

14 August 2026

Ms Tia Mills
Department of Planning
Email: tia.mills@dpie.nsw.gov.au

Our Ref: SSD-77240466

Dear Ms Mills,

Opal Healthcare Bayview (SSD-77240466)

I refer to your Portal request for Northern Beaches Council's comments on additional information and foreshadowed conditions for SSD-77240466.

This letter provides for draft recommended without prejudice conditions and provides feedback on the additional information submitted for the application concerning biodiversity and water catchment matters.

The matters previously raised by Council in the letters dated 10 March 2026 and 11 June 2026 remain relevant for considerations in the determination of the SSD application. Council's objections to the proposal remain, despite the presence of without prejudice conditions.

Appendix 1 provides feedback on the additional information submitted for biodiversity and water catchments.

Appendix 2 provides a set of draft recommended conditions for consideration should the application be approved. These conditions are in addition to the standard type conditions that would ordinarily be applied to an approved development.

Should you require any further information or assistance in this matter, please contact my office on 8495 6414.

Yours faithfully,



Adam Richardson
Acting Executive Manager, Development Assessment

APPENDIX 1 – Northern Beaches Council advice on additional information – SSD-77240466 - Opal Healthcare Bayview – 36 Cabbage Tree Road, Bayview

Biodiversity

The amended application is considered to be consistent with the biodiversity recommendations issued during Council pre-lodgment meeting (PLM 2025/0065). Draft recommended conditions of consent are found in appendix 2 noting that Council is unable to confirm the status of the Biodiversity Development Assessment case on the BOS Portal (formerly known as BOAMS) as it is not the determining authority.

The amended BDAR is noted, and the conclusions of the report are generally agreed with. The development is unlikely to result in significant ecological impacts, subject to the implementation of the recommended Avoidance and Minimisation Measures recommended in Table 15 of the submitted BDAR.

The resulting offset requirement generated by the residual impacts are the following:

- Retirement of 2 Ecosystem Credits for PCT 3234 - Pittwater Spotted Gum Forest Threatened Ecological Community
- Retirement of 2 Species credits for *Chalinolobus dwyeri* / Large-eared Pied Bat
- Retirement of 2 Species credits for *Vespadelus troughtoni* / Eastern Cave Bat
- Retirement of 1 Species credit for *Lophoictinia isura* / Square-tailed kite

Comments are noted in relation to the Amended Landscape plan uploaded in the Additional Information section. The proposed tree replacements are now consistent with the requirements under the applicable Pittwater Development Control Plan.

Two species noted in the Landscape plan, *Haloragadendron lucasii* and *Chamaesyce psammogeton* are both Endangered species under the Biodiversity Conservation Act 2016. It is considered unlikely that these species will be available for distribution in nurseries and they are not considered adequate candidate species for the site.

Riparian and Water Management

Council notes that additional information regarding groundwater and the proposed drained basement has been supplied by WSP. It is also noted that DPHI has indicated that an exemption may be available for groundwater take where the groundwater take during construction or operation is less than or equal to 3 ML per water year.

Council further notes that uncertainty remains regarding the degree to which shallow perched groundwater and associated soil moisture processes contribute to the hydrological functioning of the downstream SEPP classified Coastal Management Littoral Rainforest. While the additional information provided by WSP indicates that groundwater interception is expected to be minor and localised, the ecohydrological relationship between the perched groundwater system and the littoral rainforest has not been directly demonstrated.

Council therefore recommends that groundwater recharge and groundwater management measures, including separation of groundwater and stormwater, reuse or infiltration of groundwater where feasible, and groundwater monitoring, be

incorporated into the detailed design to minimise potential impacts on local groundwater movement and recharge processes.

Council also notes that the site is located within a mapped red (high risk) area under the NSW Groundwater Housing Risk Dataset. While this mapping is intended as a regional screening tool and does not replace a site-specific assessment, it identifies the potential for groundwater-related risks associated with basement dewatering and supports the adoption of precautionary groundwater management measures for the development.

Stormwater engineering plans prepared by Birzulis Associates Pty Ltd (August 2025) are to be amended to demonstrate separation of groundwater and stormwater drainage so that intercepted groundwater does not affect the performance of the stormwater quality treatment system or OSD infrastructure. Groundwater may be managed through infiltration or discharged to the stormwater system downstream of the stormwater treatment and detention devices, subject to all relevant approvals and water quality requirements.

On the basis of the information provided, Council does not maintain its previous request for a fully tanked basement, provided that:

- groundwater is managed separately from stormwater;
- groundwater recharge is maintained where feasible through reinfiltration or beneficial reuse;
- groundwater monitoring is undertaken in accordance with the approved Groundwater Impact Assessment and any WaterNSW requirements; and
- any groundwater discharge complies with the applicable approval requirements and relevant water quality criteria.

Council's acceptance of the drained basement design is contingent upon the implementation of these groundwater management measures to minimise potential impacts on local groundwater movement, recharge processes and downstream environmental values.

APPENDIX 2 – Northern Beaches Council recommended conditions -- SSD-77240466 - Opal Healthcare Bayview – 36 Cabbage Tree Road, Bayview

CONDIITONS PRIOR TO AN OCCUPATION CERTIFICATE

1. Demolition Management Plan

As a result of the site constraints, limited vehicle access and parking, a Demolition Traffic Management Plan (DTMP) and report shall be prepared by a Transport for NSW accredited person and submitted to Council via an application for a Permit to Implement Traffic Control. The application form can be accessed via <https://www.northernbeaches.nsw.gov.au/council/forms>. Approval of the permit application by the Northern Beaches Council Traffic Team is required prior to issue of any Construction Certificate

Due to heavy traffic congestion throughout the area, truck movements will be restricted during the major commuter peak times being 8.00-9.30am and 4.30-6.00pm.

The DTMP must:-

- Make provision for all construction materials to be stored on site, at all times.
- The DTMP is to be adhered to at all times during the project.
- Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site is not permitted unless prior approval is granted by Council's Traffic Engineers.
- Include a Traffic Control Plan prepared by an TfNSW accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- Specify that a minimum seven (7) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes, structures proposed on the footpath areas (hoardings, scaffolding or temporary shoring) and extent of tree protection zones around Council street trees.
- Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the DTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- Specify spoil management process and facilities to be used on site.
- Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of demolition. At the direction of Council, the applicant is to undertake remedial treatments such as patching at no cost to Council.

The DTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”.

All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and are to be paid at the time that the Demolition Traffic Management Plan is submitted.

Reason: This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The DTMP is intended to minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent to the site.

2. On-Street Work Zone

The applicant shall lodge an application for a work zone for the frontage of the site to Council for consideration and approval. The provision of a work zone may require consideration by the Northern Beaches Council Local Transport Forum. Application forms for work zones are available on Council’s website. Applications shall be lodged at least 4 weeks prior to work commencing.

Reason: To ensure works vehicles do not impact on parking, traffic flows and pedestrian thoroughfares.

3. Construction Traffic Management Plan

A Construction Traffic Management Plan (CTMP) and report shall be prepared by a Transport for NSW accredited person and submitted to Council via an application for a Permit to Implement Traffic Control. The application form can be accessed via <https://www.northernbeaches.nsw.gov.au/council/forms>. Approval of the permit application by the Northern Beaches Council Traffic Team is required prior to issue of any Construction Certificate.

The CTMP must address following:

- The proposed phases of construction works on the site, and the expected duration of each construction phase.
- The proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken.
- Make provision for all construction materials to be stored on site, at all times.
- The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period.
- The proposed method of access to and egress from the site for construction vehicles, including access routes and truck routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed.
- The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible mobile cranes should be located wholly within the site.

- Make provision for parking onsite. All Staff and Contractors are to use any basement parking once available.
- Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council prior.
- Include a Traffic Control Plan prepared by a person with suitable Safework accreditation for any activities involving the management of vehicle and pedestrian safety.
- The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process. It must also specify that a minimum Seven (7) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site.
- The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site.
- Specify that the public roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising Structural Engineer, or equivalent.
- Proposed protection for Council and adjoining properties.
- The location and operation of any on site crane.

The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”.

All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and are to be paid at the time that the Construction Traffic Management Plan is submitted.

A copy of the approved CTMP must be kept on-site at all times while work is being carried out.

The development is to be undertaken in accordance with the Construction Traffic Management Plan approved by Northern Beaches Council Traffic Team.

Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

4. Ecosystem Credit Retirement - Like for Like

Before the issue of a construction certificate:

- The class and number of ecosystem credits in the table/s below must be retired to offset the residual biodiversity impacts of the development;
- Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

Table 1. Like for like ecosystem credits to be retired - threatened ecological community

Impacted threatened ecological community	Number of ecosystem credits	Hollow bearing trees (HBTs)	IBRA subregions from which credits can be used to offset the impacts from development	Threatened ecological community that can be used to offset the impacts from development
Pittwater Spotted Gum Forest	2	No	Pittwater Or From an IBRA subregion within 100km of the outer edge of the impacted site	Pittwater Spotted Gum Forest

Reason: To offset the residual biodiversity impacts of the development in accordance with the NSW Biodiversity Offset Scheme.

5. Species Credit Requirement – Like for Like

Before the issue of a construction certificate:

- The class and number of species credits identified in the table below must be retired to offset the residual biodiversity impacts of the development; and
- Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.

Table of species credits required to be retired – like for like

Impacted species credit species	Number of species credits	IBRA subregions from which credits can be used to offset the impacts from development	Species that can be used to offset the impacts from the development
Chalinolobus dwyeri / Large-eared Pied Bat	2	Anywhere in NSW	Chalinolobus dwyeri / Large-eared Pied Bat

Vespadelus troughtoni / Eastern Cave Bat	2	Anywhere in NSW	Vespadelus troughtoni / Eastern Cave Bat
Lophoictinia isura / Square-tailed kite	1	Anywhere in NSW	Lophoictinia isura / Square-tailed kite

Reason: To offset the residual biodiversity impacts of the development in accordance with the NSW Biodiversity Offset Scheme.

6. Preparation of Biodiversity Management Plan

A Biodiversity Management Plan (BMP) is to be prepared by the Project Ecologist in accordance with the Biodiversity Requirements for Development Applications available on Council's website.

The BMP is to be provided to the Certifier prior to the issue of the Construction Certificate.

Reason: To protect native vegetation, wildlife and habitats.

7. Engagement of Project Ecologist

A Project Ecologist is to be employed for the duration of the approved works to ensure all biodiversity protection measures are carried out in accordance with XX Report (reference).

The Project Ecologist must have one of the following memberships / accreditation:

- Practising member of the NSW Ecological Consultants Association (<https://www.ecansw.org.au/find-a-consultant/>) OR
- Biodiversity Assessment Method Accredited Assessor under the relevant legislation (<https://customer.lmbc.nsw.gov.au/assessment/AccreditedAssessor>)

Evidence of engagement of the Project Ecologist is to be provided to the Certifier prior to issue of Construction Certificate.

Reason: To protect native vegetation and wildlife.

Detailed Landscape Plans for construction should be prepared to ensure that the proposed landscape concept is delivered, including hard landscape works and soft landscape works. This should be provided prior to the issue of Construction Certificate.

Detailed Landscape Plans for construction should be prepared to ensure that the proposed landscape concept is delivered, including hard landscape works and soft landscape works. This should be provided prior to the issue of Construction Certificate.

8. Groundwater and Stormwater Separation

Groundwater collected from basement drainage systems, subsoil drainage systems, seepage collection systems or groundwater management infrastructure must be conveyed separately from the stormwater drainage system and must not pass through, or be directed to, stormwater quality treatment devices or on-site detention infrastructure.

Design plans must clearly identify all groundwater drainage infrastructure and discharge arrangements.

Reason: To maintain the effectiveness of stormwater treatment measures, avoid cross-contamination of drainage systems and protect groundwater quality.

9. Groundwater Recharge Management

The groundwater management system should minimise net groundwater loss from the shallow groundwater system where feasible.

Groundwater collected from basement drainage systems should be reused or reinfiltreated on-site where feasible, having regard to groundwater quality, geotechnical constraints and operational requirements.

Where reinfiltration is not feasible, evidence supporting the alternative disposal method shall be documented and made available to the consent authority upon request.

Reason: To minimise impacts on local groundwater movement, groundwater recharge processes and downstream environmental values.

10. Detailed Design of Stormwater Treatment Measures

Stormwater engineering plans from Birzulis Associates Pty Ltd dated Aug 2025 are to be modified to demonstrate separation of groundwater and stormwater drainage.

A certificate from a Civil Engineer, stating that the stormwater treatment measures have been designed in accordance with the modified stormwater plans from Birzulis Associates Pty Ltd and Council's Water Management for Development Policy.

The certificate shall be submitted to the Certifier prior to the release of the Construction Certificate.

Reason: Protection of the receiving environment.

11. Temporary Protection Fencing – Exclusion Zones

Prior to the commencement of any works onsite, temporary mesh construction fencing is to be erected surrounding areas of retained native vegetation on the site as mapped in the approved Biodiversity Management Plan.

Details demonstrating compliance must be prepared by the Project Ecologist and submitted to the Principal Certifier prior to any commencement.

Reason: To protect native vegetation.

12. Compliance with Biodiversity Impact Mitigation Measures – Prior to commencement

All impact mitigation measures specified in the approved Biodiversity Development Assessment Report and Biodiversity Management Plan are to be implemented at the appropriate stage of development.

Compliance with these measures is to be certified by the Project Ecologist in writing to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To avoid and minimise impacts to biodiversity.

CONDITIONS FOR DURING WORKS

13. Implementation of Demolition Traffic Management Plan

All works and demolition activities are to be undertaken in accordance with the approved Demolition Traffic Management Plan (DTMP). All controls in the DTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate TfNSW accreditation. Should the implementation or effectiveness of the DTMP be impacted by surrounding major development not encompassed in the approved DTMP, the DTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved DTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

Reason: To ensure compliance and Council's ability to modify the approved Construction Traffic Management Plan where it is deemed unsuitable during the course of the project.

14. Implementation of Construction Traffic Management Plan

All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate TfNSW accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to Council on request.

Reason: To ensure compliance of the developer/builder in adhering to the Construction Traffic Management procedures agreed and are held liable to the conditions of consent.

15. Ongoing Management

The applicant shall be responsible in ensuring that the road reserve remains in a serviceable state during the course of the demolition and building works.

Reason: To ensure public safety.

16. Submission of Engineering Plans

The submission is to include four (4) copies of Civil Engineering plans for the design of:

- Upgrade of the Bus Stop in Annam Road north of Utingu Place (TSN 210429) it is to meet the needs of residents including a DDA compliant bus stop with a shelter, in line with Councils standard detail.

These are to be generally in accordance with the civil design approved with the Development Application and Council's specification for engineering works - AUS-

SPEC #1 and or Council's Minor Works Policy. Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of the Construction Certificate.

Section 138 and/or 139 applications are to be submitted to Council for approval.

Reason: To ensure compliance with Council's specification for engineering works.

17. Compliance with Biodiversity Impact Mitigation Measures - During Construction

All impact mitigation measures specified in the approved Biodiversity Development Assessment Report and Biodiversity Management Plan are to be implemented at the appropriate stage of development.

Compliance with these measures is to be certified by the Project Ecologist in writing to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To avoid and minimise impacts to biodiversity.

18. Pre-clearance Survey - Certified by Project Ecologist

Any habitat for native wildlife (including tree hollows) approved for removal is to be inspected for native wildlife by the Project Ecologist prior to its removal. If native wildlife is found within habitat to be removed, the animal is to be safely relocated by the Project Ecologist to a suitable location.

Any incidents in which native wildlife are injured or killed as a result of works are to be recorded, in addition to details of any action taken in response.

Written evidence of compliance (including records of inspections and any wildlife incidents) is to be prepared by the Project Ecologist and provided to the Principal Certifier prior to any Occupation Certificate.

Reason: To protect native wildlife.

19. Wildlife Protection

If construction activity associated with this development results in injury or displacement of a native mammal, bird, reptile or amphibian, a licensed wildlife rescue and rehabilitation organisation must be contacted for advice.

Reason: To protect native wildlife.

20. Protection of Habitat Features

All natural landscape features, including any rock outcrops, native vegetation and/or watercourses, are to remain undisturbed during the construction works, except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.

Prior to the issue of any Occupation Certificate

21. Disabled Parking Spaces

Where disabled parking spaces are provided, they must be in accordance with AS2890.6:2009.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

Reason: To ensure compliance with Australian Standards.

22. Shared Zone Bollards

A bollard is to be provided at the shared zone between disabled spaces in accordance to Australian Standards AS2890.6:2009.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

Reason: To ensure compliance with Australian Standards.

23. Operational Management Plan

An Operational Management Plan (OMP) is required to be prepared and submitted to Council detailing the operation of the development. The OMP shall include, but not be limited to the following:

- Vehicle access and egress.
- Through-site circulation of vehicle movements.
- Management of car parking areas.
- The location and content of directional signage.
- Complaints management.
- Noise management.
- Truck delivery times and methods of control to manage the sequencing of the loading docks.
- Waste management.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

Reason: To ensure that the development operates with minimum disruption to the surrounding area.

24. Separation of Opal and Aveo parking allocation within the car park

The applicant is to provide details demonstrating that the allocation of car parking within the basement car park has been physically separated between the two users to prevent the bypassing of the access boom gate system.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

Reason: To ensure that parking is available and managed for both users.

25. Certification for the Installation of Stormwater Treatment Measures

A certificate from a Civil Engineer, who has membership to Engineers Australia and the National Engineers Register must be provided, stating that the stormwater treatment measures have been installed in accordance with construction certificate approved stormwater plans. The certificate must confirm that stormwater treatment measures are completed, online, in good condition and are not impacted by sediment. Vegetated measures must exhibit an 80 percent survival rate of plantings. The certificate shall be submitted to the Principal Certifier prior to the release of an Occupation Certificate.

Reason: Protection of the receiving environment.

26. Positive Covenant, Restriction as to User and Registration of Encumbrances for Stormwater Treatment Measures

A positive covenant shall be created on the title of the land requiring the proprietor of the land to maintain the stormwater treatment measures in accordance with the standard requirements of Council, the manufacturer and as required by the Stormwater Treatment Measures Operation and Maintenance Summary.

A restriction as to user shall be created on the title over the stormwater treatment measures, restricting any alteration to the measures.

The terms of the positive covenant and restriction as to user are to be prepared to Council's standard requirements (available from Council) at the applicant's expense and endorsed by the Northern Beaches Council's delegate prior to lodgement with the Department of Lands. Northern Beaches Council shall be nominated as the party to release, vary or modify such covenant.

A copy of the certificate of title demonstrating the creation of the positive covenant and restriction as to user is to be submitted to the Principal Certifier prior to the issue of the Occupation Certificate.

Reason: To identify encumbrances on land, ensure ongoing maintenance, and ensure modification to the stormwater treatment measures is not carried out without Council's approval.

27. Stormwater Treatment Measures Operation and Maintenance Summary

A concise Operation and Maintenance Summary (maximum two A4 pages) must be prepared for all stormwater treatment measures installed on the site.

The Summary must identify:

- the stormwater treatment measures installed;
- inspection and maintenance requirements;
- recommended maintenance frequencies;
- responsibility for ongoing maintenance; and
- procedures for replacement of treatment media and components where applicable.

A copy of the Summary shall be provided to the owner/operator of the development and submitted to the Principal Certifier prior to the issue of the Occupation Certificate.

Reason: Protection of the receiving environment.

28. Works as Executed Drawings - Stormwater Treatment Measures

Works as Executed Drawings for the stormwater treatment measures must be prepared in accordance with Council's Guideline for Preparing Works as Executed Data for Council Stormwater Assets.

The drawings shall be submitted to the Principal Certifier prior to the release of the Occupation Certificate.

Reason: Protection of the receiving environment.

29. Compliance with Biodiversity Impact Mitigation Measures - Post Construction

All impact mitigation measures specified in the approved Biodiversity Development Assessment Report and Biodiversity Management Plan are to be implemented at the appropriate stage of development.

Written and photographic evidence of compliance is to be prepared by the Project Ecologist and provided to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To avoid and minimise impacts to biodiversity.

30. Protection of Habitat Features – Certified by Ecologist

All natural landscape features, including any rock outcrops, native vegetation, soil and/or watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.

Written details demonstrating compliance are to be certified by the Project Ecologist and provided to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To protect wildlife habitat.

31. No Weeds Imported On To The Site

No Priority or environmental weeds (as specified in the Northern Beaches Local Weed Management Plan) are to be imported on to the site prior to or during construction works.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority and environmental weeds.

32. Priority Weed Removal and Management

All Priority weeds (as specified in the Northern Beaches Local Weed Management Plan) within the development footprint are to be removed using an appropriate control method.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To reduce the risk of site works contributing to spread of Priority weeds.

ONGOING CONDITIONS

33. Installation and Maintenance of Sediment and Erosion Controls

Council proactively regulates construction sites for sediment management. Surface water runoff and rainwater collected within excavations during construction must be managed in accordance with Managing Urban Stormwater: Soils and Construction (Landcom, 2004) and relevant regulatory requirements. All discharges must be appropriately treated to prevent sediment or pollutants entering the stormwater system.

Sediment and erosion controls must be installed in accordance with Managing Urban Stormwater: Soils and Construction (Landcom, 2004) and the Soil Erosion and Sediment Control Plan prepared by Birzulis Associates Pty Ltd (August 2025) prior to the commencement of any works on site.

Erosion and sediment controls must be maintained in effective working order at all times, particularly following rainfall events, and be regularly inspected and repaired as required.

The controls must remain in place until all disturbed areas have been stabilised, including establishment of at least 70% vegetation cover or implementation of alternative stabilisation measures such as jute mesh, erosion control matting or equivalent treatments.

Reason: Protection of the receiving environment.

34. Dewatering Management

Groundwater:

Where groundwater is intercepted during excavation or construction activities, groundwater management must be undertaken in accordance with:

- the approved Groundwater Impact Assessment;
- any applicable WaterNSW approvals, exemptions, licences, permits or General Terms of Approval;
- the Water Management Act 2000; and
- relevant water quality requirements.

All approvals, dewatering records, monitoring data and discharge records are to be retained on site and made available to Council or other relevant regulatory authorities upon request.

Reason: Protection of groundwater resources and the receiving environment.

35. Groundwater Monitoring and Adaptive Groundwater Management

Groundwater levels, groundwater discharge volumes and groundwater quality are to be monitored in accordance with the approved Groundwater Impact Assessment and any WaterNSW approval requirements.

Monitoring records must be retained and made available to Council upon request.

Should monitoring identify groundwater conditions materially different from those predicted in the approved Groundwater Impact Assessment, a suitably qualified hydrogeologist must prepare an updated groundwater impact assessment and management response. The recommendations of that assessment must be implemented.

Reason: To verify groundwater impacts remain consistent with the approved assessment and protect groundwater resources and downstream environmental values

36. Protection of Habitat Features

All natural landscape features, including any rock outcrops, native vegetation and/or watercourses, are to remain undisturbed during the construction works, except where affected by necessary works detailed on approved plans.

Reason: To protect wildlife habitat.

37. Compliance with Biodiversity Impact Mitigation Measures - Ongoing

All impact mitigation measures specified in the approved Biodiversity Development Assessment Report and Biodiversity Management Plan are to be implemented at the appropriate stage of development.

Written and photographic evidence of compliance is to be prepared by the Project Ecologist and provided to the Principal Certifier prior to issue of any Occupation Certificate.

Reason: To avoid and minimise impacts to biodiversity.

38. Control of Domestic Dogs/Cats

Domestic dogs and cats are to be kept from entering wildlife habitat areas at all times.

Dogs and cats are to be kept in an enclosed area and/or inside the dwelling, or on a leash such that they cannot enter areas of wildlife habitat, bushland or foreshore unrestrained, on the site or on surrounding properties or reserves.

Reason: To protect native wildlife and habitat.

39. Private waste collection arrangements

Applicant will need to utilise a private waste service provider to remove any waste generated on site.

Reason: Ensure the appropriate removal of waste off site.

40. Deliveries and waste collection

All deliveries and waste collection, must not occur between the hours of 9pm and 8am on any day.

Reason: To ensure the acoustic amenity of surrounding properties

41. Maintenance of Stormwater Treatment Measures

Stormwater treatment measures must be maintained in accordance with the Stormwater Treatment Measures Operation and Maintenance Summary, any detailed

maintenance documentation provided by the manufacturer, and as necessary to achieve the required stormwater quality targets.

Vegetated stormwater treatment measures must maintain an 80 percent survival rate of plantings and limit weed cover to no more than 10 percent of the total area of the stormwater treatment measure.

Where replacement cartridges or other necessary components for the system become unavailable, an alternative system is required to be retrofitted into the development to achieve an equivalent pollutant reduction outcome. Evidence supporting the replacement must be retained on site and made available to Council as required. Northern Beaches Council reserves the right to enter the property and carry out appropriate maintenance of the device at the cost of the property owner.

Reason: Protection of the receiving environment.