

## **RECORD OF DECISION THE SYDNEY EAST REGION PLANNING PANEL**

**Members:**

John Roseth	Chair
David Furlong	Member
Mary-Lynne Taylor	Member
Veronique Marchandeu	Member

**Apology:** Nil

The Panel considered the following application via emails and this is a record of the process and decision.

**Business Item**

***2010SYE068 – North Sydney - 265/10 - St Mary's, North Sydney - 40 Ridge Street, North Sydney***

The original application was approved by the Panel at its meeting on 15 December 2010 subject to appropriate conditions being prepared by the council.

Draft conditions of consent, prepared by the council, were circulated among the panel members and the applicant on the 14 January 2011. The applicant requested amendments be made to the conditions of consent on the 19 January 2011. Council provided a response to the applicant's request to amend the conditions of consent on the 21 January 2011. The Panel Members considered the responses of both the applicant and the council in making their determination. Panel members confirmed their decision via email between 14 January 2011 and 28 January 2011.

All Panel members agreed to the conditions of consent as contained in the following attachment.

**Resolved**

Endorsed by

Dr John Roseth  
Chair, Sydney East Region Planning Panel  
28 January 2011

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**NORTH SYDNEY COUNCIL**  
**CONDITIONS OF DEVELOPMENT APPROVAL**  
**40 RIDGE STREET (ST MARY'S CHURCH), NORTH SYDNEY**  
**DEVELOPMENT APPLICATION NO. 265/10**

**PART A – DEFERRED COMMENCEMENT CONDITIONS**

THAT this consent shall not operate until the applicant satisfies the Council that the following deferred commencement condition in this part has been complied with:

**Remedial Action Plan**

AA1. A Remedial Action Plan (RAP) shall be prepared in accordance with the recommendations of the *Preliminary Environmental Site Assessment*, dated January 2009, prepared by Environmental Investigation Services. The RAP must include proposed remediation procedures for removal of contaminated fill, such that the site will be suitable for the intended use.

The RAP must be accompanied by a statement prepared by a NSW EPA accredited site auditor stating that the site will be suitable for the intended use after the remediation.

(Reason: To ensure that the remediation appropriate to the potential future use of the site is considered and appropriate recommendations are made to ensure health and safety risks are managed in undertaking works on contaminated lands)

**Satisfactory documentation to satisfy the above condition must be submitted to Council within five (5) years of the date of this consent, or the consent will lapse in accordance with Clause 96 of the Environmental Planning and Assessment Regulations 2000. Written concurrence from North Sydney Council will be required to demonstrate satisfactory compliance with the above deferred commencement condition, with this to be supplied to the Certifying Authority. Upon satisfaction of the deferred commencement condition the following conditions apply.**

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## **PART B – CONDITIONS OF CONSENT**

### **A. *Conditions that Identify Approved Plans***

#### **Development in Accordance with Plans**

- A1. The development being carried out in accordance with drawings numbered A.015 Issue F, A.016 Issue D and A.099 Issue G, dated 28 June 2010 and A.101 Issue P and A.102 Issue P, dated 16 July 2010, drawn by PD Mayoh Pty Ltd, received by Council on 16 July 2010 and drawings numbered A.093 Issue BB, A.100 Issue W, A.103 Issue M, A.104 Issue G, A.105 Issue P, A.150 Issue L, A.151 Issue K, A.152 Issue I, A.153 Issue E, A.154 Issue C, A.160 Issue Q and A.165 Issue G, dated 22 December 2010, drawn by PD Mayoh Pty Ltd, received by Council on 24 December 2010 and endorsed with Council's approval stamp, except where amended by the following conditions.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

#### **Plans on Site**

- A2. 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)

#### **No Demolition of Extra Fabric**

- A3. Alterations to, and demolition of the existing building shall be limited to that documented on the approved plans. No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is shown to be retained.

(Reason: To ensure compliance with the approved development)

#### **Approved Landscaping Plan**

- A4. Landscaping works on the site are to be undertaken generally in accordance with the landscaping plans numbered 1712-LP-02 Revision B and 1712-LP-03 Revision B, prepared by John Lock & Associates, dated 5 July 2010 and received by Council on 16 July 2010 and 1712-LP-01 Revision C, prepared by John Lock & Associates, dated 22 December 2010 and received by Council on 22 December 2010.

(Reason: To ensure appropriate landscaped area and landscaping amenity at the final inspection stage of the development)

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## External Finishes and Materials

- A5. The colour and type of all external materials shall generally be in accordance with the submitted schedule, dated 17 June 2010, prepared by PD Mayoh Pty Ltd and received at Council on 12 January 2011.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

### No Consent for the use as a Commercial Carpark

- A6. No consent is given or implied by this consent for the use of any carparking on the site for the purposes of a commercial carpark operation and is restricted to being parking ancillary to the uses of the site only.

(Reason: Compliance)

### *B. Ancillary Matters to be Completed Prior to Issue of a Construction Certificate*

## Construction and Traffic Management Plan

- B1. Prior to issue of the Construction Certificate, the Applicant must have a Construction and Traffic Management Plan prepared. The following matters must be specifically addressed in the Plan:

- a) A plan view (min 1:100 scale) of the entire site and frontage roadways indicating:
    - i. Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways;
    - ii. Signage type and location to manage pedestrians in the vicinity;
    - iii. The locations of any proposed Work Zones in the frontage roadways;
    - iv. Locations and type of any hoardings proposed;
    - v. Area of site sheds and the like;
    - vi. Location of any proposed crane standing areas;
    - vii. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
    - viii. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected; and
    - ix. The provision of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
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- b) A Traffic Control Plan(s) for the site incorporating the following: -
  - i. Traffic control devices proposed in the road reserve must 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.
- c) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided detailing:-
  - i. Light traffic roads and those subject to a load or height limit must be avoided at all times; and
  - ii. A copy of this route is to be made available to all contractors, and shall be clearly depicted at a location within the site.
- d) A Waste Management Plan in accordance with the provisions of Section 19 of the North Sydney DCP 2002 must be provided. The plans should include, but not be limited to, the estimated volume of waste and method of disposal for the construction and operation phases of the development, design of on-site waste storage and recycling area and administrative arrangements for waste and recycling management during the construction process.

In addition, this plan must specify:

- a) Evidence of RTA concurrence where construction access is provided directly or within 20m of an Arterial Road;
- b) 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;
- c) 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.

A suitably qualified and experienced traffic consultant shall prepare the Construction and Traffic Management Plan. 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. As the plan has a direct impact on the local road network, the plan must be submitted to and reviewed by Council. A written acknowledgment from Council engineers as to the result of this review shall be obtained (attesting to this condition being appropriately satisfied) and must be sighted as part of the supporting documentation lodged with the Certifying Authority for approval of the Construction Certificate application.

Notes:

- 1) North Sydney Council's adopted fee for certification of compliance with this condition shall be payable on lodgement, or in any event, prior to the issue of the relevant approval.
  - 2) Any use of Council property shall require appropriate approvals and demonstration of liability insurances prior to such work commencing.
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- 3) Failure to provide complete and detailed information may result in delays. It is recommended that your Construction and Traffic Management Plan be lodged with Council as early as possible.
- 4) Dependent on the circumstances of the site, Council may request additional information to that detailed above.

(Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the demolition and construction process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community)

### *C. Prior to the Issue of a Construction Certificate*

## **Heritage Architect to be Commissioned**

- C1. An experienced heritage architect shall be commissioned to assist the design development, contract documentation and overseeing of construction works on the site for their duration by undertaking regular inspections of the works in progress and providing advice in relation to heritage matters.

Written details of the engagement of the experienced heritage architect must be submitted by the Applicant to the Certifying Authority prior to the issue of the Construction Certificate.

(Reason: To ensure that all matters relating to significant fabric and spaces are resolved and recorded using best practice for heritage conservation)

### **Exterior Furniture & Fixtures**

- C2. The design, selection and location of exterior furniture and fixtures, (including bollards, seats, bins and lights), shall be undertaken in consultation with, and approved by, the commissioned Heritage Architect. Written confirmation of compliance with this condition must be submitted with the Construction certificate documentation.

(Reason: To ensure the use of street furniture appropriate to the character and significance of the site)

### **Interpretation Plan**

- C3. An interpretation plan, for the entire church and school site, is to be prepared by an experienced heritage consultant, incorporating interpretation plaques, panels and other devices. Details of compliance with this condition are to be submitted with the Construction Certificate documentation.
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(Reason: To ensure the appropriate interpretation of the site)

#### **Interpretation of the Existing Monastery Building**

- C4. The outline floor plan of the Monastery building, that is to be demolished, shall be clearly interpreted in the floor surfaces of the new Parish Centre Building, and an interpretive panel/plaque shall be installed indicating the history and significance of the building. This panel shall be located within the Forecourt of the Parish Centre Building. The outline floor plan and interpretive panel are to be detailed in consultation with, and approved by the commissioned Heritage Architect. Details of compliance with this condition are to be submitted with the Construction Certificate documentation.

(Reason: To ensure the appropriate interpretation of the demolished building)

#### **Expression of Existing Door and Window Openings to be filled within the Presbytery Building**

- C5. Where any existing door and window openings are to be filled in the Presbytery building, the outline of the original opening shall be expressed clearly in the new finish so that the original openings are capable of interpretation. The detail design of the infill shall be undertaken in consultation with, and certified by the commissioned Heritage Architect. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.

(Reason: To ensure the appropriate interpretation of removed windows and doors)

#### **Timber Framed Windows and Doors to Presbytery**

- C6. All new windows and external doors, including those located within the new rear addition of the Presbytery shall be timber framed with paint finish and shall be detailed to be sympathetic to the original windows of the building. The detailed design of the windows and doors shall be undertaken in consultation with, and certified by, the commissioned Heritage Architect. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.

(Reason: To ensure the use of details and materials sympathetic to the heritage item)

#### **Presbytery Lift Design**

- C7. The proposed new lift within the Presbytery shall be designed to be sympathetic to the significance of this building. The detail design and selection of the lift shall be undertaken in consultation with, and certified by, the commissioned Heritage Architect. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.

(Reason: To ensure the use of details sympathetic to the heritage item)

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## **Fire Safety Upgrade to Presbytery Building**

- C8. Any required fire safety upgrade works to the Presbytery building shall be designed to have minimal impact on the heritage significance of the building. Details of all fire safety upgrade works, including location of signs, sprinklers, hoses, reels and control panels, and fire detection and alarm systems, shall be designed in consultation with, and certified by, the commissioned Heritage Architect. Original ceiling fabric shall not be removed and services and ducts shall be concealed. Egress signage is to be sympathetically detailed and located. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.

(Reason: To ensure the impact of the fire safety upgrade on the heritage item is minimised)

## **Original Ceilings of Presbytery Building to be retained**

- C9. A suspended fire-rated false ceiling shall not to be used in the original parts of the Presbytery building. The use of intumescent paint on the ceilings or the use of early warning systems are the preferred options to allow the retention of the heritage significant ceilings. Ceilings and their roses in the 1884 component of the building and battened ceilings in the Arts and Crafts section shall be retained with their cornices. The detail design of all fire safety upgrade works shall be undertaken in consultation with, and certified by, the commissioned Heritage Architect. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.

(Reason: To ensure the retention of original fabric)

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## **Retention, Re-use and Replacement of Original Cornices of Presbytery**

- C10. All original cornices within the Presbytery building shall be retained where possible. Should no other options exist, cornices may be removed and re-used within the works. All new cornices are to be similar to those existing. The detail design of any works to the cornices shall be undertaken in consultation with, and certified by, the commissioned Heritage Architect. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.

(Reason: To ensure the retention of original fabric)

## **Details of Modification of the Presbytery Stair Balustrade to satisfy BCA**

- C11. The balustrade to the main stair of the Presbytery shall be retained. Details of any modifications required in order to satisfy the Building Code of Australia shall be designed in consultation with, and certified by, the commissioned Heritage Architect. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.

(Reason: To ensure the retention of original fabric and use of details sympathetic to the significance of the heritage item)

## **Re-use of Existing French Doors to Bedroom 2 of Presbytery**

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- C12. The original French doors of Bedroom 2 of the Presbytery shall be retained and re-used within Bedroom 2. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.
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(Reason:

To ensure the retention of original fabric)

#### **Detail of Glazed Doors to Ground Level Hallway of Presbytery**

- C13. The proposed new doors within the ground level hallway of the Presbytery shall be designed to be frameless glass and have minimal impact on the listed building. The detail design of the doors is to be undertaken in consultation with, and certified by, the commissioned Heritage Architect. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.

(Reason: To ensure the use of details sympathetic to the significance of the heritage item)

#### **Levelling of First Floor Verandahs of Presbytery**

- C14. The structure of the first floor verandah floors of the Presbytery building shall remain in-situ and un-altered. Floor coverings and redundant services may be removed, and a new floating floor overlaid above the original structure. The new floating floor shall be constructed so that it can be removed without damage to the original structure. The original thresholds shall be retained and expressed. The detail design of the floating floor shall be undertaken in consultation with, and certified by, the commissioned Heritage Architect. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.

(Reason: To ensure the retention of original fabric of the heritage item)

#### **Design of the Proposed Access Ramp to the Front Door of Presbytery**

- C15. Details of any modifications required for the access ramp to the Presbytery entrance shall be designed to have minimal impact on the listed building, with alternative access points considered. Details of the access ramp shall be designed in consultation with, and certified by, the commissioned Heritage Architect. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.
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(Reason: To ensure the use of details sympathetic to the significance of the heritage item)

#### **Presbytery Courtyard Walls**

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- C16. All perimeter walls of the rear and side courtyards to the Presbytery shall be no higher than 2100mm above the finished floor level of the Presbytery building. Details illustrating compliance with this condition shall be submitted to the Certifying Authority for approval prior to the issue of a Construction Certificate.

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(Reason:

To retain views of the listed building)

### **Doors to Bread Store and Garbage Area of Presbytery**

- C17. The exterior doors of the bread store and garbage area shall be designed to be sympathetic to the character of the Presbytery Building. The detail design of the doors shall be undertaken in consultation with, and certified by, the commissioned Heritage Architect. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.

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(Reason:

To ensure the use of details sympathetic to the heritage item)

### **Air-conditioning Condenser Units Screens**

- C18. The screening of any roof mounted air conditioning units on the Presbytery building shall be sensitively designed so as to have minimal heritage impact. These screens shall be painted the colour of the roof tiles. The detailed design of the screens shall be undertaken in consultation with, and certified by, the commissioned Heritage Architect. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.

(Reason: To minimise the impact on the heritage item)

### **Fibre Glass Roof of Presbytery Pergola**

- C19. The length of the fibreglass sheeting of the Presbytery pergola shall be reduced to cover the area in front of the vehicle doors only. The steel pergola beams shall extend 700mm beyond the fibreglass sheets, as an expressed pergola. The fibreglass sheeting shall be custom orb profile with a grey tint to provide an appropriate appearance. The detail design of the pergola shall be undertaken in consultation with, and certified by, the commissioned Heritage Architect. Details of compliance with this condition shall be submitted with the Construction Certificate documentation.

(Reason: To ensure details appropriate to the character of the heritage item)

### **Car Park Design**

- C20. All aspects of the car park shall comply with Australian Standard AS2890.1, and the parking spaces for people with a disability shall comply with AS2890.6. Details illustrating compliance with this condition shall be submitted to the Certifying Authority prior to the issue of a Construction Certificate.

(Reason: Compliance with Australian Standard AS2890)

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## **Location of Security Access Points**

- C21. The location of any security access point for driveway entry to the car park should be located 18 metres within the boundary of the property, such that three queued vehicles can be contained wholly within the boundary of the property in accordance with AS2890.1. Details illustrating compliance with this condition shall be submitted to the Certifying Authority for approval prior to the issue of a Construction Certificate.

(Reason: To minimise vehicle queuing on surrounding roads)

## **Preparation of Traffic Management Plan**

- C22. A Traffic Management Plan for the pick-up and drop-off of students shall be prepared by a suitable qualified Traffic Engineer. This report shall formalise collection points for students in order to minimise parking and traffic issues. The existing on-street pick-up/ drop-off zone for St Mary's Primary School located in Ridge Street shall be removed.

A copy of this plan shall be submitted to Council's Traffic Engineer for approval, with Council's written satisfaction submitted to the Certifying Authority prior to the issue of a Construction Certificate.

After endorsement by Council and construction, this plan shall be implemented and enforced by the school.

(Reason: To minimise adverse traffic and parking impacts on surrounding residents)

## **Dilapidation Report Damage to Public Infrastructure**

- C23. The applicant must have a dilapidation survey and report (including photographic record) prepared which details the pre-developed condition of the existing public infrastructure in the vicinity of the development site. Particular attention must be paid to accurately recording any pre-developed damaged areas so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development. 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 and demonstrated as pre-existing under the requirements of this condition.

The applicant shall bear the cost of restoration of all infrastructure damaged as a result of the development, and no occupation of the development shall occur until damage is rectified. A copy of the dilapidation report must be lodged with North Sydney Council by the Certifying Authority with submission of the Construction Certificate documentation.

(Reason: To ensure protection of existing built infrastructure)

## **Dilapidation Report Private Property (Excavation)**

- C24. Prior to issue of the Construction Certificate the applicant must submit, for verification by the Certifying Authority, a full dilapidation report on the visible and
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structural condition of all neighbouring structures within the 'zone of influence' of the required excavations. This zone is to be defined as the horizontal distance from the edge of the excavation face to twice the excavation depth.

This report is to be prepared by a consulting structural/geotechnical engineer agreed to by both the applicant and the owner of any affected adjoining property. The report shall have regard to protecting the Applicant from possible spurious claims for structural damage and must be verified by all stakeholders as far as practicable.

All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant **MUST DEMONSTRATE**, in writing, to the satisfaction of Council that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from Council in such circumstances.

Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

(Reason: Proper management of records)

## **Dilapidation Survey Private Property (Neighbouring Buildings)**

- C25. A photographic survey of adjoining property No. 22 Ridge Street, North Sydney detailing the physical condition of that property, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items, **SHALL BE** submitted to Council and the Certifying Authority (where Council does not issue the Construction Certificate) prior to the issue of any Construction Certificate. This survey is to be prepared by an appropriately qualified person agreed to by both the applicant and the owner of the adjoining property.

All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant **MUST DEMONSTRATE**, in writing, to the satisfaction of Council that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from Council in such circumstances.

Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

(Reason: Proper management of records)

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## Structural Adequacy of Existing Building

- C26. A Certificate prepared by an appropriately qualified and practising structural engineer, certifying the structural adequacy of the Presbytery building and its ability to withstand the proposed additional, or altered structural loads during all stages of construction shall be submitted to the Certifying Authority prior to issue of the Construction Certificate. The certificate shall also include all details of the methodology to be employed in construction phases to achieve the above requirements.

(Reason: To ensure the structural integrity of the building is maintained)

## Sediment Control

- C27. Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, erosion and sediment control techniques, as a minimum, are to be in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004) commonly referred to as the “Blue Book” or a suitable and effective alternative method. The sediment Control Plan shall incorporate and disclose:

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

The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition. All works must be undertaken in accordance with the approved Sediment Control plan.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

## Sandstone Re-pointing

- C28. Any re-pointing works to sandstones walls and retaining walls is to be undertaken using traditional lime mortar by a qualified stonemason. Written details of the engagement of a qualified stonemason must be submitted by the Applicant to the Certifying Authority prior to the issue of the Construction Certificate. The Certifying Authority must also ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

Note: The provisions of the Heritage Act may also apply to altering any sandstone elements on any site.

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(Reason: To allow for preservation of cultural resources within the North Sydney Council area)

## **Reflectivity Index of Glazing**

C29. The reflectivity index (expressed as a percentum of the reflected light falling upon any surface) of external glazing for windows, walls or roof finishes of the proposed Parish Centre development is to be no greater than 20%. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

Note: The reflectivity index of glazing elements can be obtained from glazing manufacturers. Glass with mirrored or reflective foil finishes is unlikely to achieve compliance with this requirement.

(Reason: To ensure that excessive glare or reflectivity nuisance from glazing does not occur as a result of the development)

## **Roofing Materials – Reflectivity**

C30. Roofing materials shall be factory pre-finished with low glare and reflectivity properties to be compatible with the colours of neighbouring buildings. The selected roofing material must not cause a glare nuisance or excessive reflectivity to adjoining or nearby properties. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure that excessive glare or reflectivity nuisance from roofing materials does not occur as a result of the development)

## **No External Service Ducts**

C31. Service ducts shall be provided within the new Parish Centre building and the Presbytery building to keep external walls free of plumbing, drainage or any other utility installations. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure quality built form of the development)

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## **Bicycle Storage and Parking**

- C32. The bicycle storage area shall be provided within the Parish Centre to accommodate a minimum of two (2) bicycles and one (1) visitor parking bicycle rail shall also be provided on the site. Such bicycle storage lockers and bicycle rail shall be designed in accordance with the applicable Australian Standards.

The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To promote and provide facilities for alternative forms of transport)

## **Motorcycle Parking**

- C33. A minimum of twelve (12) motorcycle spaces shall be provided on the site in accordance with the requirements of the North Sydney Development Control Plan 2002. Details illustrating compliance with this condition shall be submitted to the Certifying Authority for approval prior to the issue of a Construction Certificate.

(Reason: To ensure adequate provision of parking for motorcycles)

## **Cycle Shower Facilities**

- C34. Shower facilities shall be provided with the Parish Centre building and made accessible without charge to cyclists who work in or otherwise attend the building. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To promote and provide facilities for alternative forms of transport)

## **Parking for People with Disabilities**

- C35. A minimum of 3 car-parking spaces for use by persons with a disability shall be provided as part of the total car-parking requirements. Consideration must be given to the means of access from the car-parking spaces to adjacent buildings, to other areas within the building and to footpath and roads and shall be clearly shown on the plans submitted to the Certifying Authority for approval with the Construction Certificate. All details shall be prepared in consideration of, and construction completed in accordance with applicable Australian Standards to achieve compliance with the Disability Discrimination Act.

(Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation)

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## Stormwater Disposal

- C36. Stormwater runoff generated by the approved development shall be conveyed by gravity to the existing site stormwater drainage disposal system. A licensed tradesman shall install plumbing components to achieve this requirement in accordance with the BCA and current plumbing standards and guidelines. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure appropriate provision for disposal and stormwater management arising from the development)

## Bond for Damage – Stormwater, Kerb and Gutter and Footpaths

- C37. The applicant must lodge a Bond of \$15,000 with Council against any potential infrastructure damage or failure. The bond shall be lodged in the form of a deposit or bank guarantee and will be refundable following Occupation Certificate issue, upon inspection and release 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;
- b) The applicant has not repaired or commenced repairing damage within 48 hours of the issue by Council in writing of instructions to undertake such repairs or works; and
- c) The Certifying Authority must ensure that bond is lodged with North Sydney Council prior to issue of any Construction Certificate.

(Reason: To ensure appropriate security for works on public land and an appropriate quality for new public infrastructure)

## Pruning

- C38. Any tree pruning necessary for construction shall be carried out under the supervision of an appropriately qualified Arborist. Details prepared by an appropriately qualified person, on measures to be employed during construction indicating the nature of the pruning and limit any adverse long term effects on the tree shall be submitted to the Certifying Authority for approval with the Construction Certificate, and shall be adhered to for the duration of the works on the site.

(Reason: To ensure the protection and longevity of existing significant trees)

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## **Garbage and Recycling Facilities**

C39. An appropriate area shall be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. The following requirements shall be met:

- a) All internal walls of the storage area shall be rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning; and
- b) Include provision for the separation and storage in appropriate categories of material suitable for recycling.

The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

Note: The applicant may wish to discuss bin storage requirements and location with Council prior to finalisation of the required detail, and obtain a copy of Council's Waste Handling Guide for reference purposes.

(Reason: To ensure the provision of appropriate waste facilities for residents and protect community health, and to ensure efficient collection of waste by collection contractors)

## **Asbestos & Hazardous Material Survey**

C40. A survey of the existing building fabric shall be undertaken identifying the presence or otherwise of asbestos contamination. Any works subsequently required to address asbestos contamination shall be undertaken in strict accordance with the requirements of the WorkCover Authority in relation to the removal, handling and disposal of material containing asbestos and Work Safe Australia.

The Certifying Authority must ensure that the specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the long term health of workers on site and occupants of the building is not put at risk unnecessarily)

## **Location of Plant**

C41. All plant and equipment (excluding solar panels) within the new Parish Centre is to be located within the basement or other areas of the building and is not to be located on the roof. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

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(Reason: Minimise impact on surrounding properties, improved visual appearance and amenity for locality)

## **Noise from Plant**

- C42. A certificate from an Acoustic Engineer, who is a member or eligible to be a member of the Association of Australian Acoustical Consultants, must be submitted to the Certifying Authority certifying that the plant equipment will not exceed more than 5dB(A) above the background level during the day and evening and not exceeding the background level at night (10.00pm to 6.00 am) when measured at the boundary of the property, and will comply with the Environment Protection Authority Industrial Noise Policy.

The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To comply with best practice standards for residential acoustic amenity)

## **Mechanical Exhaust Ventilation**

- C43. A statement from an appropriately qualified and practising Mechanical Engineer is required detailing how the exhaust ventilation system will be installed in accordance with the applicable Australian Standard. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure compliance with acceptable standards for the construction and operation of mechanical plant)

## **Access for People with Disabilities**

- C44. The parish centre building must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.
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Note: If, in complying with this condition, amendments to the development are required, the design changes must be submitted for the approval of Council prior to a Construction Certificate being issued.

(Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards)

## Security Bond Schedule

C45. All fees and security bonds in accordance with the schedule below must be paid or in place prior to the issue of the required Construction Certificate:

<b>SECURITY BONDS</b>	<b>AMOUNT (\$)</b>
Footpath Damage Bond	15,000.00
<b>TOTAL BONDS</b>	<b>\$15,000.00</b>

(Reason: Compliance with the development consent)

## Bonds

C46. Council will accept a bank guarantee for the purpose of any security bond imposed by these conditions of consent. Such bank guarantee shall be in a form acceptable to the Council and shall be in place prior to the issuing of the Construction Certificate and shall remain in place until the submission of the certificate required prior to the occupancy of the completed works.

(Reason: Information, Protection of infrastructure and the environment)

### *D. Prior To Any Commencement*

#### **Photographic Survey (Heritage Items)**

D1. A detailed photographic survey of both the Monastery and Presbytery Buildings is to be undertaken in accordance with the guidelines of the Heritage Council, and submitted to Council with the Construction Certificate prior to the works commencing. These documents, including a hard copy, must be to the satisfaction of North Sydney Council's Historian.

(Reason: To provide a historical record of heritage significant works on the site for archival purposes)

## Protection of Trees

D2. All trees that are to be specifically nominated to be retained by notation or condition as a requirement of development consent shall be maintained and protected during demolition, excavation and construction on the site. Protection methods shall be provided to the Principal Certifying Authority by an appropriately qualified person prior to commencement of any works on the site, and any recommendations (or methods) to ensure the protection of trees shall be undertaken for the duration of

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works on the site.

(Reason: To ensure compliance with the requirement to retain significant planting on the site)

## **Archaeological Survey**

- D3. An archaeological survey shall be conducted of the site prior to the commencement of any demolition, earthworks or excavation on site, and submitted to the Principal Certifying Authority.

This survey shall be carried out by an appropriately qualified person (Heritage Planner or Consultant, Archaeologist or the like) and shall identify the likelihood of remains and/or artefacts, whether European or Aboriginal, being present on site.

If this report identifies that such items are likely to be on site, then demolition, earthworks and excavation shall be undertaken under the direct supervision of the consultant archaeologist and both Council and the accredited certifier (if any) involved in the issue of the Construction Certificate shall be informed. A permit under the provisions of the Heritage Act may also be required to be obtained.

In the event that remnants or artefacts are found during the progression of works on the site, all works are to cease until the full requirements of this condition have been addressed.

Remnants and artefacts discovered during demolition, earthworks or excavation shall be photographed, catalogued by location and description and stored and preserved in a place agreed to by Council.

Disposal of the remnants and artefacts shall only occur in consultation with, and subject to the agreement of, Council's Historian.

(Reason: To ensure the proper management of historical artefacts and ensure their heritage preservation)

## **Public Liability Insurance – Works on Public Land**

- D4. Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for North Sydney Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

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

(Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land)

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## *E. During Demolition and Building Work*

### **Re-use of Sandstone**

- E1. Sandstone blocks (if any) removed from the site are to be either stored for re-use on site or offered to Council in the first instance.

Note: The provisions of the Heritage Act may also apply to altering any sandstone elements on any site)

(Reason: To allow for preservation of cultural resources within the North Sydney Council area)

### **Parking Restrictions**

- E2. Existing public parking provisions in the vicinity of the site must be maintained at all times during works. The placement of any barriers, traffic cones, obstructions or other device in the road shoulder or kerbside lane is prohibited without the prior written consent of Council. Changes to existing public parking facilities/restrictions are only to be approved via the North Sydney Local Traffic Committee. The Applicant will be held responsible for any breaches of this condition, and will incur any fines associated with enforcement by Council regulatory officers.

(Reason: To ensure that existing kerbside parking provisions are not compromised during works)

### **Road Reserve Safety**

- E3. All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works. Construction materials and plant must not be stored in the road reserve without approval. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site.

Where public infrastructure is damaged, repair works must be carried out in when and as directed by Council officers (at full Applicant cost). Where pedestrian circulation is diverted on to the roadway or verge areas, 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 across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**

(Reason: Public Safety)

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## **Temporary Disposal of Stormwater Runoff**

- E4. 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 must be installed to reasonably manage and control runoff as far as the approved point of stormwater discharge. Such ongoing measures shall be to the satisfaction of the Principal Certifying Authority.

(Reason: Stormwater control during construction)

## **Geotechnical Stability during Works**

- E5. A contractor with specialist excavation experience must undertake the excavations for the development and a suitably qualified and consulting geotechnical engineer must oversee the excavation procedure.

Geotechnical aspects of the development work, namely appropriate excavation method and vibration control, support and retention of excavated faces, and Hydrogeological considerations must be undertaken in accordance with the recommendations of the Geotechnical Investigation, prepared by Jeffery & Katauskas Pty Ltd, dated 16 January 2009 and all subsequent geotechnical inspections carried out during the excavation and construction phase.

Approval must be obtained from all affected property owners, including North Sydney Council where rock anchors (both temporary and permanent) are proposed below adjacent private or public property.

(Reason: To ensure appropriate professional are engaged at appropriate stages during construction)

## **Removal of Extra Fabric**

- E6. Should any portion of the existing building, trees, or curtilage of the site which is indicated on the approved plans to be retained be damaged for whatever reason, all the works in the area of the damaged portion are to cease and written notification given to Council. No work is to resume until the written approval of Council is obtained. Failure to comply with the provisions of this condition will result in the Council taking further action including legal proceedings if necessary.

(Reason: To ensure compliance with the terms of this development consent)

## **Dust Emission and Air Quality**

- E7. Materials must not be burnt on the site.

Vehicles entering and leaving the site with soil or fill material must be covered.

Dust suppression measures must be carried out to minimise wind-borne emissions in accordance with the NSW Department of Housing's 1998 guidelines - Managing

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Urban Stormwater: Soils and Construction. Odour suppression measures must also be carried out where appropriate so as to prevent nuisance occurring at adjoining properties.

(Reason: To ensure residential amenity is maintained in the immediate vicinity)

## **Noise and Vibration**

E8. Noise and vibration from works is to be undertaken in accordance with industry best practice, to ensure excessive levels of vibration do not occur to minimise adverse effects experienced on any adjoining land.

(Reason: To ensure residential amenity is maintained in the immediate vicinity)

## **Applicant's Cost of Work on Council Property**

E9. The applicant shall bear the cost of all works associated with the development that occurs on Council's property, including the restoration of damaged areas.

(Reason: To ensure the proper management of public land and funds)

## **No Removal of Trees on Public Property**

E10. No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved in this consent shall be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works.

(Reason: Protection of existing environmental infrastructure and community assets)

## **Construction Hours**

E11. Building construction shall be restricted to within the hours of 7.00am to 5.00pm Monday to Friday and on Saturday to within the hours of 8.00am to 1.00pm inclusive, with no work on Sundays and Public Holidays.

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

- i. "Building construction" means any physical activity on the site involved in the erection of a structure, cladding, external finish, formwork, fixture, fitting of service installation and the unloading of plant, machinery, materials or the like.
  - ii. "Demolition works" means any physical activity to tear down or break up a structure (or part thereof) or surface, or the like, and includes the loading of demolition waste and the unloading of plant or machinery.
  - iii. "Excavation work" means the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders, or the like, regardless of whether the activities disturb or alter the natural state of the existing ground
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stratum or are breaking up/removing materials from the site and includes the unloading of plant or machinery associated with excavation work.

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

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

## **Out of Hours Work Permits**

E12. Where it is necessary for works to occur outside those hours allowed by these conditions, approval for such will be subject to issue of a permit on each occasion from Council's Customer Services Centre. Such occurrence shall be limited to two occasions per calendar month and shall only be approved if public safety or convenience is at risk. Any further variation shall require the lodgement and favourable determination of a modification application pursuant to Section 96 of the Environmental Planning and Assessment Act 1979.

Notes:

- 1) Failure to obtain a permit for work outside of the approved hours will result in on the spot fines being issued, or Council pursuing any action required (including legal proceedings) to have the out of hours work cease, without prior warning.
- 2) Further information on permits can be obtained from the Council website at [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au).
- 3) It is recommended that applications for permits be lodged as early as possible to allow sufficient time for determination by Council and avoid disruption or delay due to conflicting priorities.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

## **Installation and Maintenance of Sediment Control**

E13. Techniques used for erosion and sediment control on building sites are to be adequately maintained at all times and must be installed in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004), commonly referred to as the "Blue Book". All techniques shall remain in proper operation until all development activities have been completed and the site fully stabilised.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

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## **Remedial Action Plan (Contaminated Land)**

- E14. The remediation work must be carried out in accordance with a Remedial Action Plan prepared in accordance with the Contaminated Land Development Control Plan and relevant guidelines issued under the Contaminated Land Management Act.

(Reason: To ensure the proper management of contaminated land)

## **Site Amenities and Facilities**

- E15. The provision and maintenance of amenities, at a site where work involved in the erection and demolition of a building is being carried out, must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements. The type of work place determines the type of amenities required.

Further information and details can be obtained from the Internet at [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

(Reason: To ensure the health and safety of the community and workers on the site)

## **Health and Safety**

- E16. The work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements to prepare a health and safety plan. Site fencing must be installed sufficient to exclude the public from the site. Safety signs must be erected that; warn the public to keep out of the site, and provide a contact telephone number for enquiries.

Further information and details regarding occupational health and safety requirements for construction sites can be obtained from the internet at [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

(Reason: To ensure the health and safety of the community and workers on the site)

## **Landscaping and Rehabilitation**

- E17. Disturbed areas must be progressively stabilised and revegetated in accordance with the approved landscape plan as soon as practical after construction.

(Reason: To ensure that appropriate landscaping is undertaken within a reasonable timeframe in accordance with community expectations)

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## Community Information

- E18. Reasonable measures must be undertaken at all times by the proponent to keep nearby residents informed about the proposed work, such as by way of signs, leaflets, public meetings and telephone contact numbers, to ensure that adjoining residents are aware of the likely duration of the construction works on the site

(Reason: To ensure that residents are kept informed of activities that may affect their amenity)

## Aboriginal Heritage

- E19. If in undertaking excavations or works, any Aboriginal site or relic is, or is thought to have been found, all works are to cease immediately and the applicant is to contact Aboriginal Heritage Officer for North Sydney Council, and the National Parks and Wildlife Service (NPWS). Any work to a site that is discovered to be the location of an Aboriginal relic, within the meaning of the National Parks and Wildlife Act, requires a permit from the Director of the NPWS.

(Reason: Aboriginal Heritage Protection)

## Prohibition on Use of Pavements

- E20. Building materials shall not be placed on Council's footpaths, roadways, parks or grass verges, (unless a permit is obtained from Council beforehand) and a suitable sign to this effect shall be erected adjacent to the street alignment.

(Reason: To ensure public safety and amenity on public land)

## Plant & Equipment Kept Within Site

- E21. All plant and equipment used in the erection of the building, including concrete pumps, wagons, lifts, mobile cranes, hoardings etc, shall be situated within the boundaries of the site (unless a permit is obtained from Council beforehand) and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries.

Details of Council requirements for permits on public land for standing plant, hoardings, storage of materials and construction zones and the like are available on Council's website at [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au).

(Reason: To ensure public safety and amenity on public land)

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*F. Operational Conditions imposed under EP&A Act and Regulations and other relevant Legislation*

## **Building Code of Australia**

- F1. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

(Reason: Prescribed - Statutory)

## **Appointment of a Principal Certifying Authority (PCA)**

- F2. Building work, demolition or excavation in accordance with the development consent must not be commenced until the person having the benefit of the development consent has appointed a PCA for the building work in accordance with the provisions of the EP&A Act and its Regulations.

(Reason: Statutory; to ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

## **Construction Certificate**

- F3. Building work, demolition or excavation in accordance with the development consent must not be commenced until a Construction Certificate for the relevant part of the building work has been issued in accordance with the provisions of the EP&A Act and its Regulations.

(Reason: Statutory; to ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

## **Occupation Certificate**

- F4. A person must not commence occupation or use of the whole or any part of a new building (new building includes an altered portion of, or an extension to, an existing building) unless an Occupation Certificate has been issued in relation to the building or part. Only the PCA appointed for the building work can issue an Occupation Certificate.

(Reason: Statutory)

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## Excavation/Demolition

- F5. 1) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- 2) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- 3) Demolition work must be undertaken in accordance with the provisions of AS2601 - Demolition of Structures.

(Reason: To ensure that work is undertaken in a professional and responsible manner and protect adjoining property and persons from potential damage)

## Protection of Public Places

- F6. 1) If the work involved in the erection or demolition of a building:-
- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
  - b) building involves the enclosure of a public place,
- a hoarding and site fencing must be erected between the work site and the public place.
- 2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- 3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- 4) Any such hoarding, fence or awning is to be removed when the work has been completed.
- 5) No access across public reserves or parks is permitted.

Note: Prior to the erection of any temporary fence or hoarding over property owned or managed by Council, written approval must be obtained. Any application needs to be accompanied by plans indicating the type of hoarding and its layout. Fees are assessed and will form part of any approval given. These fees must be paid prior to the approval being given. Approval for hoardings will generally only be given in association with approved building works, maintenance or to ensure protection of the public. An application form for a Hoarding Permit can be downloaded from Council's website.

(Reason: To ensure public safety and the proper management of public land)

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## Site Sign

- F7. 1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- a) stating that unauthorised entry to the work site is prohibited;
  - b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
  - c) showing the name, address and telephone number of the Principal Certifying Authority for the work.
- 2) Any such sign must be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed.

(Reason: Prescribed - Statutory)

### *G. Prior to the Issue of an Occupation Certificate*

## Access for People with Disabilities

- G1. Prior to issue of any Occupation Certificate, provision shall be made for access and facilities for persons with a disability in accordance with the Building Code of Australia.

(Reason: Equitable access and facilities for people with a disability)

## Noise from Plant

- G2. Prior to issue of the final Occupation Certificate, a certificate from an Acoustic Engineer is to be submitted to the Certifying Authority certifying that the plant equipment has been installed so as not to exceed more than 5dB(A) above the background level during the day and evening and not exceeding the background level at night (10.00pm to 6.00 am) when measured at the boundary of the property, and will comply with the Environment Protection Authority Industrial Noise Policy.

(Reason: To ensure acoustic amenity)

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## Damage to Adjoining Properties

- G3. All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.

On completion of the works and prior to the issue of a final Occupation Certificate, a certificate is to be prepared to the effect that no damage has resulted to adjoining premises, and is to be provided to Council and the Principal Certifying Authority.

Alternatively, if damage is identified which is considered to require rectification, the damage shall be rectified or a satisfactory agreement for rectification of the damage is to be made with the affected person/s as soon as possible and prior to the issue of a final Occupation Certificate.

(Reason: To ensure adjoining owner's property rights are protected)

## Utility Services

- G4. All utility services shall be adjusted, to the correct levels and/or location/s required by this consent, prior to issue of a final occupation certificate. This shall be at no cost to Council.

(Reason: To ensure compliance with the terms of this consent)

## Asbestos Clearance Certificate

- G5. Prior to issuing any Occupation Certificate for building works where asbestos based products have been removed or altered, an asbestos clearance certificate signed by an appropriately qualified person (being an Occupational Hygienist or Environmental Consultant) must be submitted to the Principal Certifying Authority (and a copy forwarded to Council) for the building work which certifies the following:-

- a) The building/land is free of asbestos; or
- b) The building/land has asbestos that is presently deemed safe.

The certificate must also be accompanied by tipping receipts, which detail that all asbestos waste has been disposed of at an approved asbestos waste disposal depot. If asbestos is retained on site the certificate must identify the type, location, use, condition and amount of such material.

Note: Further details of licensed asbestos waste disposal facilities can be obtained from [www.dec.nsw.gov.au](http://www.dec.nsw.gov.au)

(Reason: To ensure that building works involving asbestos based products are safe for occupation and will pose no health risks to occupants)

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## Vehicle Egress Signs

- G6. Prior to the issue of an Occupation Certificate, appropriate sign(s) shall be provided and maintained within the site at the point(s) of vehicular egress to ensure all vehicles stop and “Give Way to Pedestrians” before proceeding onto the public way.

(Reason: To ensure pedestrian safety)

## Height

- G7. The maximum RL of the proposed new Parish Centre building shall be RL 94.136 AHD measured to the topmost point of the roof and RL 93.346 AHP to the top of the parapet. The Certifying Authority must ensure, prior to the issue of the final Occupation Certificate required on the completion of works, that evidence is submitted by the Applicant, demonstrating compliance with this condition.

(Reason: To ensure compliance with the terms of this development consent)

## Car Parking

- G8. Prior to the issue of an Occupation Certificate, the Certifying Authority must ensure that all aspects of the car park comply with the Australian Standard AS 2890.1 (2004) Off-Street Parking.

(Reason: Compliance with Australian Standard)

### *I. Ongoing / Operational Conditions*

#### **Hours of Operation of the Multi-Purpose Hall/Space**

The proposed ground floor level multi-purpose hall/space shall be used only between the hours of 7.00am to 10.00pm.

(Reason: To ensure residential amenity is maintained)

#### **Operation of Pick Up/Drop Off Zone**

The new on-site student pick-up/ drop-off zone for St Mary’s Primary School shall be managed in accordance with the Roads and Traffic Authority’s “*Drop-off & Pick-up Initiative around Schools*” (Road Safety Policy PN141).

(Reason: To ensure the ongoing safety of students)

#### **Ongoing Maintenance of landscaping to Ridge Lane**

The ongoing maintenance of the proposed landscaping to Ridge Lane located on the western side of the acoustic wall remains the responsibility of owner’s of the site.

(Reason: To ensure the on-going maintenance and upkeep of landscaping)

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## **Parking Station**

No approval is given by this consent to the use of any off-street car parking being used as a Public Car Parking Station.

(Reason: Consistency with of the terms of this consent)

## **Loading within Site**

All loading and unloading operations shall be carried out wholly within the confines of the site, at all times.

(Reason: To ensure that deliveries can occur safely within the site and does not adversely affect traffic or pedestrian amenity)

## **Waste Collection**

Waste and recyclable material, generated by this premises, must not be collected between the hours of 10pm and 6am on any day.

(Reason: To ensure the acoustic amenity of surrounding properties)

## **Delivery Hours**

No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 6am on any day.

(Reason: To ensure the acoustic amenity of surrounding properties)

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