

## SCHEDULE 1

### GENERAL CONDITIONS

The conditions of consent within this notice of determination have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the relevant legislation, planning instruments and Council policies affecting the land and does not disrupt the amenity of the neighbourhood or impact upon the environment.

*Note: For the purpose of this consent, the term ‘applicant’ means any person who has the authority to act on or the benefit of the development consent.*

*Note: For the purpose of this consent, any reference to an Act, Regulation, Australian Standard or publication by a public authority shall be taken to mean the gazetted Act or Regulation, or adopted Australian Standard or publication as in force on the date that the application for a construction certificate is made.*

### 1. Approved Plans and Supporting Documentation

The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council’s stamp, except where amended by Council and/or other conditions of this consent:

<b><i>Plan No.</i></b>	<b><i>Drawn by</i></b>	<b><i>Dated</i></b>
DA00 – Cover & Location Plan	NSW Public Works	14/06/2011
DA01 – Site Plan	NSW Public Works	14/06/2011
DA02 – Demolition Plan	NSW Public Works	14/06/2011
DA03 – Floor Plans	NSW Public Works	14/06/2011
DA04 – Floor Plans (Lower Ground)	NSW Public Works	14/06/2011
DA05 – Roof Plans	NSW Public Works	14/06/2011
DA06 - Elevations	NSW Public Works	14/06/2011
DA07 – Sections 01	NSW Public Works	14/06/2011
DA08 – Sections 02	NSW Public Works	14/06/2011
DAH01 – Stormwater Management	NSW Public Works	7/07/2011
DAH02 – Stormwater Management	NSW Public Works	7/07/2011
DAH03 – Stormwater Management	NSW Public Works	3/06/2011
L01 – Landscape Site Plan	NSW Public Works	3/06/2011
L02 – Plant Schedules	NSW Public Works	3/06/2011
L03 – Typical Equipment Types	NSW Public Works	3/06/2011

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<b><i>Document No.</i></b>	<b><i>Prepared by</i></b>	<b><i>Dated</i></b>
D01712807 – Schedule of Finishes	NSW Public Works	Undated
D01712810 – Statement of Environmental Effects	BBC Consulting Planners	June 2011
D01712817 – Tree Assessment Report	NSW Public Works	5 April 2011
D01745890 – Acoustic Report	AECOM	12 August 2011
D01745891 – Hazardous Construction Materials Survey	AECOM	3 March 2011

## **2. Removal of Existing Trees**

This development consent only permits the removal of tree(s) numbered 25, 26, 27, 28, 29, 30, 31, 32, 33, 43, 44, 45, 49, 50, 61, 88, 155, 160, 161, 165, 166, 167, 170, 171, 173, 174, 175, 176 and 177 as identified on Plan No. DA01 prepared by NSW Public Works dated 14/06/2011. The removal of any other trees requires separate approval under Council's Tree Preservation Order.

## **3. Building Code of Australia**

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

## **4. Sydney Water – Quick Check**

The application must be submitted to a *Sydney Water* 'Quick Check Agent' or 'Customer Centre' for approval to determine whether the development will affect any *Sydney Water* infrastructure, and whether further requirements are to be met.

*Note:* Refer to [www.sydneywater.com.au](http://www.sydneywater.com.au) or telephone 13 20 92 for assistance.

## **5. Stormwater Drainage**

The stormwater drainage system for the development must be designed and constructed in accordance with Council's *Civil Works – Design and Construction Specification 2005* and the following requirements:

- a. The roof and stormwater drainage system from existing and proposed buildings and paved areas to be connected to the proposed on-site detention drainage system.

## **6. On Site Stormwater Detention**

An on-site stormwater detention system must be designed by a chartered civil engineer and constructed in accordance with Council's On-Site Detention Specification and the following requirements:

- a. Have a capacity of not less than 50 cubic metres, and a maximum discharge (when full) of 64 litres per second.
- b. Have a surcharge/inspection grate located directly above the outlet.
- c. Discharge from the detention system to be controlled via 1 metre length of pipe, not less than 50 millimetres diameter or via a stainless plate with sharply drilled orifice bolted over the face of the outlet discharging into a larger diameter pipe capable of carrying the design flow to an existing drainage system.
- d. Where above ground and the average depth is greater than 0.15 metres, a 'pool type' safety fence and warning signs to be installed.
- e. Due to high permitted site discharge flowrate, the outflow from the on-site detention system shall be connected directly to Council's piped drainage system in Clarke Road via Council's standard double grate kerb inlet junction pit.

## **7. Dilapidation Report**

A 'Dilapidation Report' is to be prepared by a 'chartered structural engineer' detailing the structural condition of the adjoining properties:

No. 8 Neutral Road Hornsby  
No. 60 Clarke Road Hornsby

## **8. Car Parking and Deliveries**

All car parking must be constructed and operated in accordance with *Australian Standard AS 2890.1 – 2004 – Off Street Car Parking* and *Australian Standard 2890.2 - 2002 – Off Street Commercial vehicle facilities* and the following requirement:

- a. All parking areas and driveways are to be sealed to an all weather standard, line marked and signposted.
- b. Car parking, loading and manoeuvring areas to be used solely for nominated purposes.
- c. Vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads;

- d. All vehicular entry on to the site and egress from the site shall be made in a forward direction.

## **9. Roadworks**

In order to provide amenity and safety, the following shall be designed and constructed in accordance with Council's Design and Construction Specification 2005 at the Applicant's expense;-

- a. Removal and reconstruction of Council's standard 150 mm kerb and gutter and road shoulder on the Clarke Road frontage from the western boundary to east of the Clarke Road pedestrian crossing.
- b. Existing concrete footpath and footpath verge adjacent the work area in (a) above shall be demolished and regraded to ensure verge crossfalls reduce and pedestrian crossing ramp grade complies with AS1428.1-2009 Section 10.3.
- c. Provision for suitable transition to match footpath grades either side of the works which remain, and support of school property with retaining walls as required.
- d. Design and construction of walkways entering into the works area in accordance with AS1428.1-2009 Section 10.
- e. Construction of standard pram ramps at the corner of Clarke and Neutral Road in accordance with Section 10.7.
- f. To reduce risk of slip and fall in public areas, provision of drainage system in school land at the corner of Clarke and Neutral Road to ensure school runoff is collected and drained directly to Council's street drainage system.
- g. The roadworks are subject to Section 138 *Roads Act 1993* and approval by Hornsby Shire Council as Roads Authority. The works must be inspected and approved by Hornsby Shire Council prior to occupation of the development.

## **10. Traffic Control Plan**

A Traffic Control Plan (TCP) must be prepared by a qualified traffic controller in accordance with the *Roads & Traffic Authority's Traffic Control at Worksites Manual 1998* and *Australian Standard 1742.3* for all work on a public road and be submitted to Council. The TCP must detail the following:

- a. Arrangements for public notification of the works.
- b. Temporary construction signage.
- c. Vehicle movement plans.

- d. Construction Traffic management plans.

## **11. Vehicular Crossing**

A separate application under the *Local Government Act, 1993* and the *Roads Act, 1993* must be submitted to Council for the installation of new vehicular crossings and the removal of any redundant crossing on the Clarke Road frontage. The vehicular crossing must be constructed in accordance with Council's *Civil Works Design, 2005* and the following requirements:

- a. Any redundant crossings to be replaced with integral kerb and gutter.
- b. The footway area to be restored by turfing.

*Note: An application for a vehicular crossing can only be made to one of Council's Authorised Vehicular Crossing Contractors or to Council as Roads Authority. You are advised to contact Council on 02 9847 6940 to obtain a list of contractors.*

## **12. Erection of Construction Sign**

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a. Showing the name, address and telephone number of the principal certifying authority for the work,
- b. Showing the name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours, and
- c. Stating that unauthorised entry to the work site is prohibited.

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

## **13. Protection of Adjoining Areas**

A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

- a. Could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic.
- b. Could cause damage to adjoining lands by falling objects.

- c. Involve the enclosure of a public place or part of a public place.

*Note: Notwithstanding the above, Council's separate written approval is required prior to the erection of any structure or other obstruction on public land.*

#### **14. Toilet Facilities**

Toilet facilities must be available or provided at the works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site. Each toilet must:

- a. be a standard flushing toilet connected to a public sewer; or
- b. be a temporary chemical closet approved under the *Local Government Act, 1993*; or
- c. have an on-site effluent disposal system approved under the *Local Government Act, 1993*

#### **15. Erosion and Sediment Control**

Erosion and sediment control measures must be provided and maintained throughout the construction period in accordance with the manual '*Soils and Construction 2004 (Bluebook)*', the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sediment control devices must remain in place until the site has been stabilised and revegetated.

*Note: On the spot penalties up to \$1,500 may be issued for any non-compliance with this requirement without any further notification or warning.*

#### **16. Construction Work Hours**

All work on site (including demolition and earth works) must only occur between 7am and 5pm Monday to Saturday.

No work is to be undertaken on Sundays or public holidays.

*Note: DECCW has prepared guidelines for construction noise: Interim Construction Noise Guidelines – 2009.*

#### **17. Demolition**

All demolition work must be carried out in accordance with *Australian Standard 2601-2001 – The Demolition of Structures* and the following requirements:

- a. Demolition material is to be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan.
- b. Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by *WorkCover NSW* in accordance with Chapter 10 of the *Occupational Health and Safety Regulation 2001* and Clause 29 of the *Protection of the Environment Operations (Waste) Regulation 2005*.
- c. On construction sites where buildings contain asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm must be erected in a prominent position visible from the street.

## **18. Environmental Management**

The site must be managed in accordance with the publication '*Managing Urban Stormwater – Landcom (March 2004)*' and the *Protection of the Environment Operations Act 1997* by way of implementing appropriate measures to prevent sediment run-off, excessive dust, noise or odour emanating from the site during the construction of the development.

## **19. Street Sweeping**

Street sweeping must be undertaken following sediment tracking from the site along Clarke Road and Neutral Road during works and until the site is established.

## **20. Works near Trees**

All required tree protection measures are to be maintained in good condition for the duration of the construction period.

All works (including driveways and retaining walls) within 4 metres of any trees required to be retained (whether or not on the subject property, and pursuant to this consent or the *Tree Preservation Order*), must be carried out under the supervision of an '*AQF Level 5 Arborist*' and a certificate submitted to the principal certifying authority detailing the method(s) used to preserve the tree(s).

*Note: Except as provided above, the applicant is to ensure that no excavation, filling or stockpiling of building materials, parking of vehicles or plant, disposal of cement slurry, waste water or other contaminants is to occur within 4 metres of any tree to be retained.*

## **21. Impacts on Bushland**

To maintain bushland diversity, the applicant must ensure the following:

- a. Seed must be collected by an arborist from trees identified as part of the Sydney Turpentine Iron Bark ecological community prior to their approved removal and donated to the '*Hornsby Shire Community Nursery*' for propagation and future replanting within the local area.
- b. A total of 16 Sydney Turpentine (*Syncarpia glomulifera*) trees with a minimum pot size of 25 litres are to be planted to replace the 8 Sydney Turpentine trees to be removed, 12 of the trees are to be planted on the Clarke Road School site as detailed on the Landscape Plan L01 Tender Documents and 4 of the trees on the Hornsby South Public School site as detailed on the plan 'Additional Turpentine Tree Planting Locations' (Council Ref. D01767746).

*Note: The following nurseries supply the required pot size for replacement tree planting:*

*ReVeg-It – Hornsby, Tel. (02) 9970 8709*

*Toolijooa Nursery – Ingleside, Tel (02) 9970 8709*

*Toolijooa Nursery – Dural, Tel (02) 9651 3859*

*Ku-ring-gai Community Nursery – St Ives, Tel (02) 9498 0825*

*Harvest Seeds and Native Plants – Terry Hills, Tel (02) 9450 2699*

*Wirreanda Nursery – Ingleside, Tel (02) 9450 1400*

*Sydney Wildflower Nursery – Terrey Hills, Tel 9450 1555*

*Tharwa Propagation Nursery – Terrey Hills, Tel 9450 1967*

## **22. Council Property**

During construction works, no building materials, waste, machinery or related matter is to be stored on the road or footpath. The public reserve is to be kept in a clean, tidy and safe condition at all times.

## **23. Disturbance of Existing Site**

During construction works, the existing ground levels of open space areas and natural landscape features, (including natural rock-outcrops, vegetation, soil and watercourses) must not be altered unless otherwise nominated on the approved plans.



**24. Landfill**

Landfill must be constructed in accordance with Council's '*Construction Specification, 2005*' and the following requirements:

- a. All fill material imported to the site is to wholly consist of Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material approved under the *Department of Environment and Climate Change's* general resource recovery exemption.
- b. A compaction certificate is to be obtained from a geotechnical engineer verifying that the specified compaction requirements have been met.

**25. Excavated Material**

All excavated material removed from the site must be classified in accordance with the *NSW Environment Protection Authority's Environmental Guidelines – Assessment, Classification and Management of Liquid and Non-Liquid Wastes* prior to disposal to an approved waste management facility and reported to the principal certifying authority.

**26. Sydney Water – s73 Certificate**

A s73 Certificate must be obtained from *Sydney Water*.

**27. Damage to Council Assets**

Any damage caused to Council's assets as a result of the construction of the development must be rectified in accordance with Council's written requirements and at the sole cost of the applicant.

**28. Street Lighting**

The Clarke Road frontage to the site from the vehicular entrance to the site to the pedestrian crossing at least shall be lit according to AS1158.3 as amended for pedestrian access and safety. Make early contact with the energy network provider in order to arrange lighting and ensure design and construction of luminaires and poles as required for general and pedestrian crossing lighting. The network provider shall certify the lighting is constructed in accordance with its network standards.

**29. Retaining Walls**

All required retaining walls must be constructed as part of the development.

**30. Boundary Fencing**

Lapped and capped timber fencing must be erected along the western property boundary to a height of 1.8 metres.

**31. Traffic Management For Temporary School**

The following traffic control measures must be implemented for the duration of the temporary operation of the school from Ronald Street:

- a. Time limited “NO STOPPING” restrictions are to be installed on the north side of Ronald Street between Homewood Avenue and the school entrance
- b. Time limited “NO STOPPING” restrictions are to be installed on the south side of Ronald Street between the school entrance and the driveway to No. 4 Ronald Street.
- c. The time limit for the “NO STOPPING” restrictions is to be ‘8:30am – 9:30a, 2:15pm – 3:15pm, Mon – Fri, School days’, or as agreed with the Clarke Road Special School.
- d. Parking restrictions are to be subject to public consultation with the owners of 1 to 15 and 2 to 10 Ronald Street and approval by the Local Traffic Committee.
- e. The proposed changes to the parking restrictions are to be subject to approval by the Local Traffic Committee.
- f. Vehicle access via the access handle is to be managed by the Special School. The objective will be to prevent grid lock within the site and along Ronald Street

**32. Noise**

All noise generated by the proposed development must be attenuated to prevent levels of noise being emitted to adjacent premises which possess tonal, beating and similar characteristics or which exceeds background noise levels by more than 5dB(A) at the property boundary.

**33. Landscaping**

The proposed landscaping must address the following:

- a. A certificate must be provided by a practicing landscape architect, horticulturalist or person with similar qualifications and experience certifying that all required landscaping works have been satisfactorily completed in accordance with the approved landscape plans.

- b. The landscape works must be maintained into the future to ensure the establishment and successful growth of plant material to meet the intent of the landscape design. This must include but not be limited to watering, weeding, replacement of failed plant material and promoting the growth of plants through standard industry practices.

### **34. Hours of Operation**

- a. The hours of operation of the school are restricted to those times listed below:

Monday to Friday                      7.30am to 6.00pm

- b. The hours of operation of the pool facilities and the hall are restricted to the times listed in Condition No. 34 (a) but for 30 days per year when the hours of operation may extend to the following times:

Monday to Friday                      6.00pm to 12 midnight  
Saturday                                  8.00am to 12 midnight  
Sunday 9.00am to 10.00pm

A log book is to be kept by the Clarke Road Special School which records the times, dates and details of the events for the extended hours of operation.

### **35. Car Park Operation**

- a. Accessible parking spaces are to have head room in accordance with AS/NZS 2890.6:2009.
- b. A parking and set-down/pick up management plan is to be prepared to control on-site queuing on the loop road.

**- END OF CONDITIONS -**

#### **ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant legislation and Council's policies and specifications. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

- The Environmental Planning and Assessment Act, 1979 requires:
- Council to be given at least two days written notice prior to the commencement of any works.
- Mandatory inspections of nominated stages of the construction inspected.

### **Fees and Charges – Works in Public Road**

All fees payable to Council as part of any construction or compliance certificate or inspection associated with the development (including the registration of privately issued certificates) are required to be paid in full prior to the issue of the occupation certificate. Any additional Council inspections beyond the scope of any compliance certificate required to verify compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

### **Dial Before You Dig**

Prior to commencing any works, the applicant is encouraged to contact *Dial Before You Dig* on 1100 or [www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au) for free information on potential underground pipes and cables within the vicinity of the development site.

### **Asbestos Warning**

Should asbestos or asbestos products be encountered during demolition or construction works you are advised to seek advice and information should be prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by *WorkCover NSW*) be engaged to manage the proper handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)  
[www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)  
[www.adfa.org.au](http://www.adfa.org.au)  
[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Alternatively, telephone the *WorkCover* Asbestos and Demolition Team on 8260 5885.

### **Rain Water Tank**

It is recommended that water collected within any rainwater tank as part of the development be limited to non-potable uses. *NSW Health* recommends that the use of rainwater tanks for drinking purposes not occur where a reticulated potable water supply is available.

