

## **Appendix B - Conditions**

## GENERAL CONDITIONS

### 1. Approved Plans and Supporting Documentation

- a) The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

Plans Endorsed with Council's Stamp		
Drawing Number/Title	Dated	Prepared By
<b>Architectural Plans</b>		
DA005-B: Existing Site Plan	05/05/2017	Conrad Gargett Ancher Mortlock Wooley
DA006-B: Proposed Site Plan	05/05/2017	Conrad Gargett Ancher Mortlock Wooley
DA100-B: Ground Floor – Proposed New Building	05/05/2017	Conrad Gargett Ancher Mortlock Wooley
DA101-A: Ground Floor Plan – Proposed Administration & Demolition Plan	29/05/2017	Conrad Gargett Ancher Mortlock Wooley
DA102-A: Sub Floor Plan	31/07/2017	Conrad Gargett Ancher Mortlock Wooley
DA200-B: External Elevation – Proposed New Building	05/05/2017	Conrad Gargett Ancher Mortlock Wooley
DA201-B: External Elevations – Proposed New Building	05/05/2017	Conrad Gargett Ancher Mortlock Wooley
DA202-A: Demolition Elevations Administration	29/05/2017	Conrad Gargett Ancher Mortlock Wooley
DA203-A: External Elevations – Proposed Administration	29/05/2017	Conrad Gargett Ancher Mortlock Wooley
DA210-B: Sections – Proposed Development	05/05/2017	Conrad Gargett Ancher Mortlock Wooley
DA211-B: Sections – Proposed New Building	05/05/2017	Conrad Gargett Ancher Mortlock Wooley
DA212-A: Sections – Proposed Administration Building	29/05/2017	Conrad Gargett Ancher Mortlock Wooley
<b>Landscape Plans</b>		
0002-D: Landscape Legend and Finishes Schedules	16/06/2017	Conrad Gargett Ancher Mortlock Wooley
0003-D: Demolition, Tree Retention and Removal Plan – Sheet 1	16/06/2017	Conrad Gargett Ancher Mortlock Wooley
0004-E: Demolition, Tree Retention and Removal Plan – Sheet 2	03/10/2017	Conrad Gargett Ancher Mortlock Wooley
0005-D: Landscape Master Plan	16/06/2017	Conrad Gargett Ancher Mortlock Wooley
0006-D: Irrigation Extent – Sheet 1	16/06/2017	Conrad Gargett Ancher Mortlock Wooley
0007-D: Irrigation Extent – Sheet 2	16/06/2017	Conrad Gargett Ancher Mortlock Wooley
0009-C: Plant Palette	16/06/2017	Conrad Gargett Ancher Mortlock Wooley
0101-D: Surface Finishes Plan – Sheet 1	16/06/2017	Conrad Gargett Ancher Mortlock Wooley
0102-F: Surface Finishes Plan – Sheet 2	18/10/2017	Conrad Gargett Ancher Mortlock Wooley
0201-D: Landscape Levels and Set Out Plan – Sheet 1	16/06/2017	Conrad Gargett Ancher Mortlock Wooley

Plans Endorsed with Council's Stamp		
0202-D: Landscape Levels and Set Out Plan – Sheet 2	16/06/2017	Conrad Gargett Ancher Mortlock Wooley
0501-D: Landscape Details – Sheet 1	16/06/2017	Conrad Gargett Ancher Mortlock Wooley
0502-D: Landscape Details – Sheet 2	16/06/2017	Conrad Gargett Ancher Mortlock Wooley

Reports/Documentation – All recommendations contained within (unless otherwise conditioned in this consent)		
Report/Document	Dated	Prepared By
Geotechnical Investigation	5 May 2017	JK Geotechnics
Access Review	5 May 2017	Morris-Godding Accessibility Consulting
Hazardous Materials Risk Assessment	February 2017	Greencap
Soil Contamination Investigation	October 2017	Greencap
Arboricultural Impact Assessment Report	9 May 2017	Priority Tree Services
Stormwater Management Report	9 May 2017	MYD Consulting Engineers
Site Waste Minimisation Management Plans	Not dated	NSW Department of Education

- b) Any plans and/or documentation submitted to satisfy the Conditions of this consent.
- c) No construction works (including excavation) shall be undertaken prior to the release of the Section 109R Crown Building Work Certificate.

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2. **Compliance with Building Code of Australia.** All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
3. **Construction Signage.** 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:
  - i. showing the name, address and telephone number of the Principal Certifying Authority for the work, and
  - ii. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - iii. stating that unauthorised entry to the work site is prohibited.

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

4. **Excavation Works.** Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- i. protect and support the adjoining premises from possible damage from the excavation,
- ii. where necessary, underpin the adjoining premises to prevent any such damage.
- iii. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- iv. the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

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

**5. Work Hours.** Unless authorised by Council:

Building construction and delivery of material hours are restricted to:

- 7.00 am to 5.00 pm inclusive Monday to Friday
- 8.00 am to 3.00 pm inclusive on Saturday,
- No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- 6. Certificate to Remain on Site.** At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Section 109R Crown Building Work Certificate is to remain onsite at all times until the occupation. The consent shall be available for perusal of any Authorised Officer.
- 7. Stabilisation of Demolition and Site Safety.** Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- 8. Provision of Toilets.** Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- 9. Long Service Levy.** Prior to the release of the Section 109R Crown Building Work Certificate payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.

- 10. Works on Council Property.** The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- 11. Placement of material.** No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- 12. Retention of Trees on Public Property.** No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- 13. Design and Construction Standards.** All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's 2014 DCP Part 8.5 (Public Domain Works), except otherwise as amended by conditions of this consent.
- 14. Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
- 15. Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
- 16. Traffic Management.** Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 1985 and City of Ryde, Development Control Plan 2006: - Part 8.1; Construction Activities.

**Note:** A plan of traffic management is to be submitted to and approved by the Consent Authority.

- 17. Demolition & Construction Traffic Management Plan.** As a result of the site constraints, limited vehicle access and parking, a Demolition & Construction Traffic Management Plan (D&CTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by Council prior to commencing any demolition work.

The D&CTMP must:

- a) Make provision for all construction materials to be stored on site, at all times.
- b) The D&CTMP is to be adhered to at all times during the project.
- c) Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- d) Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the

vicinity of the site is not permitted unless approved by City Works & Infrastructure Directorate.

- e) Specify that, no heavy vehicle movements or construction activities effecting vehicle and pedestrian traffic are permitted in school zone hours (8:00am - 9:30am and 2:30pm - 4:00pm weekdays).
- f) Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- g) Specify that a minimum seven (7) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- h) Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes, structures proposed on the footpath areas (hoardings, scaffolding or temporary shoring) and extent of tree protection zones around Council street trees.
- i) Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the D&CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- j) Specify spoil management process and facilities to be used on site.
- k) The applicant will undertake a pre-construction dilapidation survey of the existing roadway condition. The applicant will not be liable for treating existing issues/conditions.
- l) Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of demolition in accordance with the approved Dilapidation Report. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- m) The D&CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’s Manual – “Traffic Control at Work Sites” and Councils DCP 2014 Part 8.1 (Construction Activities).
- n) All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and are to be paid at the time that the Demolition Traffic Management Plan is submitted.

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

**18. Fresh air intake vents.** All fresh air intake vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge.

**19. Exhaust air discharge vents.** All exhaust air discharge vents must be designed and located so that no nuisance or danger to health will be created.

**20. Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) required within the road reserve. No works shall be carried out on the footpath without this permit being paid and a copy kept on the site.

## **CONDITIONS THAT REQUIRE SUBSIDIARY MATTERS TO BE SATISFIED PRIOR TO CERTIFICATION OF THE BUILDING WORKS IN ACCORDANCE WITH STATE BUILDING LAWS**

- 21. Compliance with Standards.** The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance is to be included in the documentation for certification in accordance with the state building laws.

### **22. External Colours and Materials**

a) External Glazing

The reflectivity index of external glazing for windows, walls or roof finishes of the proposed development is to be no greater than 20% (expressed as a per centum of the reflected light falling upon any surface).

b) External Finishes to Roof

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. Light colours such as off white, cream, silver or light grey colours are not permitted.

Details demonstrating compliance included in the documentation for certification in accordance with the state building laws.

- 23. Planting Mix PA1.** The planting mix noted as PA1 on the Landscape Plans prepared by Conrad Gargett dated 16.06.2017 Revision D is to consist of native shrub and groundcover species of minimum pot sizes of 140mm with planting densities of 4 plants per square metre. Details demonstrating compliance included in the documentation for certification in accordance with the state building laws.

- 24. Stormwater Trench/Pit Locations.** The alignment of stormwater infrastructure is to be located as far away from existing trees to be retained as practical. Should the excavation for the stormwater pits and trenches conflict with any major structural roots (greater than >25 mm diameter) of existing trees, their location and alignment is to be modified in consultation with the Project Arborist to avoid impact. Under no circumstances should roots be severed or cut without prior approval from the Project Arborist.

- 25. Contaminated Land.** The report prepared by Greencap Pty Ltd dated October 2017 — "Soil Contamination Investigation NSW Department of Education Denistone East Public School" Report reference no J146932-02, 0120920 J146932:JB, with all conclusions and recommendations, shall be adopted for this project.

- 26. Mechanical ventilation details.** Details of all proposed mechanical ventilation systems, and alterations to any existing systems, must be included in the documentation for certification in accordance with the state building laws. Such details must include:

- a) Plans (coloured to distinguish between new and existing work) and specifications of the mechanical ventilation systems; and

- b) A design certificate from a professional mechanical services engineer certifying that the mechanical ventilation systems will comply with the Building Code of Australia and the conditions of this Consent.

**27. Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to public drainage system, generally in accordance with the plans by MYD Consulting Engineers (Refer to Job No. P3244 Rev A dated 9 May 2017) subject to any variations marked in red on the approved plans and noted following:

- The nominated OSD design for the new building on the south side of Brabyn Street is inadequate and has been incorrectly calculated considering the level of hardstand area draining to it. To address this (in short) the design is to be modified to accommodate all roof areas of the new building falling to the south (approximately 930m<sup>2</sup> in area). In accordance with the Council's simplified design method, this is estimated to warrant a storage of 25.87m<sup>3</sup> and discharge of 24.83L/s.

**Note:** Consultant is to verify the final design parameters which are based on the final roof area discharging to the system.

The detailed plans, documentation and certification of the drainage system must be included in the documentation for certification in accordance with the state building laws and prepared by a chartered civil engineer and comply with the following:

- The certification must state that the submitted design (including any associated components such as WSUD measures, pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (2003) and any further detail or variations to the design are in accordance with the requirements of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.

## **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

**28. Waste Management Plan.** The waste management plan submitted with the development application does not meet the requirements of Section 7.2 of Council's Development Control Plan 2010.

Prior to work commencing a new waste management plan must be submitted to and approved by Council. The new plan must include the types and estimated volumes of waste materials that will be generated during demolition and during the operation of the whole school site; the proposed method of reuse, recycling or disposal; and the name and address of the recycling facility or landfill site if the waste is to be recycled or disposed of off site. Reuse and recycling must be maximised.

**29. Installation and Maintenance of Sediment and Erosion Control.** Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004).

Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.



- 30. Work Zones and Permits.** Prior to commencement of the relevant works, the applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. A Roads and Maritime Services Work Zone Permit shall be obtained for State Roads.
- 31. Tree Protection Fencing.** All protective fencing and signage around TPZs must be located in accordance with AS4970: Protection of trees on development sites. In this regard, any fencing required to be constructed around the TPZ is to be in accordance with AS4687 Temporary fencing and hoardings.
- 32. Project Arborist.** A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on the subject site and neighbouring allotments in accordance with AS4970-2009 Protection of trees on development sites and Arboricultural Impact Assessment Report prepared by Priority Tree Services dated 17.05.2017. All trees are to be monitored to ensure adequate health throughout the construction period is maintained. Details of the Project Arborist are to be submitted to Council prior to the commencement of construction.
- 33. Canopy Tying.** Where possible tree branches overhanging the construction zones and building are to be tied back to the main trunk rather than pruned.
- 34. Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Any doors/ gates on the boundary must be installed so they do not open onto any footpath.

#### **CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

- 35. Discovery of Additional Information.** Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.
- 36. Identification and removal of hazardous materials.** Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in a safe manner. An appropriately licensed contractor shall be engaged for the removal of friable asbestos or asbestos containing material greater than 10m<sup>2</sup> and Work Cover appropriately notified.
- 37. Identification of hazardous materials.** The hazardous materials report prepared by Greencap, dated February 2017, "Hazardous Materials Risk Assessment – NSW Department of Education Denistone East Public School Lovell Road, Eastwood NSW 2122 - Site Reference: 001" Report Reference : C121445 : J146932-01, shall be adopted for this development and incorporated into the preparation of a demolition plan, where required.

A copy of any demolition plan prepared for this development, shall be provided to the Certifying Authority and Council, concurrently.

- 38. Storage and removal of wastes.** All demolition and construction wastes must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals to prevent any nuisance or danger to health, safety or the environment.
- 39. Storage and removal of wastes.** The demolition, storage and removal of all wastes shall comply with the requirements of the Protection of Environment Operations Act, 1997 and the Regulations thereunder.
- 40. Contaminated soil.** All potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the Waste Classification Guidelines (DECCW, 2009) before being transported from the site.
- 41. Transportation of wastes.** All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes and comply with all requirements of the Protection of Environment Operations Act, 1997 and the Regulations thereunder.
- 42. Disposal of asbestos wastes.** All asbestos wastes must be disposed of at a landfill facility licensed to receive asbestos waste.
- 43. Surplus excavated material.** All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site.
- 44. Imported fill.** All imported fill must be validated in accordance with the Contaminated Sites Sampling Design Guidelines (EPA, 1995) by an experienced environmental consultant, and a copy of the validation report must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the fill is used.
- 45. Implementation of Demolition & Construction Traffic Management Plan.** All works and demolition activities are to be undertaken in accordance with the approved Demolition & Construction Traffic Management Plan (D&CTMP).
- All controls in the D&CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the D&CTMP be impacted by surrounding major development not encompassed in the approved D&CTMP, the D&CTMP measures and controls are to be revised accordingly and submitted to Council for approval.
- A copy of the approved D&CTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.
- 46. Installation and Maintenance of Sediment Control.** Measures used for erosion and sediment control on building sites are to be adequately maintained at all times and must be installed in accordance with Northern Beaches Council Specifications for Erosion and Sediment Control. All measures shall remain in proper operation until all development activities have been completed and the site fully stabilised.
- Details demonstrating compliance is to be included in the documentation for certification in accordance with the state building laws.
- 47. Requirement to Notify about New Contamination Evidence.** Any new information revealed during demolition works that has the potential to alter previous conclusions

about site contamination or hazardous materials shall be immediately notified to the Council and the Principal Certifying Authority.

- 48. Property Boundary Levels.** The property boundary levels shall match the existing levels except where modified for the vehicular crossing. The applicant shall design and construct having regard for the existing levels. No approval is granted for any change to existing property alignment levels to accommodate the development.

Details demonstrating compliance is to be included in the documentation for certification in accordance with the state building laws.

- 49. Stormwater Management – Construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by MYD Consulting Engineers (Refer to Job No. P3244 Rev A dated 9 May 2017) submitted in compliance to the condition labelled “Stormwater Management.” and the requirements of Council in relation to the connection to the public drainage system.

- 50. Tree Protection.** All tree protection works including installation of any fencing is to be undertaken prior to any demolition or site clearing works on site. In addition all Council street trees are to be retained and protected with tree protection fencing & boarding of stems and branches to eliminate possible damage. The site arborist (Level 5) must certify tree protection measures are in place and in accordance with AS4970 Protection of trees on development sites. The tree protection measures must be adequate and in place throughout the development.

- 51. Arborist Supervision.** All work within the Tree Protection Zones and Structural Root zones of trees to be retained is to be supervised and overseen by the Project Arborist.

- 52. Underground Utilities.** Any utility services to be located underground within the TPZ are to be undertaken utilising excavation techniques that prevent or minimise damage to structural roots (roots greater than >25 mm diameter). To prevent soil compaction and root damage these works should be conducted with non- motorised hand tools or directional drilling.

- 53. Excavation within TPZ.** Any excavation or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.

- 54. Machinery Damage.** Care shall be taken when operating cranes, drilling rigs and similar equipment near trees to avoid damage to tree canopies (foliage and branches). Under no circumstances shall branches be torn-off by construction equipment. Where there is potential conflict between tree canopy & construction activities, the advice of the Project Arborist must be sought.

- 55. Tree Damage.** In the event of any tree being damaged during the construction period, the Project Arborist is to inspect and provide advice on any remedial action to minimise any adverse impact. Such remedial action shall be implemented as soon as practicable and certified by the arborist.

- 56. Root Pruning.** Where root pruning is required, roots shall be severed with clean, sharp pruning implements and retained in a moist condition during the construction phase using hessian material or mulch where practical. Severed roots shall be treated with a suitable root growth hormone.

**57. Canopy Pruning.** All canopy pruning work required shall be carried out in accordance with Australian Standard 4373-2007 – Pruning of Amenity Trees. All pruning work shall be undertaken by an Arborist with minimum AQF Level 3 qualifications.

**58. Soil Moisture within TPZ.** Soil moisture levels within all TPZs are to be regularly monitored by the Project Arborist. If temporary irrigation or watering is required within the TPZ, then any above-ground irrigation system is to be installed and maintained by a suitably qualified individual.

**59. Waste Disposal.** At the completion of construction, a report regarding the classification of all demolition, excavation and construction wastes shall be submitted to Council along with a copy of all weighing and tipping dockets verifying the appropriate disposal of all wastes generated by the project.

**60. Erosion and Sediment Control.** The applicant shall install erosion and sediment control measures in accordance with the approved plan by MYD Consulting Engineers (Refer to Job No. P3244 Sheet DEPS-01-DD-CE-DR-2100) Rev A dated 9 May 2017) at the commencement of works on the site.

Suitable erosion control management procedures in accordance with the manual “Managing Urban Stormwater: Soils and Construction” by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction. Where construction works deviate from the plan, soil erosion and sediment control measures are to be implemented in accordance with the above referenced document.

## **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE OCCUPATION OF THE BUILDING**

**61. Stormwater Management - Work-as-Executed Plan.** A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an Occupation Certificate. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.

**62. Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s).

The terms of the instrument are to be in accordance with the Council's standard terms for such systems, as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) - Section 7 and to the satisfaction of Council. The positive covenant must be registered on the title prior to the occupation of the development works for which the system(s) serves.

**63. Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items prior to occupation. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.

- a) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- b) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
- c) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).

**64. Signage and Linemarking – External.** If changes are proposed to external signage and linemarking, a plan demonstrating the proposed signage and line marking within Council's Public Domain shall be prepared by a suitably qualified person and submitted to and approved by the Ryde Traffic Committee prior to Occupation. Where possible, signs should be co-located on multi-function poles (MFPs).

**Note:** The applicant is advised that the plan will require approval by the Ryde Traffic Committee if the proposal requires change in existing parking conditions and hence, adequate time should be allowed for this process.

**65. Signage and Linemarking – Implementation.** If required, the applicant is to install all signage and linemarking, as per the plan approved by the Ryde Traffic Committee. These works are to be undertaken prior to Occupation.

**66. Final Assessment of Trees.** At completion of all construction works the Project Arborist is to carry out an assessment of all trees that were required to be retained. This assessment is to be documented in writing, a copy of which is to be submitted to Council prior to occupation of the development. The documentation is also to specify any required on-going remedial care that is required to be undertaken to ensure the continuous health and retention of the specified trees.

**67. On-Site Stormwater Detention System - Marker Plate.** To ensure the constructed On-site detention will not be modified, a marker plate is to be fixed to each on-site detention system constructed on the site. The plate construction, wordings and installation shall be in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures. The plate may be purchased from Council's Customer Service Centre at Ryde Civic Centre (Devlin Street, Ryde).

**68. Storage and disposal of wastes.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.

**69. Air pollution.** The use of the premises, including any plant or equipment installed on the premises, must not cause the emission of smoke, soot, dust, solid particles, gases, fumes, vapours, mists, odours or other air impurities that are a nuisance or danger to health.

- 70. Standards of air impurities not to be exceeded.** Any discharge to atmosphere from the premises must comply with the requirements of the Protection of the Environment Operations (Clean Air) Regulation 2010.
- 71. Offensive noise.** The use of the premises must not cause the emission of 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
- 72. Clean water only to stormwater system.** Only clean unpolluted water is permitted to enter Council's stormwater drainage system.
- 73. Duty to notify.** Pollution incidents causing or threatening harm to the environment must be reported to Council as soon as practicable on Tel. 9952 8222.
- 74. Noise and vibration from plant or equipment.** Unless otherwise provided in this Consent, the operation of any plant or equipment installed on the premises must not cause:
- a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the New South Wales Industrial Noise Policy (EPA, 2000).
  - b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 Acoustics — Recommended design sound levels and reverberation times for building interiors.
  - c) The transmission of vibration to any place of different occupancy.