \$25,000.00.

65. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit

issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).

66. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.
67. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
- a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
 - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
 - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
 - d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
68. A contribution is to be paid for the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of development in the area.

TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF 53 ADDITIONAL DWELLINGS IS CURRENTLY \$1,063,719.40. The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index.

This contribution shall be paid to Council prior to the release of the Construction Certificate and the amount payable shall be in accordance with the Council's adopted Section 94 Contributions Plan for Residential Development, effective from 30 June 2004, calculated for additional person as follows:

1.	Community Facilities	\$1 117.76
2.	Park Acquisition and Embellishment Works	\$6 574.28
3.	Sportsgrounds Works	\$1 318.32

4.	Aquatic / Leisure Centres	\$27.82
5.	Traffic and Transport	\$150.28
6.	Section 94 Plan Administration	\$100.04

To obtain the total contribution figure the following table of occupancy rates is to be used:

OCCUPANCY RATES FOR DIFFERENT DWELLING SIZES

Small dwelling (under 75 sqm)	1.27 persons
Medium dwelling (75 - under 110 sqm)	1.78 persons
Large dwelling (110 – under 150sqm)	2.56 persons
Very Large dwelling (150sqm or more)	3.48 persons
New Lot	3.48 persons
SEPP (Seniors Living) Dwelling	1.3persons

69. A CASH BOND/BANK GUARANTEE of \$10 000.00 shall be lodged with Council as a Landscape Establishment Bond prior to the release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan or other landscape conditions.

Fifty percent (50%) of this bond will be refunded upon issue of the final Certificate of Compliance, where landscape works as approved have been satisfactorily installed. The balance of the bond will be refunded 3 years after issue of the building certificate, where landscape works has been satisfactorily established and maintained.

It is the responsibility of the applicant to notify Council in relation to the refunding of the bond at the end of the 3 year period. Where a change of ownership occurs during this period it is the responsibility of the applicant to make all arrangements regarding transference of the bond and to notify Council of such.

70. Prior to issue of the Construction Certificate, the Applicant must consolidate the existing five lots. Evidence of lot consolidation, in the form of a plan registered with Land and Property Information, must be submitted for approval of the Principal Certifying Authority prior to issue of the Construction Certificate. The condition is imposed to ensure a continuous structure will not be placed across separate titles.
71. Prior to issue of the Construction Certificate the Applicant shall contact Energy Australia regarding power supply for the subject development. A written response detailing the full requirements of Energy Australia (including cabling, need for substations or similar within the development) shall be submitted to the Principal Certifying Authority (PCA) for approval prior to Construction Certificate issue. Any structures or requirements of Energy Australia shall be reflected on the plans issued with the Construction Certificate to the satisfaction of the PCA. The requirements of the utility provider shall be met in full prior to issue of the Occupation Certificate.
72. Prior to issue of the Construction Certificate, footpath and driveway levels for the required driveway crossings between the property boundary and road alignment must be obtained from Council. Such levels are only able to be issued by Council under the *Roads Act 1993*. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath

Crossings" or as specified by Council. These are issued with alignment levels after completing the necessary application form at Customer Services and payment of the adopted fee.

The grading of such footpaths or driveways outside the property shall comply with Council's standard requirements. The suitability of the grade of such paths or driveways inside the property is the sole responsibility of the applicant and the alignment levels fixed by Council may affect these. **Approval of this Development Application is for works wholly within the property. DA consent does not imply approval of footpath or driveway levels, materials or location within the road reserve regardless of whether this information is shown on the application documents.** The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.

73. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a Soil and Erosion Control Plan prepared in accordance with the LANDCOM document "Soils and Construction" (2004). A suitably qualified and experienced civil/environmental engineer or surveyor shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management DCP 47 (available on the Council website).
74. The Applicant must carry out the following infrastructure works in the Public Road:
 - Construct new footpath and kerb and gutter for the full site frontage.
 - Construct a 1.8 metre kerb inlet pit and 375mm diameter pipe to connect the site to Council's street drainage system.

Development Consent under the EP&A Act does NOT give approval to these works on Council property. **THE APPLICANT MUST OBTAIN A SEPARATE APPROVAL UNDER SECTION 138 AND 139 OF THE ROADS ACT 1993** for the works in the Public Road, required by this condition. The Construction Certificate must not be issued, and these works must not proceed, until Council has issued a formal written consent under the *Roads Act 1993*.

To obtain consent under the *Roads Act 1993* for the infrastructure works on Council property, full engineering drawings (plans, sections and elevations) and specifications for the infrastructure works are to be prepared by a suitably qualified and experienced consulting civil engineer. These must be submitted and approved by Council prior to issue of the Construction Certificate. Construction of the works must proceed in accordance with any conditions attached to the Council *Roads Act 1993* approval.

All works are to be designed in accordance with Council's "Specification for Road and Drainage Works". In addition, the drawings must detail existing services and trees affected by the works, erosion control requirements and traffic management requirements during the course of works. Traffic management is to be certified on the drawings as being in accordance with the documents SAA HB81.1 – 1996 – Field

NOTE 1: A minimum of three (3) weeks will be required for assessment of Roads Act submissions. Early submission is highly recommended to avoid delays in obtaining a Construction Certificate.

NOTE 2: An engineering assessment fee (set out in Council's adopted fees and charges) is payable and Council will withhold any consent and approved plans until full payment of the correct fees.

NOTE 3: Plans and specifications must be marked to the attention of Council's Development Engineers. In addition, a copy of this condition must be provided, together with a covering letter stating the full address of the property and the accompanying DA number.

75. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), full construction drawings for the proposed method of achieving Council storage volume requirements for an on-site stormwater retention/detention system. The storage volumes and design shall comply with Councils Water Management DCP 47 (available on the Council website and at Council customer services), the manufacturers' specifications and the relevant plumbing codes . Rainwater tank(s) shall be designed to capture and retain runoff from the entire roof area as a minimum. Overflow shall revert to the main drainage system. The design and construction plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer. The design may be generally in accordance with the stormwater concept plan prepared by B.T. Ryan & Associates, advanced as necessary for construction issue purposes.
76. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction details for the proposed method of achieving Council requirements for the mandatory re-use of water on the property including general garden irrigation, carwashing, laundry and toilet flushing within each unit. The necessary plumbing components for re-use shall be shown on this design to a detail suitable for installation by the plumbing contractor. The plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer. **Water quality measures are to be provided, as required by Section 8.3 of DCP 47.**
77. A dedicated car washing area is to be shown on the Construction Certificate plans. The waste collection vehicle manoeuvring area or a visitor parking bay may be used for this facility. The plans are to be approved by the Principal Certifying Authority prior to issue of the Construction Certificate.
78. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction design drawings and calculations for the property drainage system components. The property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence) and shall be compatible with the necessary retention and/or detention devices. Plans and calculations are to be prepared by a

suitably qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47. New connection points to the public drainage system must be shown accurately on the plan and shall be made in accordance with the *General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council*, dated November 2004.

79. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a design detailing the provision of an interceptor drainage system. This system is to capture and convey all stormwater runoff arriving at the subject property from upslope areas to a formal drainage system, bypassing any on-site stormwater detention systems. Design details are to be prepared by a suitably qualified and experienced civil/hydraulic engineer and shall comprise suitable inlet pits, grated drains, pipes and channels. This drainage system is to be designed for storm events up to and including the 100-year ARI and in accordance with Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
80. **Prior** to the issue of a Construction Certificate the applicant shall lodge a **\$50,000** (fifty thousand dollars) public infrastructure damage bond with Council. This bond is to cover the restoration by Council of any damage to public infrastructure, caused as a result of construction works, in close proximity to the subject development. The bond will also cover the finishing of any incomplete works required in the road reserve under this consent and/or as part of the approved development. The bond shall be refundable following completion of **all** works relating to the proposed development and at the end of any maintenance period stipulated by consent conditions upon approval by Council's Engineers. Further, Council shall have full authority to make use of the bond for such restoration works as deemed necessary by Council in the following circumstances:
- Where the damage constitutes a hazard in which case Council may make use of the bond immediately, and
 - The applicant has not repaired nor commenced repairing the damage within 48 hours of the issue by Council in writing of instructions to undertake such repairs or works.
 - Works in the public road associated with the development are to an unacceptable quality.
81. Service ducts shall be provided within the building to keep external walls free of plumbing or any other utility installations. Such service ducts are to be concealed from view from the street. Details demonstrating compliance are to be provided in the Construction Certificate. (*Reason: To ensure quality built form of the development*).
82. The following energy efficiency devices are to be installed within the development:
- Gas boosted solar, heat pump or electricity boosted solar, instantaneous gas or high
 - efficiency centralised gas hot water heating system.
 - Dual flush toilets.
 - Low flow taps and showerheads.

Details are to be submitted for approval with the Construction Certificate. (*Reason: To promote the use of energy efficient appliances*)

83. All overhead electricity and other lines (existing and proposed) shall be undergrounded from the proposed building on the site to the appropriate power pole(s) or other connection point, in accordance with the requirements of Energy Australia. Details to be shown on plans submitted with the Construction Certificate. (Reason: To provide infrastructure that facilitates the future improvement of the streetscape by relocation of overhead lines below ground).
84. Any exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1. Details demonstrating compliance are to be provided with the Construction Certificate (*Reason: To preserve community health and ensure compliance with acceptable standards*).
84. Six (6) of the proposed apartments are to be designed with accessible features for disabled persons, and to incorporate level entries and wider doorways and corridors, slip resistant surfaces, reachable power points, disabled toilet, and lever door handles and taps; such features to be designed generally in accordance with Australian Standards 1428.1 and 4299. Details demonstrating compliance are to be submitted with the Construction Certificate. (*Reason: To ensure equity of access and availability of accommodation in the future for an ageing population*).
85. All plant and equipment (including but not limited to air conditioning equipment) is to be located within the basement or other areas of the building and is not to be located on the roof. Details demonstrating compliance are to be submitted with the Construction Certificate application. (*Reason: Minimise impact on surrounding properties, improved visual appearance and amenity for locality*).

CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

86. Prior to the commencement of any work, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder who intends to carry out the approved works.
87. Prior to the commencement of any works on site the applicant shall submit **to Council** a full dilapidation report on the visible (including photos) and structural condition of Woniara Avenue including full road width, any kerb and gutter and the intersection with Coonanbarra Road. The report must be completed by a consulting structural/civil engineer. A second dilapidation report, recording structural conditions of all structures originally assessed prior to the commencement of works, must be carried out at the completion of the works and be submitted to Council.
88. Prior to the commencement of any works on site and prior to issue of the Construction Certificate, the applicant shall submit to the Principal Certifying Authority (PCA) and Council a full dilapidation report on the visible and structural condition of the existing structure at 11 Woniara Avenue.

The report must be completed by a consulting structural/geotechnical engineer. A second dilapidation report, recording structural conditions of all structures originally assessed prior to the commencement of works, must be carried out at the completion of the works and be submitted to Council.

89. Prior to the commencement of any excavation works on site, the applicant must submit to the Principal Certifying Authority the results of vibration monitoring as recommended in the report by Coffey Geosciences. This is to ensure that vibration created by the method of construction does not adversely impact on the surrounding properties and infrastructure. A qualified and practising geotechnical engineer must oversee the vibration monitoring and all associated investigations. Excavation is to proceed in accordance with the recommendations of the geotechnical engineer.
90. Prior to the commencement of *any* works on site the applicant must submit, for review by Council Engineers, a *Construction and Traffic Management Plan*. The following matters must be specifically addressed in the Plan:

A plan view of the entire site and frontage roadways indicating :

- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage any pedestrians and construction related vehicles in the frontage roadways,
- Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- The locations of any Work Zones in the frontage roadways,
- Location of proposed crane standing areas
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries
- Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
- The provision of an on-site parking area for employees, tradesperson and construction vehicles where possible

Traffic Control Plan(s) for the site

- All traffic control devices installed in the road reserve must be in accordance with the RTA publication “Traffic Control Worksite Manual” and designed by a person licensed to do so (minimum RTA ‘red card’ qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.
- Approval is to be obtained from Ku-ring-gai Council for any temporary road closures or crane use from public property.

A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided.

- Light traffic roads and those subject to a load or height limit must be avoided at all times.
- A copy of this route is to be made available to all contractors, and shall be clearly depicted at a location within the site.
- The proposed truck route is to be temporarily signposted for the duration of the demolition and construction works to indicate the proposed truck routes.

In addition, the plan must address:

- A schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations. These must specify that construction-related vehicles to comply with the approved requirements.
- Minimising construction related traffic movements during school peak periods.
- For those construction personnel that drive to the site, the Applicant shall attempt to provide on-site parking so that their personnel's vehicles do not impact on the current parking demand in the area.

The *Construction and Traffic Management Plan* shall be submitted to and reviewed by Council, attention Development Engineer. A written acknowledgment from Council shall be obtained and submitted to the Principal Certifying Authority prior to the commencement of any works on site. The Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition. The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation.

91. Deliveries are not to be made to the site between the hours of 8.00am to 9.30am and 2.30pm to 4.00pm.
92. Prior to the commencement of any works on site, the Applicant must make a written application to the Ku-ring-gai Local Traffic Committee to install a 'Work Zone' along the Woniora Avenue frontage of the site. Further, the Applicant must obtain a written copy of the related resolution from the Ku-ring-gai Local Traffic Committee and submit a copy of this to the Principal Certifying Authority for approval prior to commencement of any works on the site. Where approval of the 'Work Zone' is resolved by the Committee, the necessary 'Work Zone' signage shall be installed and the adopted fee paid prior to commencement of any works on the site. Where such a 'Work Zone' is not considered to be feasible by Council Traffic Engineers, the zone will not be required. This condition is to facilitate a dedicated on-street parking area for construction related vehicles during work hours. A need for a 'Work Zone' arises given the scale of the works, existing on-street parking restrictions around the site and the existing high demand for on-street parking in this location.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE.

93. An easement for waste collection must be created. This is to permit legal access for Council, and Council's contractors, and their vehicles over the subject property for the purpose of collecting waste from the property. The terms of the easement are to indemnify Council and Council's contractors against damages to private land or property whilst in the course of carrying out waste collection services. The terms of the easement are to be generally in accordance with Council's draft terms for an easement for waste collection.
94. Prior to release of the linen plan/issue of the subdivision certificate, the Section 73 Sydney Water compliance certificate **which refers to the subdivision application** must be obtained and submitted to the Council.

95. For endorsement of the linen plan/issue of the subdivision certificate, the Applicant shall submit an original plan of subdivision plus six (6) copies, suitable for endorsement by the consent authority. The following details **must** be submitted with the plan of Subdivision and its (5) copies, where Council is the consent authority:
- a. The endorsement fee current at the time of lodgement.
 - b. The 88B Instruments plus six (6) copies,
 - c. A copy of the Occupation Certificate,
 - d. The Consulting Engineer's certification of the on-site stormwater retention/detention facility. This must be on the standard Council on-site detention/retention certification sheet, available from Council's customer services.
 - e. A copy of all works-as-executed plans required under the consent,
 - f. All Surveyor's and/or Consulting Engineer's certification(s) required under this consent,
 - g. The Section 73 (Sydney Water) Compliance Certificate.

Council officers will check the consent conditions on the subdivision. Failure to submit the required information will delay endorsement of the linen plan, and may require payment of rechecking fees.

Note 1: Plans of subdivision and copies must not be folded.

Note 2: Council will not accept bonds in lieu of completing subdivision works.

Note 3: If the certifying authority is not Council, then a copy of all of the above must be provided to Council

96. For endorsement of the linen plan/subdivision certificate issue, the Applicant shall submit an original instrument under Section 88B of the Conveyancing Act with the plan of subdivision, plus six (6) copies. This is to create any required easements, rights-of-carriageway, positive covenants, restrictions-on-use or other burdens/benefits as may be required. Ku-ring-gai Council must be named as the authority whose consent is required to release, vary or modify the same.
97. Prior to release of the linen plan/issue of the subdivision certificate, the applicant shall create all burdens including but not limited to drainage easements, easements for services and rights-of-carriageway, as required. A registered surveyor is to certify, prior to release of the linen plan/issue of the subdivision certificate, that all existing inter-allotment drainage lines, services and/or driveways are fully contained within the proposed burdens and/or that future provision of such are fully covered by the proposed burdens. Alternatively, where the surveyor is of the opinion that no inter-allotment easements or rights-of-carriageway are required, then certification to this effect must be submitted to the Principal Certifying Authority (PCA).
98. All parking spaces and all areas of common property, including visitor car parking spaces and on-site detention facilities, which are to be common property, must be included on the final plans of strata subdivision.

CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION

99. The landscape works shall be completed prior to release of the Certificate of Occupation and maintained in a satisfactory condition at all times.

100. On completion of the LANDSCAPE WORKS/TREE PLANTING OR SCREEN PLANTING, a Landscape Architect or qualified Landscape Designer shall submit a report certifying correct installation, faithful to the landscape plan to the Principal Certifying Authority with a copy to Council, prior to issue of the Occupation Certificate.
101. Prior to issue of an Occupation Certificate the following works must be completed to the satisfaction of Council Engineers:
- Completion of the new driveway crossing in accordance with levels and specifications issued by Council.
 - Construction of new concrete footpath and kerb and gutter over the entire site frontage of Woniora Avenue.
 - Construction of piped discharge from the site to Council's street drainage pit.
 - Removal of **all** redundant driveway crossings and kerb laybacks (or sections thereof). Full reinstatement of these areas to footway, turfed verge and upright kerb and gutter to the satisfaction of Council. Reinstatement works shall match surrounding adjacent infrastructure with respect to integration of levels and materials.
 - Full repair and resealing of any road surface damaged during construction.
 - Full replacement of damaged sections of grass verge with a non-friable turf of native variety to match existing.

All works must be completed in accordance with the *General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council*, dated November 2004. Any damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles, crane use) must be fully repaired to the satisfaction of Council Engineers. This shall be at no cost to Council.

102. Prior to issue of an Occupation Certificate the applicant shall create a Positive Covenant and Restriction on the Use of Land under Section 88B of the Conveyancing Act 1919, burdening the property with the requirement to maintain the on-site stormwater retention/detention facilities (including all ancillary reticulation plumbing) on the property. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88B instruments for protection of on-site retention/detention facilities (DCP47 appendix 14) and to the satisfaction of Council. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority (PCA) prior to issue of an Occupation Certificate.
103. Prior to issue of the Occupation Certificate, a complete record of geotechnical inspections, testing and monitoring with certifications as recommended in the report by Coffey Geosciences and the professional geotechnical input over the course of the works, must be compiled in report format and submitted to the Principal Certifying Authority for approval.
104. Prior to issue of an Occupation Certificate the following must be provided to Council (attention Development Engineer):

- A copy of the approved Construction Certificate stormwater retention/detention design for the site, and
- A copy of the works-as-executed drawing of the as-built on-site retention/detention system, and
- The Engineer's certification of the as-built system.

This condition is required so Council may maintain its database of as-constructed on-site stormwater detention/retention systems, and also applies if the Principal Certifying Authority (PCA) is not the Council.

105. Prior to issue of an Occupation Certificate the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority (PCA).
106. Prior to issue of an Occupation Certificate a certification and a works-as-executed (WAE) plan, in relation to the installed rainwater retention/detention devices, are to be submitted to the Principal Certifying Authority (PCA). Certification is to be provided by a suitably qualified consulting civil/hydraulic engineer and the WAE plan is to be prepared by a registered surveyor. The Certificate is to specifically state compliance with each of the relevant controls set out in appendix 6.2 of Council Water Management Development Control Plan 47. The Works-as-Executed drawing(s) is to be marked up in red on the approved Construction Certificate design, and shall include:

- As constructed levels in comparison to design levels
- As built location of all tanks/retention devices on the property and distances to adjacent boundaries, buildings and easements
- Dimensions of all retention tanks/devices
- Top water levels of storage areas and RL's at overflow point(s).
- Storage volume(s) provided and supporting calculations/documentation.

For any on-site detention control installed, a separate certificate is to specifically acknowledge compliance of the on-site detention system with the approved Construction Certificate plans and also compliance with the design requirements of appendix 5 in Councils Water Management DCP 47 - "Design of on-site detention systems". The Works-as-Executed details shall be marked in red on the approved Construction Certificate design for the on-site detention system, and shall specifically include:

- As constructed levels in comparison to design levels
- As built location of all detention devices on the property (plan view) and distances to nearest adjacent boundaries, buildings and easements
- As built locations of all pits and grates in the detention system, including dimensions.
- The size of the orifice or pipe control fitted.
- Dimensions of the discharge control pit and access grates
- The achieved capacity of the detention storage and derivative calculation.
- The maximum depth of storage over the outlet control.
- Top water levels of storage areas and RL's at overflow point(s)

107. Prior to issue of an Occupation Certificate the applicant shall submit certification from a consulting civil/hydraulic engineer to the Principal Certifying Authority (PCA), that:

- Construction of the stormwater drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) has been carried out by a licensed plumbing contractor, and
- The works have been completed in accordance with the approved Construction Certificate drainage plans and the Plumbing and Drainage Code AS3500.3.2, and
- All enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices.

A Works-as-Executed (WAE) drawing of the property stormwater drainage system is to be prepared by a registered surveyor and submitted to the Principal Certifying Authority (PCA) prior to issue of an Occupation Certificate. The WAE plan shall show the following as built details, marked in red on the approved construction certificate stormwater drawings:

- a. As built reduced surface and invert levels for all drainage pits and connection points.
 - b. As built reduced level(s) at the approved point of discharge to the public drainage system.
 - c. Gradients of drainage lines, materials and dimensions.
108. Prior to issue of the Occupation Certificate, a qualified civil/traffic engineer must undertake a site inspection of the completed basement vehicle access and accommodation areas which shall include dimension measurements as necessary. At the completion of this site inspection, this engineer shall provide certification to the Principal Certifying Authority that vehicle access and accommodation arrangements (including but not limited to space dimensions, aisle, ramp and driveway widths and grades, height clearances and the like) comply with Australian Standard 2890.1 – 2004 “Off-Street car parking” and the parking layout plans approved for the Construction Certificate.
109. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate (and at the completion of the works) the Applicant shall submit to the Principal Certifying Authority (PCA) a follow up dilapidation report on the visible and structural condition of the existing structure at 11 Woniara Avenue.

The Report must be completed by a practicing consulting structural engineer and be submitted for Council records prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate.

110. Prior to issue of the Occupation Certificate the applicant shall submit **to Council** a follow up dilapidation report on the visible (including photos) and structural condition of Woniara Avenue including full road width, kerb and gutter and the intersection with Coonanbarra Road. The report must be completed by a consulting structural/civil engineer. The structural conditions of all structures originally assessed prior to the commencement of works, must be assessed and the results submitted to Council.

BUILDING CONDITIONS

111. The following are required details and must be submitted to the Principal Certifying Authority *prior to issue of the Construction Certificate*. Any matter listed below must have a Certificate attached from a suitably qualified person to the effect that the design

or matter complies with the relevant design Standard or Code which the Certificate must identify.

- a. Details prepared by a practicing structural engineer for all or any reinforced concrete, structural steel or timber framing.
- b. Wind bracing details complying with AS 1684-1992 National Timber Framing Code, AS 1170.2-1989 Wind Load Code or AS 4055-1992 Wind Loads for Housing Code.
- c. Retaining walls and associated drainage.
- d. Wet area waterproofing details complying with the Building Code of Australia.
- e. Mechanical ventilation details complying with Australian Standard 1668-1993 Mechanical Ventilation & Air-conditioning.
- f. Glazing details complying with AS 1288-1989 Glass in Buildings and Installation Code.
- g. Stormwater disposal details complying with Council's Stormwater Management Manual and/or other conditions of this consent.

112. To ensure compliance with this determination the building shall be set out by a Registered Surveyor and the Survey Report shall be lodged with the Principal Certifying Authority prior to the external wall construction proceeding above floor level.
113. For the purpose of safety and convenience a balustrade of 1.0 metre minimum height shall be provided to any landing, verandah, balcony or stairway of a height exceeding 1.0 metre above finished ground level. The design may consist of vertical or horizontal bars but shall not have any opening exceeding 125mm. For floors more than 4.0 metres above the ground, any horizontal elements within the balustrade or other barrier between 150mm and 760mm above the floor must not facilitate climbing.
114. For the purpose of safe ingress and egress the stairs are to be constructed within the following dimensions:

Risers:	Maximum 190mm	Minimum 115mm
Going (Treads):	Maximum 355mm	Minimum 240mm

Note: Dimensions must also comply with limitations of two (2) Risers and one (1) going equalling a maximum 700mm or minimum 550mm. The Risers and Goings shall be uniform throughout the length of the stairway.

115. Termite protection which will provide whole of building protection in accordance with Australian Standard 3660 - *"Protection of Buildings from Subterranean Termites"* is to be provided.

Council has a non chemical policy for termite control but will consider proposals involving physical barriers in combination with approved chemical systems. Handspraying is prohibited.

Where a monolithic slab is used as part of a termite barrier system, the slab shall be constructed in accordance with Australian Standard 2870.1 or as designed by a structural engineer but in either case shall be vibrated to achieve maximum compaction.

To ensure compliance with this condition, a Compliance Certificate or documentary evidence from a suitably qualified person is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

116. Front courtyards:

The south facing (front) courtyards shall be set back a minimum distance of ten (10) metres from the front boundary and shall have a maximum dimension of three (3) metres x five (5) metres.

117. 2m side fence:

The consent holder shall construct a solid fence to a height of two (2) metres along the western side boundary. No side fencing shall be constructed forward of the proposed front building line. The side fencing, including all footings and/or excavation, shall be located entirely within the subject site.

118. That the development incorporate internal design changes to provide for a 4.5 star rating (Nathers) for 90% of the units with the remaining units achieving a 3.5 star rating. Design details and certification of compliance with the Naters rating be provided to the Principal Certifying Authority (PCA) or Council prior to the issue of the Construction Certificate.

For the Resolution: The Mayor, Councillor A Ryan, Councillors Andrew, Bennett, Ebbeck, Hall, Innes, Lane and Shelley

Against the Resolution: Councillors Cross and Malicki

219 **10 to 16 Marian Street, Killara - Supplementary Report**

File: DA1388/04

The following members of the public addressed Council:

**M Inglis
R Molino
H Loughnan
B Lloyd
C Szatow**

**The General Manager arrived
during address**

*Council adjourned during the discussion of this item,
for a short interval at 8.33 pm after a Motion moved by
Councillors Malicki & Cross was CARRIED,
the Mayor ruled accordingly.*

The Meeting resumed at 8.45pm

Those present were:

*The Mayor, Councillor Ryan
Councillor Andrew
Councillor Malicki
Councillor Bennett
Councillor Hall*

Councillor Cross
Councillor Ebbeck
Councillor Innes AM
Councillor Shelley
Councillor Lane

B Watson

To respond to issues raised at the Council site inspection and seek Council's determination of the development application.

Resolved:

(Moved: Councillors Lane/Ryan)

THAT the Council, as the consent authority, is of the opinion that the objection under *State Environmental Planning Policy No 1 - Development Standards* to the Zone Interface standard (cl. 25L) of the Ku-ring-gai Planning Scheme Ordinance is well founded. The Council is also of the opinion that strict compliance with the development standard is unreasonable and unnecessary in the circumstances of this case as the SEPP 1 Objection has demonstrated that the underlying objective or purpose of the standard has been satisfied.

AND

THAT the Council, as the consent authority, being satisfied that the objection under SEPP No 1 is well founded and also being of the opinion that the granting of consent to DA 1388/04 is consistent with the aims of the Policy, grant development consent to DA 1388/04 for the demolition of existing structures and construction of 5 residential flat buildings comprising 60 dwellings including, basement parking, landscaping, storm water reticulation and strata subdivision on land at 10, 10a, 12, 14 and 16 Marian Street, Killara, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

GENERAL

1. The development must be carried out in accordance with plans identified within the following table, and endorsed with Council's approval stamp, except where amended by the following conditions:

Architectural Plans

Dwg No.	Rev.	Description	Author	Dated	Lodged
DA 03-	Rev B	Site Plan	HPA Architects	31 May 2005	2 June 2005
DA 04-	Rev A	Basement Plan	HPA Architects	Nov. 2004	2 June 2005
DA 05-	Rev B	Level 1 Plan	HPA Architects	31 May 2005	2 June 2005
DA 06-	Rev B	Level 2& 3 Plan	HPA Architects	31 May 2005	2 June 2005
DA 07-	Rev B	Level 4 Plan	HPA Architects	31 May 2005	2 June 2005
DA 08-	Rev B	Level 5 Plan	HPA Architects	31 May 2005	2 June 2005
DA 09-	Rev B	Roof Plan	HPA Architects	31 May 2005	2 June 2005
DA 10-	Rev B	Site Sections	HPA Architects	31 May 2005	2 June 2005
DA 11-	Rev B	Elevations 1, 2 & 3	HPA Architects	31 May 2005	2 June 2005
DA 12-	Rev B	Elevations 4, 5 & 6	HPA Architects	31 May 2005	2 June 2005
DA 13-	Rev B	Elevations 1, 2 & 3- Bldgs	HPA Architects	31 May 2005	2 June 2005
DA 14	Rev A	Elevations 4 & 5- Bldgs	HPA Architects	Nov. 2004	2 June 2005
SK DA 05	Rev A	Part L 1 Plan	HPA Architects	April 2005	29 Apr 05
SK DA 15	Rev A	—	HPA Architects	24 May 2005	30 May 2005
SK DA 16	Rev A	—	HPA Architects	24 May 2005	30 May 2005
SK DA 17	Rev A	—	HPA Architects	26 May 2005	30 May 2005

Landscape Plans

La - 0501-	Rev b02	Landscape Plan	DEM	19 Jan 05	24 Jan 05
La - 0801-	Rev b01	Landscape Plan Finishes	DEM	19 Jan 05	24 Jan 05

Strata Subdivision Plans

030827 DSP--	Sheet 1- 27	Tasy Moraitis	17 Dec 04	21 Dec 04
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2. The approved building shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and an Occupation Certificate has been issued.
3. The opening of any footway, roadway, road shoulder or any part of the road reserve shall not be carried out without a Road Opening Permit being obtained from the Council (upon payment of the required fee) beforehand.
4. 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).*
5. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.
6. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.

7. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
8. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.

9. All excavations shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.
10. To maintain existing ground levels all excavated material shall be removed from the site.
11. Any excavation of rock involving hydraulic or compressed air rock hammers or other excavation equipment shall comply with the requirements of Council's Code for the Control and Regulation of Noise on Building Sites.
12. No rock breaking or other machinery for the excavation, drilling or removal of rock shall be used on the site without the prior approval of the Principal Certifying Authority. Should rock breaking or associated machinery be required, the following details are to be submitted to the Principal Certifying Authority for consideration:
 - a. The type and size of machinery proposed.
 - b. The routes of all trucks to convey material to and from the site.
 - c. A report by a Geotechnical Engineer detailing the measures recommended in undertaking the work so as to prevent any damage to any adjoining or nearby buildings.
13. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
14. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

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.
15. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - a. must preserve and protect the building from damage, and
 - b. if necessary, must underpin and support the building in an approved manner, and
 - c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.
16. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

17. Any fencing and associated footings shall be constructed entirely within the boundaries of the property.
18. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
19. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.
20. Demolition work, including removal of material or debris from the site, on any building in a residential area shall only be carried out during the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted.
21. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.

The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.

22. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
23. Dust control measures shall be taken on all demolition sites so as to avoid a nuisance to adjoining properties and harm to the environment.
 - a. A person taking down or demolishing or causing to be taken down or demolished any building or portion of any building shall:
 - i. cause the windows or other openings in the external walls to be close boarded or otherwise covered;
 - ii. cause screens of canvas, hessian, boards, mats or other suitable material to be fitted in appropriate locations;
 - iii. cause areas, components and debris to be wetted down; in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.
 - b. Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor or into any basement of such building any building materials or any other matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.
24. Soil on vacant sites is to be stabilised as soon as possible to prevent erosion and the site shall be kept clear of excess vegetation.

25. A temporary construction exit and sediment trap to reduce the transport of sediment from the site onto public roads shall be provided before demolition commences.
26. Existing stormwater lines on the site are to be blocked and made inoperable after buildings are demolished so as to prevent the conveyance of silt or sediments into the gutter or street drainage system.
27. All combustible material shall be removed from the site on a daily basis. Material shall not be burnt on the site.
28. Materials salvaged from a demolition may be stored on site provided they are non combustible, neatly and safety stockpiled and not likely to become a harbourage for vermin.
29. Trees and vegetation on a site shall not be disturbed except with the approval of the Council.
30. Fire hoses are to be maintained on site during the course of demolition.
31. Adequate precautions shall be taken to ensure the protection of adjoining premises and persons therein from damage and injury during the process of demolition.
32. Buildings built prior to the 1970's may contain lead based paint. Lead dust is a hazardous substance. You are advised to follow the attached WorkCover guidelines to prevent personal and environmental contamination.
33. The applicant or builder/developer is responsible for the cost of making good any damage that may be caused to any Council property as a result of work associated with the demolition.
34. A photo record of the buildings and associated gardens to be demolished on site is to be submitted to Council for archival purposes.
35. 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, and
 - b. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Any such sign is to be removed when the work has been completed.

This clause does not apply to:

- a. building work carried out inside an existing building, or
 - b. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
36. All demolition materials of value for re-use either on-site or elsewhere, shall be separated and made available for re-cycling.

37. "Peep holes" shall be provided to the entrance doors of all units for personal security.
38. The driveway shall be relocated in accordance with approved plan SK DA 05 dated April 2005 and lodged with Council on 29 April 2005.
39. To ensure the amenity of No. 8 Marian Street is maintained a masonry fence shall be constructed in accordance with plan SK DA 05 dated April 2005 and lodged with Council on 29 April 2005 and SK DA 16 dated May 2005 and lodged with Council on 24 May 2005.

Engineering

40. Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level shall be piped to the trunk drainage system in the site, via the approved site stormwater management system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
41. A mandatory rainwater re-use tank system comprising stormwater tanks and rainwater tanks of minimum total volume 185m³, must be provided for the development. Retained water must be made available for garden irrigation, car washing, all toilet flushing and laundry use within each unit. A mains top-up shall be provided for periods of low rainfall, with a void space left for runoff storage purposes.
42. A mandatory on-site detention system comprising stormwater detention tanks of (minimum) total volume 175m³ must be provided for the development.
43. For stormwater control a 200mm wide grated channel/trench drain with a heavy-duty removable galvanised grate is to be provided to collect driveway runoff and must be connected to the main stormwater drainage system. The channel drain shall have an outlet of minimum diameter 150mm to prevent blockage by debris.
44. A maintenance period of six (6) months shall apply to the work in the public road reserve carried out by the applicant after works have been completed to Council's satisfaction. In that period, the applicant shall be liable for any section of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the operating conditions.
45. Where required, the adjustment of any utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.
46. All public footways and roadways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried

out when and as directed by Council officers. Where circulation is diverted on to the roadway, clear directional signage and protective barricades must be installed in accordance with AS1742-3 1996 "*Traffic Control Devices for Work on Roads*". **If pedestrian circulation is not satisfactorily maintained, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**

47. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
48. Driveways and access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard 2890.1 – 2004 "Off-Street car parking".
49. For the purpose of any further plan assessment and works inspections by Council engineers, the corresponding fees set out in Councils adopted Schedule of Fees and Charges are payable to Council. A re-inspection fee per visit may be charged where work is unprepared at the requested time of inspection, or where remedial work is unsatisfactory and a further inspection is required. Engineering fees must be paid in full prior to any final sign-off from Council.
50. The Applicant must obtain a **Section 73 Compliance Certificate** under the *Sydney Water Act 1994*. An application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at www.sydneywater.com.au then the "e-developer" icon or telephone 13 20 92. Following application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.
51. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems shall be installed to control runoff as far as the approved point of stormwater discharge. Such measures shall be to the satisfaction of the Principal Certifying Authority (PCA).
52. Geotechnical aspects of the development works, particularly excavation, support, retention and hydrogeological considerations must be undertaken in accordance with the recommendations of the Report on Geotechnical Investigation, 10-16 Marian Street, Killara, by Douglas Partners, report 36876, dated March 2004, and the subsequent geotechnical investigations carried out for construction purposes.
53. The geotechnical and hydrogeological works implementation, inspection, testing and monitoring program for the construction works must be in accordance with the Report on Geotechnical Investigation, 10-16 Marian Street, Killara, by Douglas Partners, report

36876, dated March 2004. Over the course of the works a qualified Geotechnical/hydrogeological Engineer must complete the following:

- Further geotechnical investigations and testing recommended in the above report(s) and as determined necessary,
 - Further monitoring and inspection at the hold points recommended in the above report(s) and as determined necessary,
 - Written report(s) including certification(s) of the geotechnical inspection, testing and monitoring programs.
54. Approval is to be obtained from Ku-ring-gai Council Traffic Committee for any temporary public road closures and/or placement of cranes on public land.
55. All construction traffic control and management measures shall be implemented in accordance with an approved *Construction Traffic Management Plan* to be submitted and approved by Council prior to the commencement of works. The Principal Certifying Authority shall monitor the traffic control and management situation over the course of construction works, and shall pay particular attention to traffic control during school drop off and collection hours. Where it is found that the Traffic control and management measures may be improved, this shall be undertaken under the supervision of qualified traffic control persons and in consultation with Council.
56. In order to allow unrestricted access for Council waste collection vehicles to the basement garbage storage/collection area, no doors or gates shall be provided in the access driveways to the basement carpark which would prevent this service.
57. All new public utility services, or appropriate conduits for the same, including electricity, gas, telephone, water and sewerage shall be provided underground by the developer in accordance with the specifications of the supply authorities.
58. Staging of trunk drainage diversion works within the site must take place in the following sequence:
1. Applicant prepares construction detail drainage plans for the proposed trunk and overland flow conveyance structures through the site, which will become Council drainage assets. Plans to be to Council specifications and amended to reflect relevant Conditions of Consent.
 2. Plans for the new trunk drainage infrastructure are reviewed, approved and stamped by Council Technical Services department (as future drainage asset managers), prior to commencement of **any** works within the site and prior to issue of the Construction Certificate by the Principal Certifying Authority. Plan assessment and inspection fees paid to Council.
 3. The Council approved drainage works in the road reserve are completed by the Applicant in accordance with terms of Council approval and prior to commencement any works within the site excluding demolition. The existing 750mm Council drainage line through the site is maintained until the new trunk system is operational.
 4. The redundant sections of the Council drainage line traversing the site are decommissioned and new drainage line sections are made operative.
 5. Applicant commences other works in site subject to Principal Certifying Authority approval.

Landscaping

59. A Tree Preservation Order exists within the Ku-ring-gai Council area whereby the removal, lopping or destruction of any tree exceeding 5.0 metres in height or 4.0 metres in canopy spread (except where exempt as defined under Council's Tree Preservation Order) without prior written consent of Council is prohibited.

Release of the Construction Certificate gives automatic approval to the removal ONLY of those trees located on the subject property within the footprint of a proposed new building/structure or within 3.0 metres of a proposed new dwelling. Where this application is for a building/structure other than a dwelling then ONLY trees within the area to be occupied by this building/structure may be removed. Other trees SHALL NOT be REMOVED or DAMAGED without an application being made under Council's Tree Preservation Order.

60. Landscape works shall be carried out in accordance with Landscape Drawing No la 0501 rev b02, la 0801 rev b01 prepared by DEM and dated 19/01/05 submitted with the Development Application, except as amended by the following:

The proposed planting of an *Angophora floribunda* (Rough barked apple) adjacent to the eastern site boundary and Building 5 is to be deleted and relocated to a location where it has a minimum setback from a proposed or existing dwelling of 5.0m:

- The proposed planting of a *Eucalyptus punctata* (Grey Gum) adjacent to the south east corner of Building 5 is to be relocated so that it has a minimum setback of 5.0m from any dwelling.
 - The proposed planting of *Betula pendula* (Silver Birch) is to be deleted from the landscape works and replaced with a similar deciduous species as it is a cool climate tree species that does not grow well in Sydney due to humidity.
 - Tree numbers 26-30, 32, 35-37, and 39, *Alnus jorullensis* (Evergreen Alder) are to be removed and replaced with ten (10) super advanced (min 45 Litre pot size) native endemic tree species that are consistent with Sydney Bluegum High Forest tree species.
61. All disturbed areas, which are not to be built upon or otherwise developed, shall be rehabilitated to provide permanent protection from soil erosion within fourteen (14) days of final land shaping of such areas.
62. On disturbed areas which will otherwise remain exposed for more than fourteen (14) days before permanent stabilisation works are undertaken, a temporary cover of mulch shall be applied or a dense cover crop shall be established utilising sterile/non seed-setting species eg Rye Corn or Japanese Millet applied at a rate of at least 20kg/ha with Grower 11 fertiliser at 250kg/ha or as directed by the principal certifying authority.
63. Tree roots between 10mm and 50mm diameter, severed during excavation, shall be cut cleanly by hand and the tree subsequently treated with a root growth hormone and wetting agent, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.

64. No tree roots of 50mm or greater in diameter located within the specified radius of the trunk/s of the following, tree/s shall be severed or injured in the process of any site works during the construction period.

Tree/Location (Tree #'s refer to Landscape Plan and Arborists Report)	Radius From Trunk
#11 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to southern site boundary/Building 3	5.0m
#14 <i>Juniperous sp.</i> Adjacent to western site boundary/Building 3	4.0m
#15 <i>Michelia sp.</i> Adjacent to western site boundary/Building 3	3.0m
#16 <i>Michelia sp.</i> Adjacent to western site boundary/Building 3	3.0m
#17 <i>Michelia sp.</i> Adjacent to western site boundary/building 3	3.0m
#19 <i>Juniperous sp.</i> Adjacent to western site boundary/Northwest corner of Building 3	5.0m
#53 <i>Eucalyptus microcorys</i> (Tallowood) Adjacent to northern site boundary/Marian St frontage	5.0m
#55 <i>Tristaniaopsis laurina</i> (Water Gum) Adjacent to northern site boundary/Marian St frontage	3.0m
#56.1 <i>Hymenosporum flavum</i> (Native frangipani) Adjacent to southern site boundary/Building 4	4.0m
#71 <i>Eucalyptus pilularis</i> (Blackbutt) Centrally located between Buildings 4 and 5	5.0m
#72 <i>Eucalyptus pilularis</i> (Blackbutt) Centrally located between Buildings 4 and 5	5.0m
#75 <i>Angophora floribunda</i> (Rough barked apple) Centrally located between Buildings 4 and 5	5.0m
#76 <i>Angophora floribunda</i> (Rough barked apple) Centrally located between Buildings 4 and 5	5.0m
#77 <i>Eucalyptus pilularis</i> (Blackbutt) Centrally located between Buildings 4 and 5	5.0m
#90 <i>Stenocarpus sinuatus</i> (Q'ld Firewheel tree)	4.0m

Adjacent to northern site boundary/Building 5	
#91 <i>Fraxinus oxycarpa</i> 'Raywood'	5.0m
Adjacent to northern site boundary/Building 5	
#96 <i>Jacaranda mimosifolia</i> (Jacaranda)	4.0m
Adjacent to eastern site boundary on neighbouring property	
#96.1 <i>Cupressus torulosa</i> (Bhutan Cypress)	3.0m
Adjacent to eastern site boundary	
#96.2 <i>Trachycarpus fortunei</i>	3.0m
Adjacent to eastern site boundary	
#97 <i>Liquidambar styraciflua</i> (Sweet Gum)	4.0m
Adjacent to eastern site boundary on neighbouring property	
#100 <i>Magnolia soulangeana</i> (Soul's magnolia)	3.0m
Adjacent to eastern site boundary	
#110 <i>Syzigium paniculatum</i> (Brush Cherry)	5.0m
Adjacent to the western site boundary/Marian Street frontage in the neighbouring property	
#111 <i>Taxodium distichum</i> (Swamp Mahogany)	5.0m
Adjacent to northern site boundary/Marian St boundary	
#149 <i>Jacaranda mimosifolia</i> (Jacaranda)	4.0m
Adjacent to eastern site boundary/Entry driveway	
#162 <i>Eucalyptus saligna</i> (Bluegum)	7.0m
Centrally located between Building 5 and proposed driveway	
#171 <i>Metasequoia glyptostroboides</i> (Redwood)	4.0m
Centrally located between eastern site boundary and Building 2	
#181 <i>Corymbia maculata</i> (Spotted Gum)	6.0m
Adjacent to eastern site boundary/proposed driveway	

65. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Regular reports from the Arborist to the principal certifying authority shall be required at three monthly intervals. Documentary evidence of compliance with this condition shall be submitted to the principal certifying authority with the Occupation Certificate.
66. Paving works within the specified radius of the trunk/s of the following tree/s shall be constructed to ensure that existing water infiltration and gaseous exchange to the tree/s root system is maintained. Details for the paving shall be submitted to the Principal

Certifying Authority for approval by a suitably qualified professional prior to the commencement of paving construction:

Tree/Location	Radius From Trunk
#3 <i>Phoenix canariensis</i> (Canaray Is Date Palm) Centrally located on site	4.0m
#111 <i>Taxodium distichum</i> (Swamp Mahogany) Adjacent to northern site boundary/Marian Street boundary	5.0m
#55 <i>Tristaniaopsis laurina</i> (Water Gum) Adjacent to northern site boundary/Marian Street frontage	3.0m
#11 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to southern site boundary/Building 3	5.0m

67. No mechanical excavation of the proposed development works shall be undertaken within the specified radius of the trunk/s of the following tree/s until root pruning by hand along the perimeter line of such works is completed:

Tree/Location	Radius From Trunk
#111 <i>Taxodium distichum</i> (Swamp Mahogany) Adjacent to northern site boundary/Marian Street boundary	5.0m
#171 <i>Metasequoia glyptostroboides</i> (Redwood) Centrally located between eastern site boundary and Building 2	4.0m

68. No mechanical excavation of the proposed development works shall be undertaken within the specified radius of the trunk/s of the following tree/s until root pruning by hand along the perimeter line of such works is completed:

Tree/Location	Radius From Trunk
#11 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to southern site boundary/Building 3	7.0m
#71 <i>Eucalyptus pilularis</i> (Blackbutt) Centrally located between Buildings 4 and 5	10.0m
#72 <i>Eucalyptus pilularis</i> (Blackbutt) Centrally located between Buildings 4 and 5	11.0m
#75 <i>Angophora floribunda</i> (Rough barked apple) Centrally located between Buildings 4 and 5	10.0m

69. All excavation carried out within the specified radius of the trunk/s of the following tree/s shall be hand dug, unless otherwise stated:

Tree/Location	Radius From Trunk
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#110 <i>Syzigium paniculatum</i> (Brush Cherry) Adjacent to the western site boundary/Marian Street frontage in the neighbouring property	5.0m
#55 <i>Tristaniaopsis laurina</i> (Water Gum) Adjacent to northern site boundary/Marian Street frontage	3.0m
#162 <i>Eucalyptus saligna</i> (Bluegum) Centrally located between Building 5 and proposed driveway	7.0m
#111 <i>Taxodium distichum</i> (Swamp Mahogany) Adjacent to northern site boundary/Marian St boundary	5.0m
#171 <i>Metasequoia glyptostroboides</i> (Redwood) Centrally located between eastern site boundary and Building 2	4.0m
#149 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to eastern site boundary/Entry driveway	4.0m
#181 <i>Corymbia maculata</i> (Spotted Gum) Adjacent to eastern site boundary/proposed driveway	6.0m

70. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
71. The following tree species shall be planted, at no cost to Council, in the nature strip fronting the property along Marian St. the trees are to be planted as a formal avenue planting at 10m intervals across the site frontage. The tree/s used shall be 25 litre container size specimen/s:

Tree Species

Jacaranda mimosifolia (Jacaranda) x 5

72. On completion of the landscape works/tree planting or screen planting, a Landscape Architect or qualified Landscape Designer shall submit a report certifying correct installation, faithful to the landscape plan to the Principal Certifying Authority with a copy to Council, prior to issue of final Certificate of Compliance.
73. All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.
74. One hundred and thirty (130) car parking spaces shall be provided and maintained at all times on the subject site. The spaces shall be allocated in the following proportions:
- 115 - Residential
 - 15 - Visitors/Service Vehicles

Such spaces are to be identified on-site by line-marking and numbering upon the completion of the works. Car-parking provided shall only be used in conjunction with the uses contained within the development and in the case of Strata subdivision, shall be individually allocated to residential units. Under no circumstances shall Strata By-Laws be created to grant exclusive use of nominated Visitors Parking spaces to occupants/owners of units or tenancies within the building. *(Reason: To ensure that adequate parking facilities to service the development are provided on site)*

75. At least one external visitor parking bay shall be provided with a tap, for car washing purposes, in accordance with DCP55 Part 5.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

76. The Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the Building and Construction Industry Payments Act 1986 prior to the issue of the Construction Certificate.

Note: Required if cost of works exceed \$25,000.00.

77. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).
78. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.

79. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
- A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
 - A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
 - Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
 - Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
80. A contribution is to be paid for the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of development in the area.

TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF FIFTY-FIVE (55) ADDITIONAL DWELLINGS IS CURRENTLY \$1,465,298.40. The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index.

This contribution shall be paid to Council prior to the release of the Construction Certificate and the amount payable shall be in accordance with the Council's adopted Section 94 Contributions Plan for Residential Development, effective from 30 June 2004, calculated for additional person as follows:

1. Community Facilities	\$1,117.76
2. Park Acquisition and Embellishment Works	\$6,384.75
3. Sportsgrounds Works	\$1,318.32
4. Aquatic / Leisure Centres	\$27.82
5. Traffic and Transport	\$150.28
6. Section 94 Plan Administration	\$100.04

To obtain the total contribution figure the following table of occupancy rates is to be used:

OCCUPANCY RATES FOR DIFFERENT DWELLING SIZES

Small dwelling (under 75sqm)	1.27 persons
Medium dwelling (75 - under 110sqm)	1.78 persons
Large dwelling (110 - under 150sqm)	2.56 persons
Very Large dwelling (150sqm or more)	3.48 persons
New Lot	3.48 persons
SEPP (Seniors Living) Dwelling	1.3 persons

81. The Construction Certificate shall not be released until a Site Management Plan is submitted to the Principal Certifying Authority and approved by a suitably qualified professional.

The plan shall indicate the planned phases of the construction work, erosion and drainage management, tree protection measures, areas nominated for storing materials, site access and where vehicle parking is proposed, during construction.

82. A CASH BOND/BANK GUARANTEE of \$10 000.00 shall be lodged with Council as a Landscape Establishment Bond prior to the release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan or other landscape conditions.

Fifty percent (50%) of the bond will be refunded upon issue of the final Certificate of Compliance, where landscape works as approved have been satisfactorily installed. The balance of the bond will be refunded 3 years after issue of the building certificate, where landscape works has been satisfactorily established and maintained.

It is the responsibility of the applicant to notify Council in relation to the refunding of the bond at the end of the 3 year period. Where a change of ownership occurs during this period it is the responsibility of the applicant to make all arrangements regarding transference of the bond and to notify Council of such.

Landscaping

83. A CASH BOND/BANK GUARANTEE of \$35 000.00 shall be lodged with Council prior to the release of the Construction Certificate to ensure that the following trees are maintained in the same condition as found prior to commencement site development work.

The bond will be returned following issue of the final Certificate of Compliance, provided the trees are undamaged.

In the event that any specified trees are found damaged, dying or dead as a result of any negligence by the applicant or its agent, or as a result of the construction works at any time during the construction period, Council will have the option to demand the whole or part therefore of the bond.

Tree/Location

#3 *Phoenix canariensis* (Canary Island Date Palm) (\$1,000.00)

Centrally located on site

#53 *Eucalyptus microcorys* (Tallowood) (\$2,000.00)

Adjacent to northern site boundary/Marian St frontage

#71 *Eucalyptus pilularis* (Blackbutt) \$4,000.00)

Centrally located between Buildings 4 and 5

#72 *Eucalyptus pilularis* (Blackbutt) (\$4,000.00)

Centrally located between Buildings 4 and 5

#75 *Angophora floribunda* (Rough barked apple) (\$4,000.00)

Centrally located between Buildings 4 and 5

#76 *Angophora floribunda* (Rough barked apple) (\$4,000.00)

Centrally located between Buildings 4 and 5

#77 *Eucalyptus pilularis* (Blackbutt) (\$4,000.00)

Centrally located between Buildings 4 and 5

#149 *Jacaranda mimosifolia* (Jacaranda) (\$2,000.00)

Adjacent to eastern site boundary/Entry driveway

#162 *Eucalyptus saligna* (Bluegum) (\$4,000.00)

Centrally located between Building 5 and proposed driveway

#171 *Metasequoia glyptostroboides* (Redwood) (\$2,000.00)

Centrally located between eastern site boundary and Building 2

#181 *Corymbia maculata* (Spotted Gum) (\$4,000.00)

Adjacent to eastern site boundary/proposed driveway

84. To preserve the following tree/s, footings of the proposed development works shall be isolated pier or pier and beam construction within the specified radius of the trunk/s. The piers shall be located such that no roots of a diameter greater than 50mm shall be severed or injured in the process of any site works during the construction period. The beam shall be located on or above existing soil levels.

The location and details of the footings shall be submitted to the principal certifying authority for approval prior to release of the Construction Certificate.

Tree/Location	Radius in Metres
#111 <i>Taxodium distichum</i> (Swamp Mahogany) Adjacent to northern site boundary/Marian St boundary	5.0m
#148 <i>Cupressus torulosa</i> (Bhutan Cypress) Adjacent to north east site corner/Marian St vehicular entry	5.0m
#149 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to eastern site boundary/Entry driveway	4.0m
#171 <i>Metasequoia glyptostroboides</i> (Redwood) Centrally located between eastern site boundary and Building 2	4.0m
#181 <i>Corymbia maculata</i> (Spotted Gum) Adjacent to eastern site boundary/proposed driveway	6.0m

85. To preserve the ongoing health and vigour of Tree#111 *Taxodium distichum* (Swamp Mahogany) located adjacent to the Marian St site frontage, existing ground levels are to be maintained/unchanged within a 3.0m radius of the tree to the north east and south of the tree. Minor leveling can occur to the west of the tree in the area

of the existing driveway provided that tree roots greater than 30mm are not exposed or severed.

86. To preserve the ongoing health and vigour of tree #110 *Syzigium paniculatum* (Brush Cherry) located adjacent to the western site boundary in the neighbouring property, the removal of the existing paved driveway is to be undertaken using hand tools and tree roots greater than 30mm are not to be severed. Minor leveling is permitted subject to no tree roots greater than 30mm being severed.
87. To preserve the ongoing health and vigour of tree #'s 71, 72, and 77 as identified on the Landscape Plan and within the Arborists Report that are located centrally between Buildings 4 and 5, within 10.0m of the trees, the perimeter of the proposed excavation is to be dug using hand tools to a depth of 500mm. Should tree roots greater than 30mm be encountered, they shall not be severed and shall be left intact until they are cleanly pruned and treated with a root hormone compound by an experienced qualified arborist.

Engineering

88. Prior to issue of the Construction Certificate and prior to commencement of any works influencing the existing trunk drainage system traversing the site, the Applicant must have engineering plans and specifications prepared (to a detail satisfactory for construction) and **approved by** Council engineers, which detail the following drainage infrastructure works required within the site:

- a) Removal of sections of the existing 750mm Council pipe in location of the proposed basement structures.
- b) Introduction of a new trunk drainage infrastructure comprising headwalls, scour protection, culverts, channels and reinforced concrete piping.

Plans shall be generally in accordance with the Drainage plans and report (issue A) by LHO Group drawings C0 3 and C04, project 0404-0110, dated November 2004 which shall be revised and advanced as follows:

- Pit "A1" shall be deleted and a straight run 1350 diameter RCP shall be established between pit "A2" and the downstream pit in the Council car park where reconnection is proposed.
- Plans shall show an upgrade of the pit within the Council car park downstream.

Development Consent under the EP&A Act does NOT imply approval to these works involving Council drainage assets . **THE APPLICANT MUST OBTAIN A SEPARATE APPROVAL** for the works involving Council drainage assets, required by this consent. The Construction Certificate must not be issued, and these works must not proceed, until Council has issued a formal written consent and stamped the construction drawings. Construction of the works must proceed in accordance with any conditions attached to the consent. All works are to be designed in accordance with the General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council, dated November 2004 and Council Water Management DCP 47, chapter 9. The drawings must detail existing services and trees affected by the works, erosion control requirements during the course of works.

A minimum of three (3) weeks will be required for assessment of plans. Early submission is highly recommended to avoid delays in obtaining a Construction Certificate. An engineering assessment and inspection fee (set out in Council's adopted fees and charges) is payable and Council will withhold any consent and approved plans until full payment of the correct fees. Plans and specifications must be marked to the attention of Council's Development Engineers. In addition, a copy of this condition must be provided, together with a covering letter stating the full address of the property and the accompanying DA number.

89. Prior to issue of the Construction Certificate and prior to commencement of any works affecting the existing 750mm piped trunk drainage system traversing the site, the approved trunk drainage works in the site must be completed in accordance with the Council approved drawings, conditions and specifications. The works must be supervised by the applicant's designing engineer and the works shall be completed and approved in full to the satisfaction of Council's Engineers. The supervising consulting engineer is to provide certification upon completion that the works were constructed in accordance with the Council approved drawings. A works as executed plan is required as specified. The works are also to be subject to inspection by Council at the hold points noted on the approved drawings. Any conditions attached to the approved drawings for these works must be met in full. At the completion of these works the existing Council drainage line traversing the subject site must be decommissioned. A letter from Ku-ring-gai Council stating that the works have been completed in full and this condition has been satisfied must be submitted to the Principal Certifying Authority prior to issue of any Construction Certificate. This condition is imposed to ensure that there will be a dedicated trunk drainage system through the site at all times during construction.
90. Prior to issue of the Construction Certificate the Applicant shall submit, for approval by the Principal Certifying Authority (PCA), a scale dimensioned layout plan for all aspects of the vehicle access and accommodation arrangements. A qualified civil/traffic engineer must provide specific written certification with these parking layout plans that:
- All parking space dimensions, driveway and aisle widths, grades, transitions, circulation ramps, blind aisle situations and trafficked areas comply with Australian Standard 2890.1 – 2004 "Off-street car parking".
 - A clear height clearance of 2.5 metres headroom is provided for waste collection trucks over the designated garbage collection truck manoeuvring areas.
 - No doors or gates are provided in the access driveways to the basement car park which would prevent full and unrestricted access for internal garbage collection from the basement garbage storage area.

This condition is required to ensure safe and efficient vehicular access and accommodation arrangements for residents and service providers within the site.

91. Prior to issue of the Construction Certificate the Applicant must consolidate the existing Torrens lots which will comprise the development site. Evidence of lot consolidation, in the form of a plan registered with Land and Property Information, must be submitted for approval of the Principal Certifying Authority prior to issue of the Construction Certificate. This condition is imposed to ensure continuous structures will not be placed across separate titles.

92. Prior to issue of the Construction Certificate any security gate, grille or door shown on the DA plans, which would prevent unrestricted access for Council waste collection vehicles to the basement garbage storage /collection area, must be deleted from the plans to be approved with the Construction Certificate. Such details shall be to the satisfaction of the Principal Certifying Authority (PCA).
93. Prior to issue of the Construction Certificate , a plan detailing services trenches in accordance with the relevant supply authorities (including electricity, gas, telephone, water and sewerage), shall be submitted for approval by the Principal Certifying Authority (PCA). The notice of requirements for Sydney Water must be obtained prior to issue of the Construction Certificate.
94. Prior to issue of the Construction Certificate the Applicant shall contact Energy Australia regarding power supply for the subject development. A written response detailing the full requirements of Energy Australia (including any need for underground cabling, substations or similar within or in the vicinity the development) shall be submitted to the Principal Certifying Authority (PCA) for approval prior to Construction Certificate issue. Any structures or other requirements of Energy Australia shall be reflected on the plans issued with the Construction Certificate , to the satisfaction of the Principal Certifying Authority and Energy Australia. The requirements of Energy Australia shall be met in full prior to issue of the Occupation Certificate.
95. Prior to issue of any Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (with a copy forwarded to Council) a full dilapidation report on the visible and structural condition of all neighbouring buildings within the 'zone of influence' of the excavation. As a general rule, this is to be defined as the horizontal distance from the edge of the excavation face to twice the excavation depth. The report must be completed by a consulting structural/geotechnical engineer as determined necessary by that professional based on the excavations for the proposal, the subsoil conditions and the recommendations of the submitted Report on Geotechnical Investigation, 10-16 Marian Street, Killara, by Douglas Partners, report 36876, dated March 2004. A second dilapidation report, recording structural conditions of all structures originally assessed prior to issue of the Construction Certificate, must be carried out at the completion of the works and be submitted to Council. The report shall have regard to protecting the Applicant from spurious claims for structural damage and shall be verified by all stakeholders as far as practicable.
96. Prior to issue of the Construction Certificate, footpath and driveway levels for the required driveway crossing between the property boundary and road alignment must be obtained from Council. Such levels are only able to be issued by Council under the *Roads Act 1993*. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings" or as specified by Council. These are issued with alignment levels after completing the necessary application form at Customer Services and payment of the adopted fee.

The grading of such footpaths or driveways outside the property shall comply with Council's standard requirements. The suitability of the grade of such paths or driveways inside the property is the sole responsibility of the applicant and the alignment levels fixed by Council may affect these. **Approval of this Development**

Application is for works wholly within the property. DA consent does not imply approval of footpath or driveway levels, materials or location within the road reserve regardless of whether this information is shown on the application documents. The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.

97. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a Soil and Erosion Control Plan prepared in accordance with the LANDCOM document "Soils and Construction" (2004). A suitably qualified and experienced civil/environmental engineer shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management DCP 47 (available on the Council website). The design may be generally in accordance with drawing C02 by LHO Group, project 0404-0110, dated November 2004, and the Construction/Environmental Site Management Plan by Mirvac, Revision 1 dated December 2004 submitted with the development application, with both advanced as necessary for construction issue purposes.
98. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), scale construction drawings and specifications in relation to stormwater management and disposal for the development. The plans must include the following detail as a minimum:
 - Full layout of the property drainage system components, including but not limited to gutters, downpipes, spreaders, pits, swales, kerb cut-off and intercepting structures, subsoil drainage, flushing facilities and all ancillary plumbing – to be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence).
 - Location(s), dimensions and specifications for the required rainwater storage and reuse tanks and systems (minimum volume 185m³). Where proprietary products are to be used, manufacturer specifications or equivalent shall be provided.
 - Specifications for reticulated pumping facilities (including pump type and manufacturer specifications) and ancillary plumbing to fully utilise rainwater in accordance with the Ku-ring-gai Council Development Control Plan 47.
 - Details of the required on-site detention tanks required (minimum volume 175m³) including dimensions, materials, locations, discharge control pit details as required (refer chapter 6 and appendices 2, 3 and 5 for volume, PSD and design requirements).
 - The required basement stormwater pump-out systems to cater for driveway runoff and subsoil drainage (refer appendix 7.1.1 of Development Control Plan 47 for design specifications and capacity).

The above construction drawings and specifications are to be prepared by a suitably qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47, Australian Standards 3500.2 and 3500.3 - *Plumbing and Drainage Code* and the BCA. The design may be in accordance with Drainage plans and Report (issue A) by LHO Group drawings C03 to C06 inclusive,

project 0404-0110, dated November 2004 submitted with the development application, and advanced as necessary for construction issue purposes.

99. **Prior** to the issue of a Construction Certificate the applicant shall lodge a \$50,000 (fifty thousand dollar) public infrastructure damage bond with Council. This bond is applied under Section 97 of the Local Government Act to cover the cost of:

- Making good any damage that may be caused to any council property as a consequence of doing or not doing any thing to which this approval relates,
- Completing any works that are required in connection with this approval.

The bond shall be lodged in the form of a deposit or bank guarantee and will be refundable following completion of all works relating to the proposed development and at the end of any maintenance period stipulated by consent conditions upon approval by Council's Engineers. Further, Council shall have full authority to make use of the bond for such restoration works as deemed necessary by Council in the following circumstances:

- a) Where the damage constitutes a hazard in which case Council may make use of the bond immediately, and
- b) The applicant has not repaired nor commenced repairing the damage within 48 hours of the issue by Council in writing of instructions to undertake such repairs or works.
- c) Works in the public road associated with the development are to an unacceptable quality.

100. All overhead electricity and other lines (existing and proposed) shall be undergrounded from the proposed building on the site to the appropriate power pole(s) or other connection point, in accordance with the requirements of Energy Australia. Details to be shown on plans submitted with the Construction Certificate. (Reason: To provide infrastructure that facilitates the future improvement of the streetscape by relocation of overhead lines below ground).

101. Any exhaust ventilation from the car parks is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1. Details demonstrating compliance are to be provided with the Construction Certificate (*Reason: To preserve community health and ensure compliance with acceptable standards*).

- 101a. An acoustic report shall be prepared by a suitably qualified person detailing the devices to be fitted and ongoing maintenance required, in relation to the automatic doors to the garages, air-conditioning and car park ventilation system to ensure their operation does not result in the emission of noise in excess of 5dB(A) above background measured at the nearest residential property boundary. The report shall be provided for approval with the Construction Certificate and shall include recommendations with regard to the ongoing maintenance of the noise attenuating devices. A certification of compliance with the recommendations contained in the report shall be submitted to the Principal Certifying Authority prior to the release of the final compliance certificate or occupation certificate. The burden of ongoing maintenance of these noise attenuating measures shall remain with the Managing body of the development.

102. Six (6) of the proposed apartments are to be designed with accessible features for disabled persons, and to incorporate level entries and wider doorways and corridors, slip resistant surfaces, reachable power points, disabled toilet, and lever door handles and taps; such features to be designed generally in accordance with Australian Standards 1428.1 and 4299. Details demonstrating compliance are to be submitted with the Construction Certificate. (*Reason: To ensure equity of access and availability of accommodation in the future for an ageing population*).
103. All plant and equipment (including but not limited to air conditioning equipment) is to be located within the basement or other areas of the building and is not to be located on the roof. Details demonstrating compliance are to be submitted with the Construction Certificate application. (*Reason: Minimise impact on surrounding properties, improved visual appearance and amenity for locality*).
- 103a. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA) additional measures/specifications to ensure compliance with NatHERS energy requirements to the following levels:
- 78% (47) of apartments to achieve a 4.5 star rating
 - 22% (13) of apartments achieve a 3.5 star rating

The above construction specifications are to be prepared by a suitably qualified and experienced professional.

104. The following are required details and must be submitted to the Principal Certifying Authority *prior to issue of the Construction Certificate*. Any matter listed below must have a Certificate attached from a suitably qualified person to the effect that the design or matter complies with the relevant design Standard or Code which the Certificate must identify.
- a. Details prepared by a practicing structural engineer for all or any reinforced concrete, structural steel or timber framing.
 - b. Retaining walls and associated drainage.
 - c. Wet area waterproofing details complying with the Building Code of Australia.
 - d. Mechanical ventilation details complying with Australian Standard 1668-1993 Mechanical Ventilation & Air-conditioning.
 - e. Glazing details complying with AS 1288-1989 Glass in Buildings and Installation Code.
 - f. Stormwater disposal details complying with Council's Stormwater Management Manual and/or other conditions of this consent.

CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

105. Prior to the commencement of any work, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder who intends to carry out the approved works.
106. A simple photographic record of the **five dwellings, their curtilage and associated gardens** to be demolished shall be submitted to Council prior to the commencement of work. Recording shall be undertaken in accordance with the *Guidelines for*

Information shall be bound in an A4 report format. It shall include copies of black and white photographs, referenced to plans of the affected property. Two (2) copies (one (1) copy to include negatives of photographs) shall be submitted to Council's Department of Environmental and Regulatory Services, to be held in the Local Studies Collection of Ku-ring-gai Library.

Landscaping

107. To preserve the following tree/s, no work shall commence until the trunk/s are protected by the placement of 2.0 metre lengths of 50 x 100mm hardwood timbers spaced at 150mm centres and secured by 2mm wire at 300mm spacings. The trunk protection shall be maintained intact until the completion of all work on site. Any damage to the tree/s shall be treated immediately by an experienced Horticulturist/Arborist, with minimum qualification of Horticulture Certificate or Tree Surgery Certificate and a report detailing the works carried out shall be submitted to the Principal Certifying Authority:

Tree/Location

#148 *Cupressus torulosa* (Bhutan Cypress)

Adjacent to north east site corner/Marian Street vehicular entry

#149 *Jacaranda mimosifolia* (Jacaranda)

Adjacent to eastern site boundary/Entry driveway

#171 *Metasequoia glyptostroboides* (Redwood)

Centrally located between eastern site boundary and Building 2

108. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s is fenced off at the specified radius from the trunk to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

Tree/Location

Radius in Metres

#3 *Phoenix canariensis* (Canary Is Date Palm)

3.0m

Centrally located on site

#11 *Jacaranda mimosifolia* (Jacaranda)

3.0m

Adjacent to southern site boundary/Building 3

#14 *Juniperous sp.*

2.0m

Adjacent to western site boundary/Building 3

#15 *Michelia sp.*

3.0m

Adjacent to western site boundary/Building 3

#16 *Michelia sp.*

3.0m

Adjacent to western site boundary/Building 3	
#17 <i>Michelia sp.</i> Adjacent to western site boundary/building 3	3.0m
#19 <i>Juniperous sp.</i> Adjacent to western site boundary/Northwest corner of Building 3	5.0m
#20 <i>Phoenix canariensis</i> (Canary Island Date Palm) Adjacent to western site boundary	4.0m
#21 <i>Quercus robur</i> (English Oak) Adjacent to western site boundary	7.0m
#53 <i>Eucalyptus microcorys</i> (Tallowood) Adjacent to northern site boundary/Marian Street frontage	4.0m
#55 <i>Tristaniaopsis laurina</i> (Water Gum) Adjacent to northern site boundary/Marian Street frontage	3.0m
#56.1 <i>Hymenosporum flavum</i> (Native frangipani) Adjacent to southern site boundary/Building 4	3.0m
#56.2 <i>Acer palmatum</i> (Japanese Maple) Adjacent to southern site boundary	3.0m
#67 <i>Eucalyptus saligna</i> (Bluegum) Adjacent to southern site boundary	5.0m
#71 <i>Eucalyptus pilularis</i> (Blackbutt) Centrally located between Buildings 4 and 5	4.5m
#72 <i>Eucalyptus pilularis</i> (Blackbutt) Centrally located between Buildings 4 and 5	5.0m
#75 <i>Angophora floribunda</i> (Rough barked apple) Centrally located between Buildings 4 and 5	3.5m
#76 <i>Angophora floribunda</i> (Rough barked apple) Centrally located between Buildings 4 and 5	5.0m
#77 <i>Eucalyptus pilularis</i> (Blackbutt) Centrally located between Buildings 4 and 5	5.0m
#90 <i>Stenocarpus sinuatus</i> (Q'ld Firewheel tree) Adjacent to northern site boundary/Building 5	2.5m
#91 <i>Fraxinus oxycarpa</i> 'Raywood' Adjacent to northern site boundary/Building 5	3.0m

#96.1 <i>Cupressus torulosa</i> (Bhutan Cypress) Adjacent to eastern site boundary	3.0m
#96.2 <i>Trachycarpus fortunei</i> Adjacent to eastern site boundary	2.0m
#97 <i>Liquidambar styraciflua</i> (Sweet Gum) Adjacent to eastern site boundary on neighbouring property	4.0m
#100 <i>Magnolia soulangeana</i> (Soul's magnolia) Adjacent to eastern site boundary	2.0m
#107 <i>Magnifera indica</i> Adjacent to southern site boundary	4.0m
#110 <i>Syzigium paniculatum</i> (Brush Cherry) Adjacent to the western site boundary/Marian Street frontage in the neighbouring property	5.0m
#111 <i>Taxodium distichum</i> (Swamp Mahogany) Adjacent to northern site boundary/Marian Street boundary	5.0m
#114 – 120 Various tree species Adjacent to eastern site boundary on site and adjoining property	3.0m
#149 <i>Jacaranda mimosifolia</i> (Jacaranda) Adjacent to eastern site boundary/Entry driveway	2.0m
#162 <i>Eucalyptus saligna</i> (Bluegum) Centrally located between Building 5 and proposed driveway	8.0m
#181 <i>Corymbia maculata</i> (Spotted Gum) Adjacent to eastern site boundary/proposed driveway	2.6m

109. The tree protection fence shall be constructed of galvanised pipe at 2.4 metre spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.
110. Upon completion of the installation of the required tree protection measures you are required to contact the principal certifying authority to arrange an inspection of the site. Following the carrying out of a satisfactory inspection and subject to the payment of all relevant monies and compliance with any other conditions of approval, work may commence.

Engineering

111. Prior to the commencement of any works on site the applicant shall submit to Council a full dilapidation report on the visible (including photos) and structural condition of the following public infrastructure:

- a) Full road pavement width, including kerb and gutter, of Marian Street over the site frontage, including twenty metres either side of the site frontage.
- b) All driveway crossings and laybacks opposite the subject site.

The report must be completed by a consulting structural/civil engineer. Particular attention must be paid to accurately recording (both via photo and in written format) existing damaged areas in the aforementioned infrastructure so that:

- Council is fully informed when assessing any damage to public infrastructure caused as a result of the development, and
- Council is able to refund infrastructure damage bonds, in full or parts thereof, with accuracy.

The developer may be held liable to all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded under the requirements of this condition prior to the commencement of works. In this respect, the infrastructure damage bond lodged by the subject developer may be used by Council to repair the damage regardless.

112. Prior to the commencement of *any* works on site the applicant must submit, for review by Council Engineers, a *Construction and Traffic Management Plan*. The following matters must be specifically addressed in the Plan:

1. A plan view of the entire site and frontage roadways indicating :

- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage any pedestrians and construction related vehicles in the frontage roadways,
- Turning areas within the site for construction and spoil removal vehicles allowing a forward egress for all construction vehicles on the site,
- The locations of any Work Zones in the frontage roadways,
- Location of proposed crane standing areas
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries
- Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
- The provision of an on-site parking area for employees, tradesperson and construction vehicles

2. Traffic Control Plan(s) for the site

- All traffic control devices installed in the road reserve must be in accordance with the RTA publication “Traffic Control Worksite Manual” and designed by a person licensed to do so (minimum RTA ‘red card’ qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each. The name and certificate number of the traffic control designer must be shown on the Traffic Control Plan.

3. A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided.

- Light traffic roads and those subject to a load or height limit must be avoided at all times.
- A copy of this route is to be made available to all contractors, and shall be clearly depicted at a location within the site.
- The proposed truck route is to be temporarily signposted for the duration of the demolition and construction works to indicate the proposed truck routes.

In addition, the plan must address:

- A schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations. These must specify that construction-related vehicles to comply with the approved requirements.
- Minimising construction related traffic movements during school peak periods.
- For those construction personnel that drive to the site, the Applicant shall attempt to provide on-site parking so that their personnel's vehicles do not impact on the current parking demand in the area.

The *Construction and Traffic Management Plan* shall be submitted to and reviewed by Council, attention Development Engineer. A **written** acknowledgment from Council must be obtained and submitted to the Principal Certifying Authority prior to the commencement of any works on site. The Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition. The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation.

113. If a Works Zone is proposed, the Applicant must make a written application to the Ku-ring-gai Local Traffic Committee to install the 'Work Zone'. The application must be made at least 15 days prior to the commencement of any works on site approved under this consent. Works Zones are provided specifically for the set down and pick up of materials and not for the parking of private vehicles associated with the site. Works Zones will generally not be approved where there is sufficient space on-site for the setting down and picking up of goods being taken to or from a construction site. If the Works Zone is approved by the Committee, the Applicant must obtain a written copy of the related resolution from the Ku-ring-gai Local Traffic Committee and submit a copy of this to the Principal Certifying Authority for approval prior to commencement of any works on the site. Where approval of the 'Work Zone' is resolved by the Committee, the necessary 'Work Zone' signage shall be installed (at the cost of the Applicant) and the adopted fee paid prior to commencement of any works on the site. Further, at the expiration of the Works Zone approval, the Applicant is required to remove the Works Zone signs and reinstate any previous signs, all at the Applicant's cost.

CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION

114. Prior to the release of any occupation certificate, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings

to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the E P & A Act regulations.

Engineering

115. Prior to issue of the Occupation Certificate, a complete record of geotechnical inspections, testing and monitoring with certifications as specified in the Report on Geotechnical Investigation, 10-16 Marian Street, Killara, by Douglas Partners, report 36876, dated March 2004, and the professional geotechnical input over the course of the works, must be compiled in report format and submitted to the Principal Certifying Authority for approval.
116. Prior to issue of an Occupation Certificate, the Principal Certifying Authority (where not Council) shall provide Ku-ring-gai Council with a signed declaration that the following works have been completed in full:
- Completion of the new concrete driveway crossing in accordance with levels and specifications issued by Council.
 - Completion of all drainage works within the site in accordance with the Council approved plans.
 - Removal of **all** redundant driveway crossings and kerb laybacks (or sections thereof). Full reinstatement of these areas to footpath, turfed verge and upright kerb and gutter to the satisfaction of Council. Reinstatement works shall match surrounding adjacent infrastructure with respect to integration of levels and materials.
 - Full repair and resealing of any road surface damaged during construction.
 - Full replacement of damaged sections of grass verge with a non-friable turf of native variety to match existing.

All works must be completed in accordance with the *General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council*, dated November 2004. Any damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles, crane use) must be fully repaired to the satisfaction of Council Engineers at no cost to Council.

117. Prior to issue of an Occupation Certificate the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority (PCA).
118. Prior to issue of an Occupation Certificate a suit ably qualified consulting civil/hydraulic engineer is to provide engineering certification for approval by the Principal Certifying Authority (PCA). The certification is to make **specific reference to each** of the following aspects of the installed stormwater disposal and management measures:
- a) That the works as executed plan in relation to the installed stormwater management and disposal systems has been sighted and reviewed,
 - b) That all critical components of the as-built stormwater management and disposal system are in accordance with the stormwater management and drainage plans approved by the Principal Certifying Authority with the Construction Certificate,

- c) That construction of the stormwater drainage and management systems has been carried out by a contractor licensed to do so and in accordance with the relevant plumbing codes and specifications.
 - d) That all necessary Sydney Water approvals have been obtained for the domestic use of reticulated water.
 - e) That the as-built on-site detention and rainwater retention systems achieve the minimum total design storage volumes of 175m³ and 185m³ respectively.
119. Prior to issue of an Occupation Certificate the applicant shall submit a Works-as-Executed (WAE) drawing(s) to the Principal Certifying Authority in relation to the installed stormwater drainage disposal and management systems. The plans shall show:
- Dimensions, surface levels and invert levels of all pits and grates,
 - Materials, grades and dimensions of all installed drainage lines,
 - The internal dimensions of all retention and detention storage tanks,
 - Top water levels of storage areas and indicative levels through the escape flow path in the event of blockage of system,
 - Indicative levels of overland flow conveyance structures indicating fall,
 - Size of all orifice control devices as specified
 - As built level(s) at the approved point of discharge to the public drainage system.

The WAE(s) is to be prepared by a **registered surveyor** and shall show all critical constructed levels, materials and dimensions in comparison to those shown in the relevant drainage designs approved by the Principal Certifying Authority with the Construction Certificate. All as-built details indicated must be denoted **in red** on the Principal Certifying Authority stamped construction certificate stormwater drawings. The plan shall not be prepared until all final surfaces (such as landscaping) are laid.

120. Prior to issue of an Occupation Certificate the following must be provided to Ku-ring-gai Council (attention Development Engineers):
- A copy of the approved Construction Certificate stormwater drainage plans which show the retention and on-site detention systems.
 - A copy of all the works-as-executed drawings as specified in this consent relating to drainage and stormwater management,
 - All Engineers' certifications specified in this consent.

This condition is required so Council may maintain its database of as-constructed on-site stormwater detention/retention systems, and also applies if the Principal Certifying Authority (PCA) is not the Council.

121. Prior to issue of the Occupation Certificate, a qualified civil/traffic engineer must undertake a site inspection of the completed basement vehicle access and accommodation areas which shall include full dimension measurements as necessary. At the completion of this site inspection, this engineer shall provide certification to the Principal Certifying Authority that:
- a) Vehicle access and accommodation arrangements (including but not limited to space dimensions, aisle, ramp and driveway widths and grades, height clearances and the like) comply with Australian Standard 2890.1 – 2004 “Off-Street car parking”, and

- b) No security doors, grilles or gates are provided which would prevent access to the garbage storage area by Councils waste collection vehicle, including the truck manoeuvring area for forward egress.
122. Prior to issue of the Occupation Certificate the provision of separate underground electricity, gas, phone cable, sewer and water services shall be provided for the development in accordance with those utility providers. A suitably qualified and experienced engineer or surveyor is to provide certification to the Principal Certifying Authority that the development has ready underground access to the services of electricity, gas, phone cable, sewer and water. Alternatively, a final compliance letter from the respective supply authorities may be supplied for approval by the Principal Certifying Authority.
- 122a. Prior to issue of the Occupation Certificate, a suitably qualified assessor must undertake a site inspection of the completed development. At the completion of this site inspection, this assessor shall provide certification to the Principal Certifying Authority that the development achieves compliance with NatHERS energy requirements to the following levels:
- 78% (47) of apartments to achieve a 4.5 star rating
 - 22% (13) of apartments achieve a 3.5 star rating

Landscaping

123. The landscape works shall be completed prior to issue of the Occupation Certificate and maintained in a satisfactory condition at all times.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

Engineering

124. All parking spaces and on-site detention and retention facilities, which are to be on common property, must be shown on the final plans of strata subdivision.
125. Prior to issue of the Subdivision Certificate an easement for waste collection must be created under section 88B of the Conveyancing Act. This is to permit legal access for Council, and Council's contractors, and their vehicles over the subject property for the purpose of collecting waste from the property. The terms of the easement are to indemnify Council and Council's contractors against damages to private land or property whilst in the course of carrying out waste collection services. The terms of the easement are to be generally in accordance with Council's draft terms for an easement for waste collection.
126. Prior to issue of the Subdivision Certificate an easement for drainage must be created under section 88B of the Conveyancing Act. This is to be created over the trunk drainage system through the site, in favour of Ku-ring-gai Council. Wording shall follow Part 3, schedule 8 of the Conveyancing Act "Easement to drain water" unless otherwise specified.

127. Prior to issue of the Subdivision Certificate a Positive Covenant and Restriction on the Use of Land must be created under Section 88B of the Conveyancing Act 1919, burdening the property with the requirement to maintain the trunk overland flow path infrastructure provisions on the site (including headwalls, box culverts, scour protection, channels, fencing, geotextiles). The restriction on use shall be worded to prevent any future interference with the overland flow infrastructure provisions – with terms to the satisfaction of Ku-ring-gai Council.
128. Prior to issue of a Subdivision Certificate the applicant shall create a Positive Covenant and Restriction on the Use of Land under Section 88B of the Conveyancing Act 1919, burdening the property with the requirement to maintain the on-site stormwater retention and detention facilities on the property. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88B instruments for protection of retention facilities - to the satisfaction of Council. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority (PCA) prior to issue of an Occupation Certificate. It is assumed that the legal instruments will transfer to any future subdivision plan at the time of registration.
129. Prior to, or with, the application for Subdivision Certificate, the Applicant must have an original instrument under Section 88B of the Conveyancing Act endorsed by Ku-ring-gai Council. This is to create all required easements, rights-of-carriageway, positive covenants, restrictions-on-use or other burdens/benefits as may be required. Ku-ring-gai Council must be named as the authority whose consent is required to release, vary or modify the same.
130. For endorsement of the linen plan/issue of the subdivision certificate by Ku-ring-gai Council, the Applicant shall submit an original plan of subdivision plus six (6) copies, suitable for endorsement by the consent authority. The following details **must** be submitted with the plan of Subdivision and its (6) copies, where Council is to be the consent authority:
- a. The endorsement fee current at the time of lodgement.
 - b. The 88B Instruments plus six (6) copies,
 - c. A copy of the **final** Occupation Certificate for the subject development,
 - d. The Section 73 (Sydney Water) Compliance Certificate.

Council officers will check the relevant consent conditions. Failure to submit the required information will delay endorsement of the linen plan, and may require payment of rechecking fees. Plans of subdivision and copies must not be folded. Council will not accept bonds in lieu of completing subdivision works. If the certifying authority is not Council, then one copy of all of the above must be provided to Council for its records.

BUILDING CONDITIONS

131. To ensure compliance with this determination the building shall be set out by a Registered Surveyor and the Survey Report shall be lodged with the Principal Certifying Authority prior to the external wall construction proceeding above floor level.

132. For the purpose of safety and convenience a balustrade of 1.0 metre minimum height shall be provided to any landing, verandah, balcony or stairway of a height exceeding 1.0 metre above finished ground level. The design may consist of vertical or horizontal bars but shall not have any opening exceeding 125mm. For floors more than 4.0 metres above the ground, any horizontal elements within the balustrade or other barrier between 150mm and 760mm above the floor must not facilitate climbing.

133. For the purpose of safe ingress and egress the stairs are to be constructed within the following dimensions:

Risers:	Maximum 190mm	Minimum 115mm
Going (Treads):	Maximum 355mm	Minimum 240mm

Note: Dimensions must also comply with limitations of two (2) Risers and one (1) going equalling a maximum 700mm or minimum 550mm. The Risers and Goings shall be uniform throughout the length of the stairway.

134. Termite protection which will provide whole of building protection in accordance with Australian Standard 3660 - "*Protection of Buildings from Subterranean Termites*" is to be provided.

Council has a non chemical policy for termite control but will consider proposals involving physical barriers in combination with approved chemical systems. Handspraying is prohibited.

Where a monolithic slab is used as part of a termite barrier system, the slab shall be constructed in accordance with Australian Standard 2870.1 or as designed by a structural engineer but in either case shall be vibrated to achieve maximum compaction.

To ensure compliance with this condition, a Compliance Certificate or documentary evidence from a suitably qualified person is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

135. The following are required details and must be submitted to the Council on completion of the works. Any matter listed below must have a Certificate attached from a suitably qualified person to the effect that the design or matter complies with the relevant design Standard or Code which the Certificate must identify.

- a. Wet area waterproofing details complying with the Building Code of Australia.
- b. Mechanical ventilation details complying with Australian Standard 1684 Mechanical Ventilation & Air-conditioning.
- c. Glazing details complying with AS 1288-1989 Glass in Buildings and Installation Code.
- d. Storm-water disposal details complying with Council's Storm-water Management Manual and/or other conditions of this consent.
- e. A Compliance Certificate from a suitably qualified person that the residential flat buildings comply with the relevant deemed to satisfy provisions of the Building Code of Australia.
- f. Waterproofing of walls/floors below ground level to prevent the entry of water into the building.

- g. A Registered Surveyor's Report on completion of footings but before external walls are above floor level verifying compliance with this consent.
- h. A Registered Surveyor's Report confirming approved levels of the ground floors.
- i. A Registered Surveyor's Report confirming approved levels of the first floors.
- j. A Registered Surveyor's Reports confirming approved floor levels for all floors.
- k. A registered surveyors report confirming the deep soil landscaped area is no less than 50% of the site area (as defined in the Ku-ring-gai Planning Scheme Ordinance).

CARRIED UNANIMOUSLY

220 **1, 3, 5 and 7 Newhaven Place, St. Ives**

File: DA1294/04

The following members of the public addressed Council:

J McEwen
J Cooper
P Mayoh
M Nowland
S Velik

To refer the application back to Council following a site meeting and seek Council's determination of the development application.

Resolved:

(Moved: Councillors Hall/Bennett)

THAT the Council, as the consent authority, is of the opinion that the objection under *State Environmental Planning Policy No. 1 – Development Standards* to clause 25(L) of the Ku-ring-gai Planning Scheme Ordinance is well founded. The Council is also of the opinion that strict compliance with the development standard is unreasonable and unnecessary in the circumstances of this case.

THAT the Council, as the consent authority, grant development consent to DA 1294/04 for the demolition of existing structures on site and the construction of 6 x 3 bedroom dwellings, 37 x 2 bedroom dwellings and 4 by 1 bedroom dwellings within the building and a two level basement parking and strata subdivision on land at 1, 3, 5 and 7 Newhaven Place, St Ives, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

GENERAL

1. The development must be carried out in accordance with plans identified within the following table, and endorsed with Council's approval stamp, except where amended by the following conditions:

Dwg No.	Rev.	Description	Author	Dated	Lodged
03	C	Site analysis	Mayoh Architects	Nov 04	24-12-2004
75	D	Basement Level 2	Mayoh Architects	Nov 04	6.04.2005
76	C	Basement level 1	Mayoh Architects	Nov 04	3.12.2004
77	C	Ground floor Plan	Mayoh Architects	Nov 04	3-12-2004
78	C	Typical level 1-3	Mayoh Architects	Nov 04	3-12-2004
79	C	Level 4	Mayoh Architects	Nov 04	3-12-2004
80	B	Roof Plan	Mayoh Architects	Nov 04	3-12-2004
81	A	Adaptable units	Mayoh Architects	Nov 04	3-12-2004
86	B	Elevations	Mayoh Architects	Nov 04	3-12-2004
87	B	Elevations	Mayoh Architects	Nov 04	3-12-2004
88	B	Elevations	Mayoh Architects	Nov 04	3-12-2004
90	B	Elevations	Mayoh Architects	Nov 04	3-12-2004
95	B	Sections A-A , B-B	Mayoh Architects	Nov 04	3-12-2004
96	B	Section C-C	Mayoh Architects	Nov 04	3-12-2004
700	A	Shadow diagrams	Mayoh Architects	Nov 04	6-04-2005
701	A	Shadow diagrams	Mayoh Architects	Nov 04	6-04-2005
702	A	Shadow diagrams	Mayoh Architects	Nov 04	6-04-2005
L01	A	Landscape Plan	Michael Siu	21-2-05	25-2-2005
L02	A	Landscape Plan	Michael siu	21-2-05	25-2-2005
L03	A	Landscape Plan	Michael Siu	21-2-05	25-2-2005
Strata(1-9)		Strata Plan-9sheets	Dunlop Thorpe	1-12-04	3-12-2004

2. The approved building shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and an Occupation Certificate has been issued.
3. The opening of any footway, roadway, road shoulder or any part of the road reserve shall not be carried out without a Road Opening Permit being obtained from the Council (upon payment of the required fee) beforehand.
4. 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).*
5. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.
6. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.

7. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
8. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
9. All excavations shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.
10. To maintain existing ground levels all excavated material shall be removed from the site.
11. Any excavation of rock involving hydraulic or compressed air rock hammers or other excavation equipment shall comply with the requirements of Council's Code for the Control and Regulation of Noise on Building Sites.
12. No rock breaking or other machinery for the excavation, drilling or removal of rock shall be used on the site without the prior approval of the Principal Certifying Authority. Should rock breaking or associated machinery be required, the following details are to be submitted to the Principal Certifying Authority for consideration:
 - a. The type and size of machinery proposed.
 - b. The routes of all trucks to convey material to and from the site.
 - c. A report by a Geotechnical Engineer detailing the measures recommended in undertaking the work so as to prevent any damage to any adjoining or nearby buildings.
13. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
14. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

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.
15. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - a. must preserve and protect the building from damage, and
 - b. if necessary, must underpin and support the building in an approved manner, and
 - c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to

the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

16. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
17. Any fencing and associated footings shall be constructed entirely within the boundaries of the property.
18. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
19. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.
20. Demolition work, including removal of material or debris from the site, on any building in a residential area shall only be carried out during the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted.
21. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.

The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.
22. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
23. Dust control measures shall be taken on all demolition sites so as to avoid a nuisance to adjoining properties and harm to the environment.
 - a. A person taking down or demolishing or causing to be taken down or demolished any building or portion of any building shall:
 - i. cause the windows or other openings in the external walls to be close boarded or otherwise covered;
 - ii. cause screens of canvas, hessian, boards, mats or other suitable material to be fitted in appropriate locations;

- iii. cause areas, components and debris to be wetted down; in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.
 - b. Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor or into any basement of such building any building materials or any other matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.
24. Soil on vacant sites is to be stabilised as soon as possible to prevent erosion and the site shall be kept clear of excess vegetation.
 25. A temporary construction exit and sediment trap to reduce the transport of sediment from the site onto public roads shall be provided before demolition commences.
 26. Existing stormwater lines on the site are to be blocked and made inoperable after buildings are demolished so as to prevent the conveyance of silt or sediments into the gutter or street drainage system.
 27. All combustible material shall be removed from the site on a daily basis. Material shall not be burnt on the site.
 28. Materials salvaged from a demolition may be stored on site provided they are non combustible, neatly and safely stockpiled and not likely to become a harbourage for vermin.
 29. Trees and vegetation on a site shall not be disturbed except with the approval of the Council.
 30. Fire hoses are to be maintained on site during the course of demolition.
 31. Adequate precautions shall be taken to ensure the protection of adjoining premises and persons therein from damage and injury during the process of demolition.
 32. Buildings built prior to the 1970's may contain lead based paint. Lead dust is a hazardous substance. You are advised to follow the attached WorkCover guidelines to prevent personal and environmental contamination.
 33. The applicant or builder/developer is responsible for the cost of making good any damage that may be caused to any Council property as a result of work associated with the demolition.
 34. A photo record of the buildings to be demolished and vegetation on site is to be submitted to Council for archival purposes.
 35. 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, and

- b. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Any such sign is to be removed when the work has been completed.

This clause does not apply to:

- a. building work carried out inside an existing building, or
 - b. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
36. All demolition materials of value for re-use either on-site or elsewhere, shall be separated and made available for re-cycling.
37. “Peep holes” shall be provided to the entrance doors of all units for personal security.
38. Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level shall be piped to the in-ground system in Link Road via the approved site stormwater management system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
39. A mandatory rainwater re-use tank system of minimum volume 147m³ as required in chapter 6 of Councils Water Management Development Control Plan 47 (DCP47), must be provided for the development. The drainage plans submitted w with the DA will require amendment to reflect these requirements where to be advanced for Construction Certificate issue purposes. Retained water must be made available for garden irrigation, car washing, all toilet flushing and laundry use within each unit. DCP47 is available in hard copy at Council and on the Council website. A mains top-up shall be provided for periods of low rainfall, with a void space left for runoff storage purposes.
40. For stormwater control a 200mm wide grated channel/trench drain with a heavy-duty removable galvanised grate is to be provided to collect driveway runoff and must be connected to the main stormwater drainage system. The channel drain shall have an outlet of minimum diameter 150mm to prevent blockage by debris.
41. A maintenance period of six (6) months shall apply to the work in the public road reserve carried out by the applicant after works have been completed to Council's satisfaction. In that period, the applicant shall be liable for any section of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the operating conditions.
42. Where required, the adjustment of any utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.

43. All public footways and roadways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where circulation is diverted on to the roadway, clear directional signage and protective barricades must be installed in accordance with AS1742-3 1996 *“Traffic Control Devices for Work on Roads”*. **If pedestrian circulation is not satisfactorily maintained, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**
44. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
45. Driveways and access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard 2890.1 – 2004 *“Off-Street car parking”*.
46. For the purpose of any inspections by Council engineers, the corresponding fees set out in Councils adopted Schedule of Fees and Charges are payable to Council. A re-inspection fee per visit may be charged where work is unprepared at the requested time of inspection, or where remedial work is unsatisfactory and a further inspection is required. Engineering fees must be paid in full prior to any final consent from Council.
47. The Applicant must obtain a **Section 73 Compliance Certificate** under the *Sydney Water Act 1994*. An application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s web site at www.sydneywater.com.au then the “e-developer” icon or telephone 13 20 92. Following application a “Notice of Requirements” will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.
48. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems shall be installed to control runoff as far as the approved point of stormwater discharge. Such measures shall be to the satisfaction of the Principal Certifying Authority (PCA).
49. Geotechnical aspects of the development works, particularly excavation and support, must be undertaken in accordance with the recommendations of the “Report to Mr. Cameron Nelson on Geotechnical Investigation for Proposed Residential Development at 1 to 5 Lynbarra avenue and 12 Porters Lane, St Ives NSW” (project 18895VBrpt, dated 21st October 2004) prepared by Jeffery and Katauskas Consulting Engineers.

50. The geotechnical implementation plan, testing and monitoring program for the construction works must be in accordance with the “Report on Geotechnical Investigation for Proposed Residential Development 12 Ada Ave, Wahroonga” (project 37312, dated August 2004) prepared by Douglas Partners. A qualified Geotechnical/hydrogeological Engineer must complete the following:
- Further geotechnical investigations and testing recommended in the above report(s) and as determined necessary,
 - Further monitoring and inspection at the hold points recommended in the above report(s) and as determined necessary,
 - Written report(s) and certification(s) of the geotechnical inspection, testing and monitoring programs.
51. Approval is to be obtained from Ku-ring-gai Council Traffic Committee for any temporary public road closures and/or placement of cranes on public land.
52. All construction traffic control and management measures shall be implemented generally in accordance with the *Construction Traffic Management Plan* prepared by Masson Wilson Twiney, dated October 2004, submitted with the DA. The Principal Certifying Authority shall monitor the traffic control and management situation over the course of construction works, and shall pay particular attention to traffic control during school drop off and collection hours. Where it is found that the Traffic control and management measures may be improved, this shall be undertaken under the supervision of qualified traffic control persons and in consultation with Council.
53. In order to allow unrestricted access for Council waste collection vehicles to the basement garbage storage/collection area, no doors or gates shall be provided in the access driveways to the basement carpark which would prevent this service. Where required, any security gate or door shown on the DA plans which would prevent this service must be deleted from the plans approved with the Construction Certificate.
54. To ensure compliance with Australian Standard 2890.1 – 2004 “Off-Street car parking”, no dividing structures such as cages or partitioning walls shall be placed that divide individual car spaces. The design is approved based on an open space parking layout.
55. All new public utility services, or appropriate conduits for the same, including electricity, gas, telephone, water and sewerage shall be provided underground by the developer in accordance with the specifications of the supply authorities.
56. A Tree Preservation Order exists within the Ku-ring-gai Council area whereby the removal, lopping or destruction of any tree exceeding 5.0 metres in height or 4.0 metres in canopy spread (except where exempt as defined under Council’s Tree Preservation Order) without prior written consent of Council is prohibited.

Release of the Construction Certificate gives automatic approval to the removal ONLY of those trees located on the subject property within the footprint of a proposed new building/structure or within 3.0 metres of a proposed new dwelling. Where this application is for a building/structure other than a dwelling then ONLY trees within the area to be occupied by this building/structure may be removed. Other trees SHALL

NOT be REMOVED or DAMAGED without an application being made under Council's Tree Preservation Order.

57. The landscape works shall be completed prior to issue of final Certificate of Compliance and maintained in a satisfactory condition at all times.
58. Landscape works shall be carried out in accordance with Landscape Drawing No L01/3 – R9711 (Rev A) prepared by Michael Siu Landscape Architects and dated 21 2 2005 submitted with the Development Application, except as amended by the following:
- 1 *Cupressus cashmeriana* (Kashmir Cypress) - 17, noted for retention in the Tree report although not shown on the landscape plan is to be included in the landscape arrangement for the site.
 - 1 *Alnus jorullensis* (Evergreen Alder) - T2 is to be deleted from the proposed landscape arrangement as it is an exempt species and a poor tree due to its short-term life expectancy, previous severe pruning and prominent northerly lean.
 - Several fern plantings within the front and rear gardens of No.7 Newhaven Place shall be retained within the landscape arrangement for the site.
 - 2 *Syncarpia glomulifera* (Turpentine) proposed close to the western side of Building A shall be relocated beyond its 3 metre exemption zone.
59. Removal/Pruning of the following tree/s from Council's nature strip to permit vehicular access shall be undertaken at no cost to Council by an experienced Tree Removal Contractor/Arborist holding Public Liability Insurance amounting to a minimum cover of \$10,000,000.

No/Tree/Location

73/*Ulmus glabra* '*Lutescens*' (Golden Elm)

60. All disturbed areas, which are not to be built upon or otherwise developed, shall be rehabilitated to provide permanent protection from soil erosion within fourteen (14) days of final land shaping of such areas.
61. Tree roots between 10mm and 50mm diameter, severed during excavation, shall be cut cleanly by hand and the tree subsequently treated with a root growth hormone and wetting agent, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.
62. Topsoil shall be stripped from areas to be developed and stock-piled within the site. Stock-piled topsoil on the site shall be located outside drainage lines and be protected from run-on water by suitably positioned diversion banks. Where the period of storage will exceed fourteen (14) days stock-piles are to be seeded or sprayed with an appropriate emulsion solution to minimise particle movement.
63. Any imported fill material shall be restricted to material from the local soil landscape on which the site is located or be derived from sandstone geology sites.

64. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Regular reports from the Arborist to the Council shall be required at monthly intervals. Documentary evidence of compliance with this condition shall be submitted to Council with the final Certificate of Compliance.
65. Paving works within the specified radius of the trunk/s of the following tree/s shall be constructed to ensure that existing water infiltration and gaseous exchange to the tree/s root system is maintained. Details for the paving shall be submitted to the Principal Certifying Authority for approval by a suitably qualified professional prior to the commencement of paving construction:

No/Tree/Location	Radius From Trunk
4/ <i>Syncarpia glomulifera</i> (Turpentine) Close to the site's eastern corner.	5m
5/ <i>Syncarpia glomulifera</i> (Turpentine) Close to the site's eastern corner.	6m
76/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the southern half of Building B.	5m
77/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the southern half of Building B.	5m
88/ <i>Magnolia x soulangiana</i> (Magnolia) Forward of the centre of Building B.	2m
90/ <i>Camellia sasanqua</i> (Chinese Camellia) Forward of the centre of Building B.	2m
92/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the northern half of Building B.	7m
94/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the northern half of Building B.	4m
95/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the northern half of Building B.	4m
96/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the northern half of Building B.	6m
97/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the northern half of Building B.	6m
108/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the southern half of Building B.	6m

66. Excavation for the installation of CONDUITS/SEWER/STORMWATER/GAS within the specified radius of the trunk/s of the following tree/s shall be carried out using the thrust boring method. Thrust boring shall be carried out at least 600mm beneath natural ground surface at the tree/s to minimise damage to tree/s root system. Documentary evidence of compliance with this condition shall be submitted to Council with the final Certificate of Compliance.

No/Tree/Location	Radius From Trunk
4/ <i>Syncarpia glomulifera</i> (Turpentine) Close to the site's eastern corner.	5m
5/ <i>Syncarpia glomulifera</i> (Turpentine) Close to the site's eastern corner.	6m
76/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the southern half of Building B.	5m
77/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the southern half of Building B.	6m
88/ <i>Magnolia x soulangiana</i> (Magnolia) Forward of the centre of Building B.	2m
92/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the northern half of Building B.	7m
94/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the northern half of Building B.	4m
95/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the northern half of Building B.	4m
96/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the northern half of Building B.	6m
97/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the northern half of Building B.	6m
108/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the southern half of Building B.	6m

67. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
68. The following tree species shall be planted at random spacings, at no cost to Council, in the nature strip fronting the property along Newhaven Place. The tree/s used shall be 25 litre container size specimen/s:

Tree Species

- 1 *Angophora costata* (Sydney Red Gum)
- 1 *Eucalyptus resinifera* (Red Mahogany)
- 2 *Syncarpia glomulifera* (Turpentine)

69. Following removal of the *Ulmus glabra* 'Lutescens' (Golden Elm) – 73 from Council's nature strip, the nature strip shall be rehabilitated to the satisfaction of Council's Director Open Space at no cost to Council.
70. On completion of the landscape works, a Landscape Architect or qualified Landscape Designer shall submit a report certifying correct installation, faithful to the approved landscape plan to the Principal Certifying Authority with a copy to Council, prior to issue of final Certificate of Compliance.
71. The following noxious and/or undesirable plant species shall be removed from the property prior to completion of the proposed building works. Documentary evidence of compliance with this condition shall be submitted to the Principal Certifying Authority prior to the release of the final Compliance Certificate:

Plant Species

- Acer negundo* (Box Elder)
- Bougainvillea glabra* (Bougainvillea)
- Cinnamomum camphora* (Camphor laurel)
- Hedera helix* (English Ivy)
- Impatiens balsamina* (Impatiens)
- Jasminum polyanthum* (Jasminum)
- Lantana camara* (Lantana - Pink Flower)
- Parthenocissus tricuspidata* (Boston Ivy) from T4 - *Syncarpia glomulifera* (Turpentine)
- Sida rhombifolia* (Paddy's Lucern)
- Tradescantia albiflora* (Wandering Jew)
- Wisteria sp.* (Wisteria Vine)

72. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
73. All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.
74. All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.
75. Eighty-six (83) car parking spaces shall be provided and maintained at all times on the subject site. The spaces shall be allocated in the following proportions:
 - 73 - Residential
 - 10 - Visitors/Service Vehicles

Such spaces are to be identified on-site by line-marking and numbering upon the completion of the works. Car-parking provided shall only be used in conjunction with the uses contained within the development and in the case of Strata subdivision, shall be individually allocated to residential units. Under no circumstances shall Strata By-Laws be created to grant exclusive use of nominated Visitors Parking spaces to occupants/owners of units or tenancies within the building. *(Reason: To ensure that adequate parking facilities to service the development are provided on site)*

76. At least one external visitor parking bay shall be provided with a tap, for car washing purposes, in accordance with DCP55 Part 5.
77. Should Energy Australia, or any other energy provider, require a substation to be installed for the development, it should be located well outside the canopy drip line of ANY tree to be retained. It should be located within the landscape area, so that it can be screened from view.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

78. The Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the Building and Construction Industry Payments Act 1986 prior to the issue of the Construction Certificate.

Note: Required if cost of works exceed \$25,000.00.

79. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).
80. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure

Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.

81. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
 - a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
 - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
 - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
 - d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgment of those Certificates with Council.
82. A contribution is to be paid for the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of development in the area.

TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF FORTY SEVEN (47) ADDITIONAL DWELLINGS IS CURRENTLY \$697,938.29. This is based on 47 dwellings less the existing 4 dwellings. The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index.

This contribution shall be paid to Council prior to the release of the Construction Certificate and the amount payable shall be in accordance with the Council's adopted Section 94 Contributions Plan for Residential Development, effective from 30 June 2004, calculated for additional person as follows:

1. Community Facilities	\$1,117.76
2. Park Acquisition and Embellishment Works	\$6,574.28
3. Sportsgrounds Works	\$1,318.32
4. Aquatic / Leisure Centres	\$27.82
5. Traffic and Transport	\$150.28
6. Section 94 Plan Administration	\$100.04

To obtain the total contribution figure the following table of occupancy rates is to be used:

OCCUPANCY RATES FOR DIFFERENT DWELLING SIZES

Small dwelling (under 75sqm)	1.27 persons
Medium dwelling (75 - under 110sqm)	1.78 persons
Large dwelling (110 - under 150sqm)	2.56 persons

Very Large dwelling (150sqm or more)	3.48 persons
New Lot	3.48 persons
SEPP (Seniors Living) Dwelling	1.3 persons

83. The Construction Certificate shall not be released until a Site Management Plan is submitted to the Principal Certifying Authority and approved by a suitably qualified professional.

The plan shall indicate the planned phases of the construction work, erosion and drainage management, tree protection measures, areas nominated for storing materials, site access and where vehicle parking is proposed, during construction.

84. To minimise potential landscape impacts, if an electrical substation is required by the energy authority, it is not to be located beneath the canopy drip line of ANY tree to be retained. It is preferred that the substation, if required, be located adjacent to a side site boundary so that it is not dominant within the landscape setting. Documentary evidence of compliance with this condition, showing the location of the proposed substation on a site plan is to be submitted to the principal certifying authority for approval prior to the issue of the construction certificate.

85. A CASH BOND/BANK GUARANTEE of \$10 000.00 shall be lodged with Council as a Landscape Establishment Bond prior to the release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan or other landscape conditions.

Fifty percent (50%) of this bond will be refunded upon issue of the Occupation Certificate, where landscape works as approved have been satisfactorily installed. The balance of the bond will be refunded 3 years after issue of the building certificate, where landscape works has been satisfactorily established and maintained.

It is the responsibility of the applicant to notify Council in relation to the refunding of the bond at the end of the 3 year period. Where a change of ownership occurs during this period it is the responsibility of the applicant to make all arrangements regarding transference of the bond and to notify Council of such.

86. A CASH BOND/BANK GUARANTEE of \$76,000 shall be lodged with Council prior to the release of the Construction Certificate to ensure that the following trees are maintained in the same condition as found prior to commencement site development work.

The bond will be returned following issue of the final Certificate of Compliance, provided the trees are undamaged.

In the event that any specified trees are found damaged, dying or dead as a result of any negligence by the applicant or its agent, or as a result of the construction works at any time during the construction period, Council will have the option to demand the whole or part therefore of the bond.

No/Tree/Location

4/*Syncarpia glomulifera* (Turpentine)/Close to the site's eastern corner.

- 5/*Syncarpia glomulifera* (Turpentine)/Close to the site's eastern corner.
- 18/*Syncarpia glomulifera* (Turpentine)/Close to the site's western boundary and near its north-western corner.
- 19/*Syncarpia glomulifera* (Turpentine)/Close to the site's western boundary and near its north-western corner.
- 20/*Syncarpia glomulifera* (Turpentine)/Close to the site's western boundary and near its north-western corner.
- 21/*Syncarpia glomulifera* (Turpentine)/Close to the site's north-western corner.
- 22/*Syncarpia glomulifera* (Turpentine)/Close to the site's north-western corner.
- 23/*Syncarpia glomulifera* (Turpentine)/Close to the site's north-western corner.
- 24/*Syncarpia glomulifera* (Turpentine)/Close to the site's north-western corner.
- 25/*Syncarpia glomulifera* (Turpentine)/Close to the site's north-western corner.
- 26/*Syncarpia glomulifera* (Turpentine)/Close to the site's north-western corner.
- 76/*Syncarpia glomulifera* (Turpentine)/Forward of the southern half of Building B.
- 77/*Syncarpia glomulifera* (Turpentine)/Forward of the southern half of Building B.
- 92/*Syncarpia glomulifera* (Turpentine)/Forward of the northern half of Building B.
- 94/*Syncarpia glomulifera* (Turpentine)/Forward of the northern half of Building B.
- 95/*Syncarpia glomulifera* (Turpentine)/Forward of the northern half of Building B.
- 96/*Syncarpia glomulifera* (Turpentine)/Forward of the northern half of Building B.
- 97/*Syncarpia glomulifera* (Turpentine)/Forward of the northern half of Building B.
- 108/*Syncarpia glomulifera* (Turpentine)/Forward of the southern half of Building B.
87. Prior to issue of the Construction Certificate, the Applicant must consolidate the existing four Torrens lots. Evidence of lot consolidation, in the form of a plan registered with Land and Property Information, must be submitted for approval of the Principal Certifying Authority prior to issue of the Construction Certificate. The condition is imposed to ensure a continuous structure will not be placed across separate titles.
88. Prior to issue of the Construction Certificate any security gate, grille or door shown on the DA plans which would prevent unrestricted access for Council waste collection vehicles to the basement garbage storage /collection area must be deleted from the plans approved with the Construction Certificate. Such details shall be to the satisfaction of the Principal Certifying Authority (PCA).
89. Prior to issue of the Construction Certificate, a plan detailing services trenches in accordance with the relevant supply authorities (including electricity, gas, telephone, water and sewerage), shall be submitted for approval by the Principal Certifying Authority (Principal Certifying Authority).
90. Prior to issue of the Construction Certificate the Applicants shall contact Energy Australia with regard to power supply for the subject development. A written response detailing the requirements of Energy Australia (including a possible need for substations or similar within the development) shall be submitted to the Principal Certifying Authority (PCA) for approval prior to Construction Certificate issue. Any structures or requirements of Energy Australia shall be reflected on the plans issued with the Construction Certificate to the satisfaction of the PCA. The requirements shall be met in full prior to issue of the Occupation Certificate.
91. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA) (with a copy forwarded to Council) a full dilapidation report on the visible and structural condition of any neighbouring buildings

within the 'zone of influence' defined as the horizontal distance from the edge of the excavation face to twice the excavation depth. The report must be completed by a consulting structural/geotechnical engineer as determined necessary by that professional. A second dilapidation report, recording structural conditions of all structures originally assessed prior to issue of the Construction Certificate, must be carried out at the completion of the works and be submitted to Council. Where it is the view of the consulting geotechnical engineer that no dilapidation reports are required due to adequate offset distances, then certification to this effect from the geotechnical engineer will satisfy this condition.

92. Prior to issue of the Construction Certificate, footpath and driveway levels for the required driveway crossing between the property boundary and road alignment must be obtained from Council. Such levels are only able to be issued by Council under the *Roads Act 1993*. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings" or as specified by Council. These are issued with alignment levels after completing the necessary application form at Customer Services and payment of the adopted fee.

The grading of such footpaths or driveways outside the property shall comply with Council's standard requirements. The suitability of the grade of such paths or driveways inside the property is the sole responsibility of the applicant and the alignment levels fixed by Council may affect these. **Approval of this Development Application is for works wholly within the property. DA consent does not imply approval of footpath or driveway levels, materials or location within the road reserve regardless of whether this information is shown on the application documents.** The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.

93. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction details for the proposed method of achieving Council requirements for the mandatory re-use of water on the property including general garden irrigation, carwashing, laundry and toilet flushing within each unit. The necessary plumbing components for re-use, including pumps and back up power supply, shall be shown on this design to a detail suitable for installation by the plumbing services contractor. The plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer.
94. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a Soil and Erosion Control Plan prepared in accordance with the LANDCOM document "Soils and Construction" (2004). A suitably qualified and experienced civil/environmental engineer or surveyor shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management DCP 47 (available on the Council website). The design may be generally in accordance with the Civil Services Sediment Control Plan (refer plan C02 (1-0), by

Buckton Lysenko, dated 17/11/2004) submitted with the development application, and advanced as necessary for construction issue purposes.

95. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), full construction drawings for the proposed method of achieving Council storage volume requirements for the on-site stormwater detention and retention system. The minimum storage volumes and design shall comply with Councils Water Management DCP 47 (available on the Council website and at Council customer services), the manufacturers' specifications and the relevant plumbing codes. Rainwater tank(s) shall be designed to capture and retain runoff from the entire roof area as a minimum. Overflow shall revert to the main drainage system. The design and construction plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer. The design may be generally in accordance with the stormwater drainage services plans (refer plans C03 to C08, revisions 1-0, project 24187 by Buckton Lysenko, dated 17/11/04) submitted with the development application, and advanced as necessary for construction issue purposes.
96. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction design drawings and calculations for the property drainage system components. The property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence) and shall be compatible with the necessary retention and detention devices. Plans and calculations are to be prepared by a suitably qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47. New connection points to the public drainage system must be shown accurately on the plan and shall be made in accordance with the *General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council*, dated November 2004. The design of these drainage components may be generally in accordance with the stormwater drainage services plans (refer plans C03 to C08, revisions 1-0, project 24187 by Buckton Lysenko, dated 17/11/04) submitted with the development application, and advanced as necessary for construction issue purposes.
97. **Prior** to the issue of a Construction Certificate the applicant shall lodge a \$50,000 (fifty thousand dollars) public infrastructure damage bond with Council. This bond is to cover the restoration by Council of any damage to public infrastructure, caused as a result of construction works, in close proximity to the subject development. The bond will also cover the finishing of any incomplete works required in the road reserve under this consent and/or as part of the approved development. The bond shall be refundable following completion of **all** works relating to the proposed development and at the end of any maintenance period stipulated by consent conditions upon approval by Council's Engineers. Further, Council shall have full authority to make use of the bond for such restoration works as deemed necessary by Council in the following circumstances:
 - Where the damage constitutes a hazard in which case Council may make use of the bond immediately, and
 - The applicant has not repaired nor commenced repairing the damage within 48 hours of the issue by Council in writing of instructions to undertake such repairs or works.

- Works in the public road associated with the development are to an unacceptable quality.
98. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), advanced plans for the basement and external vehicle access and accommodation arrangements. These plans shall incorporate the following details:
- a. Installation of traffic signals (showing height, location, manufacturer's specification) and convex mirrors (in the event of failure of the traffic signals) on the single width circulation ramps to ensure ingressing and egressing drivers are aware of each other.
 - b. A minimum **clear** height requirement of 2.5 metres over all areas of the basement parking area to be negotiated by the garbage collection vehicle.
99. Prior to issue of the Construction Certificate, the Applicant must submit engineering plans for the following works in the Road Reserve over the site frontage.
- a. Construction of a fully new concrete footpath, 1.2 metres wide, over the full site frontage in Newhaven Place.
 - b. Construction of a fully new double grated gully pit with lintel in Link Rd to facilitate an inground drainage line connection from the subject site. Non return valves to be provided as necessary.

Development Consent under the EP&A Act does NOT give approval to these works on Council property. **THE APPLICANT MUST OBTAIN A SEPARATE APPROVAL UNDER SECTION 138 AND 139 OF THE ROADS ACT 1993** for the works in the Public Road, required by this condition. The Construction Certificate must not be issued, and these works must not proceed, until Council has issued a formal written consent under the *Roads Act 1993*.

To obtain consent under the *Roads Act 1993* for the infrastructure works on Council property, full engineering drawings (plans, sections and elevations) and specifications for the infrastructure works are to be prepared by a suitably qualified and experienced consulting civil engineer. These must be submitted and approved by Council prior to issue of the Construction Certificate. Construction of the works must proceed in accordance with any conditions attached to the Council *Roads Act 1993* approval.

All works are to be designed in accordance with Council's "Specification for Road and Drainage Works". In addition, the drawings must detail existing services and trees affected by the works, erosion control requirements and traffic management requirements during the course of works. Traffic management is to be certified on the drawings as being in accordance with the documents SAA HB81.1 – 1996 – Field Guide for Traffic Control at Works on Roads – Part 1 and RTA Traffic Control at Work Sites (1998).

A minimum of three (3) weeks will be required for assessment of Roads Act submissions. Early submission is highly recommended to avoid delays in obtaining a Construction Certificate. An engineering assessment fee (set out in Council's adopted fees and charges) is payable and Council will withhold any consent and approved plans until full payment of the correct fees. Plans and specifications must be marked to the

attention of Council's Development Engineers. In addition, a copy of this condition must be provided, together with a covering letter stating the full address of the property and the accompanying DA number.

100. The colour of the front fence to Link Road is to be changed to a darker mid-range colour to better relate to the landscape. Samples of the colour are to be submitted to and approved by the Council prior to the issue of a Construction Certificate.

CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

101. Prior to the commencement of any work, the Principal Certifying Authority shall be notified in writing of the name and contractor license number of the owner/builder who intends to carry out the approved works.
102. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s is fenced off at the specified radius from the trunk to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

No/Tree/Location	Radius in Metres
4/ <i>Syncarpia glomulifera</i> (Turpentine) Close to the site's eastern corner.	5m
5/ <i>Syncarpia glomulifera</i> (Turpentine) Close to the site's eastern corner.	6m
17/ <i>Cupressus cashmeriana</i> (Kashmir Cypress) Close to the site's western boundary and near its northwestern corner.	2m
18/ <i>Syncarpia glomulifera</i> (Turpentine) Close to the site's western boundary and near its North-western corner.	4m
19/ <i>Syncarpia glomulifera</i> (Turpentine) Close to the site's western boundary and near its North-western corner.	4m
20/ <i>Syncarpia glomulifera</i> (Turpentine) Close to the site's western boundary and near its North-western corner.	4m
21/ <i>Syncarpia glomulifera</i> (Turpentine) Close to the site's northwestern corner.	4m
22/ <i>Syncarpia glomulifera</i> (Turpentine) Close to the site's north-western corner.	4m
23/ <i>Syncarpia glomulifera</i> (Turpentine)	4m

Close to the site's north-western corner.

24/*Syncarpia glomulifera* (Turpentine) 3m

Close to the site's north-western corner.

25/*Syncarpia glomulifera* (Turpentine) 5m

Close to the site's north-western corner.

26/*Syncarpia glomulifera* (Turpentine) 4m

Close to the site's north-western corner.

27/*Syncarpia glomulifera* (Turpentine) 7m

At the north-eastern corner of 5 Gillott Way.

40/*Syncarpia glomulifera* (Turpentine) 4m

Near the south-eastern corner of 5 Gillott Way.

45/*Syncarpia glomulifera* (Turpentine) 4m

Close to the south-eastern corner of 5 Gillott Way.

46/*Pittosporum undulatum* (Sweet Pittosporum) 7m

Within the adjoining bushland Reserve close to the site's central rear boundary.

52/*Syncarpia glomulifera* (Turpentine) 6m

Within the adjoining bushland Reserve towards the site's south-western corner.

67/*Syncarpia glomulifera* (Turpentine) 5m

Within the adjoining bushland Reserve near the site's south-western corner.

76/*Syncarpia glomulifera* (Turpentine) 5m

Forward of the southern half of Building B.

77/*Syncarpia glomulifera* (Turpentine) 6m

Forward of the southern half of Building B.

92/*Syncarpia glomulifera* (Turpentine) 7m

Forward of the northern half of Building B.

94/*Syncarpia glomulifera* (Turpentine) 4m

Forward of the northern half of Building B.

95/*Syncarpia glomulifera* (Turpentine) 4m

Forward of the northern half of Building B.

97/*Syncarpia glomulifera* (Turpentine) 6m

Forward of the northern half of Building B.

108/*Syncarpia glomulifera* (Turpentine) 6m

Forward of the southern half of Building B.

103. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s excluding that area of the proposed Building A shall be fenced off for the specified radius from the trunk to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site:

No/Tree/Location	Radius From Trunk
96/ <i>Syncarpia glomulifera</i> (Turpentine) Forward of the northern half of Building B.	9m

104. The tree protection fence shall be constructed of galvanised pipe at 2.4 metre spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.
105. Upon completion of the installation of the required tree protection measures you are required to contact the principal certifying authority to arrange an inspection of the site, in this regard a minimum of 24 hours notice is required. Following the carrying out of a satisfactory inspection and subject to the payment of all relevant monies and compliance with any other conditions of approval, work may commence.
106. Prior to the commencement of any works on site the applicant shall submit **to Council** a full dilapidation report on the visible (**including photos**) and structural condition of the following public infrastructure:
- Full road pavement width, including kerb and gutter, of Newhaven Place between the southern most boundary alignment and Link Rd, including the north bound section of the intersection
 - All driveway crossings and laybacks opposite the subject site.

The report must be completed by a consulting structural/civil engineer. Particular attention must be paid to accurately recording (both via photo and written) *existing* damaged areas on the aforementioned infrastructure so that:

Council is fully informed when assessing the damage to public infrastructure caused as a result of the development, and

Council is able to refund infrastructure damage bonds, in full or parts thereof, with accuracy. The developer may be held liable to all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded under the requirements of this condition prior to the commencement of works. In this respect, the infrastructure damage bond lodged by the subject developer may be used by Council to repair the damage regardless.

A second dilapidation report, recording structural conditions of all structures originally assessed prior to the commencement of works, must be carried out at the completion of the works and be submitted to Council.

107. Prior to the commencement of *any* works on site the applicant must submit, for review by Council Engineers, a *Construction and Traffic Management Plan*. The following matters must be specifically addressed in the Plan:

1. A plan view of the entire site and frontage roadways indicating:

- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage any pedestrians and construction related vehicles in the frontage roadways:
- Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- The locations of proposed Work Zones in the frontage roadways,
- Location of any proposed crane standing areas
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries
- Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
- The provision of an on-site parking area for employees, tradesperson and construction vehicles where possible

2. Traffic Control Plan(s) for the site

- All traffic control devices installed in the road reserve must be in accordance with the RTA publication “Traffic Control Worksite Manual” and designed by a person licensed to do so (minimum RTA ‘red card’ qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.
- Approval is to be obtained from Ku-ring-gai Council for any temporary road closures or crane use from public property.

3. A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided.

- Light traffic roads and those subject to a load or height limit must be avoided at all times.

- A copy of this route is to be made available to all contractors, and shall be clearly depicted at a location within the site.

In addition, the plan must address:

- A schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations. These must specify that construction-related vehicles to comply with the approved requirements.

- Minimising construction related traffic movements during school peak periods. For those construction personnel that drive to the site, the Applicant shall attempt to provide on-site parking so that their personnel’s vehicles do not impact on the current parking demand in the area.

The *Construction and Traffic Management Plan* shall be submitted to and reviewed by Council, attention Development Engineer. A written acknowledgment from Council shall be obtained and submitted to the Principal Certifying Authority prior to the commencement of any works on site. The Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition. The

construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation.

4. **For traffic and pedestrian amenity purposes, no truck movements shall occur in Link Road or Newhaven Place during school drop off (8:00am to 9:30am) nor during school collection hours (2:30pm to 4:00pm).**

The Principal Certifying Authority shall monitor the traffic control and management situation over the course of construction works and shall pay particular attention to traffic control during school drop off and collection hours. Where it is found that the traffic control and management measures may be improved, this shall be undertaken under the supervision of qualified traffic control persons and in consultation with Council.

The proposed truck route is to be temporarily signposted for the duration of the demolition and construction works to indicate the proposed truck routes.

During demolition and construction works, a temporary barrier is to be erected along the median in Link Road that is sufficiently long enough to prevent vehicles from crossing the median. The type and form of the barriers are meet with both the roads and Traffic Authority and Council's approval prior to installation

That no construction vehicles are to park in the slip way opposite Newhaven Place, St Ives.

108. Prior to the commencement of any works on site the applicant must submit, for review by Council Engineers, a **construction site layout plan**. This is to entail a plan view of the entire site and frontage roadways indicating scale locations for :

- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and vehicles in the frontage roadway,
- Turning areas within the site for construction vehicles, allowing a forward egress for all construction vehicles on the site,
- The locations of proposed Work Zones in the frontage roadways,
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries
- Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
- The provision of an on-site parking for employees, tradesperson and construction vehicles
- The plan shall be prepared in conjunction with the Construction Traffic Management Plan submitted with the Development Application.
- The construction site layout plan shall be submitted to and reviewed by Council, attention Development Engineer. A written acknowledgment from Council shall be obtained and submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate. The traffic management measures contained in the approved plan shall be implemented in accordance with the above plans prior to the commencement of any works on-site including excavation.

109. Prior to the commencement of any works on site, the Applicant must make a written application to the Ku-ring-gai Local Traffic Committee to install a 'Work Zone' as close as possible to the site. Further, the Applicant must obtain a written copy of the related resolution from the Ku-ring-gai Local Traffic Committee and submit a copy of this to the Principal Certifying Authority for approval prior to commencement of any works on the site. Where approval of the 'Work Zone' is resolved by the Committee, the necessary 'Work Zone' signage shall be installed and the adopted fee paid prior to commencement of any works on the site. Where such a 'Work Zone' is not considered to be feasible by Council Traffic Engineers, the zone will not be required. This condition is to facilitate a dedicated on-street parking area for construction related vehicles during work hours. A need for a 'Work Zone' arises given the scale of the works, existing on-street parking restrictions around the site and the existing high demand for on-street parking in this location.

CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION

110. Prior to the release of any occupation certificate, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the E P & A Act regulations.
111. Prior to issue of the Occupation Certificate, a complete record of geotechnical inspections, testing and monitoring with certifications as specified in the "*Proposed Residential Unit Development 1, 3, 5 & Newhaven Place, St Ives Geotechnical Investigation*" report prepared by Geotechnique (refer report number 10574/1 dated 16th November 2004).
112. Prior to issue of the Construction Certificate, the Applicant must submit engineering plans for the following works in the Road Reserve over the site frontage.
- Construction of a fully new concrete footpath, 1.2 metres wide, over the full site frontage in Newhaven Place.
 - Construction of a fully new double grated gully pit with lintel in Link Rd to facilitate an inground drainage line connection from the subject site. Non return valves to be provided as necessary.

Development Consent under the EP&A Act does NOT give approval to these works on Council property. **THE APPLICANT MUST OBTAIN A SEPARATE APPROVAL UNDER SECTION 138 AND 139 OF THE ROADS ACT 1993** for the works in the Public Road, required by this condition. The Construction Certificate must not be issued, and these works must not proceed, until Council has issued a formal written consent under the *Roads Act 1993*.

To obtain consent under the *Roads Act 1993* for the infrastructure works on Council property, full engineering drawings (plans, sections and elevations) and specifications for the infrastructure works are to be prepared by a suitably qualified and experienced consulting civil engineer. These must be submitted and approved by Council prior to

issue of the Construction Certificate. Construction of the works must proceed in accordance with any conditions attached to the Council *Roads Act 1993* approval.

All works are to be designed in accordance with Council's "Specification for Road and Drainage Works". In addition, the drawings must detail existing services and trees affected by the works, erosion control requirements and traffic management requirements during the course of works. Traffic management is to be certified on the drawings as being in accordance with the documents SAA HB81.1 – 1996 – Field Guide for Traffic Control at Works on Roads – Part 1 and RTA Traffic Control at Work Sites (1998).

A minimum of three (3) weeks will be required for assessment of Roads Act submissions. Early submission is highly recommended to avoid delays in obtaining a Construction Certificate. An engineering assessment fee (set out in Council's adopted fees and charges) is payable and Council will withhold any consent and approved plans until full payment of the correct fees. Plans and specifications must be marked to the attention of Council's Development Engineers. In addition, a copy of this condition must be provided, together with a covering letter stating the full address of the property and the accompanying DA number.

113. Prior to issue of an Occupation Certificate the approved footpath and drainage works must be completed in the road reserve, in accordance with the Council approved *Roads Act 1993* drawings, conditions and specifications. The works must be supervised by the applicant's designing engineer and the works shall be completed and approved in full to the satisfaction of Council's Engineers. The supervising consulting engineer is to provide certification upon completion that the works were constructed in accordance with the Council approved drawings. The works are also to be subject to inspection by Council at the hold points noted on the approved drawings. Any conditions attached to the approved drawings for these works must be met in full.
114. Prior to issue of an Occupation Certificate the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority (PCA).
115. Prior to issue of an Occupation Certificate a suitably qualified consulting civil/hydraulic engineer is to provide certification for approval by the Principal Certifying Authority (PCA). The certification is to make specific reference to each of the following:
 - a. That construction of the stormwater drainage systems has been carried out by a plumbing contractor licensed to do so.
 - b. All Sydney Water approvals have been obtained for the augmentation of reticulated water.
 - c. That the as-built detention and retention systems achieve the design storage volumes approved by the Principal Certifying Authority with the Construction Certificate (engineer must complete form in appendix 4 of DCP47 in relation to the on-site detention system).
 - d. The as-built drainage layout (including pits, pipes, spreaders and the like) is in accordance with the relevant stormwater management and drainage plans approved by the Principal Certifying Authority with the Construction Certificate.
 - e. That all enclosed floor areas, including habitable and basement levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices.

- f. The overall as built drainage and stormwater management systems will achieve the intent of the approved design plans and Council's Water Management DCP47.
116. Prior to issue of an Occupation Certificate the applicant shall submit the following Works-as-Executed (WAE) drawing(s) to the Principal Certifying Authority in relation to the installed property stormwater drainage and managements systems:
- a. As built reduced surface and invert levels for all drainage pits and junctions.
 - b. As built reduced level(s) at the approved point of discharge to the public drainage system.
 - c. Gradients of drainage lines, materials and dimensions.
 - d. As built location and internal dimensions of all detention and retention structures on the property (plan view) and horizontal distances to nearest adjacent boundaries and buildings on site
 - e. As built locations of all access pits and grates in the detention system, including dimensions.
 - f. The size of the orifice or pipe control fitted.
 - g. Dimensions of the discharge control pit and access grates.
 - h. The achieved capacity of the retention and detention storages and derivative calculation.
 - i. The maximum depth of storage over the outlet control.
 - j. Top water levels of storage areas and indicative RLs through the overland flow path in the event of blockage of the on-site detention system.

The WAE(s) is to be prepared by a registered surveyor and shall show all critical constructed levels, materials and dimensions in comparison to those shown in the relevant designs approved by the Principal Certifying Authority with the Construction Certificate. All relevant details indicated must be marked in red on the Principal Certifying Authority stamped construction certificate stormwater drawings.

117. Prior to issue of an Occupation Certificate the following must be provided to Council (attention Development Engineer):
- a. A copy of the approved Construction Certificate stormwater drainage, detention and retention design for the site, and
 - b. A copy of all the works-as-executed drawings as specified in this consent relating to drainage and stormwater management,
 - c. The Engineer's certifications of the as-built drainage, retention and detention systems as specified in this consent.

This condition is required so Council may maintain its database of as-constructed on-site stormwater detention/retention systems, and also applies if the Principal Certifying Authority (PCA) is not the Council.

118. Prior to issue of the Occupation Certificate, a qualified civil/traffic engineer must undertake a site inspection of the completed basement vehicle access and accommodation areas which shall include dimension measurements as necessary. At the completion of this site inspection, this engineer shall provide certification to the Principal Certifying Authority that:

- a. Vehicle access and accommodation arrangements (including but not limited to space dimensions, aisle, ramp and driveway widths and grades, height clearances and the like) comply with Australian Standard 2890.1 – 2004 “Off-Street car parking” and
- b. No security doors, grilles or gates are provided which would prevent access to the garbage storage area by Councils waste collection vehicle, including the truck manoeuvring area for forward egress.

119. Prior to issue of the Occupation Certificate the provision of separate underground electricity, gas, phone cable, sewer and water services shall be provided for the development. A suitably qualified and experienced engineer or surveyor is to provide certification to the Principal Certifying Authority that the development has ready underground access to the services of electricity, gas, phone cable, sewer and water.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A STRATA SUBDIVISION CERTIFICATE

- 120. The applicant shall create a Positive Covenant and Restriction on the Use of Land under Section 88B of the Conveyancing Act 1919, burdening the property with the requirement to maintain the on-site stormwater detention and retention facilities (including all ancillary reticulation plumbing) on the property. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88B instrument s for protection of on-site detention and retention facilities (DCP47 appendix 14) and to the satisfaction of Council. The location of all on-site detention and retention facilities shall be denoted on common property on the plan of subdivision.
- 121. An easement for waste collection is to be created under Section 88B of the Conveyancing Act 1919. This is to permit legal access for Council, Council's contractors and their vehicles over the subject property for the purpose of collecting waste from the property. The terms of the easement are to indemnify Council and Council's contractors against damages to private land or property whilst in the course of carrying out waste collection services. The terms of the easement are to be generally in accordance with Council's draft terms for an easement for waste collection.
- 122. Prior to release of the linen plan/issue of the subdivision certificate, the Section 73 Sydney Water compliance certificate **which refers to the subdivision application** must be obtained and submitted to the Council.
- 123. All parking spaces and all areas of common property, including visitor car parking spaces and on-site detention an detention facilities, which are to be common property, must be included on the final plans of strata subdivision.
- 124. Prior to release of the Subdivision Certificate, evidence of satisfactory provision of services including electricity, gas, telephone, water and sewerage shall be provided by the relevant authorities and shall be certified as being in place by a registered surveyor.
- 125. Prior to release of the linen plan/issue of the subdivision certificate, the applicant shall create all burdens including but not limited to drainage easements, easements for services and rights-of-carriageway, as required. A registered surveyor is to certify, prior to release of the linen plan/issue of the subdivision certificate, that all existing inter-allotment drainage lines, services and/or driveways are fully contained within the

proposed burdens and/or that future provision of such are fully covered by the proposed burdens. Alternatively, where the surveyor is of the opinion that no inter-allotment easements or rights-of-carriageway are required, then certification to this effect must be written.

126. For endorsement of the linen plan / subdivision certificate issue, the Applicant shall submit an original instrument under Section 88B of the Conveyancing Act with the plan of subdivision, plus six (6) copies. This is to create any required easements, rights-of-carriageway, positive covenants, restrictions-on-use or other burdens/benefits as may be required. Ku-ring-gai Council must be named as the authority whose consent is required to release, vary or modify the same.
127. For endorsement of the linen plan/issue of the subdivision certificate, the Applicant shall submit an original plan of subdivision plus six (6) copies, suitable for endorsement by the consent authority. The following details **must** be submitted with the plan of Subdivision and its (6) copies, where Council is to be the consent authority:
 - a. The endorsement fee current at the time of lodgement.
 - b. The 88B Instruments plus six (6) copies,
 - c. A copy of the Occupation Certificate for the development,
 - d. A copy of all works-as-executed plans required under the consent,
 - e. All Surveyor's and/or Consulting Engineer's certification(s) required under this consent,
 - f. The Section 73 (Sydney Water) Compliance Certificate **for the subdivision**.

Council officers will check the consent conditions for the subdivision. Failure to submit the required information will delay endorsement of the linen plan, and may require payment of rechecking fees.

Note 1: Plans of subdivision and copies must not be folded.

Note 2: Council will not accept bonds in lieu of completing subdivision works.

Note 3: If the certifying authority is not Council, then a copy of all of the above must be provided to Council to update its property records.

BUILDING CONDITIONS

128. The following are required details and must be submitted to the Principal Certifying Authority *prior to issue of the Construction Certificate*. Any matter listed below must have a Certificate attached from a suitably qualified person to the effect that the design or matter complies with the relevant design Standard or Code which the Certificate must identify.
 - a. Details prepared by a practicing structural engineer for all or any reinforced concrete, structural steel or timber framing.
 - b. Wind bracing details complying with AS 1684-1992 National Timber Framing Code, AS 1170.2-1989 Wind Load Code or AS 4055-1992 Wind Loads for Housing Code.
 - c. Retaining walls and associated drainage.
 - d. Wet area waterproofing details complying with the Building Code of Australia.
 - e. Mechanical ventilation details complying with Australian Standard 1668-1993 Mechanical Ventilation & Air-conditioning.
 - f. Glazing details complying with AS 1288-1989 Glass in Buildings and Installation Code.

- g. Stormwater disposal details complying with Council's Stormwater Management Manual and/or other conditions of this consent.
129. To ensure compliance with this determination the building shall be set out by a Registered Surveyor and the Survey Report shall be lodged with the Principal Certifying Authority prior to the external wall construction proceeding above floor level.
130. For the purpose of safety and convenience a balustrade of 1.0 metre minimum height shall be provided to any landing, verandah, balcony or stairway of a height exceeding 1.0 metre above finished ground level. The design may consist of vertical or horizontal bars but shall not have any opening exceeding 125mm. For floors more than 4.0 metres above the ground, any horizontal elements within the balustrade or other barrier between 150mm and 760mm above the floor must not facilitate climbing.
131. For the purpose of safe ingress and egress the stairs are to be constructed within the following dimensions:
- | | | |
|------------------------|----------------------|----------------------|
| Risers: | Maximum 190mm | Minimum 115mm |
| Going (Treads): | Maximum 355mm | Minimum 240mm |
- Note: Dimensions must also comply with limitations of two (2) Risers and one (1) going equalling a maximum 700mm or minimum 550mm. The Risers and Goings shall be uniform throughout the length of the stairway.
132. Termite protection which will provide whole of building protection in accordance with Australian Standard 3660 - *"Protection of Buildings from Subterranean Termites"* is to be provided.

Council has a non chemical policy for termite control but will consider proposals involving physical barriers in combination with approved chemical systems. Handspraying is prohibited.

Where a monolithic slab is used as part of a termite barrier system, the slab shall be constructed in accordance with Australian Standard 2870.1 or as designed by a structural engineer but in either case shall be vibrated to achieve maximum compaction.

To ensure compliance with this condition, a Compliance Certificate or documentary evidence from a suitably qualified person is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

CARRIED UNANIMOUSLY

221 **2A & 2B Killara Avenue, 493 Pacific Highway, Killara - Demolition of Existing Houses and Construction of a Residential Flat Building Comprising Eighteen (18) Units, Twenty-Seven (27) Basement Car Spaces and Associated Landscaping**

File: DA 1334/04

Ward: Gordon

Applicant: Red Sea Investments Pty Ltd

Owner: EJ & ME Anderson, P & C Blanden

The following member of the public addressed Council:

D Briggs

To determine development application DA 1344/04 which seeks consent for the demolition of existing dwellings on site and construction of a single residential flat building comprising eighteen (18) units, basement car parking and landscaping.

Resolved:

(Moved: Councillors Innes/Lane)

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

THAT Council, as the consent authority, refuse development consent to Development Application No 1334/04 for the demolition of existing structures on site and construction of 18 apartments within one building, associated access, basement parking and landscaping on land at 2a and 2b Killara Avenue, Killara as shown on plans A-100, A-200 to A-204, A300 and A 301 (all received 7 April 2005), for the following reasons:

1. Inadequate information

The documentation and plans submitted to Council are considered inadequate and fail to provide information in order for Council to properly determine the application.

- The application has failed to consider DCP 55 (Ku-ring-gai Multi-unit Housing Development Control Plan No.55 – Railway/Pacific Highway Corridor and St Ives Centre). An assessment in terms of DCP 48 has been provided. This control plan only applies to development in Residential 2(d), 2(e) and 2(h) zones and is therefore not applicable to the site.
- No geotechnical report has been submitted with the development application.
- No access report has been submitted with the development application certifying compliance with Clause 4.7 of DCP 55.

2. Streetscape impact

The proposal is inconsistent with Clause 25I (1)(a), (c), (d) and (e) of Part IIIA of the Ku-ring-gai Planning Scheme Ordinance in that it will have a detrimental impact on the residential character of the area and adjoining properties due to the scale of the built form, lack of area proposed for landscaping and minimal setbacks proposed.

- The building width to Killara Avenue measures approximately 47 metres and exceeds the 36 metres maximum required by Clause 4.4 C-3 of DCP 55.
- The proposal fails to maintain a front setback zone to Killara Avenue of 10-12 metres as required by Clause 4.3 C-1 of DCP 55. Parts of the building are shown with setbacks of 7.3 metres.

- The proposal fails to maintain a front setback zone to the Pacific Highway of 10-12 metres as required by Clause 4.3 C-1 of DCP 55. Parts of the building are shown with setbacks of 7.8 metres.
- The proposal fails to maintain a side/rear setback zone to No. 497 Pacific Highway 6 metres as required by Clause 4.3 C-1 of DCP 55. Parts of the building are shown with setbacks of 4.3 metres.
- The proposed finishes are not in keeping with the built character of the area. The existing built character of the area features brick facades and brick fences. These colours and materials are not as strident within their landscape setting as the rendered buildings proposed. Colours should be recessive earthy tones rather than light colours and a mix of textures would help in reducing the height and scale of the proposed building.

3. Parking and vehicular access

The proposal is inconsistent with Clause 25J of the Ku-ring-gai Planning Scheme Ordinance (Part IIIA) in that the proposal will not provide adequate car parking for the buildings users and visitors. The SEPP 1 objection has failed to establish that strict applications of the car parking standard is unreasonable or unnecessary in the circumstances.

- The application proposes 27 car spaces and fails to satisfy the standard contained in Clause 25J (2) of LEP 194 that requires 35 spaces to be provided.
- The proposal does not provide unobstructed visitor car parking spaces as required by Clause 5.1 C-3 of DCP 55.
- The proposal does not provide for a convenient rubbish collection area as required by Clause 4.8.5 C-3 of DCP 55 and DCP 40.

4. Impact on trees

The proposed development will result in adverse impacts upon existing trees on the site and therefore be inconsistent with the objectives set out in Clause 25D (2)(b) of the KPSO (Part IIIA).

- The basement excavation will have a detrimental impact on a highly significant and prominent Sydney Blue Gum within the landscape and streetscape setting.
- The revised landscape plan shows proposed levels within the soft landscaped areas in the rear setback that are substantially lower than existing ground levels. The stripping of the site of top soil is unacceptable and cannot be supported.

5. Density

The proposal is an over-development and is not in keeping with the optimum capacity of the site, the future landscape or built character of the area.

- The application proposes a floor space ratio of 1.1:1. This fails to satisfy Clause 4.2 C-4 which limits the maximum floor space ratio to 1:1.

6. Residential amenity

The application fails to provide a high level of residential amenity to the residents of the development and the occupants of adjoining properties.

- The proposal will not achieve appropriate separation with the properties at No.2 Killara Avenue and No. 497 Pacific Highway as required by Clause 4.5.2 of DCP 55
- Ground floor Units No's 1, 2 and 11 do not have courtyard or terrace areas of at least 25m² as required by Clause 4.5.5 C-1 of DCP 55.
- Clause 4.7 of DCP 55 requires that at least 70% of units are visitable in accordance with Appendix F of the DCP. An assessment has revealed that none of the units will be visitable.

CARRIED UNANIMOUSLY

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

222 Purchase of Environmentally Sensitive Land

File: S02006

The following members of the public addressed the Council:

**J Martyn
D Meggitt**

Notice of Motion from Councillor L Bennett dated 6 June 2005.

I move that:

- A. Council write, as a matter of urgency, to state and federal ministers of the environment to seek joint funding for the purchase of 100-102 Rosedale Road, St Ives
- B. Council agree, in principle, to part of the proceeds of the sale of the property in St Johns Avenue, Gordon being allocated to the purchase of 100-102 Rosedale Road St Ives. The amount as resolved in confidential.
- C. Council seek a valuation of the 100-102 Rosedale Road and the valuer be briefed on all matters pertinent to the development potential of the property including the need for asset protection zones, the presence of endangered ecological communities and be given copies of recent court decisions concerning the property.
- D. If negotiations in "A" above are unsuccessful, that a further report is brought back to Council to progress the matter.

*During discussion, Council resolved into Closed Session to the Ante Room
after a Motion was moved by Councillors Hall and Bennett
and was CARRIED UNANIMOUSLY*

**Councillor Bennett withdrew
during Closed Session**

Resolved:

(Moved: Councillors Malicki/Hall)

- A. That Council write, as a matter of urgency, to state and federal ministers of the environment to seek joint funding for the purchase of 100-102 Rosedale Road, St Ives
- B. That Council agree, in principle, to allocation of part funding of the property. The appropriate funding source to be identified in a subsequent report to Council, together with a current valuation and the report to be referred to the first Council meeting in July.
- C. Council first seek a valuation of 100-102 Rosedale Road and the valuer be briefed on all matters pertinent to the development potential of the property including the need for asset protection zones, the presence of endangered ecological communities and be given copies of recent court decisions concerning the property.
- D. If negotiations in "A" above are unsuccessful, that a further report is brought back to Council to progress the matter.

CARRIED UNANIMOUSLY

The above Resolution was carried as an Amendment to the Original Motion. The Original Motion was:

(Moved: Councillors Bennett/Shelley)

That the above Notice of Motion as printed be adopted.

To Open Council

Councillor Bennett returned

The General Manager adverted to the consideration of the matters referred to in Minute numbered 222, and to resolutions contained in such Minute.

GENERAL BUSINESS (cont)

223

**Draft Ku-ring-gai Access Policy & Disability Discrimination Act Action Plan
2005-2009**

File: S02114

To present to Council the draft Ku-ring-gai Access Policy & Disability Discrimination Act (DDA) Action Plan 2005-2009.

Resolved:

(Moved: Councillors Lane/Innes)

- A. That the draft Ku-ring-gai Access Policy & Disability Discrimination Act Action Plan 2005-2009 as amended be placed on public exhibition for a period of 28 days then reported back to Council.
- B. That an amount of \$40,000 be allocated for the implementation of recommendations within the DDA Action Plan over the next 4 years.

CARRIED UNANIMOUSLY

224 **Sponsorship Proposal - Network North Business Connection**

.
File: S02095

To advise Council of a request to sponsor the Network North Business Connection. (Network North).

Resolved:

(Moved: Councillors Shelley/Innes)

That the matter be deferred to the Community Development Committee for consideration.

For the Resolution: The Mayor, Councillor A Ryan, Councillors Andrew, Ebbeck, Hall, Innes, Lane, Malicki and Shelley

Against the Resolution: Councillors Bennett and Cross

225 **Parks, Sport and Recreation Reference Group - Minutes of Meeting held Thursday, 28 April 2005**

.
File: S03447

To bring to the attention of the Ordinary Meeting of Council the Minutes from the Parks, Sport and Recreation Reference Group meeting held Thursday, 28 April 2005.

Resolved:

(Moved: Councillors Ebbeck/Malicki)

That the Minutes of the Parks, Sport and Recreation Reference Group for meeting held on Thursday, 28 April 2005 be received and noted.

CARRIED UNANIMOUSLY

226 **Draft Development Control Plan No 57 - Child Care Centres**

.
File: S03420

To report to Council on the formal exhibition of Draft Development Control Plan No 57 - Child Care Centres (DCP 57) and to present the final DCP for adoption.

Resolved:

(Moved: Councillors Hall/Shelley)

- A. That Council adopts 'Draft Development Control Plan No 57 – Child Care Centres' as included in the attachment to the report (see **Attachment A**).
- B. That the Development Control Plan takes effect upon notice of its adoption by Council appearing in the local newspaper.
- C. That Council revokes its Policy on Child Care Centres 1988.
- D. That those who made a submission on the Draft DCP be advised of Council's decision.
- E. That the Major Roadway Schedule be amended to include Bobbin Head Road (between Pacific Highway to Burns Road) and Kissing Point Road (between Pacific Highway to The Comenarra Parkway).

For the Resolution: *The Mayor, Councillor A Ryan, Councillors Andrew, Cross, Hall, Innes, Lane, Malicki and Shelley*

Against the Resolution: *Councillors Bennett and Ebbeck*

**The Mayor, Councillor Ryan withdrew and vacated the Chair
The Deputy Mayor, Councillor Ebbeck assumed the Chair**

227 **Options for Disposal of Material from St Ives Former Landfill Site**

.
File: S02687

To consider options for disposal of material from the St Ives former land fill site.

Resolved:

(Moved: Councillors Hall/Innes)

That Council not proceed with the removal of green waste materials from the former landfill site at St Ives and continues to manage the site.

For the Resolution: *Councillors Andrew, Cross, Ebbeck, Hall, Innes, Lane, Malicki and Shelley*

Against the Resolution: *Councillor Bennett*

228 **Management Plan 2005-2009, Incorporating Budget and Fees and Charges 2005/2006**

.
File: S03096

For Council to adopt the Management Plan 2005-2009, incorporating the Budget, Environmental Levy and Fees and Charges 2005/2006.

Resolved:

(Moved: Councillors Shelley/Innes)

- A. That Council adopt the Management Plan 2005-2009 incorporating the Budget and Fees and Charges 2005/2006, as amended.
- B. That fees & charges identified in this report are re-exhibited as proposed. In the event that no objections are received during exhibition, these fees are subsequently adopted by Council.
- C. That a general rate in the dollar of \$0.0020321 on the unimproved capital value of all rateable land categorised as residential in the Council area be made for the period of 1 July 2005 to 30 June 2006.
- D. That a general rate in the dollar of \$0.00544321 on the unimproved capital value of all rateable land categorised as business in the Council area be made for the period of 1 July 2005 to 30 June 2006.
- E. That an infrastructure levy rate in the dollar of \$0.00010402 on the unimproved capital value of all rateable land categorised as residential or business in the Council area be made for the period of 1 July 2005 to 30 June 2006. That whereby a ratepayer qualifies as of 1 July 2005 for a pensioner concession on ordinary rates, that rate account be subject to a voluntary rebate equal to the infrastructure levy.
- F. That Council approve the application for an environmental levy and further that an environmental levy rate in the dollar of \$0.00011107 on the unimproved capital value of all rateable land categorised as residential or business in the Council area be made for the period of 1 July 2005 to 30 June 2006. That whereby a ratepayer qualifies as of 1 July 2005 for a pensioner concession on ordinary rates, that rate account be subject to a voluntary rebate equal to the environmental levy. This is subject to approval by the Minister for Local Government.
- G. That the minimum rate for both residential and business be set at \$366.00 for the period 1 July 2005 to 30 June 2006.
- H. That, in those cases where, after provision of the combined pensioner rebate (25% by NSW Government and 25% by Council, to a maximum of \$250.00), the pensioner/owner satisfies Council of an inability to pay the remainder, either in whole or in part, the remainder be allowed to accrue with interest payable on arrears, as a charge against the land until such time as there is a change in either circumstances or ownership.
- I. That the General Manager and Director Finance and Business be delegated to negotiate and establish Council's new loan amount of \$1,400,000 and the Common Seal be affixed to all required documents.

- J. That for 2005/2006, Council fix the Mayoral fee at \$28,215 and Councillors fees at \$12,925.
- K. That the public submissions regarding the Draft Management Plan 2005-2009 be received and noted.
- L. That proposed funding of \$15,000 for the Heritage Incentive Scheme be identified and reported to Council as part of the September review.
- M. That the Green Tent receive a Community Groups discount as applicable when hiring Council's fields.
- N. That Council lodge a submission to the Remuneration Tribunal outlining the workload of Ku-ring-gai's elected members.

The Mayor, Councillor Ryan returned during discussion and assumed the Chair

For the Resolution: The Mayor, Councillor A Ryan, Councillors Andrew, Ebbeck, Hall, Innes, Lane, Malicki and Shelley

Against the Resolution: Councillor Bennett

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

229

Meetings with the Minister or DIPNR

File: S02315

Notice of Motion from Councillor E Malicki dated 6 June 2005.

I move that:

I move that all Councillors be notified in advance or where not practicable as soon as possible thereafter of any meeting with the Minister or DIPNR, and that they receive a written report on each and every meeting held with the Minister or DIPNR representatives within one week of such a meeting. This should include attendees as well as the content and outcomes of the meeting.

Resolved:

(Moved: Councillors Malicki/Andrew)

That the above Notice of Motion as amended be adopted.

For the Resolution: Councillors Andrew, Bennett, Hall, Innes, Malicki and Shelley

Against the Resolution: The Mayor, Councillor A Ryan, Councillors Ebbeck and Lane

The above Resolution was subject to an Amendment which was LOST. The Lost Amendment was:

(Moved: Councillors Lane/Hall)

That the matter be received and noted.

**At 11.55pm a Motion moved by Councillors Innes and Ebbeck
to extend the meeting until completion of Business
was put to the vote and CARRIED UNANIMOUSLY**

QUESTIONS WITHOUT NOTICE

230 **LEP 194 & LEP 200 - Insertion of New Condition regarding Control of Heavy Construction Traffic In School Zones**

Files: S02036, S03209

Question Without Notice from Councillor M Shelley

Would the Director Development & Regulation draft a standard condition to be considered for insertion into all LEP 194 & LEP 200 applications for medium-density development to control heavy construction traffic in peak school drop off and pick up times for all development applications that are adjacent to and/or on the opposite side of the road to school premises, such as the school traffic management conditions included in DA1260/04 and included in DA1294/04 this evening?

Answer by Mayor

Yes.

231 **Link Road - School Related Traffic**

File: 88/05703/03

Question Without Notice from Councillor T Hall

Further to Council's resolution of 24 May 2005 (Minute 184/05) relative to school related traffic safety in Link Road as a consequence of the cumulative effect of the multi-unit residential developments in Newhaven Place and in Lynbara Avenue, St Ives, I ask that the Director Technical Services whether he would include in his reference to the Ku-ring-gai Traffic Committee to implement Minute 184, the following:

1. The barrier median fence in Link Road be extended from Stanley Street to Mona Vale Road.
2. A mirror be erected at the exit of the Link Road slipway.

3. Investigate the need to install traffic signalisation at the intersection of Stanley Street, Horace Street and Link Road in order that necessary pedestrian crossings may be incorporated into this intersection?

Answer by the Director Technical Services

I will take on notice & refer it to the Traffic Committee.

232 **LEP 194 & LEP 200 Maps**

File: S02036, S03209

Question Without Notice from Councillor T Hall

I ask whether the Director Planning & Environment would provide to Councillors a copy of an updated map (1:5,000) of the consolidated LEP 194/200 areas for reference, please?

Answer by the Mayor

I'm sure that can be done.

233 **Exemption from SEPP 53**

File: S02036

Question Without Notice from Councillor L Bennett

Has Council received any indication of when it will obtain an exemption from SEPP 53?

Answer by the General Manager

No.

234 **Feedback on St Ives Land-use Options - Festival on the Green**

File: S04097

Question Without Notice from Councillor L Bennett

Will the Festival on the Green be used to get feedback on land-use options in St Ives?

If so, what information will be provided to residents?

Answer by the Director Planning & Environment

Basically, the same information that was provided to Councillors at the last workshop we had for the residents. The four different options & as well there will be some information on traffic options as well.

Consultant Costs - Site Inspections

File: DA1081/04

Question Without Notice from Councillor E Malicki

Can Councillors have the costs for the consultant to deal with last Saturday's Site Inspection including pre-briefings and de-briefing?

Answer by the General Manager

Yes.

The Meeting closed at 12.08am

The Minutes of the Ordinary Meeting of Council held on 14 June 2005 (Pages 1 - 105) were confirmed as a full and accurate record of proceedings on 28 June 2005.

General Manager

Mayor / Chairperson

Ku-ring-gai Council

Management Plan 2005-2009
Appendix A

Fees & Charges 2005-2006

Adopted 14 June 2005
Minute No 228

CONTENTS

PRICING POLICY	1
Council's Policy	1
GST Codes	1
CUSTOMER SERVICE	2
Animal Related Items	2
Health & Safety	2
Photocopies	2
Publications for Sale	2
FINANCE AND GOVERNANCE	3
Administration.....	3
Cheque Dishonour.....	3
Property	3
Publications for Sale	4
Rates.....	4
PLANNING & ENVIRONMENT	5
Certificates	5
Photocopying.....	5
Amendment to Ku-ring-gai Planning Scheme Ordinance.....	5
Plans of Management	6
TECHNICAL SERVICES.....	7
Infrastructure	7
Publications for Sale	9
Waste.....	9
OPEN SPACE.....	11
Access over Open Space	11
Golf Courses.....	11
Landscaping	12
Nursery.....	12
Open Space Hire	13
Publications for Sale	14
Sportsgrounds.....	14
Sportsgrounds-Training.....	17
Tennis Courts	17
St Ives Showground	18
Swimming Pool.....	20
Tree Management.....	20
Wildflower Garden.....	21
Admission Fees	21
Open Space Bushland	22
Special Events on designated Walking Tracks and Service Trails.....	22

COMMUNITY SERVICES	24
Art Centre.....	24
Childcare	24
Filming.....	24
Halls - Category A	25
Halls - Category B.....	26
Meeting Rooms	27
Fixed Costs (Halls and meeting Rooms).....	27
Discounts available on Halls and Meeting Rooms.....	27
Library.....	28
Photocopies	29
Programs	29
Publications For Sale.....	29
 DEVELOPMENT AND REGULATION	 30
Administration.....	30
Development Assessment	30
Development Engineering.....	33
Building.....	34
Construction certificates.....	36
Compliance and Regulation	36
 INDEX	 48

PRICING POLICY

Council's Policy

Council's pricing policy is detailed below.

	MOTIVE	PRICING PRINCIPLE
1.	Community Service Obligations	Fees may be discounted to a level below the cost of a service where the production or consumption of the service generates external benefits to the community (as well as creating a community service obligation). However, the cost of the discount will not exceed the estimated benefit.
2.	Natural Monopoly	Where Council has a monopoly over the production of a good or service, prices should be set at a level to fully recover costs unless there are explicit community service obligations or equity obligations.
3.	Statutory Fees	Certain goods and services provided by Council emanate from a requirement contained in legislation and, in some circumstances, the fees for these goods or services are set by that legislation.
4.	Regulatory Fees	Certain goods and services provided by Council emanate from a requirement contained in legislation but Council may set its own fee. In such cases, fees should be set at a level to fully recover costs unless they are accepted community service obligations or equity obligations.
5.	Entrepreneurial Activities	Where Council produces a good or service as a commercial pursuit, prices should be set at a level to fully recover costs and risk.

GST Codes

C	=	Current Rate
Z	=	Zero Rated
I	=	Input Taxed (exempt)
NA	=	Not Applicable

CUSTOMER SERVICE

Customer Service		
	Fee Details	Fee For 2005/2006
Animal Related Items		
	Animal Control Devices	
	Dog Control Device (Abiostop) Hire per week.	\$45.00
	Bond on hire of Dog Control Device.	\$200.00
	Dog Control Device (Abiostop).	\$255.00
	Battery	\$15.00
	Citronella refill.	\$27.50
	Banners	
	Commercial Casual Hire per day.	\$40.00
	Commercial - permanent hire (2 months).	\$130.00
	Worms	
	Worm Farms	\$63.00
Health & Safety		
	Thermometers for food handling establishments.	\$12.00
Photocopies		
	A4 black and white photocopies.	\$0.70
	A3 black and white photocopies.	\$1.40
	A4 colour photocopies.	2.50
	A3 colour photocopies.	3.50
Publications for Sale		
	Relevant publications charged at standard photocopying rates per page listed above. Such publications include DCP's, LEP's, Plans of Management and other policies of Council.	As per photocopy charges above
	Pool Safety Posters.	\$20.00
	Waste Related Items	
	Compost Bins	\$35.00

FINANCE AND GOVERNANCE

Finance & Business		
	Fee Details	Fee For 2005/2006
Administration		
	Freedom of Information	
	Access to records by natural person about their personal affairs - after first 20 hours of work, per hour.	\$30.00
	All other requests for access to records, per hour.	\$30.00
	Internal Review	\$40.00
Freedom of Information Processing Charge		
	Access to records by natural person about their personal affairs, after 20 hours of work, per hour.	\$30.00
	All other requests for access to records, per hour.	\$30.00
Annual Report		
	Annual Report under Section 428 of the Local Government Act 1993.	\$35.00
Council Minutes		
	Annual Subscription.	\$375.00
	Copies of reports per page.	\$0.65
	In excess of 1 month of meeting date.	\$20.00
Section 12		
	Any document available under Section 12 of the Local Government Act 1993 - per page (or at an individual document cost whichever is the lesser to cover costs).	\$0.65
Tape Recording		
	Tape Records of Council/Committee Meetings (per hour or part thereof, plus cost of tape).	\$45.00
Cheque Dishonour		
	Administration Charge	\$25.00
Property		
Applications		
	Property Easement/Right Of Way Applications.	\$600.00
	Application for purchase of land.	\$750.00
Section 54 Local Government Act		
	Certificate for Classification of Council Land.	\$30.00
Bonds/Leasing		
	Security Bond for Leased Residential Property.	Equivalent to 4 weeks rent

Finance & Business		
	Fee Details	Fee For 2005/2006
	Consultancy	
	Administration / Attendance – Charge per hour.	\$85.00
	Tulkiyan	
	Tulkiyan Historic House Open days – Families.	\$15.50
	Tulkiyan Historic House Open days – Adults.	\$8.50
	Tulkiyan Historic House Open days - Children (accompanied by an adult).	\$1.50
	Wade Lane	
	Car parking - Wade Lane, per month.	\$95.00
	Publications for Sale	
	Management Plan	
	Copy of Management Plan charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Tender Documentation	
	Sale of Tender documents charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Rates	
	Clerk Certificate: 603	\$50.00
	Interest	
	Interest on Overdue Rates charged.	9%

PLANNING & ENVIRONMENT

Planning & Environment	
Fee Details	Fee For 2005/2006
Certificates	
149 Certificates	
Planning Certificate Section 149(2).	\$40.00
Planning Certificate Section 149(2) & (5).	\$100.00
Planning Certificate urgency fee.	\$50.00
Photocopying	
Laminating service per metre (external).	\$20.00
A2, A1, A0, large format - plans as supplied, per copy.	\$10.00
Copy of DCP'S/LEP'S (draft or adopted) charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
A0 size black/white plot from GIS.	\$110.00
A0 size colour plot from GIS.	\$220.00
A1 size black/white plot from GIS.	\$66.00
A1 size colour plot from GIS.	\$110.00
A2 size black/white plot from GIS.	\$34.00
A2 size colour plot from GIS.	\$66.00
A3 size black/white copy from GIS.	\$7.00
A3 size colour laser copy from GIS.	\$15.00
A4 size black/white laser copy from GIS	\$5.00
A4 size colour laser copy from GIS.	\$8.00
KMAP Street Directory A4 size.	\$25.00
Ku-ring-gai Planning Scheme Map (laminated)	\$130.00
Ku-ring-gai Planning Scheme Ordinance.	\$60.00
Copy of Contributions Plan charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
Travis McEwen Group Report per copy.	\$75.00
Base Line Studies 1- 4 (sold separately) charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
Ku-ring-gai Residential Development Strategy Reports & Studies charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
Amendment to Ku-ring-gai Planning Scheme Ordinance	
Amendments to Ku-ring-gai Planning Scheme Ordinance or application for reclassification of Public Land.	\$18,000.00
Advertising. (To be paid for by the applicant as an additional fee, regardless of the size of the application).	\$3,100

Planning & Environment		
	Fee Details	Fee For 2005/2006
	Large Institutional Sites and other sites over 1ha.	\$38,000.00
	Planning Documents on "CD".	\$25.00
Plans of Management		
	Copies of Plans of Management (draft or adopted) charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	State of environment report (CD version only available).	\$30.00

TECHNICAL SERVICES

Technical Services		
	Fee Details	Fee For 2005/2006
Infrastructure		
	Alignment Level	
	Re-consideration fee per property.	\$140.00
	Additional fee for sites requiring survey design for crossing design - per property.	\$380.00
	Provision of vehicular crossing design levels - per property.	\$190.00
	Provision of boundary alignment levels with DA approval - per property.	\$140.00
	Construction Work Zones	
	Construction Work Zone per metre per week (Min 6m, 13 weeks). Cost includes processing through Ku-ring-gai Traffic Committee.	\$42.00
	Footpaths	
	<i>Note: Footpath surfaces per square metre (20% discount for areas > 10sqm). Minimum charge - one square metre or one lineal metre.</i>	
	Asphalt or bitumen footpath	\$175.00
	Concrete 130mm thick footpath and vehicular crossings.	\$360.00
	Grass verges.	\$100.00
	Flagging - sandstone.	\$265.00
	Brick or concrete pavers.	\$280.00
	Gravel footpaths.	\$120.00
	Concrete 100mm thick (precast or slabs).	\$245.00
	<i>Note: Schedule of charges for restoration of main, secondary and other roads, footpaths, kerbs and gutters maintained by Ku-ring-gai Council.</i>	
	Gutter Crossing Construction	
	Dish crossings constructed in conjunction with kerb and gutter works where no approved constructed crossing previously existed – per metre.	\$145.00
	1.0m extension of existing piped crossing.	\$535.00
	2.4 metre extension of existing piped crossing.	\$1,000.00
	Standard 3.7 metre wide concrete layback gutter crossing.	\$1,250.00
	4.5 metre wide precast concrete gutter bridge.	\$1,250.00
	4.8 metre wide x 300mm diameter pipe crossing.	\$1,400.00
	Additional layback gutter crossing (per additional metre).	\$33000
	Construct asphalt surface between road pavement and layback or pipe crossing (per square metre).	\$60.00
	Construct 100mm thick fine crushed rock pavement across footway (per square metre).	\$53500
	Excavation in rock (per cubic metre).	\$510.00
	Excavation in other than rock (per cubic metre).	\$200.00

Technical Services	
Fee Details	Fee For 2005/2006
Extension of existing layback crossing (per metre).	\$535.00
Kerb & Guttering	
<i>Note: Kerb and Gutter Per linear metre (20% discount for areas > 10sq m). Minimum charge - one square metre or one lineal metre.</i>	
Kerb and gutter frontage per metre.	\$70.00
Kerb and gutter where frontage and sideline form a curve, per metre.	\$50.00
Kerb and gutter rear line per metre.	\$35.00
Kerb and gutter sideline per metre.	\$35.00
Kerb and/or gutter restoration (regional).	\$210.00
Hole in kerb (per opening).	\$100.00
Kerb and/or gutter - restoration (local).	\$210.00
Saw cutting	\$35.00
Saw cutting (roadside).	\$35.00
Additional administrative charge to apply to restoration orders with inadequate or incorrect information.	\$135.00
<i>Note: Schedule of charges for restoration of main, secondary and other roads, footpaths, kerbs and gutters maintained by Ku-ring-gai Council.</i>	
Lines at Driveways	
Provision of perpendicular pavement lines at driveways.	\$405.00
Parking Restriction Signs	
Provision of signs, if approved (per sign/stem installed or altered).	\$225.00
Application fee – cover cost of processing (reporting to Ku-ring-gai Traffic Committee).	\$626.00
Piping Requests and Approval for Drainage Easements	
Application requiring determination by Council - fee for processing report.	\$730.00
Hydraulic, hydrologic calculations and reports, per hour.	\$150.00
<i>Note: Requests for piping of watercourses, adjustments to Council easements, pipes, etc. Refer to Engineering inspection Fees (Environmental & Regulatory Services).</i>	
Records Searching	
Conduct a search of records and extract information (per half hour).	\$85.00
Roads	
<i>Note: Road surfaces per square metre (20% discount for areas > 10sq m). Minimum charge - one square metre or one linear metre.</i>	
Gravel and all other classes of unsealed pavement or shoulder.	\$125.00
Natural earth	\$100.00
Asphaltic concrete and all other bitumen surfaces.	\$300.00
Cement/Concrete	\$525.00
Asphaltic concrete with cement/concrete base.	\$525.00
Road Opening Permit	\$25.00

Technical Services		
	Fee Details	Fee For 2005/2006
	<i>Note: Schedule of charges for restoration of main, secondary and other roads, footpaths, kerbs and gutters maintained by Ku-ring-gai.</i>	
	Special Events	
	Application fee – cover cost of processing (access Traffic Management Plan and report to Ku-ring-gai Traffic Committee).	\$626.00
	Advertising (at cost +10%)	\$546.00
	Traffic Control	
	Appraisal/Reappraisal of Traffic Control Plans for work/activity on public roads.	\$172.00
	Crane Permits	\$155.00
	SRA use of Local Road during rail closure per day.	\$685.00
	SRA Road Closure Inspection Fee per closure.	\$210.00
	Road Occupancy	
	Occupy road way during work crane or other vehicle per vehicle per day or part – subject to approved TMP/TCP.	\$160.00
	Publications for Sale	
	Aquatic Ecosystem Assessment Guidelines charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Stormwater Management Manual charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Printed extracts from Stormwater Management Manual charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Stormwater Management Policy charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Complete set of specifications and standards for all Council's road and drainage works charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Separate specifications extracted from complete set of specifications and standards for all Council's road and drainage works charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Specifications for design of Road Construction Plans charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	General Conditions for Engagement of Consultant charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Copies or extracts from specifications - A4 paper charged at standard photocopy rates (per page).	\$0.70
	Copies or extracts from specifications - A3 paper charged at standard photocopy rates (per page).	\$1.40
	Waste	
	Collection	
	Note: The following commercial waste collection fees include:	
	1. Provision of container and repairs.	
	2. Disposal Costs.	
	3. Waste Collection at nominated fee schedule.	

Technical Services	
Fee Details	Fee For 2005/2006
4. Recycling collection at nominated fee schedule.	
All nominated fees are per bin, per service.	
<i>Note: Service Fees associated with commercial waste management services may be subjected to quotation in a commercially competitive environment and the nominated fees for services below may vary according to the request service level of the customer, type of waste, disposal costs, specific collection site, customer or waste requirements requested by the Director Technical Services:</i>	
1.5 cubic metre Standard	\$30.00
3.0 cubic metre Standard	\$44.00
1.5 cubic metre Heavy	\$39.00
3.0 cubic metre Heavy	\$47.00
240/340 litre Standard	\$7.00
240/340 litre Heavy	\$8.50
240 litre Recycling	\$4.00
Loose cardboard per cubic metre.	\$4.00
Community Event Services	
Minimum amount per event (Includes delivery & return of bins). (\$ 4.00 per bin to be charged in addition to base rate).	\$160.00
Domestic Waste Management Charges	
Domestic waste management charges, annual.	Refer to Management Plan 2005-2009 for Fees
White Goods Collection	\$45.00

OPEN SPACE

Open Space		
	Fee Details	Fee For 2005/2006
Access over Open Space		
	Access over open space (as per Council's Policy).	\$1 to \$3,000
	Advertising Fee	\$500.00
	Neighbour Notification Fee	\$60.00
	Access over open space bond (as per Council's Policy).	Up to \$40,000
Golf Courses		
Gordon Golf Course		
	Green Fees - Weekend & Public Holidays - 18 holes.	\$27.00
	Green Fees - Weekday (Monday to Friday) - 18 holes.	\$21.00
	Green Fees - Twilight up to 2 hours prior to subset - 18 holes.	\$16.00
	Green Fees - Weekday "Charity Event" Concession.	\$13.00
	Green Fees - Concession weekday only - 18 holes (includes School Students, Pensioners, specials - proof required).	\$14.00
	Green Fees - School Student - Weekend– 9 or 18 holes (current Student ID must be shown).	\$17.00
	Green Fees - Senior Student - Weekday only (current Student ID must be shown).	\$16.00
	Green Fees – Weekday (Monday to Friday) - 9 holes.	\$16.00
	Green Fees – Weekend & Public Holidays – 9 holes.	\$19.00
	Green Fees - Family rate Family rate (2 adults & 2 children) – 18 holes (additional children \$13.00 per child).	\$57.00
	Green Fees - Family rate (2 adults & 2 children) – 9 holes (additional children \$13.00 per child).	\$47.00
	Caddy / Spectator fee 9 or 18 holes.	\$6.50
North Turramurra Golf Course		
	Green Fees - Weekend & Public Holidays - 18 holes.	\$27.00
	Green Fees - Weekday (Monday to Friday) - 18 holes.	\$21.00
	Green Fees - Twilight up to 2 hours prior to subset - 18 holes.	\$16.00
	Green Fees - Weekday "Charity Event" Concession.	\$13.00
	Green Fees - Concession weekday only - 18 holes (includes School Students, Pensioners, specials - proof required).	\$14.00
	Green Fees - School Student - Weekend– 9 or 18 holes (current Student ID must be shown).	\$17.00
	Green Fees - Senior Student - Weekday only (current Student ID must be shown).	\$16.00
	Green Fees – Weekday (Monday to Friday) - 9 holes.	\$16.00
	Green Fees – Weekend & Public Holidays – 9 holes.	\$19.00

Open Space		
	Fee Details	Fee For 2005/2006
	Green Fees - Family rate Family rate (2 adults & 2 children) – 18 holes (additional children \$13.00 per child).	\$57.00
	Green Fees - Family rate (2 adults & 2 children) – 9 holes (additional children \$13.00 per child).	\$47.00
	Caddy / Spectator fee 9 or 18 holes	\$6.50
Landscaping		
	Landscaping Bonds	
	Non residential, alterations & additions.	Min \$1,000 – Max \$10,000 (if over \$10,000, requires a report to Council)
	New dwellings	Min \$2,000 – Max \$10,000 (over \$10,000, requires a report to Council)
	Tree Protection Bond	
	Tree protection bond	Min \$500 – Max \$50,000
Nursery		
	Sales - Retail	
	Tube stock 1-100mm pots.	\$3.00
	140mm pots	\$8.95
	200mm pots	\$17.50
	200mm pot rare/threatened/difficult species including Telopea, Epacris, Actinotus, Persoonia, and others.	\$22.00
	200mm “rocket pot”.	\$25.00
	250mm pots.	\$34.95
	300mm pots	\$59.95
	Potting mix 30L	\$11.50
	Tube stock – other	\$5.00
	Cow manure 25L	\$7.75
	Bamboo Stakes	\$0.20
	Plastic Sleeves	\$0.40
	Workshop Seminars	
	Maximum 25 people (flat rate, duration up to 3 hours).	\$260.00
	Maximum 25 people (flat rate, duration up to 6 hours).	\$520.00
	Secondary /Tertiary students up to 3 hours (per person).	\$6.50
	Secondary /Tertiary students up to 6 hours (per person).	\$10.00
	Delivery Fee	
	Within Ku-ring-gai Local Government Area.	Free
	Outside Ku-ring-gai LGA up to 10 km.	\$10.00
	Outside Ku-ring-gai LGA up to 20 km.	\$20.00

Open Space		
	Fee Details	Fee For 2005/2006
	Outside Ku-ring-gai LGA up to 30 km.	\$30.00
	Seed Collection	
	Seed collection for contract growing – (per person per hour).	\$45.00
Open Space Hire		
	General Charges (Including St Ives Showground)	
	Booking fee	\$6.00
	Bond for key issue (per casual booking).	\$50.00
	Bond for key issue (per season).	\$200.00
	Ground restoration bond, 100-500 people.	\$500.00
	Ground restoration bond, Over 500 people.	\$1,000.00
	Litter bond, 100-500 people.	\$150.00
	Litter bond, over 500 people.	\$300.00
N1.	Public Liability Insurance	\$55.00
	Additional grass cutting - at cost of additional service.	"At Cost"
	Litter fee (per day).	"At Cost"
	Toilet cleaning fee (per day).	"At Cost"
	Equipment storage fee (per season / hire period).	\$165.50
	Set up rate (per day).	\$100.00
	Electricity supply, full day, per power point.	\$44.00
	Electricity supply, half day, per power point.	\$22.00
	Children's Animal Farm.	\$50.00
	School Holiday Programs.	\$27.00
	School Holiday Programs (additional costs for expert providers).	\$27.00 plus costs
	Temporary structure, Jumping Castle - Commercial/Corporate Bookings per day or part thereof (no pegs weighted only).	\$50.00
	Temporary structure, Jumping Castle - Community Groups, Family Events, Registered Charities per day or part thereof (no pegs weighted only).	\$25.00
	Temporary structure, marquee small - Commercial/Corporate Bookings per day or part thereof (no pegs weighted only).	\$100.00
	Temporary structure, marquee small - Community Groups, Family Events, Registered Charities per day or part thereof (no pegs weighted only).	\$50.00
	Temporary structure, marquee medium - Commercial/Corporate Bookings per day or part thereof (no pegs weighted only).	\$200.00
	Temporary structure, marquee medium - Community Groups, Family Events, Registered Charities per day or part thereof (no pegs weighted only).	\$100.00

^{N1}. This Fee is being re-exhibited please refer to the page 40 "Fees to be re-exhibited" for further details.

Open Space		
	Fee Details	Fee For 2005/2006
	Temporary structure, marquee large – Commercial/Corporate Bookings per day or part thereof (no pegs weighted only).	\$300.00
	Temporary structure, marquee large - Community Groups, Family Events, Registered Charities per day or part thereof (no pegs weighted only).	\$150.00
	Parking (only when grounds used specifically for parking).	\$1,250.00
	Ground Hire (0- 25 people) half day	\$35.00
	Ground Hire (26-50 people) half day	\$53.00
	Ground Hire (51-100 people) half day	\$135.00
	Ground Hire (101-150 people) half day	\$165.00
	Ground Hire (151-200 people) half day	\$220.00
	Ground Hire (201-500 people) half day	\$445.00
	Ground Hire (over 501 people) half day	\$1,390.00
	Swain Garden meeting room (per hour)	\$13.50
	<i>Note: These fees exclude fees for temporary structures. Where temporary structures are to be used they will be charged at the fees set out in hire – general in addition to the Public Garden Hire fees.</i>	
Publications for Sale		
	Plans of Management (including Draft Plans) charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Resource information documents charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Open Space Guidelines charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Open Space Policies charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Open Space Standards charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
Sportsgrounds		
	General Fees & Special Event Hire	
	Additional line markings (for all sports).	"At Cost"
	Personal training non exclusive use - Low intensity, per week (maximum 15 hours).	\$25.00
	Personal training non exclusive use - Low intensity, per week (maximum 8 hours).	\$15.00
	Casual Club House hire - Community per hour.	\$16.00
	Casual Club House hire - Commercial per hour.	\$21.00
	Sportsground Floodlighting	
	<i><u>Note:</u> Following fees are per hour / per location</i>	
	Acron	\$5.50
	Auluba no 1 & no 2	\$5.50
	Bannockburn	\$6.50

Open Space		
	Fee Details	Fee For 2005/2006
	Barra Brui	\$6.50
N1.	Cliff no 1 & 2 oval	\$5.50
	Comenarra	\$5.50
	Hassell Park	\$6.50
	Lindfield (No 1)	\$5.50
	Lindfield (No.2)	\$5.50
	Lofberg (Oval)	\$5.50
	Lofberg (Netball Courts)	\$6.50
	Norman Griffith	\$6.50
	Primula	\$5.50
	Roseville Chase	\$6.50
	Samuel King (North Turramurra)	\$6.50
	St Ives Village Green	\$5.50
	St Ives Village Green (Netball Courts)	\$5.50
	Turramurra	\$5.50
	Warrimoo	\$5.50
	Wellington	\$6.50
	William Cowan	\$6.50
	Casual Sports Hire	
	Aero Club half day.	\$98.00
	Archery half day.	\$98.00
	Athletics half day.	\$98.00
	Australian Rules half day.	\$98.00
	Baseball/Softball per diamond half day.	\$50.00
	Cricket Artificial wicket half day.	\$98.00
	Cricket Turf wicket full day only.	\$560.00
	Dog Clubs half day.	\$98.00
	Hockey half day.	\$98.00
	Netball Courts (per court) half day.	\$21.00
	Rugby (per field) half day.	\$98.00
	Skateboard facility community demonstrations per hour.	\$70.00
	Skateboard facility commercial demonstrations per hour.	\$140.00
	Skateboard facility community use (schools etc) half day.	\$280.00
	Skateboard facility-commercial use half day.	\$560.00
	Soccer (per field) half day.	\$98.00

^{N1.} This Fee is being re-exhibited please refer to the page 40 "Fees to be re-exhibited" for further details.

Open Space		
	Fee Details	Fee For 2005/2006
	Training – Australian Rules, Ruby League, Rugby Union, Soccer, Touch, Cricket, Athletics, any other activities (per hour, may be on a share basis).	\$16.50
	School Sport (Weekday 9am to 4pm)	
	<i>Note:</i> Bookings after 4pm may be on a share basis with other organisations	
	Athletic Carnival/Gala days: (per day) – Including markings at locations advised by Sport & Recreation includes additional waste service & toilet cleaning fee.	\$210.00
	Athletics Carnival / Gala Day (per day) no markings. Includes additional waste service & toilet cleaning fee.	\$120.00
	Netball (per court) Weekday 9am-4pm per hour.	\$4.75
	Rugby League, Rugby Union, Soccer, Touch Football, Cricket, Baseball, Softball, Athletics Archery and Australian rules per field.	\$7.25
	Seasonal Hire	
	<i>Note:</i> Seasonal Hire is: Summer 18/09/05-12/03/06 Winter 02/04/06-27/08/06 unless otherwise stated.	
	Aero Club half day per half year (Annual hire July-December).	\$220.00
	Archery half day per half year (Annual hire July-December).	\$220.00
	Athletics half day	\$1,300.00
	Baseball/Softball per diamond half day	\$265.00
	Cricket - Artificial Wicket (per Saturday Season) half day.	\$307.00
	Cricket - Artificial Wicket half day (season - 15 Sundays).	\$220.00
	Cricket Artificial Wicket additional days outside season dates if available. Maximum of 4 can be booked by seasonal hirers of artificial wickets only (per day).	\$55.00
	Cricket - Turf wicket full day (per Saturday Season).	\$3,750.00
	Cricket - Turf wicket full day (season - 15 Sundays).	\$2555.00
	Cricket Turf Wicket additional days outside season dates if available. Maximum of 4 can be booked by seasonal hirers of Turf Wickets only (per day).	\$150.00
	Dog Clubs half day per half year (Annual Hire July-December).	\$220.00
	Netball Courts per court half day.	\$235.00
	Netball Courts Night Competition per court per hour (excludes lighting fee).	\$4.75
	<i>Note:</i> Seasonal maximum 22 weeks as advised by the Ku-ring-gai Netball Association.	
	Winter Sports Seasonal hire per field half day (per Saturday Season).	\$535.00
	Winter Sports Seasonal hire per field half day (15 Sundays).	\$368.00
	Winter Sports additional days outside season dates if available. Maximum of 4 can be booked by seasonal hirers (per day/per field).	\$60.00
	Winter Sport Season Hire (maximum 22 dates) per field, per night excludes lighting.	\$535.00
	<i>Note:</i> Only available to the clubs & associations who hire fields on a seasonal basis.	

Open Space		
	Fee Details	Fee For 2005/2006
Sportsgrounds-Training		
	Training for Seasonal Hirers Only	
	<i>Note: Following fees per hour, per location - weekdays only, share agreement permitted between organisations.</i>	
	Cricknet Artificial practice nets (per wicket strip).	\$5.25
	Netball per court	\$4.75
	Field Hire	\$7.25
Tennis Courts		
	Promotional Specials (acrylic courts casual) per hour.	\$6.50
	Promotional Specials (synthetic grass courts casual) per hour.	\$8.50
	Storage Fee (per 6 months).	\$125.00
	Penalty Charge - unauthorised use of Council's courts.	\$110.00
	Penalty Charge - unauthorised coaches' use of Council's courts.	\$400.00
Acrylic Court		
	<i>Note: Monday – Friday 8am – 5pm EST & 8am – 8pm Daylight Savings (per court / per hour).</i>	
	Tennis Court Charges - School Students.	\$6.50
	Tennis Court Charges - Public, casual (1-11 weeks).	\$12.00
	Tennis Court Charges - Public, permanent - long term (22 wks) and short term (12 wks).	\$8.50
	Tennis Court Charges - Professional Coaches - casual (1-11 weeks).	\$13.50
	Tennis Court Charges - Professional Coaches, permanent, long term and short term.	\$10.00
	<i>Note: Weekend - 8.00am to 5pm EST & 8am – 8pm Daylight Savings- Per court Per hour.</i>	
	Tennis Court Charges - Public Junior/Clubs/School Saturday Morning (1-11 weeks).	\$8.50
	Tennis Court Charges - Public Junior/Club/School Saturday Morning permanent.	\$7.50
	Tennis Court Charges - Public casual (1-11 weeks).	\$14.00
	Tennis Court Charges - Public permanent - long term (22 wks) and short term (12 wks).	\$11.00
	Tennis Court Charges - Professional Coaches, casual (1-11 weeks).	\$15.50
	Tennis Court Charges - Professional Coaches, permanent, long term and short term.	\$12.00
Synthetic Grass Court		
	<i>Note: Monday – Friday 8am – 5pm EST & 8am – 8pm Daylight Savings (Per court per hour).</i>	
	Tennis Court Charges – School Students.	\$8.50
	Tennis Court Charges casual, (1-11 weeks).	\$14.50
	Tennis Court Charges permanent - long term (22 wks) and short term (12 wks).	\$10.50

Open Space		
	Fee Details	Fee For 2005/2006
	Tennis Court Charges - Professional Coaches, casual (1-11 weeks).	\$16.00
	Tennis Court Charges - Professional Coaches - long term and short term.	\$11.00
	<i>Note: Weekend - 8.00am to 5pm EST & 8am – 8pm Daylight Savings- Per court Per hour.</i>	
	Tennis Court Charges casual School Saturday Morning (1-11 weeks).	\$11.00
	Tennis Court Charges - School Saturday Morning permanent.	\$9.50
	Tennis Court Charges casual (1-11 weeks).	\$16.50
	Tennis Court Charges permanent - long term (22 wks) and short term (12 wks).	\$13.50
	Tennis Court Charges - Professional Coaches, casual (1-11 weeks).	\$18.00
	Tennis Court Charges - Professional Coaches, permanent - long term and short term.	\$14.00
	Floodlit Courts	
	<i>Note: Monday – Sunday 5pm – 10pm EST & 8pm – 10pm Daylight Savings (St Ives Village Green 5pm-9pm).</i>	
	Floodlit courts casual per hour acrylic.	\$18.00
	Floodlit courts permanent per hour acrylic.	\$14.00
	Floodlit courts Coaches casual per hour acrylic.	\$19.50
	Floodlit courts Coaches permanent per hour acrylic	\$15.50
	Floodlit Courts – casual per hour – synthetic grass.	\$21.00
	Floodlit Courts – permanent (10wks) per hour synthetic grass.	\$16.00
	Floodlit Courts – casual Coaches per hour synthetic grass.	\$22.50
	Floodlit Courts - permanent Coaches (11-12 wks) per hour synthetic grass.	\$18.50
	St Ives Showground	
	Caravan site - no power (per day).	\$20.00
	Caravan site - with power (per day).	\$30.00
	Tent - no power (per day).	\$10.00
	Tent - with power (per day).	\$15.00
	Night Training (per hour per field).	\$7.25
	Floodlights (per hour).	\$21.00
	Car parking	
	Car parking fee - 50 to 100 cars (per day).	\$115.00
	Car parking fee - 101 to 200 cars (per day).	\$230.00
	Car parking fee - 201 to 300 cars (per day).	\$455.00
	Car parking fee - 301 to 400 cars (per day).	\$680.00
	Car parking fee - 401 to 500 cars (per day).	\$1,090.00
	Car parking fee - events over 500 cars (per day).	\$1,190.00
	Car parking fee – commercial pavilion hire (per day)	\$25.00

Open Space		
	Fee Details	Fee For 2005/2006
	Northside Agricultural & Horticultural Society Shows	
	Litter bond.	\$2,000.00
	Ground restoration bond.	\$4,000.00
	Society days (per day).	\$995.00
	Set up day.	\$500.00
	Showground Areas	
	<i>Note: Prices do not include general hire fees, these will be charged in addition to area hire fees where applicable.</i>	
	Picnic Areas	
	Picnic table (per day) - Area 6 only.	\$25.00
	Main Arena track – per hour.	\$30.00
	Cross Country Athletics Event (0-500 people) includes Main Arena, excludes pavilions Includes additional waste service & toilet cleaning.	\$210.00
	Cross Country Athletics Event (501-1000 people) includes Main Arena, excludes pavilions Includes additional waste service & toilet cleaning.	\$460.00
	Cross Country Athletics Event (over 1000 people) includes Main Arena, excludes pavilions Includes additional waste service & toilet cleaning.	\$550.00
	Soccer - casual hire per field, per half day Includes additional waste service & toilet cleaning.	\$98.00
	Soccer - Seasonal hire per field per half day (maximum 22 dates).	\$535.00
	Model Flying area (per half day).	\$115.00
	Mini Wheels Off Road Track (per half day). Note Conditions of hire apply.	\$115.00
	Dog Ring No 1 (per day).	\$63.00
	Dog Ring No 6 (per day).	\$31.50
	Dog Ring No 7 (per day).	\$31.50
	Dog Ring floodlights per hour.	\$4.50
	The Princess Anne Equestrian Area (per day).	\$225.00
	Equestrian Activities Including hire of Main Arena, horse and tie stalls, and control tower, but not including the hire of any picnic area used in conjunction with the equestrian activity (per day).	\$450.00
	Jim Watson Arena & control tower (per day) (This is not including the picnic area).	\$450.00
	Major Event (commercial) Note: Excludes Pavilion and permanent hire areas.	\$2,900.00
	Major Events (non-profit) Note: Excludes Pavilion and permanent hire areas.	\$1,100.00
	Pavilion & Building Hire	
	<i>Note: Pavilion Hire Includes use of internal power and fittings.</i>	
	<i>Note: Community Hirers are: Schools, Community Groups, Non-profit Organisations, Registered Charities and Family Events. Commercial Hirers are organisations holding Commercial/Corporate Functions, Exhibitions, Training or Instruction by Private Companies.</i>	

Open Space		
	Fee Details	Fee For 2005/2006
	Bond for Pavilion and Building Hire.	\$300.00
	Dog Huts (per day).	\$40.00
	Dog Hut B (per hour).	\$5.50
	Rotary Kiosk Community (per day).	\$105.00
	Rotary Kiosk Commercial (per day).	\$125.00
	Rotary Kiosk (per hour).	\$8.75
	Craft Pavilion	
	Community (per day)	\$105.00
	Commercial (per day)	\$125.00
	Community or Commercial (per hour)	\$8.75
	Jim Powell Pavilion	
	Community (per hour).	\$16.50
	Commercial (per hour).	\$25.50
	Louise Lennon Pavilion	
	Community (per hour).	\$28.00
	Commercial (per hour).	\$45.00
	Additional time after 12 midnight-1am (latest).	\$160.00
	Exhibition/Commercial sale rate (per day for two days or more).	\$400.00
	Douglas Pickering Pavilion	
	Community (per hour).	\$34.50
	Commercial (per hour).	\$50.00
	Additional time after 12 midnight-1am (latest).	\$200.00
	Exhibition/Commercial sale rate (per day for two days or more).	\$500.00
	Swimming Pool	
	User fees (in accordance with associated operating lease).	
	Tree Management	
	Basic Application Fee under the Tree Preservation Order (includes one tree).	\$75.00
	Up to 10 trees.	\$11.00
	For each and every tree in excess of 10 trees.	\$16.00
	Tree Review Application (for each tree).	\$50.00
	Tree Pruning (no advertising).	\$36.00
	Applications by pensioners - general (card must be produced).	\$35.00
	Applications by pensioners - tree pruning (card must be produced).	\$15.00
	Applications by pensioners - review of application (card must be produced).	\$35.00

Open Space		
	Fee Details	Fee For 2005/2006
Wildflower Garden		
Admission Fees		
	Groups/Schools (per student) not participating in bushland education activities.	\$3.00
	Special Events Family (2 adults & up to 3 children (five years and older)).	\$7.00
	Special Events Adults (18 years & over).	\$3.00
	Special Events Children (5 to 17 years).	\$2.00
	Special Events Infants (0 to 4 years) – No Charge.	Free
	Special Events Pensioners/Disabled Persons (on production of Pension/Identification Card).	\$2.00
	Bus/Coach - group concessions.	\$25.00
Bushland Education		
	Spotlight/Breakfast Adult participants.	\$8.50 to \$15.00
	Spotlight/Breakfast Child participants.	\$7.50 to \$10.00
	People In Parks - Family (2 adults & 2 children).	\$20.00 to \$30.00
	People in Parks – Child.	\$5.50 to \$8.00
	People in Parks – Adult.	\$4.00 to \$8.00
	Students – half day per person.	\$7.00
	Students – full day per person.	\$10.00
	Secondary students – half day (Year 7 – 12) per person.	\$7.00
	Secondary students – full day (Year 7 – 12) per person.	\$10.00
	Primary students – half day (K - Year 6) per person.	\$5.50
	Primary students – full day (K - Year 6) per person	\$7.50
	Playgroup/Pre School - Child participant.	\$3.50
	Playgroup/Pre School - Adult participant.	\$4.50
	Education School/Community groups.	\$3.00
	Natural Environmental walking track Maps.	\$18.00
	Step into the Bush - per participant.	\$5.50
	Community Group Activities - Child participant.	\$8.00 to \$15.00
	Community Group Activities - Adult participant.	\$4.00 to \$10.00
	Community Education - Child participant.	\$7.50 to \$15.00
	Community Education - Adult participant.	\$15.00 to \$30.00

Open Space		
	Fee Details	Fee For 2005/2006
	Bush Birthday Parties per child.	\$10.00
	Bush Birthday Parties per adult.	\$3.00
	Bush Birthday Parties - Cancellation fee.	\$25.00
	School Holiday Program – Daily Fee.	\$27.00
	Visitor Centre Hire	
	Day Bookings (10:00am – 4:00pm).	
	Environmental Education Groups per hour (First 3 hrs free then per hour).	\$55.00
	Security bond/deposit.	\$275.00
	General bookings per hour (minimum 3 hrs) weekdays.	\$55.00
	Weekend Daytime hire (per hour).	\$70.00
	Evening Bookings (4:00pm – midnight).	
	Environmental Education Groups per hour (maximum 3 hrs 4pm- 12am). After 3 hours \$100.00 (<i>per hour</i>).	\$35.00
	General bookings per hour (minimum 3 hrs).	\$100.00
	Security bond/deposit.	350.00
	Late Night Extension (midnight – 8:00am).	
	General bookings per hour (maximum 3 hrs).	\$170.00
	Environmental Education Groups per hour (maximum 3 hrs) (<i>per hour</i>).	\$50.00
	Booking fee	\$5.50
	Open Space Bushland	
	Special Events on designated Walking Tracks and Service Trails	
	Dampiers clearing Booking (10am – 4pm).	\$50.00
	(Commercial Activities)	
	Gate key bond (only in conjunction with authorised booking).	\$200.00
	<u>Supervision Fee</u>	
	(If and as specified by authorising officer).	
	Standard Hours per hour.	\$55.00
	After Hours per hour.	\$71.50
	<u>Environmental Fee</u>	
	(Per km of Track or trail minimum 1 km).	
	Walking/running/orienteering	
	1 –20 persons per hour.	\$25.00
	21 –40 persons per hour.	\$40.00
	41 –60 persons per hour.	\$60.00
	61 –80 persons per hour.	\$85.00
	81+ persons per hour.	\$120.00

Open Space		
	Fee Details	Fee For 2005/2006
	Mountain Biking and Horse Riding (designated service trails only).	
	1 –20 persons per hour.	\$40.00
	21 –40 persons per hour.	\$75.00
	41 –60 persons per hour.	\$100.00
	61 –80 persons per hour.	\$120.00
	81+ persons per hour.	\$150.00

COMMUNITY SERVICES

Community Services	
Fee Details	Fee For 2005/2006
Art Centre	
Facilities	
Room hire - per exhibition.	\$95.00 to \$120.00
Term programs	
Children's Art Classes.	\$105.00 to \$160.00
Teenage Art Classes.	\$126.00 to \$200.00
School vacation Classes.	\$25.00 to \$130.00
Adult Art Classes.	\$158.00 to \$280.00
Late Enrolment Fee (after 3 weeks).	\$21.00
Cancellation Fee.	\$35.00
<i>Note: 5% discount for full semester enrolment for one course.</i>	
Childcare	
Thomas Carlyle Children's Centre	
Administration fee for parents, per enrolment.	\$45.00
Waiting list fee, per application each child.	\$18.00
Long Day Care fee (per day) each child.	\$61.00
<i>NOTE: Parents arriving to collect their child/children after 6.00pm will be charged a late fee of \$1.00 per minute. If the child has not been collected by 6.15 PM the parent will be charged an additional fee of \$2.00 per minute until such time that the child is collected.</i>	
Occasional Care	
Occasional Care (per hour) Minimum 4 hours and maximum 6 hours charged.	\$7.50
Family Day Care	
Administration fee for parents, per enrolment.	\$100.00
Family Day Care Carer Levy (per carer p/w). The fee is a contribution made by carers towards the operation of the scheme.	\$5.25
Attendance pad charge.	\$23.00
Filming	
Fees are assessed upon the nature of each application, it's level of impact upon the community, it's location and road type	
<i>NOTE: Each application is assessed upon level of impact based on some of the following criteria: - Number of trucks and crew, filming duration and time of day, community use of land and disruption to surrounding area.</i>	
Lodgement fee for 1 to 2 days filming.	\$100.00

Community Services	
Fee Details	Fee For 2005/2006
Lodgement fee for over 2 days filming.	\$200.00
Approval fees	
Filming Fees - first 8 hours (or part thereof) minimal impact.	\$100.00
Low impact.	\$200.00
Medium impact.	\$400.00
High impact.	\$600.00
<i>Late fee (less than 3 days notice) 100% of lodgement fee, 30% loading approval.</i>	
Additional fees and charges intermittent road closure and/or external infrastructure.	
Low impact.	\$200.00
Medium impact.	\$600.00
High impact.	\$1,000.00
Very high impact.	\$1,400.00
Overnight unit parking	
<i>Assessed by the level of impact upon location ie. Number of trucks and road type.</i>	
Low impact & up to 4 trucks.	
Medium impact & 5-10 trucks.	\$200.00
High impact & 11 or more trucks.	\$400.00
Council Property, Gardens, Parks, Reserves and Bushland / Commercial	
Low impact.	\$100.00
Medium impact.	\$200.00
High Impact.	\$290.00
Council Property, Gardens, Parks, Reserves and Bushland / Non Commercial	
Low impact.	\$100.00
Medium.	\$138.00
High impact.	\$275.00
Additional Council services charges	
<i>NOTE: A bond may be required in certain situations.</i>	
Additional waste management (per site).	\$165.00
Extraordinary site monitoring fee.	\$150.00
Halls - Category A	
<i>Note: Discounts are available for Meeting Rooms and Halls. (See Discounts Available on Halls and Meeting Rooms, page 27 for details.) No discounts available on fixed costs.</i>	

Community Services		
	Fee Details	Fee For 2005/2006
	Peak/Off Peak Times: Off Peak Times: Sunday 7.00am to Friday 5.00pm and Saturday 7.00am to 5.00pm. Peak Times: Friday 5.00pm to Close and Saturday 5.00pm to close.	
	Casual Hire	
	Peak time hire of a Category A hall charged at an hourly rate, or part thereof.*	\$90.00*
	Off peak time hire of a Category A hall charged at an hourly rate, or part thereof.*	\$45.00*
	Permanent Hire	
	Peak hour hire of a Category A hall on a permanent basis charged at an hourly rate, or part thereof.*	\$90.00*
	Off peak hour hire of a Category A hall on a permanent basis charged at an hourly rate, or part thereof.*	\$31.00*
	Sale, Exhibition or Conference	
	Hire - Minimum hire 6 hours.*	\$675.00*
	Hire Per hour after first 6 hours.*	\$90.00*
	Overnight charge.	\$175.00
	<i>*Refer to fixed costs for other charges payable with this fee.</i>	
	PA System Hire	
	PA System hire per booking.	\$30.00
	Piano Hire	
	Piano Hire per booking.	\$20.00
	Halls - Category B	
	<i>Note: Discounts are available for Meeting Rooms and Halls; See Discounts Available on Halls and Meeting Rooms, page 27 for details. No discounts available on fixed costs.</i>	
	Casual Hire	
	Peak time hire charged at an hourly rate or part thereof.*	\$70.00*
	Off peak time hire charged at an hourly rate or part thereof.*	\$35.00*
	Permanent Hire	
	Peak time hire of a Category B hall on a permanent basis charged at an hourly rate.*	\$70.00*
	Off peak time hire of a Category B hall on a permanent basis charged at an hourly rate.*	\$25.00*
	Sale, Exhibition or Conference	
	Minimum hire 6 hours.*	\$450.00*
	Hire for sales, exhibitions or conferences. Per hour after first 6 hours.*	\$65.00*
	Overnight charge for hire for sales, exhibitions or conferences.	\$122.00
	<i>Note: *Refer to fixed costs for other charges payable with this fee.</i>	

Community Services	
Fee Details	Fee For 2005/2006
Meeting Rooms	
<i>Note: Discounts are available for Meeting Rooms and Halls; See Discounts Available on Halls and Meeting Rooms, page 27 for details. No discounts available on fixed costs.</i>	
Category A Rooms	
Hire of room on casual basis per hour, or part thereof.	\$35.00
Hire of room on permanent basis per hour, or part thereof.	\$23.00
Category B Rooms	
Hire of room on casual basis per hour, or part thereof.	\$25.00
Hire of room on permanent basis per hour, or part thereof.	\$20.00
Seniors Centres	
Lindfield Seniors Centre.	\$1.00 to \$90.00
Lindfield Seniors Resource Centre.	\$1.00 to \$90.00
Turramurra Seniors Centre.	\$1.00 to \$90.00
Fixed Costs (Halls and meeting Rooms)	
<i>No discounts available on fixed costs.</i>	
Booking Fee non refundable.	\$5.00
Public liability.	\$55.00
Security bond.	\$315.00
Close hall and clean per service.	\$255.00
Call out fee per hour (minimum 4 hours).	\$65.00
Penalty labour (minimum 2 hours) appropriate hire cost per hour.	\$60.00
Community Bus	
Community Bus per Km Available Thursday, Evenings, weekends.	\$0.70
Discounts available on Halls and Meeting Rooms	
<i>No discounts available on fixed costs.</i>	
Category	Discount
Council Activities include: School Holiday, Leisure Program, Seniors Program, Youth Services, Receptions, Presentations, Committee Meetings, and Staff Training.	100%
Government Statutory/Regulatory Services include: Citizenship, Immunisation.	100%
Blood Bank.	100%
State Emergency Services (SES).	100%
Merrymakers – (East Lindfield Hall).	100%
Ku-ring-gai Neighbourhood Centre – (St Ives Library Meeting Room).	100%

Community Services		
	Fee Details	Fee For 2005/2006
	St Ives Early Childhood Centre – (St Ives Library Meeting Room).	100%
	Organisations that qualify for the Arts/Cultural Incentive Scheme. eg: Performances, Shows, Rehearsals and Exhibitions.	70%
	Individuals for the purposes of rehearsals, music practice, art and cultural activities, education, recreational and leisure activities (off peak periods only) hall/meeting room hire.	50%
	Community Groups - (not for profit) Sales/Exhibitions, Conferences for the first 6 hours only.	65% Discount on hall hire, then the discount of 50% applies to the hourly rate for each hour thereafter
	Community Groups (not for profit) – Overnight charge.	65%
	Families – for functions, celebrations and parties (off peak hours only).	50%
	Community Organisations (not for profit) involved in activities to promote health and well-being, the arts, culture, education, recreation and leisure.	50%
	Registered Charities.	50%
	Schools.	50%
	Churches and church groups.	50%
	Community Groups (not for profit) - Overnight charge.	50%
	Individuals – discount on the hire of PA System.	50%
	Family functions, celebrations and parties (peak hours only).	25%
Library		
	Library booking fee - per booking.	\$1.00
	Community Information (CI) Customised Reports.	\$6.50
	Audio visual carry bags.	\$3.00
	Library carry bags (calico).	\$2.00
	Negative Charge (volume depends on number of photos ordered for which a negative is not already available).	\$6.90
	Photographer's fee plus \$2.40 per print up to 21.5cm x 16.5 cm.	\$2.40
	Photographer's fee plus \$6.30 per print 25cm x 20cm and larger.	\$6.30
	Processing Charge plus full cost of item for damaged/lost/not returned items.	\$15.00
	Replacement borrower cards - lost cards.	\$6.00
	Cassette box - fee levied when item lost.	\$2.20
	Cassette/Video/CD inserts fee levied when item lost.	\$6.00
	CD Box - fee levied when item lost.	\$0.50
	Double CD box - fee levied when item lost.	\$1.40

Community Services		
	Fee Details	Fee For 2005/2006
	Double video box and A4 book - fee levied when item lost.	\$15.00
	Single video box.	\$2.00
	Video box & A5 book fee levied when item lost.	\$9.00
	Request for item not in Library's Collection.	\$5.50
	Research Fee - conduct a search of Council and/or Land Title records and/or local history resources and extract information - per hour.	\$120.00
	Adults – Reservations.	\$1.30
	School Children – Reservations.	\$0.60
	Diskette	\$1.00
	Technology access fee per hour.	\$2.00
	E-mail access fee per half hour.	\$3.00
Photocopies		
	Black and white per page (self service) microfiche & microfilm reader/printer.	\$0.50
	Approved Community Groups A4.	\$0.10
	A4 Black & white per page (self service).	\$0.20
	A3 Black & white per page (self service).	\$0.45
	A4 Colour (self service) - Available at Gordon & St Ives only.	\$3.40
	A3 Colour (self service) - Available at Gordon & St Ives only.	\$4.50
	Articles obtained from another library (per article) up to 50 pages.	\$13.20
	Articles obtained from another library (per article) every additional 50 pages.	\$3.30
Programs		
	Community Services Programs/Activities.	\$3.00 to \$250.00
	School Holiday Program - Daily Fee.	\$27.00
Publications For Sale		
	Publication Sales/Information Directories charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
	Sale of Other Specialist Publications charged at standard photocopy rates (per page).	As per photocopy charges listed on page 2
Consultancy		
	Consultancy fee/research (per hour).	\$121.00 to \$180.00

DEVELOPMENT AND REGULATION

Development & Regulation		
	Fee Details	Fee For 2005/2006
Administration		
	A4 Photocopy black & white (per page).	\$0.70
	A3 Photocopy black (per page).	\$1.40
N1.	A1 & A2 Photocopy fee for Plans.	\$7.20
Development Assessment		
Complying Development S85		
	Up to \$50,000	\$150.00
	From \$50,001 to \$100,000	\$250.00
	Complying development over \$100,000.	\$350.00
	Fee for modification.	\$70.00
Pre Development Application Consultation		
Services for 1 hour additional fees may apply if consultation exceeds 1 hour		
N1.	Residential alterations and additions, ancillary structure, pools, tennis court, garage etc including signage and advertising structure.	\$350.00
N1.	New dwelling house	\$500.00
N1.	Dual occupancy	\$500.00
N1.	Seniors living development and residential flat building mixed development and new retail commercial development.	\$1,100.00
N1.	Alterations to schools, churches, nursing homes, hospitals.	\$350.00
N1.	Alterations and additions to retail commercial development.	\$500.00
N1.	Subdivision to create 2 lots.	\$350.00
N1.	Subdivision to create in excess of 2 lots.	\$500.00
Development Application Fees		
	(Includes NSW Government Plan First charge of .64 cents in every \$1,000 for development application with a value of \$50,000 or over).	
	Development not involving the erection of a building, carrying out of work, subdivision of land or the demolition of a building or work.	\$220.00
	Dwelling house \$100,000 or less.	\$364.00
	DA fees up to \$5,000	\$110.00
	Between \$5,001 & \$50,000.	\$170, plus an additional \$3.00 for each \$1,000 (or part of \$1,000) of the estimated cost.
	Between \$50,001 & \$250,000.	\$352, plus an additional \$3.64 for each \$1,000 (or part of

N1. This Fee is being re-exhibited please refer to the page 40 "Fees to be re-exhibited" for further details.

Development & Regulation		
	Fee Details	Fee For 2005/2006
		\$1,000) by which the estimated cost exceeds \$50,000.
	Between \$250,001 & \$500,000.	\$1,160, plus an additional \$2.34 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$250,000.
	Between \$500,001 & \$1,000,000.	\$1,745, plus an additional \$1.44 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$500,000.
	Between \$1,000,001 & \$10,000,000.	\$2,615, plus an additional \$1.44 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$1,000,000.
	\$10,000,001 & Over.	\$15,875, plus an additional \$1.19 for each \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$10,000,000.
	Advertising structure	\$215.00 plus \$70.00 for each additional advertisement structure or the DA fee calculated above which ever is the greater.
	Subdivision (other then strata) involving the opening of a public road.	\$500.00 plus \$50.00 for each additional lot created.
	Subdivision (other then strata) not involving the opening of a public road.	\$250.00 plus \$40.00 for each additional lot created.
	Strata subdivision	\$250.00 plus \$50.00 for each additional lot created.
	Section 96	
	Section 96(1) modification to rectify minor error, incorrect description or calculation.	\$55.00
	Section 96(1A) modification involving minimal environmental impact.	\$500 or 50% of the original DA fee whichever is the lesser.
	Section 96(2) or 96AA(1) modifications of development consent:	
	a) if the original DA fee is less then \$100.00.	50% of DA fee
	b) if the original DA fee is over \$100.00:	
	i. DA does not involve the erection of a building the carrying out of a work or the demolition of a work or building	50% of DA fee
	ii. DA involves the erection of a dwelling house costing \$100,000 or less	\$150.00
	iii. All other development applications:	
	- Up to \$5,000	\$55.00
	- \$5,001 to \$250,000	\$85 plus an additional \$1.50 for each \$1,000 (or part thereof) of the estimated cost.
	- \$250,001 to \$500,000	\$500 plus an additional \$0.85 for each \$1,000 (or part thereof) by which the estimate costs exceeds \$250,000.
	- \$500,001 to \$1,000,000	\$712 plus an additional \$0.50 for each \$1,000 (or part thereof)

Development & Regulation		
	Fee Details	Fee For 2005/2006
		by which the estimate costs exceeds \$500,000.
	- \$1,000,001 to \$10,000,000	\$987 plus an additional \$0.40 for each \$1,000 (or part thereof) by which the estimate costs exceeds \$1,000,000.
	- More than \$10,000,000	\$4,737 plus an additional \$0.27 for each \$1,000 (or part thereof) by which the estimate costs exceeds \$10,000,000.
	Section 82A Review	
	(a) in the case of a request with respect to a development application that does not involve the erection of a building, the carrying out of work or the demolition of a work or building,	50% of the fee for the development application.
	(b) in the case of a request with respect to a development application that involves the erection of a dwelling-house with an estimated cost of construction of \$100,000 or less,	\$150
	(c) in the case of a request with respect to any other development application.	As per the table below.
	Development with a value up to \$5,000.	\$55.00
	Development with a value between \$5,001 to \$250,000.	\$85, plus an additional \$1.50 for each \$1,000 (or part of \$1,000) of estimated costs.
	Development with a value between \$250,001 and \$500,000.	\$500, plus an additional \$0.85 for each \$1,000 (or part of \$1,000) by which the estimated costs exceeds \$250,000.
	Development with a value between \$500,001 and \$1,000,000.	\$712, plus an additional \$0.50 for each \$1,000 (or part of \$1,000) by which the estimated costs exceeds \$500,000.
	Development with a value between \$1,000,001 and \$10,000,000	\$987, plus an additional \$0.40 for each \$1,000 (or part of \$1,000) by which the estimated costs exceeds \$1,000,000.
	Development with a value more than \$10,000,000	\$4,737, plus an additional \$0.27 for each \$1,000 (or part of \$1,000) by which the estimated costs exceeds \$10,000,000.
	Additional Application Fee's	
	Development that requires concurrence under the Act or an environmental planning instrument.	\$250.00 concurrence fee per concurrence authority, plus \$110.00 processing fee per concurrence authority.
	Additional fee for integrated development.	\$250.00 per approval body plus \$110.00 processing fee per integrated referral.
	Additional fee for designated development.	\$715.00 plus DA fees
	Extension of Development Consents	
N1.	Application to extend consent period for a development consent (application must be submitted before consent expires).	\$110.00

N1. This Fee is being re-exhibited please refer to the page 40 "Fees to be re-exhibited" for further details.

Development & Regulation		
	Fee Details	Fee For 2005/2006
	Development – Notification	
N1.	Notification for development application's, section 96, section 82a and amended plans lodged before determination.	\$70.00
	Development – Advertising	
	Development application advertising fees for Advertised Development.	\$830.00
	Development application advertising fees for Designated Development.	\$1,665.00
	Development application advertising fees for Prohibited Development.	\$830.00
	The advertisement of Section 96 (2) Applications.	\$500.00
	Development application advertising for heritage listed single residence or child care centre.	\$500.00
	Development Application Advertising for Development for which an environmental planning instrument requires notice to be given otherwise than as referred to.	\$830.00
	Archiving/scanning fee (DA, Section 96(2), and Section 82 applications)	
N1.	Under \$5,000 in value	\$25.00
N1.	\$5001 - \$100,000	\$50.00
N1.	\$100,001 - \$250,000	\$100.00
N1.	\$250,001 - \$500,000	\$150.00
N1.	Over \$500,001– 1,000,000	\$200.00
N1.	Development \$1,000,001 – \$5,000,000.	\$350.00
N1.	Development over \$5,000,000.	\$500.00
	Development Engineering	
	Section 88G certificate	
	Section 88G certificate (Conveyancing).	\$10.00
	Section 88G certificate (Conveyancing) express service	\$50.00
	Subdivision certificate – torrens, stratum strata and company title.	
N1.	Endorsement of any final plan of subdivision (linen plan release).	\$275.00
	Lodgement of amended plan of subdivision.	\$110.00
	Legal documents	
	Endorsement of legal documents related to development including Section 88E, positive covenant, and restriction on use.	\$110.00 plus \$440 where Council seal is required
	Endorsement for release or variation of easement, covenant, restriction etc.	\$110.00 plus \$440 where Council seal is required.
	Lodgement of amended 88B instrument	\$55.00
	Infrastructure restoration	

N1. This Fee is being re-exhibited please refer to the page 40 "Fees to be re-exhibited" for further details.

Development & Regulation		
	Fee Details	Fee For 2005/2006
	For residential development activity - minor building activity up to \$10,000.	Nil
	For residential development activity - \$10,001 to \$20,000.	\$65.00
	For residential development activity - over \$20,001.	\$65.00 plus 0.15% of building value.
	Commercial demolitions	\$770.00
	Residential demolitions	\$275.00
	All commercial development activities.	\$65.00 plus 0.25% of building value.
	Miscellaneous engineering assessments	
	Flood/stormwater study (per hour - minimum 1 hour).	\$110.00
	Onsite stormwater detention plan (reassessment fee).	\$110.00
N1.	Traffic and construction management plan (CC's) assessment fee.	\$165.00
	Plan assessment & inspection	
	Engineering plan assessment and works inspection (external to site) footpaths per metre (minimum \$85).	\$11.00
	Engineering assessment and works inspection (on-site) special structures (per structure).	\$165.00
	Engineering plan assessment and works inspection. Detention structures and special facilities 50 m2 of storage.	\$165.00
	Engineering plan assessment and works inspection (works external to site). Drainage pipelines per metre (minimum \$85.00).	\$22.00
	Engineering plan assessment and works inspection. Interallotment drainage per metre (minimum \$85.00).	\$22.00
	Engineering plan assessment and works inspection. Part road construction per metre (minimum \$85.00) (ie; road shoulder/kerb and gutter).	\$22.00
	Engineering plan assessment and works inspection. Drainage structures (ie; pits etc.) each.	\$94.00
	Engineering plan assessment and works inspection. New road construction per metre (minimum \$550.00).	\$55.00
	Engineering plan assessment and works inspection. Submission of engineering plans per A1 plan sheet (re-submission 20% extra).	\$190.00
	Engineering plan assessment and works inspection. Common driveways per metre (minimum \$85.00).	\$9.00
	Inspection where works incomplete or unsatisfactory.	\$160.00
	<i>Note: Engineering plan and works inspection fees for roadworks or drainage associated with development.</i>	
Building		
	Hoarding application– non refundable.	\$100.00

N1. This Fee is being re-exhibited please refer to the page 40 "Fees to be re-exhibited" for further details.

Development & Regulation		
	Fee Details	Fee For 2005/2006
	Temporary occupation of footpath by overhead protective type B hoarding during building operations, per metre, per week.	\$30.00
	Temporary occupation of footpath by fence or type A hoarding during building operations, per metre, per week.	\$20.00
	Inspection	
	Inspection/compliance certificate (critical phase inspections) per inspection.	\$160.00
	Re-inspection (per inspection).	\$160.00
	Certificates - notices S735A	
	Certificate Section 735A Local Government Act, outstanding notice, order, notifications.	\$63.00
	Certificate as to outstanding notice or order, (EPA Act).	\$60.00
	Private certifiers	
	Registration of documents/certificates - submitted by accredited certifier (IPRT) *Note: Fees are charged per document.	\$35.00
	<p><i>Note:</i></p> <ol style="list-style-type: none"> <i>The fees outlined above cover Council being appointed as PCA and include issuing of an Occupation certificate on completion of the works for single residential development only.</i> <i>Fees do not cover inspections.</i> <i>Multi unit development and large commercial development occupation certification fees will be required to be paid as per Council's Schedule of Fees.</i> <i>If Council is appointed to replace a private accredited certifier on a partially completed project, than the full fee is payable to compensate for having to familiarise with the status of the project.</i> 	
	Occupation certificates	
N1.	Single residential development and commercial less than 200 sq metres.	\$85.00
N1.	Residential flat building / town houses / dual occupancy.	\$85.00
N1.	Commercial building over 200sq metres.	\$385.00
	Building certificate - Section 149B (2)	
	Copy of certificate.	\$10.00
	Class 1 or X building.	\$210.00
	Certified copy of certificate.	\$40.00
	Other classes - exceeding 200 square metres but not exceeding 2,000 square metres. (Plus additional 42 cents per square metre for each square metre over 200).	\$210.00
	Additional inspections (per inspection).	\$75.00
	In any case, where the application relates to a part of a building and that part consists of an external wall only or does not otherwise have a floor area.	\$210.00
	Exceeding 2,000 square metres (plus additional 6.3 cents per square metre over 2,000).	\$966.00

^{N1.} This Fee is being re-exhibited please refer to the page 40 "Fees to be re-exhibited" for further details.

Development & Regulation		
	Fee Details	Fee For 2005/2006
	Swimming pools	
	Certificate of compliance.	\$50.00
	Application for exemption.	\$50.00
	Construction certificates	
	Construction certificates S109C	
	Fee based on estimated cost of works:	
	Less than \$5,000.	\$150.00
	From \$5,001 -10,000.	\$250.00
	From \$10,001-\$30,000.	\$500.00
	From \$30,001 – \$100,000.	\$750.00
	From \$100,001 – \$200,000.	\$1,200.00
	From \$200,001 – \$500,000.	\$1,700.00
	From \$500,001 – \$1,000,000.	\$2,500.00
	Development - plans & specifications	
	Certification of additional copies of documents - certified copy of documents.	\$40.00
	Certification of additional copies of plans – per sheet.	\$20.00
	Compliance and Regulation	
	Advertising signs	
	Advertising signs inspection (3 years).	\$135.00
	Companion animals	
	Cats	
	Lifetime registration – desexed.	\$35.00
	Lifetime registration - not desexed.	\$100.00
	Lifetime - registration of animal owned by pensioner.	\$15.00
	Lifetime - registration of animal owned by breeder.	\$35.00
	Dogs	
	Lifetime registration – desexed.	\$35.00
	Lifetime registration - not desexed.	\$100.00
	Lifetime registration of animal owned by pensioner.	\$15.00
	Lifetime registration of animal owned by breeder.	\$35.00
	Animal Control	
	NOTE: Animal impounding (payable to Council's service provider).	
	Impounding release (dogs).	\$67.50

Development & Regulation		
	Fee Details	Fee For 2005/2006
	Dog maintenance for subsequent days or part thereof.	\$27.50
	Dog surrender.	\$49.50
	Cat impounding and release.	\$55.00
	Cat maintenance for subsequent days or part thereof.	\$20.00
	Cat surrender. fee	\$27.50
Fines Statute		
	Charges set by NSW government agencies.	Various charges apply.
Food premise registration		
	NSW Department of Health - per premise.	\$50.00
Impounding		
N1.	Illuminated advertising signs (includes unilluminated real estate signs).	\$150.00
N1.	Impounded advertising signage (plus any additional costs incurred by Council).	\$75.00
N1.	A-Frame signs.	\$80.00
N1.	Banners - community organisations.	\$75.00
N1.	Banners - commercial organisations.	\$75.00
N1.	General Articles.	\$50.00
Regulated Premises Inspection		
	Hairdressers, barber shops and beauty salons plus \$100 per hour after the first hour (per inspection).	\$110.00
	Food premises plus \$100 per hour after the first hour (per inspection).	\$110.00
	Boarding houses plus \$100 per hour after the first hour.	\$110.00
	Skin penetration (Public Health Act and brothels).	\$110.00
	School canteens (per inspection).	\$80.00
	Non profit community group food outlet (per inspection).	\$30.00
	Regulated systems	\$130.00
Compliance Inspection (general)		
	Noise level reading.	\$110.00
	Noise level reading – after hours.	\$165.00
Section 68 Local Government Act applications		
	Install a manufactured home, moveable dwelling or associated structure on land.	\$400.00
	Install a temporary structure on land	\$75.00
	Use a building or temporary structure as a place of public entertainment or permit its use as a place of public entertainment:	

N1. This Fee is being re-exhibited please refer to the page 40 "Fees to be re-exhibited" for further details.

Development & Regulation		
	Fee Details	Fee For 2005/2006
	- Premises owned & /or operated by incorporated not for profit group.	\$50.00
	- Licensed capacity 1 – 250 people.	\$385.00
	- Licensed capacity 251 – 500 people.	\$495.00
	- Licensed Capacity over 500 people.	\$525.00
	- Survey per property plus \$100 per hour after the first hour.	\$110.00
	- Tent bond	\$550.00
	- Permission to erect a tent of any size for public entertainment, where a charge is made for admission.	\$110.00
	Carry our stormwater drainage work or install waste treatment plant.	\$165.00
	Place waste containers in a public place (SKIP BINS):	
	- Application– non refundable.	\$100.00
	- Skip bin 0 – 6 cubic metres (per week or part thereof).	\$80.00
	- Skip bin 6 – 10 cubic metres(per week or part thereof)	\$100.00
	- Skip bin 10 cubic metres and above (per week or part thereof).	\$150.00
	Engage in a trade or Business on Community Land (outdoor dining & display of goods on footpath):	
	- Application (non refundable).	\$250.00
	- Plus rental per square metre per annum of occupied space. (This is to be paid on a pro rata basis for period 1st July – 30th June).	\$100 per sq metre per annum.
	Direct or procure a theatrical, musical or other entertainment for the public on community land.	\$75
	Play a musical instrument or sing for fee or reward on community land (busking):	
	- Application -non refundable(includes 1 month busking if approved)	\$20
	- Per additional month	\$20
	- Annual	\$130
	Operate a loudspeaker or sound amplifying device on community land	\$50
	Deliver a public address or hold a religious service or public meeting on community land	\$100
	Swing or hoist goods across or over any part of a public road (cranes):	
	- Application (non refundable)	\$100
	- Permit to stand plant – per day	\$80
	Expose or allow to be exposed any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang the article beneath an awning over the road (display goods	

Development & Regulation		
	Fee Details	Fee For 2005/2006
	on footpath, & storage of building materials on footpath):	
	<u>Display goods on footpath:</u>	
	- Application (non refundable)	\$250
	- Plus rental per square metre per annum of occupied space. (This is to be paid on a pro rata basis for period 1st July – 30th June)	\$100 per sq metre per annum.
	<u>Store building materials on footpath:</u>	
	- Application (non refundable)	\$50
	- Plus rental per square metre per week, or part thereof. (Minimum charge of 5 square metres per week)	\$14 per sq metre
	Install a domestic oil or solid fuel heater	\$75
	Install or operate amusement devices	\$75
	Use a standing vehicle or any article for the purpose of selling any article in a public place (mobile food vendors & temporary food stalls) per day.	\$25
	Annual (to be paid on a pro rata basis for the period 1st July -30th June).	\$110
	Operate an undertakers business or mortuary.	\$220
	Review of determination.	\$180
	Modified application.	\$80
	Request for extension of time.	\$80
	Parking	
	Culworth Avenue Car Park - per day.	\$4.00
	Noxious Weeds	
	Noxious Weeds Act 1993 Certificate (Section 64).	\$63.00

FEES TO BE RE-EXHIBITED

The following fees were resolved by Council on 14 June 2005 to be re-exhibited:

Open Space

- Following fees to be replaced:

	Fee Details	Fee For 2005/2006
	Open Space Hire	
	General Charges (Including St Ives Showground)	
	Public Liability Insurance	\$55.00
	Set up rate per day	\$95.00

Replaced with:

	Fee Details	Fee For 2005/2006
	Open Space Hire	
	General Charges (Including St Ives Showground)	
	Public Liability Insurance 0 to 25 people.	\$11.00
	Public Liability Insurance 26 to 50 people.	\$16.50
	Public Liability Insurance 51 to 100 people.	\$27.50
	Public Liability Insurance 101 to 200 people.	\$55.00
	Set up rate per day	\$100.00

- Following fee to be replaced:

	Fee Details	Fee For 2005/2006
	Open Space Hire	
	Sportsground Floodlighting Cliff No. 1 Oval	\$5.50

Replaced with:

	Fee Details	Fee For 2005/2006
	Open Space Hire	
	Sportsground Floodlighting Cliff No. 1 Oval	\$6.50

- Following fee to be added:

	Fee Details	Fee For 2005/2006
Bushland Education		
	Nature for the very young (2 years to 5 years)	\$3.50 to \$5.50

Development & Regulatory

1. Following fee to be replaced:

	Fee Details	Fee For 2005/2006
Administration		
	A2 printing of plans black & white (per page)	\$7.20

Replaced with:

	Fee Details	Fee For 2005/2006
Administration		
	A2 printing of plans black & white (per page)	\$34.00

2. Following fees to be added:

	Fee Details	Fee For 2005/2006
Administration		
	A2 printing of plans colour (per page)	\$66.00
	A1 printing of plans black & white (per page)	\$66.00
	A1 printing of plans colour (per page)	\$110.00

3. Following fees to be replaced:

	Fee Details	Fee For 2005/2006
Pre Development Application Consultation		
	Residential alterations and additions, ancillary structures, pools, tennis courts, garages, etc including signage and advertising structures	\$350.00
	New dwelling house	\$500.00
	Dual occupancy	\$500.00
	Seniors living development and residential flat buildings mixed development and new retail commercial development	\$1,000.00
	Subdivision to create 2 lots	\$350.00

Fee Details	Fee For 2005/2006
Subdivision to create in excess of 2 lots	\$500.00

To be replaced with:

Fee Details	Fee For 2005/2006
Pre Development Application Consultation	
Residential alterations and additions, ancillary structures, pools, tennis courts, garages, etc including signage and advertising structures	\$200.00 (where a Heritage, Landscaping or Engineering Officer is required to attend, an additional \$55.00 per officer is available)
New dwelling house	\$350.00 (where a Heritage, Landscaping or Engineering Officer is required to attend, an additional \$55.00 per officer is available)
Dual occupancy	\$500.00 (where a Heritage, Landscaping or Engineering Officer is required to attend, an additional \$55.00 per officer is available)
Seniors living development and residential flat buildings mixed development and new retail commercial development	\$1,100.00 (additional fee of \$660.00 where Urban Design Consultant requested)
Subdivision to create 2 lots	\$400.00
Subdivision to create in excess of 2 lots	\$750.00

4. Following fee to be replaced:

Fee Details	Fee For 2005/2006
Development – Notification	
Notification fee for DA's, Section 96, Section 82A and amended plans lodged before determination	\$70.00

To be replaced with:

Fee Details	Fee For 2005/2006
Development – Notification	
Notification fee for DA's, Section 96, Section 82A and amended plans lodged before determination	\$90.00

5. Following fees to be replaced:

	Fee Details	Fee For 2005/2006
Archiving / Scanning (DA, Section 96(2) and Section 82 applications		
	Under \$5,000 in value	\$25.00
	\$5,001 - \$100,000	\$50.00
	\$100,001 - \$250,000	\$100.00
	\$250,001 - \$500,000	\$150.00
	\$500,001 - \$1,000,001	\$200.00
	\$1,000,001 - \$5,000,000	\$350.00
	Development over \$5,000,000	\$500.00

To be replaced with:

	Fee Details	Fee For 2005/2006
Archiving / Scanning (DA, Section 96(2) and Section 82 applications		
	Residential alterations and additions, ancillary structures, pools, tennis courts, garages, etc including signage and advertising structures	\$50.00
	New dwelling house	\$100.00
	Dual occupancy	\$200.00
	Residential flat buildings and seniors living development	\$500.00
	Alterations to school, church, nursing home, hospital	\$150.00
	Retail / commercial developments	\$500.00
	Retail / commercial developments change of use and internal fit out and minor additions	\$50.00
	Subdivision	\$150.00

6. Following fee to be added:

	Fee Details	Fee For 2005/2006
Additional Application Fees		
	Referral to Urban Design Panel – residential flat buildings 4 units or more (plus \$100 administration)	\$600.00 (plus \$100 administration fee)

7. Following fee to be added:

	Fee Details	Fee For 2005/2006
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	Fee Details	Fee For 2005/2006
	Amended Development Application / Section 96 / Section 82A lodged prior to determination	
	Administration	10% of original DA fee

8. Following fee to be replaced:

	Fee Details	Fee For 2005/2006
	Extension of Development Consents	
	Application to extend consent period for a development consent (application must be submitted before consent expires)	\$110.00

To be replaced with:

	Fee Details	Fee For 2005/2006
	Extension of Development Consents	
	Application to extend consent period for a development consent (application must be submitted before consent expires)	\$220.00

9. Following fee to be replaced:

	Fee Details	Fee For 2005/2006
	Subdivision Certificate	
	Endorsement of any final plan of subdivision (linen plan release)	\$275.00

To be replaced with:

	Fee Details	Fee For 2005/2006
	Subdivision Certificate	
	Endorsement of any final plan of subdivision (linen plan release)	\$300.00 plus \$50 each lot (other than strata) created and \$40.00 for each strata lot created

10. Following fee to be replaced:

	Fee Details	Fee For 2005/2006
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	Fee Details	Fee For 2005/2006
Miscellaneous Engineering Assessment Fees		
	Traffic and construction management plan (CC's) assessment fee	\$165.00

To be replaced with:

	Fee Details	Fee For 2005/2006
Miscellaneous Engineering Assessment Fees		
	Traffic and construction management plan (CC's) assessment fee	\$110.00 per hour or part thereof (minimum of 1 hour)

11. Following fee to be added:

	Fee Details	Fee For 2005/2006
Legal Documents		
	Endorsement of Section 88B instruments	\$200.00

12. Following fee to be added:

	Fee Details	Fee For 2005/2006
Inspection		
	Additional requested inspection (staged construction) per inspection	\$160.00

13. Following fee to be added:

	Fee Details	Fee For 2005/2006
Private Certifiers		
	Serve an order initiated by an accredited certifier	\$235.00

14. Following fees to be added:

	Fee Details	Fee For 2005/2006
Appointment of Council as principal certifying authority		
	Less than \$12,000	\$100.00
	\$12,001 - \$30,000	\$200.00
	\$30,001 - \$100,000	\$300.00

	Fee Details	Fee For 2005/2006
	\$100,001 - \$500,000	\$500.00
	\$500,001 - \$1,000,000	\$750.00
	Over \$1,000,000	\$750.00 plus \$0.50 per \$1,000.00 or part thereof over \$1,000,000

15. Following fees to be replaced:

	Fee Details	Fee For 2005/2006
Occupation Certificate		
	Single residential development and commercial less than 200 sq metres	\$85.00
	Residential flat building / town houses / dual occupancy	\$85.00
	Commercial building over 200 sq metres	\$385.00

To be replaced with:

	Fee Details	Fee For 2005/2006
Occupation Certificate		
	Single residential development and commercial less than 200 sq metres	\$100.00
	Residential flat building / town houses / dual occupancy	\$100.00 per occupancy
	Commercial building over 200 sq metres	\$400.00

16. Following fee to be added:

	Fee Details	Fee For 2005/2006
Construction Certificate		
	Over \$1,000,000	\$2,500.00 plus \$1.44 per \$1,000 or part thereof over \$1,000,000

17. Following fees to be replaced:

	Fee Details	Fee For 2005/2006
Impounding		

	Fee Details	Fee For 2005/2006
	Illuminated advertising signs (includes unilluminated real estate signs)	\$150.00
	Impounded advertising signage (plus any additional costs incurred by Council)	\$75.00
	A-Frame signs	\$80.00
	Banners – commercial organisations	\$75.00
	General Articles	\$50.00

To be replaced with:

	Fee Details	Fee For 2005/2006
	Impounding	
	Illuminated advertising signs (includes unilluminated real estate signs)	\$250.00
	Impounded advertising signage (plus any additional costs incurred by Council)	\$150.00
	A-Frame signs	\$100.00
	Banners – commercial organisations	\$100.00
	General Articles	\$75.00

INDEX

I

149 Certificates	5
------------------------	---

A

Access over Open Space	11
Administration.....	30
Finance & Business	3
Alignment Level.....	7
Amendment to Ku-ring-gai Planning Scheme Ordinance	5
Animal Control Devices	2
Animal Related Items	2
Annual Report	3
Applications	
Section 54 Local Government Act.....	3
Archiving/Scanning Fee	33
Art Centre.....	24

B

Banners.....	2
Building.....	35
Certificates - Notices S735A	35
Certificates - Noxious Weeds	40
Certificates from Private Certifiers.....	35
Inspection Fee.....	35
Occupation Certificates	36
Section 149B Certificate.....	36
Section 88G Certificate	34
Subdivision Certificate	34
Swimming Pools.....	36
Bushland Education.....	21

C

Car parking.....	18
Casual Hire-Halls Category A.....	26
Casual Hire-Halls Category B.....	26
Casual Sports Hire.....	15
Category A Rooms	27
Category B Rooms	27
Certificates	
149.....	5
149B	36
603.....	4
735A.....	35
88G	34
Certified copy of.....	36
Compliance - Swimming Pool.....	36
Construction S109C.....	36
Copy of.....	36
Inspection/Compliance	35
Notices S735A.....	35
Noxious Weeds.....	40
Outstanding Notices	35
S109C	36
Swimming Pool Compliance	36
Certificates - Notices S735A	35
Certificates - Noxious Weeds	40
Certificates from Private Certifiers.....	35

Cheque Dishonour	3
Childcare.....	24
Community Bus.....	27
Community Event Services.....	10
Complying Development S85.....	30
Constents	
Extension of Development.....	33
Construction Certificates	36
Consultancy	4
Council Minutes.....	3
Council Property, Gardens, Parks, Reserves and Bushland /	
Commercial-Filming	25
Council's Policy.....	1
Cross Country Athletics.....	19

D

DCP'S/LEP'S	5
Delivery Fee - Nursery.....	12
Development Application Fees	31
Development Applications	
Archiving/Scanning Fee.....	33
Complying Development S85	30
Section 82A Reviews.....	32
Section 96	31
Dog Ring.....	19
Domestic Waste Management Charges.....	10
Douglas Pickering Pavilion.....	20

E

Electricity supply - Open Space Hire.....	13
Equestrian Activities	19
Extension of Development Consents	33

F

Family Day Care.....	24
Filming.....	24
Council Property, Gardens, Parks, Reserves and Bushland	
/ Commercial.....	25
external infrastructure.	25
intermittent road closure	25
Late fee	25
Lodgement fee	24
Overnight unit parking	25
Finance and Governance.....	3
Fines Statute.....	37
Fixed Costs (Halls and meeting Rooms).....	27
Food premise registration fee.....	37
Footpaths	7
Freedom of Information.....	3
Freedom of Information Processing Charge	3

G

General Charges (Excluding St Ives Showground) - Open	
Space Hire.....	13
GIS.....	5
Golf Courses	11
Gordon Golf Course.....	11
Ground Hire	14

Gutter Crossing Construction	7
------------------------------------	---

H

Halls - Category A.....	25
Halls - Category B.....	26
Halls Category A	
Casual Hire.....	26
Permanent Hire.....	26
Sale, Exhibition or Conference.....	26
Halls Category B	
Casual Hire.....	26
Permanent Hire.....	26
Sale, Exhibition or Conference.....	26
Health & Safety	2
Horse Riding	23

I

Impounding Fees	38
Infrastructure	7
Infrastructure Restoration.....	34
Inspection Fee	35
Inspection Fees	38
intermittent road closure.....	25

J

Jim Powell Pavilion.....	20
Jim Watson Arena	19

K

Kerb & Guttering	8
KMAP Street Directory	5
Ku-ring-gai Planning Scheme Map	5
Ku-Ring-Gai Planning Scheme Ordinance.....	5
Ku-ring-gai Residential Development Strategy Reports & Studies	5

L

Laminating	5
Landscaping	12
Landscaping Bonds	12
Library.....	28
booking fee.....	28
Photocopies	29
Library booking fee.....	28
Lighting.....	14
Lines at Driveways.....	8
Louise Lennon Pavilion.....	20

M

Management Plan	4
Meeting Rooms	27
Miscellaneous Engineering Assessment Fees.....	34
Model Flying.....	19
Mountain Biking	23

N

North Turramurra Golf Course.....	11
-----------------------------------	----

Notices S735A.....	35
Nursery	12
Nursery Delivery Fee.....	12

O

Occasional Care	24
Occupation Certificates.....	36
Open Space	11
Open Space Hire	13
General Charges (Excluding St Ives Showground)	13
Overnight unit parking-Filming	25

P

Parking Restriction Signs.....	8
Pavilion & Building Hire	19
Permanent Hire- Halls Category A	26
Permanent Hire- Halls Category B	26
Personal training - Sportsground hire	14
Photocopies-Library.....	29
Photocopy Charges	
Planning & Environment.....	5
Photocopy Charges	
Customer Service	2
Photocopy Charges	
Technical Services	9
Photocopy Charges	
Open Space	14
Picnic Areas	19
Piping Requests and Approval for Drainage Easements	8
Plan Assessment & Inspection Fee	34
Planning & Environment	5
Plans of Management.....	6
Programs	29
Property	3
Applications	3
Consultancy	4
Public Liability Insurance	13
Publications for Sale	2, 4
Publications for Sale - Open Space.....	14
Publications for Sale - Technical Services	9
Publications For Sale-Community Services.....	29

R

Rates	4
Interest	4
Records Searching	8
Roads	8

S

Sale, Exhibition or Conference- Halls Category A	26
Sale, Exhibition or Conference- Halls Category B	26
Sales - Retail	12
School Holiday Program.....	22, 29
School Holiday Programs	13
School Sport.....	16
Seasonal Hire	16
Section 12	3
Section 149B Certificate	36
Section 54 Local Government Act.....	3
Section 82A Reviews.....	32
Section 88G Certificate.....	34

Section 96.....	31
Seniors Centres.....	27
Showground Areas	19
Special Events	9, 22
Sportsgrounds.....	14
Sportsgrounds-Training	17
St Ives Showground.....	18
Car parking.....	18
Floodlights.....	18
Picnic Areas.....	19
Swimming Pool.....	20
Swimming Pools	36

T

Tape Recording	3
Technical Services.....	7
Temporary structure - Open Space Hire.....	13
Tender Documentation	4
Tennis Courts	
Synthetic Grass Court.....	17
Tennis Courts	17
Acrylic Court.....	17
Tennis Courts	

Floodlit Courts	18
Thomas Carlyle Children's Centre.....	24
Tree Management	20
Tree Protection Bond.....	12
Tulkiyan.....	4

V

Visitor Centre Hire.....	22
--------------------------	----

W

Wade Lane	4
Waste	9
Community Event Services.....	10
Waste Related Items	2
Wildflower Garden	21
Bushland Education	21
Visitor Centre Hire.....	22
Work Zones	7
Workshop Seminars.....	12
Worms	2