

Draft Conditions of Consent

Development Consent Operations Conditions

1. Approved Plans and Supporting Documentation

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

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DA02 – Site Analysis Plan	April 2019	SARM Architects
DA03 – Site Plan	April 2019	SARM Architects
DA04 – Demolition Plan	April 2019	SARM Architects
DA05 – Floor Plan	April 2019	SARM Architects
DA06 – Roof Plan and Finishes Schedule	April 2019	SARM Architects
DA07 - Elevations	April 2019	SARM Architects
DA08 – Sections	April 2019	SARM Architects
DA12 – Hall Reuse Plan	April 2019	SARM Architects

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Accessibility Assessment Report Report number: 190115	12 April 2019	City Plan
ARBORICULTURAL IMPACT ASSESSMENT AND TREE MANAGEMENT PLAN	8 th April 2019	Horticultural Management Services
Building Code of Australia Compliance Statement Ref: P190098	9 April 2019	Anthony Protas Consulting Pty Ltd
Construction Traffic Management Plan	April 2017	Motion Traffic Engineers
Heritage Impact Statement	April 2019	City Plan
Environmental Noise Assessment	11 April 2019	Day Design Pty Ltd

b) Any plans and / or documentation submitted to satisfy the Deferred Commencement Conditions of this consent as approved in writing by Council.

c) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

d) The development is to be undertaken generally in accordance with the following:

Landscape Plans		
Drawing No.	Dated	Prepared By

L 01 – Landscape Plan	10 April 2019	Lindy Lean Landscape Architect
TABLE HINT: to add or remove rows in this table right click your mouse button.		

Waste Management and Soil and Erosion Plan		
Drawing No/Title.	Dated	Prepared By
DA09 – CONST, Soil and Water Management Plan		
C – 001 – Site Management Plan	MAR 2019	Knox Advanced Engineering
Waste Management Plan	15/04/2019	M Johns

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

2. Prescribed Conditions

(a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

Reason: Legislative Requirement.

3. General Requirements

(a) 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 1.00 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).

(b) 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.

(c) 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.

(d) Where works are to be carried out to a Class 1a building, smoke alarms are to be installed throughout all new and existing portions of that Class 1a building in accordance with the Building Code of Australia prior to the occupation of the new works.

(e) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

(f) No building, demolition, excavation or material of any nature and no hoist, plant and machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.

(g) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.

(h) All sound producing plant, equipment, machinery or fittings and the use will not exceed more than 5dB (A) above the background level when measured from any property boundary and/or habitable room(s) consistent with the Environment Protection Authority's NSW Industrial Noise Policy and/or Protection of the Environment Operations Act 1997.

(i) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed 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.

(j) Prior to the commencement of any development onsite for:

i) Building/s that are to be erected

ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place

iii) Building/s that are to be demolished

iv) For any work/s that is to be carried out

v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

(k) Any Regulated System (e.g. air-handling system, hot water system, a humidifying system, warm-water system, water-cooling system, cooling towers) as defined under the provisions of the Public Health Act 2010 installed onsite is required to be registered with Council prior to operating.

Note: Systems can be registered at www.northernbeaches.nsw.gov.au

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

Prior to Commencement of any works

4. Overland flow

To protect occupants from any overland flow flood, a flood risk assessment report shall be prepared by a qualified engineer in accordance with Northern Beaches Council's Stormwater Management Policy section 9.3. The report must assess the potential risk of flooding to the development in accordance with Council's Warringah LEP 2011 section 6.3 and demonstrate there is no adverse impact to adjoining properties in relation to increase flood level, velocities and extents during the flood event

Development needs to demonstrate:

- That floor levels are set at or above the Flood Planning Level,
- That there is no net loss of flood storage in a 1% AEP event,
- That the proposed development has no adverse impact on the flood regime for neighbouring properties in a 1% AEP and Probable Maximum Flood event,
- That the new development is designed to withstand the expected structural forces including debris loading in a 1% AEP event.

Details demonstrating compliance are to be submitted to the Principle Certifying Authority prior to any commencement of work.

Reason: To protect the safety of the occupants and adjoining properties during flood events.

5. Sewer / Water Quickcheck

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to works commencing to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building Developing and Plumbing then Building and Renovating.
- Or telephone 13 20 92.

Reason: To ensure compliance with the statutory requirements of Sydney Water.

6. Project Arborist

An Arborist with AQZ Level 5 qualifications in arboriculture/horticulture shall be engaged to provide tree protection measures, in accordance with section 4.2 of AS4970 - 2009 Protection of Trees on Development Sites, and the recommendations within the Arboricultural Impact Assessment and Tree Management Plan prepared by Horticultural Management Services, as follows:

- site attendance and inspection of tree protection measures and works within the tree protection zone of existing trees 1 and 7, as well as any existing trees within adjoining properties,
- undertake all activities identified in section 15.0 Pre-Construction Tree Protection Measures,

The tree protection measures and fencing specified in this clause must:

- i) be in place before work commences on the site, and
- ii) be maintained in good condition during the construction period, and
- iii) remain in place for the duration of the construction works.

Additionally, the Certifying Authority or a Project Arborist AQZ Level 5 must ensure that:

- i) the activities listed in section 4.2 of AS4970- 2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and
- ii) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree, or any other tree to be retained on the site during the construction, is undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of that standard.

The Arborist shall provide the Certifying Authority with certification details that the tree protection measures are in place at the commencement of works.

A separate permit or development consent may be required if the branches or roots of a protected tree on the site or on an adjoining site are required to be pruned or removed.

Reason: to ensure tree protection is provided and maintained.

7. Tree removal

The following existing trees are granted approval for removal following assessment and recommendation in the Arboricultural Impact Assessment and Tree Management Plan prepared by Horticultural Management Services: Trees 2, 3, 4, 5 and 6.

8. Compliance with Standards

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

Reason: To ensure the development is constructed in accordance with appropriate standards.

9. Noise - Design

The acoustic assessment by Day Design Pty Ltd Report 6736-1.1R 11 April 2019 recommendations being incorporated in material and design of the building works .

Reason: To reduce noise to neighbouring receivers

10. Traffic Management Plan

The applicant is to engage a suitably qualified person to prepare a Traffic Management Plan, detailing the drop-off/pick-up procedures for the students and parents.

Reason: To ensure procedures are adopted and implemented to manage congestion around the school during the peak drop-off/pick-up period (DACTRCPC1)

During works

11. Contamination Issues

During demolition and excavation works, should the previous conclusions in regard to any contaminated soil or asbestos change, appropriate safeguard measures are to be put in place and the Certifier notified to ensure risks are adequately managed and the site made safe.

Reason: To deal with potential asbestos or site contamination if discovered

12. Project Arborist

An Arborist with AQF Level 5 qualifications in arboriculture/horticulture shall be engaged to provide arboricultural advice during the works, in accordance with section 4.2 of AS4970 - 2009 Protection of Trees on Development Sites, and the recommendations within the Arboricultural Impact Assessment and Tree Management Plan prepared by Horticultural Management Services, as follows:

- undertake all activities identified in section 16.0 Site Management of Retained Trees, and section 17.0 Tree Protection Measures for Construction process.

The Arborist shall provide the Certifying Authority with certification details that the tree protection measures have been adequately adhered to during demolition and construction works.

Reason: to ensure tree protection is provided and maintained.

13. Tree and vegetation protection

a) Existing trees and vegetation shall be retained and protected, including:

- i) all trees and vegetation within the site as recommended by the Arboricultural Impact Assessment and Tree Management Plan prepared by Horticultural Management Services, excluding trees approved by Council for removal, and excluding exempt vegetation under the relevant planning instruments of legislation,
- ii) all trees and vegetation located on adjoining properties,
- iii) all road reserve trees and vegetation.

b) Tree protection shall be generally undertaken as follows:

- i) all tree protection shall be in accordance with AS4970- 2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) removal of existing tree roots greater than 25mm is not permitted without consultation with a AQF Level 5 Arborist,
- iii) existing ground levels shall remain under the tree protection zone of trees to be retained, unless authorised by AQF Level 5 Arborist,
- iv) any tree roots exposed during excavation with a diameter greater than 25mm within the tree protection zone must be assessed by an AQF Level 5 Arborist. Details including photographic evidence of works undertaken shall be submitted to the Certifying Authority,
- v) to minimise the impact on trees and vegetation to be retained and protected, no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained,
- vi) no tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a AQF Level 5 Project Arborist on site,
- vii) all structures are to bridge tree roots greater than 25mm diameter unless directed by a AQF Level 5 Arborist on site,

viii) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with a AQF Level 5 Arborist, including advice on root protection measures,

ix) should either or all of vi), vii) and viii) occur during site establishment and construction works, a AQF Level 5 Arborist shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,

x) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained during the construction works, is to be undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of AS 4970-2009,

xi) tree pruning to enable construction shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373-2009 Pruning of Amenity Trees.

c) all protected trees are to be retained for the life of the development, or for their safe natural life. Trees that die or are removed by approval must be replaced with a locally native canopy tree.

Reason: to retain and protect significant planting on development and adjoining sites.

Prior to OC

14. Fire Safety Matters

At the completion of all works, a Fire Safety Certificate will need to be prepared which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and Fire and Rescue NSW.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Interim / Final Occupation Certificate.

Each year the Owners must send to the Council and Fire and Rescue NSW, an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

Reason: Statutory requirement under Part 9 Division 4 & 5 of the Environmental Planning and Assessment Regulation 2000.

15. Noise Management

The acoustic assessment by Day Design Pty Ltd Report 6736-1.1R 11 April 2019 recommendations for management of noise being incorporated in a Management Plan for the use of the School Hall as well as signage on or adjacent to the large glass folding doors and louvres both requiring closure from 6pm to 10pm.

In any rental or usage by others of the School Hall noise management requirements are to form part of the agreement.

Reason: To avoid a noise nuisance to neighbours (DACHPFPOC6)

16. Flood Evacuation Plan

A flood evacuation plan is to be prepared by a qualified Engineer, with Corporate membership of the Institute of Engineers Australia (M.I.E.) or who is eligible to become a Corporate member and has appropriate experience in flood management.

The Flood Evacuation Plan shall be prepared in accordance with NSW Government: State Flood Plan. The plan must be available onsite at all times and must be in force at all times.

Details demonstrating compliance are to be submitted to the Principle Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To protect the building and the occupants from the flooding in accordance with Council and NSW Government Policy.

17. Landscape Works

Landscaping is to be implemented in accordance with the Landscape Plan L01, prepared by Lindy Lean Landscape Architect.

Prior to the issue of an Occupation Certificate, a landscape report prepared by a landscape architect or landscape designer shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with the approved plan and inclusive of any conditions of consent.

Reason: to ensure that the landscape treatments are installed to provide landscape amenity and soften the built form.

18. Condition of retained vegetation

Prior to the issue of an Occupation Certificate, a report prepared by an Arborist with AQZ Level 5 qualifications in arboriculture/horticulture shall be submitted to the Certifying Authority, assessing the health and impact on all existing trees required to be retained on site and on adjoining properties, as a result of the proposed development, including the following information:

- i) compliance to any Arborist recommendations for tree protection and excavation works.
- ii) extent of damage sustained by vegetation as a result of the construction works.
- iii) any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: to retain and protect significant planting on development sites.

ON-GOIN CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

19. Landscape maintenance

Any existing landscaping including trees required to be retained together with any additional landscaping required by this consent is to be maintained for the life of the development.

A 12 month establishment period shall apply for all new landscaping. If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. All planting must be maintained for the life of the development, or for their safe useful life expectancy. Planting that may die or is approved for removal must be replaced.

Reason: to maintain local environmental amenity and ensure landscaping continues to soften the built form.