**Draft Conditions for DA2023/0135 - Concord High School as of 25/01/2024**

**General Condition**

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| Condition | Reason |
| Approved Plans and Supporting Documents  Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.     |  |  |  |  |  | | --- | --- | --- | --- | --- | | **Approved Plans** | | | | | | **Drawing No** | **Revision Number** | **Plan Title** | **Prepared by** | **Dated** | | CHS-JDH-001 | REV F | Demolition Plan | JDH Architects | 31/10/2023 | | CHS–JDH-002 | REV F | Proposed Site Plan | JDH Architects | 31/10/2023 | | CHS-JDH-002 | REV E | Site Plan - NNP | JDH Architects | 14/06/2023 | | CHS–JDH-003 | REV F | Landscape Plan | JDH Architects | 02/11/2023 | | CHS–JDH-101 | REV E | General Arrangement – Ground Floor Plan | JDH Architects | 14/06/2023 | | CHS-JDH-101 | REV E | Ground Floor Plan - NNP | JDH Architects | 14/06/2023 | | CHS–JDH-102 | REV E | First Floor Plan - NNP | JDH Architects | 14/06/2023 | | CHS–JDH-102 | REV E | General Arrangement – First Floor Plan | JDH Architects | 14/06/2023 | | CHS–JDH-103 | REV E | General Arrangement – Second Floor Plan | JDH Architects | 14/06/2023 | | CHS–JDH-103 | REV E | Second Floor Plan - NNP | JDH Architects | 14/06/2023 | | CHS–JDH-104 | REV E | General Arrangement – Third Floor Plan | JDH Architects | 14/06/2023 | | CHS–JDH-104 | REV E | Third Floor Plan - NNP | JDH Architects | 14/06/2023 | | CHS–JDH-105 | REV E | General Arrangement – Roof Floor Pan | JDH Architects | 14/06/2023 | | CHS–JDH-105 | REV E | Roof Plan - NNP | JDH Architects | 14/06/2023 | | CHS–JDH-106 | REV E | General Arrangement – Refurb Plan | JDH Architects | 14/06/2023 | | CHS–JDH-501 | REV E | Elevation Sheet 1 - NNP | JDH Architects | 14/06/2023 | | CHS–JDH-501 | REV E | Elevations Sheet 101 | JDH Architects | 14/06/2023 | | CHS–JDH-502 | REV E | Elevation Sheet 2 - NNP | JDH Architects | 14/06/2023 | | CHS–JDH-502 | REV E | Elevations Sheet 2 | JDH Architects | 14/06/2023 | | CHS–JDH-511 | REV E | Sections Sheet 1 | JDH Architects | 14/06/2023 | | CHS–JDH-512 | REV E | Sections Sheet 2 | JDH Architects | 14/06/2023 | | CHS–JDH-521 | REV E | Streetscape Elevations | JDH Architects | 14/06/2023 | | CHS–JDH-601 | REV E | Photomontage and Renders | JDH Architects | 14/06/2023 | | CHS–JDH-601 | REV E | Shadow Diagram Plan | JDH Architects | 14/06/2023 | | CHS–JDH-602 | REV A | Tree Cover Plan | JDH Architects | 2/11/2023 | | L01 | REV F | Site Plan | Space Landscape Designs | 2/11/2023 | | L02 | REV F | Landscape Detail Plan | Space Landscape Designs | 2/11/2023 | | L03 | REV E | Landscape Sections | Space Landscape Designs | 2/11/2023 | | L04 | REV F | Landscape Planting Plan – Informal Outdoor Area | Space Landscape Designs | 2/11/2023 | | L05 | REV D | Landscape Planting Plan – Outdoor Covered Area | Space Landscape Designs | 05/04/2023 | | L06 | REV D | Landscape Planting Plan – Sensory Garden | Space Landscape Designs | 05/04/2023 | | L07 | REV B | Landscape Planting Plan – Front Garden | Space Landscape Designs | 2/11/2023 |   Development shall take place and operate in accordance with this consent accompanied by statements, commitments and recommendations contained within the following documents:   |  |  |  |  |  | | --- | --- | --- | --- | --- | | **Approved Documents** | | | | | | Drawing No | **Revision Number** | **Plan Title** | **Prepared by** | **Dated** | | 20230524  SVM.0002.Rep.docx | Rev 1 | Noise and Vibration Impact Assessment | Acoustic Studio | 24 May 2023 | | - | Rev C | Arboricultural Development Impact Statement | Birds Tree Consultancy | 14 June 2022 | | 20220522 | Version  2.0 | Acid Sulphate Soils Management Plan | iEnvironmental Australia Pty Ltd | 29 May 2023 | | 20220522 | Version 4 | Remedial Action Plan | iEnvironmental Australia Pty Ltd | 14 Nov 2023 | | 23-0620 |  | Concord High School SINSW School Transport Plan | PTC | 21 June 2023 |      |  |  |  |  |  | | --- | --- | --- | --- | --- | | **Approved Stormwater Drainage Design** | | | | | | Drawing No | Revision Number | Plan Title | Prepared by | Dated | | 22-108/C001 | C | Key Plan, Standard Notes | Woolacotts | 01.06.23 | | 22-108/C002 | E | Civil Works Details Sheet 1 | Woolacotts | 24.01.24 | | 22-108/C101 | F | Civil Works Plan Sheet 1 | Woolacotts | 02.11.23 | | 22-108/C102 | E | Civil Works Plan Sheet 2 | Woolacotts | 02.11.23 | | 22-108/C103 | F | Civil Works Plan Sheet 3 | Woolacotts | 24.01.24 | | 22-108 | A | OSD Tanks and MUSIC Catchment Plans | Woolacotts | 15.09.23 |  * The approved Stormwater Drainage Plan as identified above is for Concept Only. The designer is responsible for providing sufficient information and/or updates to the Stormwater Drainage Plan suitable or Construction Certificate approval. * Should any changes be required to the approved stormwater drainage plan as referred to above, the amended design shall achieve equivalent performance standards in accordance with Council's “Appendix 2 - Engineering Specifications of the Canada Bay Development Control Plan”. * Crown Building Certificate Approval does not include approval for works external to the property. Where the proposed design extends beyond the property boundary, separate approval under Section 138 of the Roads Act 1993   In the event of any inconsistency between the approved plans and approved documents and a condition of this consent, the condition prevails. | To ensure all parties are aware of the  approved plans and supporting  documentation that applies to the development |
| Tree Removal  Approval is granted for removal of the following trees:   * Trees 7, 8, 11, 12, 13, 14, 15, 16, 17, 21, 22, 29, 35, 94, 95, 96, 97, 98, 100, 101, 102, 103, 104, 105, 114, 116, 120, 122, 132, 133, 144, 145, 146, 147, 148, 149, 150, 151, 152, 173, 174, 175, 185, 186, 187, 188, 189, 190, and 191 as identified for removal in the approved Arboricultural Development Impact Statement by Birds Tree Consultancy, dated14 June 2022.   To ensure the protection of trees to be retained on site, all removals are to be undertaken by a qualified arborist practicing industry arboricultural best practice methods. | Compliance with consent and tree protection |

**Before Issue of a Crown Building Certificate**

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| Condition | Reason |
| Section 73 Compliance Certificate  Before Issue of a Crown Building Certificate a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.  The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.  Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92. | Sydney Water Requirement |
| Amendments to Approved Plans/Documentation – Principal Certifier  The following amendments and details must be submitted to the Principal Certifier for approval prior to the issue of a Crown Building Certificate:   1. The approved section plan of below ground OSD Tank 2, shall be updated to reflect the proposed soil depth above the OSD Tank in accordance with the following table:  |  |  | | --- | --- | | Turf | 200mm | | Grass and ground covers | 350mm-450mm | | Shrubs | 600mm-650mm |   This involves a change to the Development Application plans/Documentation as submitted to and approved by Council. Any changes in this regard shall be reflected as amended plans to be submitted to the Principal Certifier prior to the issue of a Crown Building Certificate for the proposed development. | To confirm and clarify the terms of Council’s approval |
| Fees to be paid to Council prior to issue of the Construction Certificate   |  |  | | --- | --- | | Damage Deposit  Any costs to rectify damage caused by the development will be deducted from the damage deposit.  The damage deposit will be refunded when the works are completed, any damage repaired and prior to Occupation. | $50,000.00 | | Statutory requirement and information |
| Construction Environmental Management Plan for Remediation  A Construction Environmental Management Plan (CEMP) must be prepared for the proposed remedial works in accordance with the requirements of the approved Remedial Action Plan. The CEMP must be prepared by an appropriately qualified and experienced environmental consultant. An appropriately qualified and experienced environmental consultant may be certified under the ‘Certified Environmental Practitioner’ Site Contaminated Scheme or equivalent.  The CEMP for Remediation must include, but not be limited to, the following:   1. Site Information 2. Project Contact Information. 3. Site Security Details. 4. Timing and Sequencing Information. 5. Soil and Water Management 6. Stockpiles 7. Site Access 8. Excavation pump-out 9. Landscaping /Rehabilitation 10. Bunding 11. Noise 12. Vibration 13. Air Quality 14. Dust Control 15. Odour Control 16. Groundwater 17. Transport 18. Asbestos Management /Waste management / Hazardous Materials 19. Containment/ Capping of Contaminated Soil 20. Importation of Fill 21. Site Signage & Contact Numbers 22. Site Security 23. Occupation Health & Safety 24. Removal of underground storage tanks 25. Incident Management Contingency. 26. Unexpected Finds Protocol.   The CEMP must be prepared and implemented to the satisfaction of the supervising environmental consultant. The environmental site management measures must remain in place and be maintained throughout the period of the remediation works, until completion of site remediation and the site has been validated. | Environmental protection |
| Site Validation Report  A Site Validation Report is to be forwarded to the site auditor for review and approval. The validation report is to be prepared by a suitably qualified environmental consultant specialising in land contamination in New South Wales, EPA contaminated land legislation and guidelines including the Contaminated Land Management Act. The report shall document the following:   1. The extent of validation sampling, and the results of the validation testing, 2. That the remediation and validation of the site has been undertaken in accordance with the approved Remedial Action Plan, prepared by iEnvironmental Australia Pty Ltd, dated 14 November 2023, Version: 4, reference: 20220522 3. That the site is suitable for the proposed use. 4. The Validation Report must be submitted for review by a NSW EPA accredited site auditor prior to the commencement of construction and the issue of a construction certificate. | Environmental protection |
| Site Audit Statement  Prior to the issue of a Crown Building Certificate, a Site Audit Statement (SAS) is to be obtained from a NSW EPA Accredited Site Auditor and submitted to Council. The SAS must confirm that the site has been remediated in accordance with the approved Remediation Action Plan and clearly state that site is suitable for the proposed use. Conditions on the Site Audit Statement shall form part of the consent.  a. Where the SAS is subject to conditions that require ongoing review by the Auditor or Council these should be reviewed and approved by Council before the SAS is issued. In circumstances where the SAS conditions (if applicable) are not consistent with the consent, a S96 application pursuant to the Environmental Planning &  Assessment Act 1979 shall be submitted to ensure that they form part of the consent conditions.  b. A Crown Building Certificate must not be issued by the PCA unless a Site Audit Statement has been submitted to the Council in accordance with this condition. | Environmental protection |
| Remediation  Prior to the issue of a Crown Building Certificate, the site is to be remediated in accordance with:  (a) Remedial Action Plan, prepared by iEnvironmental Australia Pty Ltd dated, 14 November 2023, Version: 4 reference: 20220522 and  (b) Council's Contaminated Land Policy, and  (c) State Environmental Planning Policy (Resilience and Hazards) 2021  (d) The guidelines in force under the Contaminated Land Management Act.  (e) The applicant must engage an appropriately qualified and experienced supervising environmental consultant to supervise all aspects of site remediation and validation. The environmental consultant must supervise all aspects of the remediation works in accordance with the approved Remedial Action Plan.  Note: An appropriately qualified and experienced environmental consultant should be certified by one of the following certification schemes; or equivalent: the EIANZ Contaminated Land Assessment Specialist Certified Environmental Practitioner (CEnvP) Site Contamination (SC) scheme or Site Contamination Practitioners  Australia – Certified Practitioner (SCPA).  Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified in writing to the Council, Site Auditor and the Principal Certifying Authority.  Any variations to the approved Remediation Action Plan shall be approved in writing by the Accredited Site Auditor and Council prior to the commencement of such work. | Environmental protection |
| Hoardings  A Hoarding Application and written approval for the erection of a Class A (fence type) or Class B (overhead type) hoarding along the street frontage(s) complying with WorkCover requirements must be obtained.  The relevant application form shall be submitted to Council with a footpath occupancy fee based on the area of footpath to be occupied according to Council's Schedule of Fees and Charges, and the application shall be approved before the commencement of work.  A Public Risk Insurance Policy with a minimum cover of $10 million in relation to the occupation of and works within Council's road reserve, for the full duration of the proposed works, must be obtained with a copy also provided to Council. The Policy is to note Council as an interested party. | Site Safety |
| Erosion and sedimentation controls  Erosion and sedimentation controls must be provided to ensure:   1. Compliance with the approved Soil and Water Management Plan 2. Removal or disturbance of vegetation and topsoil is confined to within 3m of the approved building area (no trees to be removed without approval) 3. All uncontaminated run-off is diverted around cleared or disturbed areas 4. Silt fences or other devices are installed to prevent sediment and other debris escaping from the cleared or disturbed areas into drainage systems or waterways 5. All erosion and sediment controls are fully maintained for the duration of demolition/ development works 6. Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadways 7. All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar 8. All water pumped or otherwise removed from excavations or basement areas is filtered to achieve suspended solids/non filterable residue levels complying with the Australian Water Quality guidelines for Fresh and Marine Waters 9. Pumped or overland flows of water are discharged so as not to cause, permit, or allow erosion before the commencement of work (and until occupation).   Details of the proposed soil erosion and sedimentation controls must be submitted to the Crown Certifier for approval prior to the issue of a Crown Building Certificate and implemented onsite before building work commences. | Environmental Protection |
| Dilapidation Report A Dilapidation Report is to be undertaken on all properties, which in the opinion of a suitably qualified engineer, could be potentially affected by the construction of the project. The Dilapidation Report shall be carried out prior to the issue of the Crown Building Certificate.  The Dilapidation Report is to be prepared by a suitably Qualified Chartered Professional Civil or Structural Engineer with current Institution of Engineers, Australia Corporate Membership registered on the National Engineers Register (NER) or Geotechnical Practitioner.  The Report shall cover structural and geotechnical factors likely to arise from the development.  A copy of this Report shall be submitted to the owners of all properties inspected and Council as a record.  The person having the benefit of the development consent must, at their own cost, rectify any damage caused to other properties during the construction of the project. | Information |
| Geo-technical Report  A comprehensive geo-technical engineering report assessing the impact and safety of the proposed works shall be prepared by a suitably experienced and qualified geo-practitioner and submitted with any Crown Building Certificate. The report must include the results of subsurface investigations involving either test pits rock, or preferably the drilling of cored boreholes (to 1m below the proposed final excavation level). The report shall describe inter alia: -   1. an indication of the nature and depth of any uncontrolled fill at the site. 2. an indication of the nature and condition of the material to be excavated. 3. indications of groundwater or seepage. 4. required temporary measures for support of any excavations deeper than 1m adjacent to property boundaries. 5. statement of required excavation methods in rock and measures required to restrict ground vibrations. 6. other geo-technical information or issues considered relevant to design and construction monitoring. | Structural and information |
| Construction Management Plan  Prior to the issue of a Crown Building Certificate, submit to the Crown Building Certifier a Construction Management Plan that clearly sets out the following:   1. What actions and works that are proposed to ensure safe access to and from the site, and what protection will be provided to the road and footpath area from building activities, crossings by heavy equipment, plant and materials delivery, or static loads from cranes, concrete pumps and the like. 2. The proposed method of loading and unloading excavation machines, building materials, formwork, and the erection of any part of the structure within the site. 3. The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period. 4. How it is proposed to ensure that soil/excavated material is not transported on wheels or tracks of vehicles or plant and deposited on surrounding roadways. 5. The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve - the proposed method of support is to be designed by a Chartered Civil Engineer. 6. A Soil and Water Management Plan detailing all sedimentation controls. | Safety, amenity and protection of public infrastructure and the environment |
| Accessible Car Parking Spaces  Accessible car parking spaces shall be a minimum of 2.4m wide beside a 2.4m wide shared area and located near pedestrian access routes designed for people with a disability. Each space shall be clearly marked in accordance with AS/NZS2890.6.  Car parking for people with disabilities shall be provided in accordance with the Building Code of Australia, relevant Australian Standards and with regard to the Disability Discrimination Act 1992. Prior to the issue of a Crown Building Certificate, the plans shall demonstrate compliance. Note: Disability (Access to Premises - Buildings) Standards 2010.  - As of 1 May 2011, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.  The above details shall be submitted to and approved by the Accredited Certifier prior to the issue of the Crown Building Certificate. | Parking and accessibility |
| Off Street Parking Provision - General  All off-street car parking spaces suitably marked in accordance with the approved plans (unless elsewhere specified) shall be provided. Each space shall have minimum dimensions in accordance with the relevant Australian Standard. | Parking |
| Landscape Maintenance Strategy  To ensure the survival of landscaping following works, a landscape maintenance strategy for the owner/occupier to administer over a 12 month establishment period following Occupation shall be prepared. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilizing, remedial pruning and plant replacement. | Landscape amenity |
| Tree Protection - Arborist Report and Inspections  To ensure the longevity of the trees identified for retention the applicant must engage an arborist with a minimum Australian Qualification Framework Level 5 to provide an arborist report and tree protection plan, including:   * Tree protection measures that satisfy Australian Standard 4970 Protection of Trees on Development Sites. * A survey plan with all trees located and numbered and a Tree Protection Zone (TPZ) and Structural Root Zone (SRZ). * No excavation shall take place within the SRZ. * Excavation between the SRZ and the TPZ can only occur by hand and under the supervision of an arborist. In the event that major structural of feeder roots greater than 50mm in diameter are encountered between the SRZ and TPZ, the consulting arborist is to provide appropriate measures to ensure the long term retention of the tree. * Required arborist site inspections, which at minimum include a record the following: * Methods of excavation or construction used to carry out the works at critical stages typically including installation of services, footings and slabs, scaffolding, works within the TPZ and at completion of building works; * Any damage sustained by the tree/s as a result of the works; * Any subsequent remedial works required to be carried out by the consulting arborist as a result of the damage; and * Any future or on-going remedial work required to be carried out to ensure the long term retention of the tree/s. | Tree Protection |
| Public Domain - Works Bond  A Public Domain Works Bond of $50,000.00 will be required as security for the public domain works and for repairing damage that may be caused to the public domain in the vicinity of the site, in accordance with the City of Canada Bay’s adopted fees and charges. The Public Domain Works Bond must be submitted as cash, an unconditional bank guarantee or insurance bond as per the Council’s Performance Bond Policy in favour of the City as security for completion of the obligations under this consent (Guarantee). The City of Canada Bay must be contacted to determine the guarantee amount prior to lodgement of the guarantee. The guarantee must be lodged with the City prior to approval of the Public Domain Plan.  The Guarantee will be retained in full until all Public Domain works, including rectification of damage to the public domain, are completed to City of Canada Bay standards and approval and the required certifications, warranties and works as-executed documentation are submitted and approved by the City in writing. On satisfying the above requirements, 90% of the security will be released. The remaining 10% will be retained for the duration of the specified Defects Liability Period. | Public Domain Works |
| Engineering conditions  If you require clarification on any of the following conditions, please contact Council’s Development Engineer.  *Stormwater Design*  A detailed stormwater drainage plan for the safe disposal of stormwater from the site, prepared in accordance with Council’s “Appendix 2 – Engineering Specifications of the Canada Bay Development Control Plan” shall be submitted to, and approved by, the Accredited Certifier. The following shall also be addressed:  1. Where underground OSD system is located under soft landscaped areas, it must have a minimum topsoil cover as per the below table. This information shall be reflected on the construction drawing.   |  |  | | --- | --- | | Turf | 200mm | | Grass and ground covers | 350mm-450mm | | Shrubs | 600mm-650mm |   2. Where the orifice diameter exceeds 150mm diameter, 5mm minimum thickness shall be provided.  *Stormwater Certification*  The stormwater design shall be certified by a Professional Civil Engineer whose qualifications are recognised by, and who is a current member of, Engineers Australia and shall certify that the proposed stormwater drainage system has been designed in accordance with Council’s “Appendix 2 – Engineering Specifications of the Canada Bay Development Control Plan”.  *Water Sensitive Urban Design (WSUD)*  The development has been identified as requiring water sensitive urban design (WSUD) which has formed part of the development consent. Therefore, to satisfy the drainage requirements for the building, any Crown Building Certificate for the building shall include the construction of the WSUD system. The design and construction details of WSUD system and specification shall achieve the pollution reduction target in accordance with the Council’s “Appendix 2 – Engineering Specifications of the Canada Bay Development Control Plan” shall be submitted to the certifying authority prior to issue of Crown Building Certificate.  *Pre-Commencement Damage Report*  The Pre-Commencement Damage Report Form shall be completed and submitted to Council. The Damage Report Form is used to establish the existing condition of the road reserve prior to work commencing and to identify any damage caused during construction. | Engineering requirements |
| Pre-Commencement Damage Report  The Pre-Commencement Damage Report Form shall be completed and submitted to Council. | Maintain public assets |
| Vehicular Crossings Location, Ancillary Works and Removal of Redundant Crossings  A Vehicular Crossing Location and / or Ancillary Works Application is required for the following works:   * New vehicular crossover * Construct new footpath and/or kerb and gutter within property frontage * Widen existing vehicular crossover * Remove existing vehicular crossover and kerb invert * Repair/replace an existing driveway crossover * Repair or reconstruct kerb and gutter * Repair or reconstruct footpath within property frontage   All disused or redundant vehicle crossings and laybacks shall be removed and reinstated with concrete kerb and gutter or to the existing edging profile | Access and public works |
| Civil Works in Public Domain  One (1) hard copy and an electronic copy of Civil Engineering drawings prepared by a suitably qualified engineer with a civil works in the public domain works application under Section 138 of Roads Act 1993 must be submitted to Council for the stormwater drainage works within the road reserve adjoining 3-5 Stanley Street, Concord including:   * Longitudinal section of any proposed stormwater pipe line(s) from the development to the existing Council’s underground drainage system in Stanley Street, Concord with all utility services, depth and location shall be shown on the drawing. All proposed stormwater line(s) within road reserve shall be designed and constructed in accordance with Council’s DCP, Appendix 2 – Engineering Specification. * A new kerb inlet pit shall be constructed over the new Ø450mm on the cul-de-sac in Stanley Street. * All pipe size within the road reserve shall be steel reinforced concrete pipe (RCP) and Class 4 minimum. * Hydraulic grade line analysis in 10%AEP and 1%AEP storm event. * Plan view, long/cross sections with existing and finished surface levels, existing and proposed signage (if any) and other relevant details for the new works. * Minimum 1% grade and cover must comply with Australian Standard. * All services near the work area (e.g., pits (Telecom, stormwater), poles, sewer etc) shall be shown on the drawings. Written approval from the relevant public utility services authority is required to submit to Council if relocation and/or adjustment of the public utility services affected by the proposed works. Any alteration works for the public utility services shall address the relevant public authority requirement. The consented works must be completed to Council’s satisfaction at no cost to Council. * A notice shall be indicated on the stormwater construction plan states” A CCTV (closed circuit television) footage verification for the new constructed public stormwater lines shall be submitted to Council and demonstrating all stormwater lines ‘No cracking’ following soil backfill over the pipe line is completed.” * Engineering works shall be designed and undertaken in accordance with the Council’s “Appendix 2 – Engineering Specification of the Canada Bay Development Control Plan” and Council’s Development Control Plan, and * All Civil Engineering works must be conducted utilising a quality management system prepared to the satisfaction of Council’s engineer.   Commitment to the following:   * A maintenance period of six (6) months shall apply to the work after it has been completed. In that period the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council’s specifications, or as would reasonably be expected under the design loading conditions, and * Upon completion of the works, the Applicant is to provide to Council one (1) hard copy and an electronic copy of “work as executed plans”. The plans are to show relevant dimensions and finished levels and are to be certified by a registered surveyor. Also, the Applicant is to provide to Council, in an approved format, details of all public infrastructure created as part of the works, including certification from a suitably qualified engineer. * The consented works must be completed to Council’s satisfaction at no cost to Council. | Stormwater Connections and Discharge |
| Flooding  The submitted Flood Impact Assessment Report dated 1 June 2023 prepared by Woolacotts advised the proposed development is affected by the 1% Annual Exceedance Probability (AEP) storm event as a part of development application. In this regard, design and construction details of the proposed structures shall be addressed the recommendation in the report and following and submit to the certifying authority prior to the issue of Construction Certificate: -   1. Design and construction of the proposed structures shall also include the proposed structures being able to withstand the forces of floodwater, debris and buoyancy up to the Flood Planning Level (i.e., (1%AEP + 0.5m freeboard) in accordance with the flood report. 2. Filling within the flood affected areas in accordance with the report is not permitted. 3. No floatable material/paving shall be placed over the overland flowpath area. 4. All new works shall be constructed in flood compatible materials in accordance with Section B8, Part B – General Control of Council’s Development Control Plan. 5. Fencing within the flood affected area shall be designed not affecting the flow of floods and not increase flood affect to the development and on surrounding land. The fencing can be certified by a suitably qualified engineer, that the proposed fencing is adequately constructed so as to withstand the forces of floodwaters or collapse in a controlled manner to prevent the undesirable impediment of flood water. 6. A Flood Emergency Management Plan shall be prepared in accordance with Canada Bay Council’s Development Control Plan, Section B8 Flood Control and the NSW Flood Risk Management Manual (2023). The plan or report shall be issued and certified by a suitable Chartered Professional Engineer with the Institution of Engineers Australia, and shall consider the following:    1. The mobility of all persons in the building and how they can be accommodated during a flood evacuation when the storm event greater than 1%AEP storm event to the PMF event.    2. The location of a safe congregation area, away from busy roads, and other hazards and the evacuation points of other residents or tenants of surrounding buildings.    3. Detailed procedures that would be in place for an emergency such as warning systems, signage or evacuation drills; and    4. Other emergency plans in place by being complementary and consistent. 7. A report and certification issued by a suitably qualified engineer confirming the above requirement are achieved shall be submitted to the Crown Certifier for approval. | To prevent localised flooding and safety |

**Before Building Work Commences**

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| Condition | Reason |
| Requirements Before Building Work  No work shall commence in connection with this development consent until:   1. A Crown Building Certificate for the building work has been issued. 2. A Crown Certifier has been appointed. 3. Provide notice to Council of commencement of works two (2) days prior to work commencing. 4. A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out: showing the name, address and telephone number of the principal certifier for the work, and 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 stating that unauthorised entry to the work site is prohibited. Any such sign is to be maintained while the building work or demolition work is being carried out but must be removed when the work has been completed. This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building. | Statutory Requirement |
| Site Safety Fencing  Erect site fencing to a minimum height of 1.8m complying with WorkCover Guidelines, to exclude public access to the site throughout the construction works. The fencing must be erected before the commencement of any work and maintained.  The site shall be secured and shall be maintained in a clean and orderly condition during demolition and construction works. | Site Safety |
| Erosion and Sediment Control  Erosion and sedimentation controls shall be in place prior to the commencement of demolition or ground works and must be maintained during construction.  The controls shall be installed in accordance with the approved details and in accordance with Managing Urban Stormwater - soils and Construction produced by Landcom (Blue Book).  A copy of the Erosion and Sediment Control Plan must be kept on site and made available to Council officers on request. | Environmental Protection |
| Tree Protection  All street trees, trees on private property that are identified for retention and trees on adjoining sites must be protected prior to the commencement of demolition or ground works and must be maintained during construction as follows:   1. Tree protection zone to be enclosed by protective fencing such as chain wire mesh panels or wooden fencing panels. Where fencing cannot be installed then trunk and major limb protection must be installed as follows:    1. Timber planks with padding (50mm x 100mm or similar) must be placed around tree trunk/s. The timber planks must be spaced at 100mm intervals and fixed against the trunk with tie wire or strapping. The timber planks must not be fixed into the tree. Young street trees with existing wooden stakes do not require trunk protection to be installed but must be enclosed by a protective fence.    2. A tree trunk and / or major branch located within 0.5m of any hoarding or scaffolding structure must be protected by wrapped hessian or a similar material. 2. Soil and root protection - Steel boards, track mats, or timber rumble boards to be utilised for heavy machinery to protect roots and limit surrounding soil compaction. 3. Scaffold columns must not be placed on any tree roots that are exposed and all scaffold to be placed on scaffold boards or plywood sheeting. 4. Construction material, goods and sheds must not be stored or placed under the tree canopy or within 2 metres of tree trunks. 5. No storage within tree protection zone unless authorised by Project Arborist. 6. Temporary signs or other items must not be fixed into or attached to a tree. 7. Any excavation within in any area known to or suspected of having tree roots greater than 40mm diameter must be supervised by Project Arborist and undertaken by hand. Any trenching works for services, hydraulics, drainage etc must not be undertaken within 3 metres of any tree truck. 8. Alternative installation methods for services, such as directional boring/drilling, or redirection of services shall be employed where large woody roots greater than 40mm diameter are encountered during the installation of services. 9. Existing sections of kerbs adjacent to any street tree shall not be removed without written approval from Council’s Tree Services Team because the removal of kerbs adjacent to mature trees can cause trees to become unstable and fail. 10. Any damage sustained to a tree must be immediately reported to the Council's Tree Services Team. | Tree Protection |

**During Building Work**

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| Condition | Reason |
| Road Opening Permit  Pursuant to Section 138 of the Roads Act, should any work on the verge, footpath, public road reserve or public reserve (open space) be required, consent will need to be obtained from Council. In this regard the Applicant is to contact Council’s Customer Services Centre to apply for a Road Opening Permit, for works in relation to the excavation of the verge (e.g. for the purpose of installation of services such as private stormwater, private gas line, private sewer, private water pipe, etc.). This Permit is to be obtained prior to any works on the verge, footpath, public road reserve or public reserve being undertaken.  Important Note**:** Road Opening Permits do not include driveways, laybacks, footpath and major stormwater drainage construction which are covered separately by the vehicular crossing and ancillary works Application (for minor domestic works) or a Section 138 Works Application (for major or public works). | Maintain public asset |
| Building Survey  In order to ensure compliance with approved plans, a Survey Certificate prepared to Australian Height Datum must be prepared by a Registered Surveyor at the following stages:   1. Basement - At the completion of excavation and prior to the pouring of concrete the height and distance of the formwork to the boundaries and any easements or public drainage infrastructure. 2. Floor levels - Prior to pouring of concrete, at the ground floor level and every second level, showing the height and distance of the formwork to the boundaries and any easements or public drainage infrastructure. 3. At completion – Each finished floor level, highest point of the building and the distance of the building to the boundaries and any easements or public drainage infrastructure.   Progress certificates must be provided to the Crown Certifier at the time of carrying out relevant progress inspections. Under no circumstances will work be allowed to proceed should such survey information be unavailable or reveal discrepancies between the approved plans and the proposed works. | To ensure compliance with the approved plans |
| Acid Sulphate Soils  Any excavation works carried out on site should be closely monitored to ensure no signs of Potential Acid Sulphate Soil or Actual Acid Sulphate Soil are observed. Indicators may include grey to greenish blue clays, unusual gold- yellow mottling or 'rotten egg' odours. If any of these indicators are observed, excavation of the site is to be stopped immediately, Council and the Crown Certifier are to be notified and a suitably qualified environmental scientist should be contracted to further assess the site.  All recommendations made in the Acid Sulfate Soil Management Plan for Concord High School prepared by iEnvironmental Australia Pty Ltd, dated 29 May 2023, Version 2.0 Reference:20220522 shall be adopted, implemented and adhered to. Any change made to the site that that will or is likely to impact the recommendations of the Management Plan will require a further assessment and is to be provided to the Crown Certifier prior to the commencement of works. | Environmental protection |
| Imported Fill  To ensure that fill material is suitable for the proposed use, only Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM) is permitted to be imported onsite, or Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated. | Environmental protection |
| Exportation of Fill or Soil  Prior to the exportation of fill or soil from the site, the waste materials must be tested and classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines, Part 1: Classification of Waste (November 2014). Testing is required prior to off-site disposal. In accordance with NSW EPA Waste Classification Guidelines (2014) materials identified for off-site disposal must be removed by a suitably qualified contractor to an appropriately licensed waste facility.  Note:Attention is drawn to Part 4 of the NSW EPA Waste Classification Guidelines (2014) which makes reference to the management and disposal of Acid & Potential Acid Sulfate Soils.  Evidence that the requirements specified above have been satisfied must be provided to the Principal Certifier at the time of disposal. | Environmental protection |
| Contaminated Land Unexpected Finds  In the instance works cause the generation of odours or uncovering of unexpected contaminants, works are to immediately cease, Council is to be notified and a suitably qualified environmental scientist appointed to further assess the site.  The exposed material/excavation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which is agreed to by City of Canada Bay, Manager Health, Building and Compliance.  Note: Council may also request that a NSW EPA accredited site auditor is involved to assist with the assessment of the contaminated land situation and review any new contamination information. The applicant must also adhere to any additional conditions which may be imposed by the accredited site auditor. | Environmental protection |
| Remediation  The site is to be remediated in accordance with:   1. Remedial Action Plan, prepared by iEnvironmental Australia Pty Ltd dated 29th March 2023, Version: 2, reference: 20220522; and 2. Council's Contaminated Land Policy; and 3. State Environmental Planning (Resilience and Hazards); and 4. The guidelines in force under the Contaminated Land Management Act; and 5. The applicant must engage an appropriately qualified and experienced environmental consultant to supervise all aspects of site remediation and validation.   The environmental consultant must manage all aspects of the remediation works in accordance with the approved Remedial Action Plan.  An appropriately qualified and experienced environmental consultant should be certified by one of the following certification schemes; or equivalent:   * the EIANZ Contaminated Land Assessment Specialist Certified Environmental Practitioner (CLA Specialist CEnvP) Site Contamination scheme or * Site Contamination Practitioners Australia - Certified Practitioner (SCPA)   Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified in writing to the site auditor, City of Canada Bay Council and the Principal Certifier.  Any variations to the approved Remediation Action Plan shall be submitted to and approved in writing by the Accredited Site Auditor and Council prior to the continuing of such work. | Environmental protection |
| Site requirements  All of the following are to be satisfied/complied with during demolition, construction, and any other site works:   1. Construction Hours - No construction or any other work related activities shall be carried out on the site outside the hours of 7.00 am to 5.00 pm Mondays to Saturdays.   No work to occur on Sundays and public holidays.  Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 5.00 pm Monday to Friday only.   1. Sediment Control - Erosion and sedimentation controls shall maintained during construction, including:    1. Prevent sediment and/or building materials being carried or washed onto the footway, gutter, road, or into Council's stormwater drainage system.    2. Ensure soil/excavated material is not transported on wheels or tracks of vehicles or plant and deposited on surrounding roadways.    3. Ensure safe access to and from the site including the road reserve and footpath area, crossings by heavy equipment, plant and materials delivery, or static loads from cranes, concrete pumps and the like.    4. Ensure safe loading and unloading of excavation machines, building materials, formwork, and the erection of the structures within the site.    5. Ensure storage on site of all excavated material, construction materials and waste containers during the construction period (except where otherwise approved); and    6. Ensure support of any excavation beside any adjoining property or the road reserve is designed by a Chartered Civil Engineer. 2. Excavation Pump Out - Water that has accumulated in any excavation is not to be pumped into any stormwater disposal system unless the approval of the City of Canada Bay Council is obtained prior. All excavation pump-out water must be analysed for suspended solid concentrations, pH and any contaminants of concern identified during a preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results of any discharge must comply with relevant EPA and ANZG standards for water quality and be made available to Council upon request. Any water to be discharged to Council’s stormwater system shall not contain a concentration of suspended sediment exceeding 50mg/L, shall have a pH of between 6.5-8.0 and shall comply with the ANZG Guidelines for Marine and Freshwater Quality for Protection of Aquatic Ecosystems (95% protection level for freshwater ecosystems); NSW Department of Housing, Managing Urban Stormwater - Soils and Construction).   Water testing shall be carried out to ensure water is appropriate for discharge to the stormwater system. The testing shall be carried out by a suitably qualified environmental scientist. Water that does not comply with the above standards shall not be discharged to the stormwater system and shall be disposed of using alternative approved means.  Results of water testing (if required) shall be provided to Council or in the Validation Report for remediation projects as required by the conditions of this consent. Documentation for the off-site disposal of water shall be included in the Validation Report.  Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.   1. Noise and Vibration - All works carried out on site during construction/ demolition/ excavation/ earthworks shall comply with the NSW Protection of the Environment Operations Act 1997, the Department of Environment and Climate Changes' Interim construction noise guideline' and AS 2436-2010 – ‘Guide to noise and vibration control on construction, demolition and maintenance sites’ for the control of construction noise.   Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.  In the event of a noise or vibration problem arising, the person in charge of the premises must, when instructed by City of Canada Bay Council or the Crown Certifier, cease work and carry out an acoustical survey and/or investigation by an appropriate acoustical engineer or consultant and submit the results to Council. The person in charge of the site must implement any or all of the recommendations of the consultant and any additional requirements of Council. Any requirements of Council in this regard must be complied with immediately.   1. Asbestos Removal - Homes built or renovated prior to 1987 are likely to contain asbestos. Asbestos is most commonly found within eaves internal and external wall cladding, ceilings, and walls (particularly within wet areas such as bathrooms and laundries), and fences. Unless properly handled, asbestos disturbed or removed during renovations can cause the development of asbestos related diseases, such as asbestosis, lung cancer and mesothelioma.   To ensure work does not cause undue risk please see the following site for further information: [www.asbestosawareness.com.au](http://www.asbestosawareness.com.au)  *Asbestos to be removed by licensed asbestos removalist*  All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Workcover NSW, holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies AND a current WorkCover Demolition License where works involve demolition.  Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10sqm or less of non-friable asbestos (approximately the size of a small bathroom). Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license. To find a licensed asbestos removalist please see [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)  *Compliance with applicable Legislation, Policies and Codes of Practice*  Asbestos removal works are to be undertaken in accordance with the following:   * NSW Work Health and Safety Act and Regulation 2011. * Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace [NOHSC:2018(2005)] * NSW Government WorkCover Code of Practice - How to Safely Remove Asbestos. * NSW Government WorkCover Code of Practice - How to Manage and Control Asbestos in the Workplace; and   *Clearance certificate*  Following completion of asbestos removal works undertaken by a licensed asbestos re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.  *Notification of asbestos removal works*  At least two (2) working days (i.e., Monday to Friday exclusive of public holidays), the developer or demolition contractor must notify adjoining residents prior to the commencement of asbestos removal works. Notification is to include, at a minimum:   * The date and time when asbestos removal works will commence. * The name, address and business hours contact telephone number of the demolisher, contractor and/or developer. * The full name and license number of the asbestos removalist/s; and * The telephone number of WorkCover’s Hotline 13 10 50   Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location, and maintenance.  *Barricades*  Appropriate barricades must be installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.   1. Dust Control –   *Small Works*  Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of minimum 2 metres height of shade cloth or similar material secured to a chain wire fence of the like and shall be modified as directed by the City of Canada Bay Council should it fail to adequately control any dust nuisance.  *Major Works*  The following measures must be implemented (in part or in total) as directed by the City of Canada Bay Council to control the emission of dust:   * Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work. * All dusty surfaces must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system. * All stockpiles of materials that are likely to generate dust must be kept damp or covered. * All stockpiles of soil or other materials shall be placed away from drainage lines, gutters or stormwater pits or inlets. * All stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining more than 24 hours or as directed by the City of Canada Bay Council.  1. Site Management  * All demolition is to be carried out in accordance with Australian Standards AS 2601-2001 and by a registered demolition contractor. * A maximum of two entrances are permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence. * No blasting is to be carried out at any time during construction of the building. * Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings. * 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. * Any demolition and excess construction materials are to be recycled wherever practicable. * The disposal of construction demolition waste must be in accordance the requirements of the Protection of the Environment Operations Act 1997. * All waste on the site is to be stored, handled, and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area. * Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation. * All materials on site or being delivered to the site are to generally be contained within the site. Requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses. * Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling. * Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways. * Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees. * Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system. * All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.  1. Damage to adjoining properties and prevention of nuisance –  * All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Adjoining owner property rights must be observed at all times. Where damage occurs to adjoining property all necessary repair or suitable agreement for necessary repairs are to be undertaken by the applicant in consultation with, and with the consent of, the affected property owner. * All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from windblown dust, debris, noise and the like during the demolition, excavation and building works.  1. Stamped plans - Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction. | Compliance and environmental amenity |
| Compliance with the Building Code of Australia - (Prescribed condition - EP&A Regulation clause 98(1)(a))  Building work must be carried out in accordance with the requirements of the BCA. | Prescribed Condition |
| Shoring and adequacy of adjoining property - (Prescribed condition - EP&A Regulation clause 98E)  If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person’s own expense —   1. Protect and support the building, structure or work from possible damage from the excavation, and 2. Where necessary, underpin the building, structure or work to prevent any such damage. This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying. | Prescribed Condition |
| Waste Management Plan  Requirements of the approved Waste Management Plan shall be complied with during all site preparation works, demolition (if proposed) and throughout all construction works.  When implementing the Waste Management Plan the developer is to ensure:   1. The disposal of any demolition and construction waste must be undertaken in accordance with the requirements of the Protection of Environment Operations Act 1997 2. All waste on site is to be stored, handled and disposed of in such a manner as to not create air pollution, offensive noise or pollution of land and water as defined by the Protection of Environment Operations Act 1997 3. Generation, storage, treatment and disposal of hazardous waste is conducted in accordance with the relevant waste legislation administered by the EPA and relevant Occupational Health and Safety legislation administered by WorkCover NSW 4. All waste generated (including excavated materials) which cannot be reused or recycled must be transported to a facility which can lawfully accept it 5. Records are retailed regarding the details and location of the disposal of all demolition and construction waste (including excavated material) and are to be kept on site as evidences of lawful disposal. Records are to include receipts and weighbridge dockets which verify material types and volumes, time and date of disposal and confirmation of the waste disposal facility 6. All materials and resources that are to be stored on site during construction works are contained on the site, The provisions of the Protection of Environment Operations Act 1997 must be complied with when placing/stock piling loose material, disposal of concrete waste or activities which have potential to pollute drains and water courses 7. The storage of waste and recycling containers must be within the boundaries of the development site at all times. Public footways and roads must not be used for the storage of any waste and must be kept clear of obstructions during all construction works | Waste Management |
| Heritage - Unexpected discoveries during works  If during works under this approval, you unexpectedly discover a relic or believe you may have discovered an historical archaeological ‘relic’, notification is required under s146 of the Heritage Act 1977. If you believe you have unexpectedly discovered an Aboriginal object, notification is required under s89A of the National Parks and Wildlife Act 1974. In these scenarios, work must cease in the affected area(s) and the following notifications are required (a relic - the Heritage Council of NSW and an Aboriginal object – Heritage NSW). Additional assessment and approval may be required under the relevant legislation prior to works continuing in the affected area(s) based on the nature of the discovery. | Heritage conservation |
| Inspection of on-site stormwater detention  The stormwater drainage, on-site stormwater detention system shall be inspected during construction, by the Council if the Crown Certifier or by a suitably qualified Civil/Stormwater Engineer and a registered surveyor. Documentary evidence of compliance with Council’s specifications and approved stormwater plan shall be obtained prior to proceeding to the subsequent stages of construction, encompassing not less than the following key stages:  *On-site Stormwater Detention:*   1. Initial inspection to discuss concept and site conditions/constraints prior to commencement of the construction of the detention basin/tank. 2. Prior to backfilling of the trench following the laying and connection of the stormwater pipe within drainage easement. 3. Prior to pouring of the roof of the detention tank. 4. After completion of storage but prior to installation of fittings (e.g. Orifice plates, screens etc.) 5. Final Inspection prior to issuing the relevant certificate.   Council’s standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council.  *Stormwater quality Improvement devices:*   1. Initial inspection to discuss concept and site conditions/constraints prior to commencement of the construction of the improvement devices. 2. After completion of storage but prior to installation of fittings (e.g., Screens etc.) 3. Final Inspection prior to issuing the relevant certificate.   Council’s standard inspection fee will apply to each of the above set inspection key stages. Additional inspection fees will apply for additional inspections required to be undertaken by Council. | To ensure compliance with approved plans |
| Tree Protection  All trees viable to be retained as per the approved arborist report shall be protected as per the recommendations in this report including:   * Trees 123, 128, 130 and 131 - excavation for the proposed swale drain to be carried out by non-destructive excavation by means of manual excavation, air spade or vacuum truck operating at less than 1000 Psi under the supervision and direction of the Project Arborist. No roots with a diameter of 20mm or greater are to be damaged within the swale excavation. * Trees 117 and 118 - All excavations, demolition of existing surface and base course within the TPZ is to be carried out under the direction and supervision of the Project Arborist. All excavation within the TPZ is to be carried out using non-destructive methods such as manual excavation or vacuum truck operating at less than 1000Psi. | Tree Protection |

**Before Occupation**

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| Condition | Reason |
| Environmental Management Plan  On completion of remedial works, an Environmental Management Plan (EMP) shall be prepared by an appropriately qualified and experienced environmental consultant. The EMP must be prepared in accordance with relevant NSW EPA Guidelines.  This Long-term EMP shall describe the nature and location of the contamination and prescribe how the contaminants will be managed and the responsible parties for this management in the long-term.  The Long-term EMP shall be submitted for review by a NSW EPA accredited site auditor prior to occupation. | Environmental protection |
| Interim Site Audit Review  A NSW EPA Accredited Site Auditor shall review the Validation Report and Environmental Management Plan to certify that the site remediation has been completed in accordance with the approved Remedial Action Plan.  Following this, the Site Auditor shall prepare and provide an Interim Site Audit Advice in accordance with the NSW EPA Guidelines for the NSW Site Auditor Scheme’ 2017 (3rd edition).  The applicant must also comply with any additional requirements or conditions imposed by the accredited site auditor if required.  The Interim Site Audit Advice must be submitted to the satisfaction of the Crown Certifier. | Environmental protection |
| Site Audit Statement  Prior to Occupation a Site Audit Statement (SAS) is to be issued by a NSW EPA Accredited Site Auditor and a copy submitted to Council. The SAS must confirm that the site has been remediated in accordance with the approved Remediation Action Plan and clearly state that the site is suitable for the proposed use.  Where the SAS is subject to conditions that require ongoing review by the Auditor or Council, these should be submitted to and approved by Council before the SAS is issued. | Environmental protection |
| Fire Safety Certificate  A final Fire Safety Certificate shall be obtained in accordance with Part 11, Section 83 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation, prior to occupation of the building.  A copy of the Fire Safety Certificate and fire safety schedule shall be: -   * Forwarded to City of Canada Bay Council. * Forwarded to the Commissioner of the New South Wales Fire Brigade; and * Prominently displayed in the building. | Fire Safety |
| Mechanical Ventilation  Upon completion of the mechanical installation and before occupation of the building the designing engineer shall submit the following to the registered certifier:   1. A schedule indicating the air flows at each register. 2. A certificate detailing the systems compliance with AS 1668 Australian Standard "Mechanical Ventilation and Air Conditioning Code, Parts 1 and 2". | Mechanical Ventilation |
| Occupation  A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building unless  The Crown Certifier is satisfied, amongst other things, that:   * All required inspections (including each applicable mandatory critical stage inspection) have been carried out; and * Any preconditions required by a development consent have been met.   New building includes an altered portion of, or an extension to, an existing building. | Statutory Requirement |
| Arborist’s Inspection  The consulting arborist must inspect the retained trees. If the health of the trees has been affected or the trees have been damaged, then a report must be prepared which will specify the on-going remedial work required to be carried out to ensure the long term retention of the tree/s. | Tree preservation |
| Additional Trees  In addition to the new trees as shown on the approved landscape plan, two additional trees with a mature height of 10m+ shall be installed within the site prior to occupation to offset the removal of Trees 7 and 8. Evidence of these plantings shall be provided to the satisfaction of Council prior to the occupation of the new buildings. | Tree/Canopy Cover |
| Certification of Civil Engineering Works - Engineer  Submission of Works to Council - As - Executed drawings of the engineering works prepared by a Registered Surveyor. A certificate from a Registered Civil Engineer certifying that the civil engineering works have been constructed in accordance with relevant Standards and Council’s Policies and Specifications shall be submitted including the following as relevant:   * Stormwater drainage system, on-site stormwater detention system and stormwater quality improvement devices. * Traffic and Parking items. | Engineering |
| Damage Caused During Construction  Where damage has occurred to Council’s assets you must lodge a Vehicular Crossing Location & / or Ancillary Works Application and then complete the repair works prior to occupation and the refund of the damage deposit. | Asset protection |
| Stormwater Controlled Systems  *Covenant & Restriction as to User*  A Positive Covenant and Restriction on Use of Land shall be created over the constructed stormwater management system, on-site stormwater detention (OSD) system/on-site system absorption (OSA) system/stormwater quality improvement device (SQID) and/or mechanical pump-out system under Section 88E Instrument and/or Section 88B Instrument of the Conveyancing Act shall be submitted to the authority benefited for approval prior to lodge and register with the NSW Land Register Service.  A Positive Covenant and Restriction as to User Lodgement form shall be submitted to Council. Council’s standard wording is located in ‘Appendix 2 – Engineering Specifications of the Canada Bay Development Control Plan’.  *OSD Identification Plate*  The applicant shall install an identification plate near or onto the control structure of the On-site Stormwater Detention system (OSD). This is to advise the registered proprietor of their responsibility to maintain the OSD facility. The applicant can obtain the OSD identification plate from the Council at a cost. |  |
| Civil Works on the Road Reserve  The Applicant is required to carry out the following works:   * Items listed under the consent of Civil Works in Public Domain application.   The above works must be completed to the written satisfaction of Council prior to occupation of the building.  Note: The above works will require the submission of the relevant application for the works to be undertaken. | To preserve Council’s assets and amenity |
| TfNSW  Prior to student occupation of the site, the approved School Travel Plan shall be updated to incorporate the below comments and submitted to TfNSW for review and endorsement.  **Mode shares:** TfNSW requires that single vehicle mode shares for staff be lowered to reduce car use, and that public transport and active transport are increased within the STP for staff. This is especially important given the broad coverage of both public and active transport within close proximity to the site, both now and into the future. TfNSW TDM asks that amended mode shares for both staff and visitors need to be tied in with specific tools and actions within the STP Implementation Plan (below) to help achieve the objectives and mode share targets.  **Car parking management strategy:** TfNSW requires that a car parking management strategy for staff be implemented, for example prioritising parking for staff to car pool. This can be in your Implementation Plan (advised on below), and your Travel Access Guide.  **Bicycle Parking and End of Trip (EoT):** TfNSW recommends that bicycle parking should be located at the development site at convenient locations, be safe, secured and under cover. TfNSW recommends that bicycle parking and any EoT should be monitored over time to ensure sufficient supply to encourage active transport for staff and students. Some further guidance on bicycle parking and end of trip facilities can be found in the cycleway design toolkit.  **Implementation Plan** – The plan should have clearer and more defined dates and timing so the STP is ready to implement immediately upon post-occupancy by the Travel Plan Coordinator and Steering Committee. The Implementation Plan should:   * Identify the party or parties responsible for delivery and implementation of each element of the updated STP throughout various stages of the development lifecycle, including for its ongoing implementation, monitoring and review, for a period of at least 5 years post-OC; * Be updated both on an annual basis, and when future transport services are upgraded; * Include your current communication strategies and TDM initiatives (including your Travel Access Guide); and * Include the tasks for monitoring and review of the STP.   **Travel Access Guide:** TfNSW requires the TAG to include (but not be limited to) the following:   * Provide information on the TAG about cycling and micro mobility, walking and public transport initiatives to encourage the use of sustainable transport journeys by staff and visitors. * Provide promotion of end of trip (EoT) facilities, including any new cycle infrastructure available, and update number and location of bicycle parking and EoT facilities. * Provide information on car-pooling and priority parking for staff who car-pool. * Please find a link to the Travel Access Guide attached for further reference Travel+Access+Guide\_How+to+Guide (kimberlin.education)   **Monitoring and measuring the STP (School Travel Plan):** TfNSW requires that this be distributed 3 months post-occupancy. The survey should be undertaken every year and when future transport upgrades take place. To further help monitor and measure the increase in public transport use, TfNSW recommend visiting this link Open data hub and developer portal and following these recommendations for data use:   * Traffic volumes can also be assessed on the road network within the site. These could be monitored to assess whether: * Staff and students are re-moding from private vehicles to waling, cycling public transport. * Traffic volumes during peak hours had reduced.   **Travel Survey:** TfNSW requires the travel survey to be distributed to staff, parents and students three months post-occupancy, and every year for lifecycle of the development. The Travel Survey should also be promoting any initiatives or strategies that encourage sustainable transport routes. An example of a travel survey can be found here. ▪ Governance of School Travel Plan: TfNSW supports the establishment of a Steering committee. Senior management support, and a good decision making/governance framework is critical for a successful STP. Establishing good governance is especially important in a site where the approval processes of multiple stakeholders must be considered. The STP will need to have a steering group or committee created with relevant internal and external stakeholders to inform future targets and the ongoing monitoring and revision of the STP for five years post-occupancy. | To satisfy TfNSW requirements |

**Occupation and Ongoing Use**

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| Condition | Reason |
| Noise, Air or Water Pollution  *General*  The use, operation and activities carried out on site shall comply with the requirements of relevant noise legislation and guidelines including but not limited to Noise Policy of Industry 2017, Protection of the Environment Operations Act 1997, relevant Australian Standards on Noise Control on Construction, Maintenance and Demolition Sites, and must not constitute a nuisance in relation to noise, air or water pollution as specified under the Protection of the Environment Operations Act 1997.  *Acoustic Assessment*  Following occupation of the building / premises, should it be found that the measures recommended  in  the  acoustic  assessment are not sufficient, or have been incorrectly installed or a noise issue  (relating  to  the  development)  not previously identified arises (through complaint or otherwise),  the  owner / occupier shall, upon  request  by Council, employ the services of a suitably qualified and experienced acoustic consultant to undertake a post occupation  assessment of the development and complete  a noise assessment report with recommendations to rectify the situation. A copy of this report shall be submitted to Council for review and approval and from there noise attenuation works shall be carried out within a time frame set by Council. The reasonable cost of such appointment shall be borne by the owner / occupier and any works recommended by the acoustic consultant shall also be borne by the owner / occupier. | Amenity |
| Acoustic Assessment  All recommendations contained in the approved acoustic assessment report prepared by Acoustic Studio, dated 24th May 2023, ref: 20230524 SVM.0002.Rep.docx must be adopted, implemented, and adhered to.  The Crown Certifier shall obtain a certificate from an appropriately qualified acoustic consultant, stating that the recommendations outlined in the above stated report have been completed and that relevant noise criteria have been satisfied.  Any changes made to the proposal that would alter the outcome will require a further assessment and a copy of this further report shall be provided to the Crown Certifier approval and all recommendations of the report shall be adopted, implemented and available upon request of the Council. | Noise control and amenity |
| Annual Fire Safety Statement  Each year, the owner of a building to which an essential fire safety measure is applicable shall cause the Council to be given an annual fire safety statement for the building. Such a fire safety statement:   * shall deal with each essential fire safety measure in the building premises; and * shall be given within twelve months after the last such statement was given, or it no such statement was given, within twelve months after a final fire safety certificate was first issued for the building.   As soon as practicable after a final fire safety certificate is issued, the owner of the building to which it relates: -   * shall cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades; and * shall cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be permanently displayed in the building. | Fire Safety |
| Waste Management Plan Implementation  The approved Waste Management Plan is to be implemented throughout the ongoing use of the development. | Waste Management |