

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF DEVELOPMENT APPLICATION NO. 22-2-2005

(FILE NO. 9038593)

PUBLIC DOMAIN LANDSCAPING AND SEAWALL RE CONSTRUCTION – HONEYSUCKLE DRIVE, NEWCASTLE

I, Sam Haddad the Deputy-Director General, Office of Sustainable Development, Assessments and Approvals as delegate for the Minister for Planning as described by the Instrument of Delegation dated 12 September 2005, and pursuant to Section 80 (1) (a) of the *Environmental Planning & Assessment Act, 1979*, and clause 7(2) of the Newcastle Local Environmental Plan 2003, determine the development application referred to in the attached Schedule 1, by granting consent to the application subject to the conditions of consent in the attached Schedule 2.

The reasons for the imposition of conditions are:

- (1) To confirm and clarify the terms of development consent
- (2) To advise of matters to be resolved prior to the commencement of works;
- (3) To encourage good urban design;
- (4) To enhance the public domain, amenity and the overall landscape quality of the area.
- (5) To protect the foreshore of Newcastle harbour;
- (6) To ensure compliance with relevant statutory provisions, including the Environmental Planning and Assessment Act and Regulation;
- (7) To ensure the requirements of Approval Bodies, other government agencies, and Council are adhered to;

Sam Haddad
**Office of Sustainable Development,
Assessments and Approvals.**

Sydney,

2005

SCHEDULE 1 –THE DEVELOPMENT

PART A—TABLE

Application made by:	Honeysuckle Development Corporation Suite 2/ 265 Wharf Road., Newcastle. NSW. 2300
Application made to:	Minister for Planning
Development Application:	22-2-2005
On land comprising:	Lots 51 and 53 DP 1036132 and Lot 7 DP883474. Honeysuckle Drive, Newcastle
For the carrying out of:	Development described in Condition A1, Part A, Schedule 2
Estimated Cost of Works	\$850,000
Type of development:	Integrated Development Advertised Development
S.119 Public inquiry held:	No
Approval Body / Bodies:	Mine Subsidence Board NSW Heritage Office NSW Maritime
Determination made on:	
Determination:	Development consent is granted subject to the conditions in the attached Schedule 2.
Date of commencement of consent:	This development consent commences on the date identified in the accompanying letter.
Date consent is liable to lapse	This consent will lapse 5 years from the date of commencement of consent, unless: ▪ a shorter period of time is specified by the Regulations or a condition in Schedule 2, or ▪ the development has substantially commenced.

PART B—NOTES RELATING TO THE DETERMINATION OF DA NO. 22-2-2005

Responsibility for other approvals / agreements

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The applicant has the right to appeal to the Land and Environment Court under Section 97 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only valid:

- (1) for a development application, within 12 months after the date on which the applicant received this notice, or
- (2) for a modification to the consent, within 3 months after the date on which the application received this notice.

Appeals—Third Party

A third party right to appeal to this development consent is available under Section 123, subject to Section 101, of the *Environmental Planning and Assessment Act, 1979*.

Legal notices

Any advice or notice to the consent authority shall be served on the Deputy Director-General.

PART C—DEFINITIONS

In this consent,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended prior to 1 August, 2005).

Applicant means Honeysuckle Development Corporation or any party acting upon this consent.

Approval Body has the same meaning as within Division 5 of Part 4 of the Act,

BCA means the Building Code of Australia.

Certifying Authority has the same meaning as Part 4A of the Act.

Council means Newcastle City Council.

DA No. 22-2-2005 means the development application and supporting documentation submitted by the applicant on 10 February, 2005 plus additional supporting material submitted during assessment of the application.

Department means the Department of , Planning and Natural Resources or its successors.

Director means the Director of the Urban Assessments branch (or its successors) within the Department.

Director-General means the Director-General of the Department.

Deputy Director-General means the Deputy Director-General of the Department.

Minister means the Minister for Planning.

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

Regulations mean the Environmental Planning and Assessment Regulations, 2000 (as amended).

Senior Planner means the Senior Planner, Urban Assessments branch (or its successors) within the Department.

Subject site has the same meaning as the land identified in Part A of this schedule.

Team Leader means the Team Leader, Urban Assessments branch (or its successors) within the Department.

SCHEDULE 2 –**THE CONDITIONS OF CONSENT (INCLUDING ADVISORY NOTES)****DEVELOPMENT APPLICATION NO. 22-2-2005****PART A—ADMINISTRATIVE CONDITIONS****A1 Development Description**

Development consent is granted only to carrying out of works as described in detail below:

- (1) Landscaping of the public domain between the newly developed Harbour Square to the east and the Lee Wharf Development's site to the west.
- (2) Re construction of approximately 36 metres of seawall between Lee Wharf Shed A (Maritime Centre) and the Lee Wharf Development's site to the west.

A2 Development in Accordance with Plans

The development shall be generally in accordance with development application number 22-2-2005 submitted by the applicant on 10 February, 2005 and in accordance with the supporting documentation submitted with that application, including, but not limited to, the following:

Drawing No.	Revision	Name of Plan	Date
5022 – CP1	A	Seawall Arrangement	20.01.05
LO1	B	Site Landscape Plan Hard works Set out	1 NOV 04

Statement of Environmental Effects prepared by Patterson Britton & Partners Pty Ltd, Issue No. 2, dated January 2005.

A3 Design Criteria

The public promenade works being designed in accordance with the '*Honeysuckle Foreshore Promenade Design Manual Rev D Draft- dated December 2001*'.

A4 Applicant's Responsibilities

The applicant is to take full responsibility to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this consent.

A5 Prescribed Conditions

The Applicant shall comply with the prescribed conditions of development consent under clause 98 of the Regulation.

PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Design Details and Changes

B1 Additional Details

Public Domain Construction

The proposed public domain works shall to be constructed of similar materials to that used in the adjoining “Harbour Square” public domain works. Details are to be provided to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

B2 Amended Details

Prior to the issue of a Construction certificate the plans shall be amended to incorporate appropriate bollards to clearly define the road edge and discourage unauthorised access to the promenade. Details are to be provided to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

B3 Remediation

Prior to the issue of a Construction Certificate, the Applicant shall submit to the Council a statement from a site auditor accredited by the Environmental Protection Agency to issue Site Audit Statements, for those areas of the site not already covered by such a Remedial Action Plan or Site Audit Statement.

B4 Stormwater Run off

Stormwater runoff from the proposed new promenade catchment shall be collected in a piped drainage system and conveyed to the harbour via the existing drainage system and/or a new drainage system. The drainage system shall be designed to safely convey the 1 in 10 year Average Recurrence Interval design storm event and shall incorporate pollution control devices designed to remove gross pollutants, nutrients, sediments, oils and grease generated from the road. Full details are to be submitted with the application for a Construction Certificate.

B5 Outdoor Lighting

All outdoor lighting, shall comply with, where relevant, AS/NZ1158.3: 1999 *Pedestrian Area (Category P) Lighting* and AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

B6 Disabled Access

The works shall include adequate means of access for persons with disabilities in order to comply with Part D3 of the BCA Access Policy, Australian Standard AS. 1428.1 and the Disability Discrimination Act (1992).

In this regard, the applicant is to submit a design detail which has been certified by a qualified Access Advisor to the Certifying Authority prior to the issue of a Construction Certificate.

A qualified Access Advisor should carry current and relevant public liability and public indemnity insurances for the practice of their trade.

B7 *Erosion Measures*

The Developer instituting appropriate erosion protection and soil stabilisation measures in association with the proposed site works. Such measures to be designed in accordance with the requirement of the *Managing Urban Stormwater: Soils and Construction 4th Edition – Vol.1* (the “Blue Book”) published by Landcom, 2004. Full details shall be included in the documentation for a Construction Certificate application.

B8 *Surface Levels*

Any alteration to natural surface levels on the site being undertaken in such a manner as to ensure that no surface water is drained onto or impounded on adjoining properties. Full details are to be included in documentation for a Construction Certificate application.

B9 *Pavement Design*

The proposed pavement treatment along the public promenade being designed to cater for emergency and maintenance vehicles in accordance with relevant emergency authorities and Council requirements. Separate approval for the design is to be obtained from the relevant authorities and submitted with the application for a Construction Certificate.

B10 *Compliance Report*

Prior to the issue of a Construction Certificate, the Applicant, or any party acting upon this consent, shall submit to the Council and Honeysuckle Development Corporation a report addressing compliance with all relevant conditions of this consent.

PART C—PRIOR TO COMMENCEMENT OF WORKS

Excavation Works

C1 *Notice to be Given Prior to Excavation*

The PCA and Council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the site.

C2 *Archival Record*

A full archival quality record being prepared focussing on the wharves, wharf piles, the Monier seawall, and the setting of the physical features within the curtilage of the Lee Wharf buildings. The required record is to be prepared prior to any disturbance of the site, is to include measured drawings of the timber wharves and is to follow the methodology prescribed by the NSW Heritage Office in the publication entitled 'A Guide to Archival Recordings'.

C3 *Utility Services*

Conduits for the carriage of utility services are to be provided under the promenade at the time of construction. Such conduits are to be located clear of the design promenade pavement and are to be in accordance with the utility service's designs as appropriate.

Construction Management

C4 *Construction Management Plan*

Prior to the commencement of any works on the site, a Construction Management Plan shall be submitted to and approved by the Principal Certifying Authority. The Plan shall address, but not be limited to, the following matters where relevant:

- (1) hours of work,
- (2) contact details of site manager,
- (3) traffic management (see also C5 below),
- (4) noise management (see also C6 below),
- (5) waste management (see also C7 below),
- (6) dust management (see also C8 below),
- (7) erosion and sediment control,
- (8) A community relations plan, which aims to inform local residents and other local stakeholders of the proposed nature and timeframes for activities, together with contact details for site management.

The Applicant shall submit a copy of the approved plan to Council.

C5 *Construction Traffic & Pedestrian Management Plan*

Prior to the commencement of any works on the site, a Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to and approved by the Council. The required plan is to ensure the provision for safe, continuous movement of traffic and pedestrians within the site (as appropriate). The plan is to be prepared in accordance with Australian Standard 1742.3 – 1996.

The Plan shall address, but not be limited to, the following matters:

- (1) ingress and egress of vehicles to the site,
- (2) loading and unloading, including construction zones,
- (3) predicted traffic volumes, types and routes,
- (4) pedestrian and traffic management methods, and
- (5) measures undertaken to keep roads and footways clear of mud and sediment.

C6 *Truck Routes*

The routes for import of any fill materials or export of any spoil being submitted to and agreed to by the relevant road authority prior to the commencement of haulage. Any deterioration or failures within public roads that are directly attributable to these operations shall be restored by the developer to the requirements of, and at no cost to the road authorities.

C7 *Construction Noise and Vibration Management Plan*

Prior to the commencement of any works on the site, a Noise and Vibration Management Plan prepared by a suitably qualified person shall be submitted to and approved by the Principal Certifying Authority. Written evidence of consultation with Council and Council's response is to accompany the Plan. The Plan shall address, but not be limited to, the following matters:

- (1) anticipated airborne noise for all major noise generating activities and duration of these activities,
- (2) predicted noise levels at sensitive receivers,
- (3) construction noise goals,
- (4) specific physical and managerial measures for controlling noise,
- (5) noise and vibration monitoring and reporting procedures,
- (6) measures for dealing with exceedances,
- (7) arrangements to inform residents of noisy activities likely to affect their amenity, including:
 - (a) provision of a 24 hour contact point for residents,

- (b) establishment of a system to handle and respond to complaints.

The Applicant shall submit a copy of the approved plan to Council prior to the commencement of construction.

C8 Construction Waste Management Plan

Prior to the commencement of works, the Applicant shall submit to the satisfaction of the PCA a Waste Management Plan prepared by a suitably qualified person in accordance with Council's Waste Minimisation Development Control Plan DCP 56. The Applicant shall submit a copy of the plan to Council. The plan is to maximise opportunities reuse, recycling and reprocessing of waste material.

C9 Dust Management

Prior to the commencement of works, the Applicant shall submit to the satisfaction of the PCA, a dust management strategy, detailing procedures to minimise dust generation, with particular reference to control techniques and operational limits under adverse meteorological conditions.

C10 Notification of Works

Prior to the commencement of works, the developer providing written notification to the adjoining landowners of the intention to start works, advising details of the scheduling of works and nominating a contact person. A legible prominent sign stating the name of the developer and contractor and a 24 hour contact telephone number is to also be displayed on-site during the construction period.

C11 Contact Telephone Number

Prior to the commencement of the works, the Applicant shall forward to the Council a 24 hour telephone number to be operated for the duration of the construction works.

Public Roads

C12 Protective Crossing

A temporary protective crossing being provided over the footway for vehicular traffic before building operations are commenced. This approval does not permit access to the property over any adjacent private or public land

Compliance

C13 Compliance Report

Prior to the commencement of works, the Applicant, or any party acting upon this consent, shall submit to the Council, a report addressing compliance with all relevant conditions of this consent.

PART D—DURING CONSTRUCTION

Site Maintenance

D1 Disposal of Seepage and Stormwater

Any seepage or rainwater collected on-site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

D2 Imported Fill

Any imported fill onto the site is to be validated to ensure its suitability for the proposed land use from a contamination perspective. Imported fill is to be certified that it is not contaminated, based upon analysis or the known past history of the site from which it is obtained.

Construction Management

D3 Vehicle Loads

All material transported to or from the site by vehicle being appropriately secured or restrained in order to meet the performance standards recommended in the *Load Restraint Guide – Guidelines for the Safe Carriage of Loads on Road Vehicles* published by the Australian Government Publishing Service on 12 December 1994.

D4 Approved Plans to be On-site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, Council or the PCA.

D5 Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details. The notice(s) is to satisfy all but not be limited to, the following requirements:

- (1) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (2) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (3) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (4) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

D6 Hours of Work

The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:

- (1) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive;
- (2) between 8:00 am and 1:00 pm, Saturdays, if inaudible on residential premises, or between 9:00 am and 1:00 pm, Saturdays, if audible on residential premises;
- (3) no work on Sundays and public holidays.
- (4) Mechanical rock breaking or blasting is to be confined to between 9.00am and 3.30pm Monday to Friday excluding any Public Holiday.

Works may be undertaken outside these hours where:

- (1) the delivery of materials is required outside these hours by the Police or other authorities;
- (2) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
- (3) relevant mitigation and management measures are included in the approved Noise Management Plan;
- (4) approval is obtained by the Team Leader prior to the carrying out of these works; and
- (5) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

D7 Contact Telephone Number

The applicant shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.

D8 Noise Control

All work, including demolition, excavation and building work must comply with Chapter 171 of the NSW EPA's *Noise Control* and Australian Standard AS2436: 1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.

D9 External Lighting

External Lighting shall comply with AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Upon installation of lighting, but before it is finally commissioned, the applicant shall submit to the consent authority evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.

D10 Dust Control Measures

Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- (1) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material,
- (2) Covers are to be adequately secured,
- (3) Cleaning of footpaths must be carried out regularly,
- (4) Roadways must be kept clean,
- (5) Gates are closed between vehicle movements,
- (6) Gates are fitted with shade cloth,
- (7) The site is hosed down when necessary, and
- (8) Wheel washes shall be installed for all vehicles exiting the site.

D11 Provision of Easements

A reciprocal 'right of carriageway' and 'easement for services' being provided over the public promenade in favour of the Lee Wharf A Building and the necessary survey plan and accompanying instrument under Section 88B of the Conveyancing Act being registered with the Land Property Information Office prior to completion of the works the subject of this development application.

D12 Traffic Control

The Contractor shall make provision for the safe, continuous movement of traffic and pedestrians on public roads. Traffic warning signs conforming to the Roads and Traffic Authority's General Specifications (RTA Spec. Part G10 "*Control of Traffic*" and RTA Spec. 3355), shall be erected. Traffic control is to be carried out only by flagmen with certification that they have been trained in accordance with Australian Standard 1742.3 – 1996.

D13 Excavated Material

Any excavated material to be removed from the site being assessed, classified, transported and disposed of in accordance with the EPA's Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes.

D14 Proposed Tree Plantings

The proposed tree planting's are to be a minimum 100 litre pot size, such to be certified by the supplier to comply with the current NATSPEC guide with respect to root development, height, trunk diameter and branch structure and balance (refer to *Specifying Trees*, Construction Information Systems Australia PL, Clark, R 2003). The selected tree species and planting location is to be undertaken in consultation with Council's Landscape Architect.

D15 Pollution Prevention

Council's "PREVENT POLLUTION" sign being erected and maintained in a conspicuous location on or adjacent to the property boundary so that it is clearly visible to the public or at other locations on the site as otherwise directed by Council for the duration of construction work.

(Note: Council's PREVENT POLLUTION sign can be obtained by presenting your development application receipt at Council's Customer Enquiry Counter at 282 King Street Newcastle or at the Master Builders Association office.)

D16 *Audit Statement Compliance*

The development is to be undertaken in accordance with the conditions specified in:

- (1) Remedial Action Plans that have been prepared by accredited site auditors for the land;
- (2) The terms of Development Consent No. 450-10-2003;
- (3) The Environmental Management Plan for the Honeysuckle Development Area, prepared by AGC Woodward-Clyde Pty Ltd, dated 14 January 1999; and/or
- (4) Any other Site Audit Statement prepared as a consequence of compliance with State Environmental Planning Policy No. 55.

D17 *Disturbance of Soil*

Any works on the site that involve the disturbance of, or contact with, fill or soil on the site, other than clean soil in landscaped areas, are to be carried out in accordance with the requirements of the "*Environmental Management Plan: Honeysuckle Redevelopment, Newcastle*" prepared by AGC Woodward-Clyde Pty Ltd.

D18 *Vibration Monitoring*

Vibration and structural monitoring is to be undertaken during critical and sensitive phases of the excavation and foundation construction to ensure that site conditions do not lead to vibration levels that could have a detrimental impact on the structural fabric of the heritage items.

D19 *Compliance Report*

The Applicant, or any party acting upon this consent, shall, for the duration of construction period, submit to the Council a six monthly report addressing compliance with all relevant conditions of this consent.

**PART E—PRIOR TO ISSUE OF SUBDIVISION OR STRATA SUBDIVISION
CERTIFICATE**

There are no conditions applicable to this part.

PART F—PRIOR TO OCCUPATION CERTIFICATE***F1 Site Audits***

Upon completion of any required remediation works on the site, the Applicant shall submit a detailed Site Audit Summary Report and Site Audit Statement and Validation Report to the Director. The site audit must be prepared in accordance with the Contaminated Land Management Act Department of , Planning and Natural Resources DA No. 232-05-2003 1997 and completed by a site auditor accredited by the Environmental Protection Agency to issue site audit statements. The site audit must verify that the land is suitable for the proposed uses.

F2 Survey Monuments

Where the proposed development involves the destruction or disturbance of any existing survey monuments, those monuments affected being relocated at no cost to Council by a surveyor registered under the Surveyor's Act.

PART G—POST OCCUPATION**G1 *Lighting***

Any proposed floodlighting of the completed development is to be positioned, directed and shielded as to not interfere with traffic safety or detract from the amenity of any adjacent premises.

G2 *Landscaping*

A Landscape Establishment Report is to be submitted to the PCA following 3 months after the completion of the works verifying that satisfactory maintenance of the landscape works has been undertaken and any necessary mitigation measures have been undertaken to the necessary professional standards.

PART H—GENERAL TERMS

H1 *Mine Subsidence Board*

- (1) The design of the proposed works shall be in accordance with all relevant standards and the Building Code of Australia.
- (2) A copy of the final plan shall be provided to the Mine Subsidence Board prior to the commencement of construction.

H2 *NSW Maritime*

Compliance with the following requirements of NSW Maritime:

- (1) The proposed works are carried out so that:
 - (a) No materials are eroded, or likely to be eroded, are deposited, or likely to be deposited, on the bed or shore or into the waters of the Hunter River; and
 - (b) No materials are likely to be carried by natural forces to the bed, shore or waters of the Hunter River.
- (2) Any material that does enter the Hunter River must be removed immediately.
- (3) In relation to the above, best practice methods shall be adopted for the on-site control of runoff, sediment and other pollutants during, and post, construction. Methods shall be in accordance with the relevant specifications and standards contained in the manual *Managing Urban Stormwater – Soils & Construction* issued by the NSW Department of Housing in 1998 and any other relevant Council requirements.
4. The erosion, sediment and pollution control system is to be effectively maintained at or above design capacity for the duration of the works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.
5. The erosion, sediment and pollution controls shall be installed and stabilised before commencement of site works. This does not include the works associated with the construction of the appropriate controls.
6. Any material that is to be stockpiled on site is to be stabilised to prevent contamination, erosion or dispersal of the material. Consideration should be given to covering stockpiles when not in use.
7. Construction works are to be carried out in a manner that minimises the potential for materials, including sediment and other pollutants, to enter the Hunter River. In this regard, a combination of temporary measures such as tarpaulins, booms, silt screens and barriers may be required when carrying out particular works.
8. Landscaping is to be comprised of locally indigenous species, which represent the original plant communities that would have been found along the shoreline in the vicinity of the subject land.
9. All redundant materials and piles are to be removed from the bed of The Hunter River.
10. No works are to be undertaken on land owned by NSW Maritime (i.e. below MHWM) without the relevant approvals being granted by NSW Maritime.

ADVISORY NOTES

AN1 Requirements of Public Authorities for Connection to Services

The applicant shall comply with the requirements of any public authorities (e.g. Energy Australia, Hunter Water, Telstra Australia, AGL, WorkCover etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the applicant. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the PCA prior to the issue of the Construction Certificate.

AN2 Application for Hoardings and Scaffolding

A separate application shall be made to Council for approval under Section 68 of the *Local Government Act, 1993*, to erect a hoarding or scaffolding in a public place. Such fence or structure is to comply with the Construction Safety Act 1912 and Regulation 1950. Notice of intention of commencement must be given to WorkCover.

AN3 Use of Mobile Cranes

The applicant shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied with to the satisfaction of the PCA:

- (1) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
 - (a) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - (b) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (2) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

AN4 Remediation and Validation Report

Following the completion of any required remediation works on the site a Remediation and Validation Report is to be prepared by a suitably qualified environmental consultant. This report, together with a final site audit statement by an Environmental Protection Agency accredited environmental consultant, including Notice of Completion statement, pursuant to clauses 17(2) and 18 of State Environmental Planning Policy No.55—Remediation of Land, is to be submitted to the satisfaction of the consent authority prior to completion of the works covered by this approval.

AN5 Noise Generation

Any noise generated during the construction of the development shall not exceed the limits specified in the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the site.

AN6 Movement of Trucks Transporting Waste Material

The applicant shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

AN7 Construction Inspections

Compliance certificate/s shall be issued by the PCA and submitted to Council in accordance with the mandatory inspection requirements of the *Building Legislation Amendment—Quality of Construction Act, 2002* for each stage of construction, such as the following:

- (1) Foundations,
- (2) Footings,
- (3) Structural concrete, including placing of reinforcement and formwork prior to pouring,
- (4) Structural beam and column framing, and
- (5) Stormwater disposal.

Any Compliance Certificate issued for the above stages of construction shall certify that all relevant ancillary or dependent work has been undertaken in accordance with the Building Code of Australia and any other conditions of consent.

AN8 Noise Generation

Any noise generated during the construction of the development shall not exceed the limits specified in the *Protection of the Environment Operations Act, 1997* or exceed approved noise limits for the site.