



Council Ref: Cranbrook School (Trim Folder: SC4477 Ref: 18/154261)
Planning & Development Division

2 October 2018

Ms. Karen Harragon
Director
School Infrastructure Assessments
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

cc. Navdeep.SinghShergill@planning.nsw.gov.au

Attention: Navdeep Singh Shergill

Dear Ms. Harragon,

Application Number SSD 17_8812
Proposal name Cranbrook School Redevelopment (Senior School)
Address 5 Victoria Road, Bellevue Hill

Thank you for your letter dated 22 May 2018, requesting Woollahra Council's comment on the abovementioned State Significant Development (SDD) application.

It is understood that the proposal seeks to redevelop the northern half of the Cranbrook Senior School Campus including the following:

- Demolition of the existing War Memorial Hall and Mansfield Buildings to facilitate the construction of the New Centenary Building Teaching Facility and School Chapel;
- Excavation of Hordern Oval to facilitate the construction of a sub-surface car park and new Aquatic and Fitness Centre;
- New access driveway to the proposed car park, accessed off the northern arm of Rose Bay Avenue;
- Use of the internal driveway between Victoria Road and Rose Bay Avenue to accommodate an on campus 'kiss and ride' facility;
- Construction of a new Hordern Oval Groundsman's facility;
- Reinstatement of the Hordern Oval as a playing field; and
- Other associated works including landscaping and general site improvements.

The short notification period of twenty-eight (28) days has not enabled this important matter to be reported and considered by the elected Council.

Woollahra Council staff has reviewed the information and is generally supportive of the proposal, subject to the following recommendations:

A. The recommended conditions of consent (without prejudice) provided at Annexure A are included as part of any consent.

- B. *The Construction Impact Assessment and Management Plan*, prepared by *Botanics Tree Wise People Pty Ltd*, dated April 2018, is amended to address the matters raised by Council's Tree Management Team Leader.
- C. *The Ecological Sustainable Development Report*, prepared by ARUP Pty Ltd, dated 3/04/2018 is amended to address the recommendations by Council's Environment and Sustainability Officer.

Additional comments by Council for your consideration in the assessment of the application are as follows:

Section 7.11 Contributions and Security Payment

In accordance with Schedule 1 of *Woollahra Section 94A Development Contributions Plan 2011*, a 1% levy applies with the monies being used for a variety of works as outlined in Schedule 2 of the Policy, as follows:

| Cost of Works | Rate | Contribution Payable |
|---------------|------|----------------------|
| \$125,000,000 | 1% | \$1,250,000 |

Payment of a damage security deposit and infrastructure works bond is also required.

Payment of the section 94A levy, property damage security bond and infrastructure works bond totalling \$1,931,460, is to be enforced via the imposition of a condition to this effect as part of any consent (**Condition 1**).

Traffic and Parking

Council's Traffic Engineer has reviewed the information submitted.

The increased traffic generated by the parking provided and the on-site drop off will increase traffic in peak hours on surrounding roads, particularly New South Head Road, as both encourage greater use of cars.

Comments from the NSW Government architect are supported, that the school needs to encourage alternate modes of travel. In this regard, the following recommendations are made:

- A *Green Travel Plan* is prepared in accordance with Part E1.12 of *Woollahra DCP 2015* (**Condition 2**).
- Adequate on-site provision shall be made for bicycle storage and facilities in accordance with Part E1.6 of *Woollahra DCP 2015* (**Condition 3**).

Suitable conditions including the preparation of a *Construction Management Plan* (**Condition 4**) are recommended to ensure that the proposed redevelopment does not unreasonably impact on the surrounding road network, specifically in relation to pedestrian safety and vehicular traffic during construction.

It is noted that the application proposes a significant volume of excavation, which will have significant implications on the surrounding road network. Details of the volume of excavation and resultant truck movements is required to be submitted as part of the *Construction Traffic Management Plan*.

Trees and Landscaping

The information has been reviewed by Council's Tree Management Team Leader who has determined that there is insufficient information to enable a proper assessment of the developments impact on existing trees. The submitted *Construction Impact Assessment and Management Plan* (prepared by *Botanics Tree Wise People Pty Ltd*, dated April 2018) is required to be amended, as follows:

- The *Tree Strategy* (prepared by *Arcadia*, dated May 2018) shall be updated to include detailed plans showing the location of existing trees with corresponding tree numbers, and trees to be retained.
- A comprehensive assessment of the impact on the trees in accordance with industry standards and arboricultural best practice including *AS4970-2009 Protection of Trees on Development Sites* is to be provided. Note: The *Construction Impact Zone (CIZ)* to justify tree removal and retention is not a commonly used term in *AS4970-2009* or industry best practice.
- Analysis of encroachment into *Tree Protection Zones* and *Structural Root Zones* is to be submitted. Details on the extent and type of encroachment and any design modifications or construction techniques that can be undertaken to minimise impact to trees or to facilitate the retention of more trees is required. This is particularly pertinent to *Tree 39*, which is a *Kauri Pine* listed as an item of Environmental Heritage under *Woollahra LEP 2014*. The *Tree Protection Plan* contains no specific tree protection measures specific to this tree.
- Inconsistencies in the documentation regarding the retention/removal of *Tree 20*. Determining the extent of impact to this tree is not achievable with the information provided. Further details are required, specifically legible levels on the provided *Survey Plan*.

Student and Staff Numbers

Expansions to the college should comply with any current condition(s) of consent restricting student and/or staff numbers.

Urban Design

On balance, the presentation of this development to the public realm is supported from an urban design perspective.

The impact of the proposed redevelopment on the public domain has been considered by Council's Urban Design Officer. The New Centenary Building is regarded by Council's Urban Designer to be well planned and of good quality aesthetically.

The proposed Aquatic and Fitness Centre is considered by Council's Urban Design Officer to provide an improvement to this neglected edge of the Campus, and contribute to the significance of this location where New South Head Road meets the Harbour's edge.

Site Drainage

Council's Drainage Engineer has determined that the development proposal is generally satisfactory, however, details of water sensitive urban design features are lacking and significant opportunities for stormwater harvesting have been overlooked. Suitable conditions are recommended to address these shortfalls as the proposal will have significant water demands (**Conditions 5 and 6**).

Additional standard conditions of consent are recommended with regards to engineering related matters (**Conditions 20 to 51**).

Impacts on Council Infrastructure

Council has resolved to construct a shared cycle path on the southern side of New South Head Road. In order to ensure that the construction of the proposed footpath is compatible with the future shared cycle path, the footpath shall be constructed in concrete with maximum crossfall of 3% and width of 2.5m (**Condition 7**). Additionally, an easement should be created for the proposed footpath located within the property boundary (**Condition 8**).

Any landscaping, private structures such as retaining walls, and seating furniture on Council's property must be maintained by the applicant via a positive covenant (**Condition 9**).

The proposed vehicular crossing is to be constructed in accordance with Council's Specifications (**Condition 10**).

All proposed traffic devices in Rose Bay and Victoria Road are subject to review and are required to be approved by Council's Traffic Engineers.

Additional standard conditions of consent are recommended to manage impacts to Council infrastructure.

Property

The application was reviewed by Council's property officer who concurs with the imposition of a condition of consent requiring a positive covenant to be obtained regarding any encroachment over Council land (**Condition 9**).

Environmental Health

Council's Environmental Health Officer is generally satisfied that the submitted *EIS* has addressed the likely impacts pertaining to Acid Sulfate Soils (ASS), *SEPP 55 – Remediation of Land*, acoustic impacts, waste classification, and hazardous materials.

With regards to acid sulfate affectation, Council is satisfied that sufficient information has been provided to conclude that the formulation of an *Acid Sulfate Soils Management Plan* is not required.

With regards to potential contamination, Council is satisfied that sufficient information has been provided to conclude that the underlying soils at 5 Victoria Road, Bellevue Hill are not contaminated. However, a condition is recommended in the event of '*Unexpected*' contamination.

With regards to in-situ waste classification, Council is satisfied that sufficient information has been provided to account for the expected heterogeneity of the fill material to be disposed off-site to landfill, the management of asbestos, and importation of soils.

With regards to hazardous materials, Council raises no concerns to the submitted *Hazardous Materials Survey and Management Plan*.

With regards to acoustic impacts, Council's Environmental Health Officer notes that the *EIS* fails to address noise control measures during the construction phase of the development. A condition is recommended to address this shortfall.

The following recommendations are made with regards to environmental matters:

- In the instance where site works cause the generation of odours or the uncovering of unexpected contamination hotspot(s), it is recommended that an Unexpected Finds Protocol be prepared to ensure appropriate management of natural soils/fill material which may contain undefined levels of contamination (**Condition 11**).
- Any *Noise Impact Assessment Report* should identify and provide a quantitative assessment of the main noise and vibration generating sources during demolition, site preparation, bulk excavation, construction and operation, and any out of hours community use of school facilities, and outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land. The assessment should have regard to:
 - *NSW Industrial Noise Policy* (EPA)
 - *Interim Construction Noise Guideline* (DECC)
 - *Assessing Vibration: A Technical Guideline 2006*
 - *Development Near Rail Corridors and Busy Roads – Interim Guideline* (Department of Planning 2008) (**Condition 12**).

Heritage

The *Cranbrook School* is listed as a heritage item under Woollahra LEP 2014 and is located in the vicinity of several listed items.

Council's Heritage Officer has reviewed the proposal and determined that the proposed development, whilst extensive, will not adversely affect any heritage items located within the vicinity of the site as the majority are separated from the development by roadways or the school itself.

The location of the new Aquatic Centre Building has considerable historic significance being located opposite the original ferry location and now the site of the Heritage listed Rose Bay Police station. The proposed Aquatic Centre building is considered to have a positive visual impact and provide an improvement to this neglected edge of the campus as well as enhance the significance of the location. The proposal will not detract from the significance of the Police Station building or heritage listed bus stop shelter (former tram stop).

The findings of the assessments made in the *Heritage Impact Statement* and the *Demolition Report* are generally concurred with. The buildings proposed to be demolished have been substantially altered over time and are both Post-war buildings of little significance within the site. The proposed new buildings have been designed to be sympathetic to the significant historic buildings within the site and the character of the school through appropriate scale, bulk and massing and through the use of high quality contemporary, yet sympathetic, materials and finishes. The open space qualities of the oval are retained by incorporating the proposed Aquatic Centre and carpark underground.

With regards to landscaping, there are several heritage listed trees located within the site that will be affected by the proposed works. The landscaping comments above and shortfalls identified within the submitted documentation are concurred with.

With regards to historical archaeology, it is considered likely that any previous archaeology has been disturbed/destroyed over time.

With regards to Aboriginal Heritage, whilst there are no known Aboriginal sites registered within the site, an Aboriginal archaeological assessment undertaken by *Unearthed Archaeology & Heritage* has determined that it is highly likely that the proposed development will impact upon Aboriginal archaeological deposits. In this regard, a condition is recommended to address any 'unexpected finds' during all site works including excavation.

The following recommendations are made from a heritage perspective:

- The recommendations contained within Section 7 of the *Heritage Impact Statement*, prepared by Urbis, Issue 01 dated 07/05/2018, are included as conditions as part of any consent (**Condition 13**).
- A Heritage Interpretation Strategy shall be prepared and heritage interpretation measures incorporated into the design (**Condition 14**).
- A Photographic Archival Recording of all buildings and landscape elements to be demolished should be prepared prior to any work occurring, to provide a record of the current layout and character of the school (**Condition 15**).
- An assessment and inventory of all items of moveable heritage located in or connected with the War Memorial Hall shall be undertaken, retained within the School site and incorporated in the New Centenary Building development (**Condition 16**).
- A suitably qualified heritage architect/consultant should be engaged to oversee all works to buildings identified as being of high significance, including the Perkins Building (**Condition 17**).
- Appropriate mitigation measures are to be implemented to ensure that no damage occurs during construction to the significant Sports Pavilion (Rotunda designed by John Horbury Hunt) (**Condition 18**).
- Historical Archaeology & Aboriginal Heritage:
 - If unexpected archaeological deposits or relics are discovered during construction/excavation, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.
 - Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment & Heritage is to be informed in accordance with Section 89A of the *National Parks and Wildlife Act, 1974* (as amended). Works affecting Aboriginal 'objects' on the site must not continue until the Office of Environment and Heritage has been informed. Aboriginal 'objects' must be managed in accordance with the *National Parks and Wildlife Act, 1974*.
 - Where feasible and appropriate any archaeological relics uncovered by the works should be retained on site and displayed for public appreciation (**Condition 19**).

Environment and Sustainability

Council's Environment and Sustainability Officer has reviewed the information submitted and determined that the proposal is generally satisfactory, however, the following recommendations are made:

Flora and fauna

- New plantings should achieve multiple outcomes including environmental benefits such as flora that encourages small bird and reptile habitat, and not just selected on the basis of aesthetics.
- Any tree removal and new plantings should have regard to an adjacent biodiversity corridor identified in Woollahra Council's *Biodiversity Conservation Strategy*.

Water Sensitive Urban Design (WSUD)

- Additional opportunities for stormwater harvesting as identified by Council's Drainage Engineer should be incorporated.
- The landscape design (Appendix E of the EIS) should be amended to reduce connectivity of stormwater drainage where practicable.
- Permeable/semi-permeable surfaces are encouraged to reduce runoff and should be addressed in the EIS.
- The proposed irrigation of the oval by mains/bore is not ideal, from a WSUD perspective.
- Water demand could be further reduced by using stormwater in addition to rainwater capture and reuse. Section 1.1 of the *Ecological Sustainable Development Report* shall be amended accordingly.
- Stormwater runoff should be captured and re-used for irrigation and treated for non-potable water sources including in the pools and toilets. Existing stormwater drains draining through the site should also be utilised for this purpose which would help the project have a net positive benefit on the surrounding environment by reducing runoff to the marine environment (**Condition's 5 & 6**).

Energy

- Consideration of solar energy components to be addressed.
- Replacement of fixed, permanent lights with sensor lights where appropriate, safety permitting.
- The *Ecological Sustainable Development Report* should be amended to include building products with a low carbon footprint for their total life cycle.

Conclusion

Thank you again for the opportunity of providing advice for the proposed redevelopment of Cranbrook School.

If you require clarification on any issue raised, please don't hesitate to contact **Nick Economou**, Manager – Development Control on 9391 7081, or via email at nick.economou@woollahra.nsw.gov.au.

Yours sincerely



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Annexures

A. Recommended Conditions of Consent (without prejudice)

ANNEXURE A – CONDITIONS OF CONSENT (WITHOUT PREJUDICE)

1. (C.5) Security Deposits

The certifying authority must not issue any *Part 4A Certificate* until provided with the original receipt(s) for the payment of all of the following levy, security, contributions, and fees prior to the issue of a *construction certificate, subdivision certificate or occupation certificate*, as will apply.

| Description | Amount | Indexed | Council Fee Code |
|---|--|-------------------|------------------|
| LONG SERVICE LEVY under Building and Construction Industry Long Service Payments Act 1986 | | | |
| Long Service Levy http://www.lspc.nsw.gov.au/levy_information/?levy_information/levy_calculator.stm | Contact LSL Corporation or use online calculator | No | |
| SECURITY under section 80A(6) of the Environmental Planning and Assessment Act 1979 | | | |
| Property Damage Security Deposit -making good any damage caused to any property of the Council | \$560,000 | No | T115 |
| Infrastructure Works Bond -completing any public work required in connection with the consent. | \$118,500 | No | T113 |
| DEVELOPMENT LEVY under Woollahra Section 94A Development Contributions Plan 2011 This plan may be inspected at Woollahra Council or downloaded at www.woollahra.nsw.gov.au . | | | |
| Development Levy (Section 94A) | \$1,250,000 + Index Amount | Yes, quarterly | T96 |
| INSPECTION FEES under Section 608 of the Local Government Act 1993 | | | |
| Public Road/Footpath Infrastructure Inspection Fee | \$2,766 | No | T45 |
| Security Administration Fee | \$194 | No | T16 |
| TOTAL SECURITY, CONTRIBUTIONS, LEVIES AND FEES | \$1,931,460 plus any relevant indexed amounts and long service levy | | |

Building and Construction Industry Long Service Payment

The Long Service Levy under Section 34 of the *Building and Construction Industry Long Service Payment Act, 1986*, must be paid and proof of payment provided to the *Certifying Authority* prior to the issue of any *Construction Certificate*. The Levy can be paid directly to the Long Services Payments Corporation or to Council. Further information can be obtained from the Long Service Payments Corporation's website <http://www.lspc.nsw.gov.au/> or the Long Service Payments Corporation on 13 14 41.

How must the payments be made?

Payments must be made by:

- Cash deposit with Council,
- Credit card payment with Council, or
- Bank cheque made payable to Woollahra Municipal Council.

The payment of a security may be made by a bank guarantee where:

- The guarantee is by an Australian bank for the amount of the total outstanding contribution;
- The bank unconditionally agrees to pay the guaranteed sum to the Council on written request by Council on completion of the development or no earlier than 12 months from the provision of the guarantee whichever occurs first [NOTE: a time limited bank guarantee or a bank guarantee with an expiry date is not acceptable];
- The bank agrees to pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development in accordance with the development consent;

- The bank guarantee is lodged with the Council prior to the issue of the construction certificate; and
- The bank's obligations are discharged when payment to the Council is made in accordance with the guarantee or when Council notifies the bank in writing that the guarantee is no longer required.

How will the section 94A levy be indexed?

To ensure that the value the development levy is not eroded over time by increases in costs, the proposed cost of carrying out development (from which the development levy is calculated) will be indexed either annually or quarterly (see table above). Clause 3.13 of the Woollahra Section 94A Development Contributions Plan 2011 sets out the formula and index to be used in adjusting the s.94A levy.

Do you need HELP indexing the levy?

Please contact our customer service officers. Failure to correctly calculate the adjusted development levy will delay the issue of any Part 4A Certificate and could void any Part 4A Certificate (construction certificate, subdivision certificate, or occupation certificate).

Deferred or periodic payment of section 94A levy under the Woollahra Section 94A Development Contributions Plan 2011

Where the applicant makes a written request supported by reasons for payment of the section 94A levy other than as required by clause 3.9, the Council may accept deferred or periodic payment. The decision to accept a deferred or periodic payment is at the sole discretion of the Council, which will consider:

- The reasons given;
- Whether any prejudice will be caused to the community deriving benefit from the public facilities;
- Whether any prejudice will be caused to the efficacy and operation of the plan; and
- Whether the provision of public facilities in accordance with the adopted works schedule will be adversely affected.

Council may, as a condition of accepting deferred or periodic payment, require the provision of a bank guarantee where:

- The guarantee is by an Australian bank for the amount of the total outstanding contribution;
- The bank unconditionally agrees to pay the guaranteed sum to the Council on written request by Council on completion of the development or no earlier than 12 months from the provision of the guarantee whichever occurs first [NOTE: a time limited bank guarantee or a bank guarantee with an expiry date is not acceptable];
- The bank agrees to pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development in accordance with the development consent;
- The bank guarantee is lodged with the Council prior to the issue of the construction certificate; and
- The bank's obligations are discharged when payment to the Council is made in accordance with the guarantee or when Council notifies the bank in writing that the guarantee is no longer required.

Any deferred or periodic payment of the section 94A levy will be adjusted in accordance with clause 3.13 of the plan. The applicant will be required to pay any charges associated with establishing or operating the bank guarantee. Council will not cancel the bank guarantee until the outstanding contribution as indexed and any accrued charges are paid.

Standard Condition: C5

2. Green Travel Plan

A *Green Travel Plan*, prepared by a suitably qualified Traffic Engineer is to be prepared in accordance with Part E1.12 of *Woollahra DCP 2015*. The recommendations of the report shall be fully complied with and integrated into the design of the development.

3. On-site Bicycle Facilities

On-site bicycle storage and facilities are to be provided in accordance with Part E1.6 of *Woollahra DCP 2015*.

4. (D.9) Construction Management Plan

As a result of the site constraints, limited space and access a Construction Management Plan (CMP) is to be submitted to Council. Also, due to lack of on-street parking a Work Zone may be required during construction.

The principal contractor or owner must submit an application for approval of the Construction Management Plan by Council's Traffic Engineer and pay all fees associated with the application. The plan must be submitted as a self-contained document that outlines the nature of the construction project and as applicable, include the following information:-

- a) Detail the scope of the works to be completed including details of the various stages, e.g. Demolition, Excavation, Construction etc. and the duration of each stage.
- b) Identify local traffic routes to be used by construction vehicles.
- c) Identify ways to manage construction works to address impacts on local traffic routes.
- d) Identify other developments that may be occurring in the area and identify ways to minimise the cumulative traffic impact of these developments. Should other developments be occurring in close proximity (500m or in the same street) to the subject site, the developer/builder is to liaise fortnightly with the other developers/builders undertaking work in the area in order to minimise the cumulative traffic and parking impacts of the developments.
- e) Detail how construction workers will travel to and from the site and parking arrangements for those that drive.
- f) Identify any proposed road closures, temporary traffic routes, loss of pedestrian or cyclist access or reversing manoeuvres onto a public road and provide Traffic Control Plans (TCPs) prepared by an accredited RMS Red or Orange card holder to manage these temporary changes.
- g) Detail the size (including dimensions), numbers and frequency of arrival of the construction vehicles that will service the site for each stage of works.
- h) Provide for the standing of vehicles during construction.
- i) If construction vehicles are to be accommodated on the site, provide a scaled drawing showing where these vehicles will stand and the vehicle swept path to show that these vehicles can access and egress the site in a forward direction (including dimensions and all adjacent traffic control devices, such as parking restrictions, pedestrian facilities, kerb extensions, etc.).
- j) If trucks are to be accommodated on Council property, provide a scaled drawing showing the location of any proposed Works Zone (including dimensions and all adjacent traffic control devices, such as parking restrictions, pedestrian facilities, kerb extensions, etc.).
- k) Show the location of any site sheds and any anticipated use of cranes and concrete pumps and identify the relevant permits that will be required.
- l) If a crane/s are to be accommodated on site, detail how the crane/s will be erected and removed, including the location, number and size of vehicles involved in the erection/removal of the crane/s, the duration of the operation and the proposed day and times, any full or partial road closures required to erect or remove the crane/s and appropriate Traffic Control Plans (TCPs) prepared by an approved RMS Red or Orange Card holder.
- m) Make provision for all materials, plant, etc. to be stored within the development site at all times during construction.
- n) State that any oversized vehicles proposed to operate on Council property (including Council approved Works Zones) will attain a Permit to Stand Plant on each occasion (Note: Oversized vehicles are vehicles longer than 7.5m or heavier than 4.5T).
- o) Show the location of any proposed excavation and estimated volumes.
- p) When demolition, excavation and construction works are to be undertaken on school days, all vehicular movements associated with this work shall only be undertaken

between the hours of 9.30am and 2.30pm, in order to minimise disruption to the traffic network during school pick up and drop off times.

- q) Show the location of all Tree Protection (Exclusion) zones (Note: storage of building materials or access through Reserve will not be permitted without prior approval by Council).

Note: A minimum of eight weeks will be required for assessment. Work must not commence until the Construction Management Plan is approved. Failure to comply with this condition may result in fines and proceedings to stop work.
Standard Condition: D9 (Autotext: DD9)

5. Water Sensitive Design

The applicant is to provide integrated water sensitive design which includes the following at a minimum:

- A rainwater/stormwater collection tanks/s (harvest tanks) with a minimum additional capacity of 200m³.
- A stormwater diversion system that continually diverts and treats water from the existing Council drainage system is to be implemented
- All new roof areas hard paved areas are to be directed to the harvest tanks.
- The integrated water sensitive design system is to be designed to meet or exceed Councils water treatment guidelines

6. Water Quality Measures

Water quality measures are installed that meet the following environmental targets for stormwater runoff leaving the site:

- a) 90% removal of gross pollutants (> 5mm);
- b) 85% removal of total suspended solids;
- c) 65% removal of total phosphorous; and
- d) 45% removal of total nitrogen.

7. New South Head Road Footpath Specifications

The footpath fronting New South Head Road shall be built with the following specifications in order to accommodate a shared cycle path:

- The width of the footpath is to be 2.5m.
- The footpath shall be constructed in concrete.
- A maximum crossfall of 3% shall be provided.

8. Creation of Easement for Access for the Public Footpath located within Private Property

An easement for access shall be created for any portion of the proposed footpath adjacent New South Head Road located within the property boundary.

9. (H.19) Covenant for Private Works on Council Property

Prior to the granting of any Occupation Certificate and to ensure that all private structures on Council public road reserve are in accordance with Council's "Policy for Managing Encroachments on Council Road Reserves", the person with the benefit of this consent, being the owner of Cranbrook School, must enter into a legal agreement with the Council for the associated landscaping works and placement of private structures on Council's property.

The owner must enter into a legal agreement as follows:

- The registration on the title to the subject property to which this consent relates of a Public Positive Covenant pursuant to S88E of the Conveyancing Act 1919 burdening the subject property and benefiting the Council providing for the indemnification of Council from any claims or actions, and the ongoing maintenance of any private structures encroaching on the public road reserve for which consent has been given, such as steps, retaining walls, sitting furniture, access ways, overhang, balconies, awnings, signs and the like. This process has an estimated timeframe of 2 months.
- The wording of the Public Positive Covenant must be in accordance with Council's standard format and the Instrument must be registered at the Land Property Information Office prior to the issuance of any Occupation Certificate.
- The property owner must pay Council monetary compensation for the Public Positive Covenant, as determined by the Council, and must also pay all of Council's associated costs.

Note: The required wording of the Instrument can be downloaded from Council's web site www.woollahra.nsw.gov.au. The PCA must supply a copy of the WAE Plans to Council together with the *Occupation Certificate*.

Note: No *Occupation Certificate* must be issued until this condition has been satisfied.

10. (C.13) Road and public Domain Works

A separate application under Section 138 of the *Roads Act* 1993 is to be made to, and be approved by Council as the road authority, for the following infrastructure works prior to the issuing of any Construction Certificate. The infrastructure works must be carried out at the applicant's expense:

1. Road & Footpath Works

- a) The removal of existing kerb and gutter and the construction of a new 5.5 metres wide vehicular crossing for vehicular access into the proposed basement parking in accordance with Council's standard driveway drawing RF2_D. The new crossing shall be constructed at right angle to the street kerb in plain concrete. A design longitudinal surface profile for the proposed driveway must be submitted for assessment.
- b) The removal of existing kerb and gutter and the construction of a new 3 metres wide vehicular crossing for vehicular access into the proposed maintenance building in accordance with Council's standard driveway drawing RF2_D. The new crossing shall be constructed at right angle to the street kerb in plain concrete. A design longitudinal surface profile for the proposed driveway must be submitted for assessment.
- c) The removal of the existing kerb ramp and the construction of a new kerb ramp in accordance with Council's Specification.
- d) The reconstruction of the existing kerb and gutter, between the new vehicular crossing for access into the maintenance building and the new kerb ramp removal of existing kerb and gutter in plain concrete accordance with Council's standard driveway drawing RF2_D.
- e) The reconstruction of the existing footpath across the frontage of the proposed works in New South Head Road in accordance with Council's standard driveway

drawing RF2_D. It is required that the footpath shall be built with the following specification:

- The width of the footpath is to be 2.5m.
- The footpath shall be constructed in concrete.
- A maximum crossfall of 3% shall be provided.

Detailed long section and cross section at every 5m interval shall be prepared by a suitably qualified and experienced civil engineer.

- f) The construction of all traffic devices, associated landscaping and infrastructure (footpath, kerb and gutter and road pavement) works on Council's property in accordance with Council's Specification and relevant Australian Standards. Detailed design including certification from the designing structural/civil engineer must be submitted with the application certifying that all works are designed in accordance with Council's Specification and the relevant Australian Standards.
- g) Where a grass verge exists, the balance of the area between the footpath and the kerb over the full frontage of the proposed development must be turfed. The grass verge must be constructed to contain a uniform minimum 75mm of friable growing medium and have a total cover of Couch turf.

2. Bond

- a) A bond of \$118,500 will be used as security to ensure the satisfactory completion of the infrastructure works. The security or bank guarantee must be the original unconditional bank guarantee with no expiry date.
- b) Council may use all or part of the Infrastructure Bond as well as the Property Damage Security Deposit to meet the cost of removing or completing the works if they do not meet Council's requirements.
- c) The Deposit/Bond will not be released until Council has inspected the site and is satisfied that the Works have been completed in accordance with Council approved drawings and to Council requirements

Note: To ensure that this work is completed to Council's satisfaction, this consent by separate condition, may impose one or more Infrastructure Works Bonds.

Note: *Road* has the same meaning as in the *Roads Act 1993*.

Note: The intent of this condition is that the design of the road, footpaths, driveway crossings and public stormwater drainage works must be detailed and approved prior to the issue of any *Construction Certificate*. Changes in levels may arise from the detailed design of buildings, road, footpath, driveway crossing grades and stormwater. Changes required under *Roads Act 1993* approvals may necessitate design and levels changes under this consent. This may in turn require the applicant to seek to amend this consent.

Note: See condition K24 in *Section K. Advising*s of this Consent titled *Roads Act Application*.

11. **Unexpected Finds**

In the instance where site works cause the generation of odours or the uncovering of unexpected contamination hotspot(s), it is recommended that an Unexpected Finds Protocol be prepared to ensure appropriate management of natural soils/fill material which may contain undefined levels of contamination.

12. **Revised Noise Impact Assessment Report**

The submitted *Noise Impact Assessment Report*, prepared by *Acoustic Logic*, shall be amended to identify and provide a quantitative assessment of the main noise and vibration

generating sources during demolition, site preparation, bulk excavation, construction and operation, and any out of hours community use of school facilities, and outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land. The assessment should have regard to:

- *NSW Industrial Noise Policy* (EPA);
- *Interim Construction Noise Guideline* (DECC);
- *Assessing Vibration: A Technical Guideline 2006*; and
- *Development Near Rail Corridors and Busy Roads – Interim Guideline* (Department of Planning 2008).

13. Compliance with recommendations of Heritage Impact Statement

The recommendations contained within Section 7 of the *Heritage Impact Statement* prepared by Urbis, Issue 03 dated 07/05/2018 shall be fully complied with, as follows:

- *It is recommended that a Photographic Archival Recording (PAR) is undertaken where works are proposed, prior to any works being undertaken at the site;*
- *An assessment and inventory of all items of moveable heritage located in or connected with the War Memorial Hall shall be undertaken. These elements should be incorporated in the New Centenary Building development;*
- *An Interpretation Plan should be developed to convey the development and significance of the site to students and visitors to the site;*
- *During the excavation process, should any object with archaeological potential be uncovered, all work is to cease and a suitably qualified archaeologist engaged;*
- *A suitably qualified heritage architect/consultant should be engaged to oversee all works to buildings of identified high significance, including the Perkins Building; and*
- *A suitable protection methodology shall be prepared prior to works commencing on site to protect the significant Kauri Pine and rock face located in Camelia Court.*

14. Heritage Interpretation Strategy

A Heritage Interpretation Strategy shall be prepared and heritage interpretation measures incorporated into the design.

15. Photographic Archival Recording

A Photographic Archival Recording of all buildings and landscape elements to be demolished shall be prepared prior to any work occurring, to provide a record of the current layout and character of the school.

16. Inventory of Moveable Heritage

An assessment and inventory of all items of moveable heritage located in or connected with the War Memorial Hall shall be undertaken, retained within the School site and incorporated in the New Centenary Building development.

17. Heritage Architect/Consultant to Oversee Project

A suitably qualified heritage architect/consultant shall be engaged to oversee all works to buildings identified as being of high significance, including the Perkins Building.

18. Mitigation Measures to Ensure No Impacts to Sports Pavilion (Rotunda)

Appropriate mitigation measures are to be implemented to ensure that no damage occurs during construction to the significant Sports Pavilion (Rotunda designed by John Horbury Hunt).

19. Archaeological and Aboriginal Heritage – Unexpected Finds

If unexpected archaeological deposits or relics are discovered during construction/excavation, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment & Heritage is to be informed in accordance with Section 89A of the *National Parks and Wildlife Act, 1974* (as amended). Works affecting Aboriginal 'objects' on the site must not continue until the Office of Environment and Heritage has been informed. Aboriginal 'objects' must be managed in accordance with the *National Parks and Wildlife Act, 1974*.

Where feasible and appropriate any archaeological relics uncovered by the works should be retained on site and displayed for public appreciation.

20. (A.8) Ancillary Aspects of the Development

The owner must procure the repair, replacement or rebuilding of all road pavement, kerb, gutter, footway, footpaths adjoining the site or damaged as a result of work under this consent or as a consequence of work under this consent. Such work must be undertaken to Council's satisfaction in accordance with Council's "Specification for Roadworks, Drainage and Miscellaneous Works" dated February 2012 unless expressly provided otherwise by these conditions at the *owner's* expense.

Note: This condition does not affect the *principal contractor's* or any sub-contractors obligations to protect and preserve public infrastructure from damage or affect their liability for any damage that occurs.
Standard Condition: A8 (Autotext AA8)

21. (B.7) Public Road Assets prior to any work/demolition

To clarify the condition of the existing public infrastructure prior to the commencement of any development (including prior to any demolition), the *Applicant* or *Owner* must submit to Council a full record of the condition of the Public Road infrastructure adjacent to the development site.

The report must be submitted to Council prior to the commencement of any work and include photographs showing current condition and any existing damage fronting and adjoining the site to the:

- road pavement,
- kerb and gutter,
- footway including footpath pavement and driveways,
- retaining walls within the footway or road, and
- drainage structures/pits.

The reports are to be supplied in both paper copy and electronic format in Word. Photographs are to be in colour, digital and date stamped.

If the required report is not submitted then Council will assume there was no damage to any infrastructure in the immediate vicinity of the site prior to the commencement of any work under this consent.

Note: If the Applicant or Owner fails to submit the Asset condition report required by this condition and damage is occasioned to public assets adjoining the site, Council will deduct from security any costs associated with remedying, repairing or replacing damaged public infrastructure. Nothing in this condition prevents Council making any claim against security held for this purpose
Standard Condition: B7

22. (C.21) Provision for Energy Supplies

The applicant must provide to the *Certifying Authority* a letter from Energy Australia setting out Energy Australia's requirements relative to the provision of electricity/gas supply to the development.

Any required substation must be located within the boundaries of the site. Where an electricity substation is required within the site but no provision has been made to place it within the building and such substation has not been detailed upon the approved development consent plans a section 96 application is required to be submitted to Council. Council will assess the proposed location of the required substation.

The *Construction Certificate* plans and specifications, required to be submitted pursuant to clause 139 of the *Regulation*, must detail provisions to meet the requirements of Energy Australia.

Where the substation is required the *Construction Certificate* plans and specifications must provide:

- a) A set back not less than 3m from the road boundary and dense landscaping of *local native plants* to screen the substation from view within the streetscape,
- b) A set back not less than 3m from any other site boundary (fire source feature) and not within the areas required to be kept clear of obstructions to vehicle visibility pursuant to clause 3.2.4 of AS2890.1-1993(See: Figures 3.2 and 3.3),
- c) A set back to and not within the drip line of any existing tree required to be retained,
- d) A setback not less than the 10m from any NSW Fire Brigade booster connection as prescribed by clause 5.6.3(d)(iii) of AS 2419.1-1994 or be separated from any booster connections by a construction with a fire resistance rating of not less than FRL 90/90/90 for a distance of not less than 2 m each side of and 3 m above the upper hose connections in the booster assembly pursuant to clause 5.6.3(c)(ii) of AS 2419.1-1994, and
- e) The owner shall dedicate to the appropriate energy authority, free of cost, an area of land adjoining the street alignment to enable an electricity substation to be established, if required. The size and location of the electricity substation is to be in accordance with the requirements of the appropriate energy authority and Council. The opening of any access doors must not intrude onto the public road reserve.

Note: If the substation is not located within the building its location, screening vegetation, all screen walls or fire separating walls must have been approved by the grant of development consent or amended development consent prior to the issue of any *Construction Certificate* for those works. Documentary evidence of compliance, including correspondence from the energy authority is to be provided to the *Certifying Authority* prior to issue of the *Construction Certificate*. The *Certifying Authority* must be

satisfied that the requirements of energy authority have been met prior to issue of the *Construction Certificate*.

Note: This condition has been imposed because the application fails to provide sufficient detail (either by plans or by the Statement of Environmental Effects) demonstrating that provision has been made to Energy Australia's satisfaction for the provision of electricity supply to the building. Nevertheless, Council has no reason to believe that provision cannot be reasonably made for electricity to service the development.

Note: Where it is proposed to shield any booster connection or any building from any substation pursuant to clause 5.6.3(c)(ii) of AS 2419.1-1994 or by fire resisting construction under the *BCA* respectively and this construction has not been detailed upon the approved development consent plans such works should be considered inconsistent with consent pursuant to clause 145 of the *Regulation*. The Applicant must lodge with Council details for any such construction pursuant to section 96 of the *Act* to allow assessment under section 79C of the *Act*.

Note: Substations must not be located within the minimum sight distance at driveway entrances under Australian Standard AS/NZS 2890 (Set)-2004 Parking Facilities Set whether such driveways service the site or any adjoining land.

Standard Condition: C21

23. (C.25) Soil and Water Management Plan – Submissions and Approval

The *principal contractor* or *owner builder* must submit to the *Certifying Authority* a soil and water management plan complying with:

- a) "Do it Right On Site, Soil and Water Management for the Construction Industry" published by the Southern Sydney Regional Organisation of Councils, 2001; and
- b) "Managing Urban Stormwater - Soils and Construction" published by the NSW Department of Housing 4th Edition" (*The Blue Book*).

Where there is any conflict *The Blue Book* takes precedence. The *Certifying Authority* must be satisfied that the soil and water management plan complies with the publications above prior to issuing any *Construction Certificate*.

Note: This condition has been imposed to eliminate potential water pollution and dust nuisance.

Note: The International Erosion Control Association – Australasia <http://www.austieca.com.au/> lists consultant experts who can assist in ensuring compliance with this condition. Where erosion and sedimentation plans are required for larger projects it is recommended that expert consultants produce these plans.

Note: The "Do it Right On Site, Soil and Water Management for the Construction Industry" publications can be down loaded free of charge from <http://www.woollahra.nsw.gov.au/>.

Note: Pursuant to clause 161(1)(a)(5) of the *Regulation* an *Accredited Certifier* may be satisfied as to this matter.

Standard Condition: C25

24. (C.36) Professional Engineering Details

The *Construction Certificate* plans and specifications, required by clause 139 of the *Regulation*, must include detailed *professional engineering* plans and/or specifications for all structural, electrical, hydraulic, hydro-geological, geotechnical, mechanical and civil work complying with this consent, approved plans, the statement of environmental effects and supporting documentation.

Detailed professional engineering plans and/or specifications must be submitted to the *Certifying Authority* with the application for any *Construction Certificate*.

Note: This does not affect the right of the developer to seek staged *Construction Certificates*.

Standard Condition: C36

25. (C.40) Geotechnical and Hydrogeological Design, Certification & Monitoring

The *Construction Certificate* plans and specification required to be submitted to the *Certifying Authority* pursuant to clause 139 of the *Regulation* must be accompanied by a *Geotechnical / Hydrogeological Monitoring Program* together with civil and structural engineering details for foundation retaining walls, footings, basement tanking, and subsoil drainage systems, as applicable, prepared by a *professional engineer*, who is suitably qualified and experienced in geotechnical and hydrogeological engineering. These details must be certified by the *professional engineer* to:

- a) Provide appropriate support and retention to ensure there will be no ground settlement or movement, during excavation or after construction, sufficient to cause an adverse impact on adjoining property or public infrastructure.
- b) Provide appropriate support and retention to ensure there will be no adverse impact on surrounding property or infrastructure as a result of changes in local hydrogeology (behaviour of groundwater).
- c) Provide foundation tanking prior to excavation such that any temporary changes to the groundwater level, during construction, will be kept within the historical range of natural groundwater fluctuations. Where the historical range of natural groundwater fluctuations is unknown, the design must demonstrate that changes in the level of the natural water table, due to construction, will not exceed 0.3m at any time.
- d) Provide tanking of all below ground structures to prevent the entry of all ground water such that they are fully tanked and no on-going dewatering of the site is required.
- e) Provide a Geotechnical and Hydrogeological Monitoring Program that:
 - Will detect any settlement associated with temporary and permanent works and structures;
 - Will detect deflection or movement of temporary and permanent retaining structures (foundation walls, shoring bracing or the like);
 - Will detect vibration in accordance with AS 2187.2-1993 Appendix J including acceptable velocity of vibration (peak particle velocity);
 - Will detect groundwater changes calibrated against natural groundwater variations;
 - Details the location and type of monitoring systems to be utilised;
 - Details the pre-set acceptable limits for peak particle velocity and ground water fluctuations;
 - Details recommended hold points to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
 - Details a contingency plan.

Standard Condition: C40 (Autotext: CC40)

26. (C.41) Ground Anchors

This development consent does NOT give approval to works or structures over, on or under public roads or footpaths excluding minor works subject to separate Road Opening Permit.

The use of permanent ground anchors under Council land is not permitted.

Temporary ground anchors may be permitted, in accordance with Council's "Rock Anchor Policy", where alternative methods of stabilisation would not be practicable or viable, and where there would be benefits in terms of reduced community impact due to a shorter construction period, reduced disruption to pedestrian and vehicular traffic on adjacent public roads, and a safer working environment.

If temporary ground anchors under Council land are proposed, a separate application, including payment of fees, must be made to Council under Section 138 of the *Roads Act* 1993. Application forms and Council's "Rock Anchor Policy" are available from Councils web-site <http://www.woollahra.nsw.gov.au>. Approval may be granted subject to conditions of consent. Four weeks should be allowed for assessment.

Note: To ensure that this work is completed to Council's satisfaction, this consent by separate condition, may impose one or more Infrastructure Works Bonds.

Note: *Road* has the same meaning as in the *Roads Act* 1993.

Note: Clause 20 of the *Roads (General) Regulation 2000* prohibits excavation in the vicinity of roads as follows: "Excavations adjacent to road - A person must not excavate land in the vicinity of a road if the excavation is capable of causing damage to the road (such as by way of subsidence) or to any work or structure on the road." Separate approval is required under the *Roads Act* 1993 for any underpinning, shoring, soil anchoring (temporary) or the like within or under any road. Council will not give approval to permanent underpinning, shoring, soil anchoring within or under any road.
Standard Condition: C41 (Autotext: CC41)

27. (C.45) Car and Commercial Parking Details

The *Construction Certificate* plans and specifications required by clause 139 of the *Regulation*, must include detailed plans and specifications for all bicycle, car and commercial vehicle parking in compliance with AS2890.3:1993 *Parking Facilities - Bicycle Parking Facilities*, AS/NZS 2890.1:2004 : *Parking Facilities - Off-Street Car Parking* and AS 2890.2:2002 – *Off-Street Parking: Commercial Vehicle Facilities* respectively.

Access levels and grades must comply with access levels and grade required by Council under the *Roads Act* 1993.

The *Certifying Authority* has no discretion to reduce or increase the number or area of car parking or commercial parking spaces required to be provided and maintained by this consent.

Standard Condition: C45 (Autotext: CC45)

28. (C.51) Stormwater Management Plan (Site greater than 500m²)

The *Construction Certificate* plans and specifications, required by Clause 139 of the *Regulation*, must include a *Stormwater Management Plan* for the site. The *Stormwater Management Plan* must detail:

a) General design in accordance with stormwater plans prepared by AECOM, with the following amendments:

1. *The applicant is to provide integrated water sensitive design which includes the following at a minimum:*
 - i) *A rainwater/stormwater collection tanks/s (harvest tanks) with a minimum additional capacity of 200m³.*
 - ii) *A stormwater diversion system that continually diverts and treats water from the existing Council drainage system is to be implemented*
 - iii) *All new roof areas hard paved areas are to be directed to the harvest tanks.*
 - iv) *The integrated water sensitive design system is to be designed to meet or exceed Councils water treatment guidelines.*
2. *Water quality measures are installed that meet the following environmental targets for stormwater runoff leaving the site:*
 - i) *90% removal of gross pollutants (> 5mm);*
 - ii) *85% removal of total suspended solids;*

- iii) 65% removal of total phosphorous; and
- iv) 45% removal of total nitrogen.
- b) Compliance the objectives and performance requirements of the BCA;
- c) The installation of minimum 100m³ rainwater tank which is to be connected for non-potable uses such as all toilet flushings, laundry devices and garden irrigations. Overflow from the rainwater tank shall be directed to the proposed on-site absorption system;
- d) The installation of bio-retention system to achieve the water quality targets stipulated in Chapter E2.2.3 of Council's DCP; and
- e) General compliance with the Council's Woollahra DCP 2015 Chapter E2 – Stormwater and Flood Risk Management.

The *Stormwater Management Plan* must also include the following specific requirements

Layout plan

A detailed drainage plan at a scale of 1:100 based on drainage calculations prepared in accordance with the Institute of Engineers Australia publication, *Australian Rainfall and Run-off, 1987* edition or most current version thereof. It must include:

- a) All pipe layouts, dimensions, grades, lengths and material specification,
- b) Location of proposed rainwater tanks,
- c) All invert levels reduced to Australian Height Datum (AHD),
- d) Location and dimensions of all drainage pits,
- e) Point and method of connection to Councils drainage infrastructure, and
- f) Overland flow paths over impervious areas.

Rainwater Reuse System details:

- a) Any potential conflict between existing and proposed trees and vegetation,
- b) Internal dimensions and volume of the proposed rainwater storage,
- c) Plans, elevations and sections showing the rainwater tanks, finished surface level and adjacent structures,
- d) Details of access and maintenance facilities,
- e) Construction and structural details of all tanks and pits and/or manufacturer's specifications for proprietary products,
- f) Details of the emergency overland flow-path (to an approved Council drainage point) in the event of a blockage to the rainwater tanks,

Note: This Condition is imposed to ensure that site stormwater is disposed of in a controlled and sustainable manner.

Note: The collection, storage and use of rainwater is to be in accordance with *Standards Australia HB230-2008 "Rainwater Tank Design and Installation Handbook"*.

29. (D.5) Dilapidation Reports for Public Infrastructure

To clarify the existing state of public infrastructure prior to the commencement of any development (including prior to any demolition), the *Principal Contractor* must submit a dilapidation report, prepared by a *professional engineer*, on Council's infrastructure within and near the development site.

The dilapidation report must be submitted to Council prior to the commencement of any work and include:

- a) Photographs showing any existing damage to the road pavement fronting the site,
- b) Photographs showing any existing damage to the kerb and gutter fronting the site,
- c) Photographs showing any existing damage to the footway including footpath pavement fronting the site,
- d) Photographs showing any existing damage to retaining walls within the footway or road, and
- e) Closed circuit television/video inspection (in DVD format) of public stormwater drainage systems fronting, adjoining or within the site and
- f) The full name and signature of the professional engineer.

The reports are to be supplied in both paper copy and electronic format in Word. Photographs are to be in colour, digital and date stamped.

The dilapidation report must specify (with supporting photographic/DVD evidence) the exact location and extent of any damaged or defective public infrastructure prior to the commencement of any work. If the required report is not submitted then Council will assume there was no damage to any infrastructure in the immediate vicinity of the site prior to the commencement of any work under this consent.

Note: If the Principal Contractor fails to submit the dilapidation report required by this condition and damage is occasioned to public assets adjoining the site Council will deduct from security any costs associated with remedying, repairing or replacing damaged public infrastructure. Nothing in this condition prevents Council making any claim against security held for this purpose.
Standard Condition: D5 (Autotext DD5)

30. (D.6) Adjoining Buildings Founded on Loose Foundation Materials

The *principal contractor* must ensure that a *professional engineer* determines the possibility of any adjoining buildings founded on loose foundation materials being affected by piling, piers or excavation. The *professional engineer* (geotechnical consultant) must assess the requirements for underpinning any adjoining or adjacent buildings founded on such soil on a case by case basis and the *principal contractor* must comply with any reasonable direction of the *professional engineer*.

Note: A failure by contractors to adequately assess and seek professional engineering (geotechnical) advice to ensure that appropriate underpinning and support to adjoining land is maintained prior to commencement may result in damage to adjoining land and buildings. Such contractors are likely to be held responsible for any damages arising from the removal of any support to supported land as defined by section 177 of the *Conveyancing Act 1919*.
Standard Condition: D6 (Autotext DD6)

31. (D.7) Piezometers for monitoring of Ground Water Levels (GWL)

The *principal contractor* must provide 2 piezometers within the excavation area and a further 2 piezometers around the perimeter of the wall. The piezometers are to be installed to monitor groundwater levels before and during all dewatering works for the construction phase.

The Ground Water Levels monitoring wells and monitoring program must be maintained until the issue of the *Final Occupation Certificate*.

Ground Water Levels are to be regularly monitored during the course of the works as required by the Work Method Statement for the control of Ground Water Levels. Any damaged piezometers are to be replaced to allow uninterrupted monitoring.

Where there are any movements in the Ground Water Levels outside a safe range set by the Work Method Statement for the control of Ground Water Levels corrective action must be undertaken under the direction of the *professional engineer* (hydrological/geotechnical engineer).

Standard Condition: D7 (Autotext DD7)

32. (D.10) Works (Construction) Zone – Approval & Implementation

A works zone may be required for this development. The *principal contractor* or *owner* can apply for a works zone. If the works zone is approved the *principal contractor* or *owner* must pay all fees for this works zone before it can be installed.

The *principal contractor* must pay all fees associated with the application and occupation and use of the road as a works zone. All works zone signs must have been erected by Council to permit enforcement of the works zone by Rangers and Police before commencement of any work. Signs are not erected until full payment of works zone fees.

Note: The *principal contractor* or *owner* must allow not less than four to six weeks (for routine applications) from the date of making an application to the Traffic Committee (Woollahra Local Traffic Committee) constituted under the Clause 22 of the *Transport Administration (General) Regulation 2000* to exercise those functions delegated by the Roads and Traffic Authority under Section 50 of the *Transport Administration Act 1988*.

Note: The enforcement of the works zone is at the discretion of Council's Rangers and the NSW Police Service. The principal contractor must report any breach of the works zone to either Council or the NSW Police Service.

Standard Condition: D10 (Autotext DD10)

33. (D.14) Erosion and Sediment Controls – Installation

The *principal contractor* or *owner builder* must install and maintain water pollution, erosion and sedimentation controls in accordance with:

- a) The *Soil and Water Management Plan* if required under this consent;
- b) “*Do it Right On Site, Soil and Water Management for the Construction Industry*” published by the Southern Sydney Regional Organisation of Councils, 2001; and
- c) “*Managing Urban Stormwater - Soils and Construction*” published by the NSW Department of Housing 4th Edition” (‘The Blue Book’).

Where there is any conflict The Blue Book takes precedence.

Note: The International Erosion Control Association – Australasia (<http://www.austieca.com.au/>) lists consultant experts who can assist in ensuring compliance with this condition. Where Soil and Water Management Plan is required for larger projects it is recommended that this be produced by a member of the International Erosion Control Association – Australasia.

Note: The “Do it Right On Site, Soil and Water Management for the Construction Industry” publications can be down loaded free of charge from www.woollahra.nsw.gov.au.

Note: A failure to comply with this condition may result in penalty infringement notices, prosecution, notices and orders under the Act and/or the *Protection of the Environment Operations Act 1997* **without any further warning**. It is a criminal offence to cause, permit or allow pollution.

Note: Section 257 of the *Protection of the Environment Operations Act 1997* provides inter alia that “the occupier of premises at or from which any pollution occurs is taken to have caused the pollution”

Warning: Irrespective of this condition any person occupying the site may be subject to proceedings under the *Protection of the Environment Operations Act 1997* where pollution is caused, permitted or allowed as the result of their occupation of the land being developed.

Standard Condition: D14 (Autotext DD14)

34. (E.3) Compliance with Construction Management Plan

All development activities and traffic movements must be carried out in accordance with the approved construction management plan. All controls in the Plan must be maintained at all times. A copy of the Plan must be kept on-site at all times and made available to the *PCA* or *Council* on request.

Note: Irrespective of the provisions of the Construction Management Plan the provisions of traffic and parking legislation prevails.

Standard Condition: E3 (Autotext EE3)

35. (E.7) Maintenance of Vehicular and Pedestrian Safety and Access

The *principal contractor* or *owner builder* and any other person acting with the benefit of this consent must:

- a) Not erect or maintain any gate or fence swing out or encroaching upon the road or the footway.
- b) Not use the road or footway for the storage of any article, material, matter, waste or thing.
- c) Not use the road or footway for any *work*.
- d) Keep the road and footway in good repair free of any trip hazard or obstruction.
- e) Not stand any plant and equipment upon the road or footway.
- f) Provide a clear safe pedestrian route a minimum of 1.5m wide.
- g) Protect heritage listed street name inlays in the footpath which are not to be removed or damaged during development.

This condition does not apply to the extent that a permit or approval exists under the section 73 of the *Road Transport (Safety and Traffic Management) Act 1999*, section 138 of the *Roads Act 1993* or section 94 of the *Local Government Act 1993* except that at all time compliance is required with:

- a) Australian Standard AS 1742 (Set) Manual of uniform traffic control devices and all relevant parts of this set of standards.
- b) Australian Road Rules to the extent they are adopted under the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

Note: Section 73 of the *Road Transport (Safety and Traffic Management) Act 1999* allows the Police to close any road or road related area to traffic during any temporary obstruction or danger to traffic or for any temporary purpose. Any road closure requires Police approval.

Note: Section 138 of the *Roads Act 1993* provides that a person must not:

- erect a structure or carry out a work in, on or over a public road, or
- dig up or disturb the surface of a public road, or
- remove or interfere with a structure, work or tree on a public road, or
- pump water into a public road from any land adjoining the road, or
- connect a road (whether public or private) to a classified road, otherwise than with the consent of the appropriate roads authority.

Note: Section 68 of the *Local Government Act 1993* provides that a person may carry out certain activities only with the prior approval of the council including:

- Part C Management of Waste:
 - a. For fee or reward, transport waste over or under a public place
 - b. Place waste in a public place
 - c. Place a waste storage container in a public place.”
- Part E Public roads:
 - a. Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway

- b. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.”
- c. Any work in, on or over the Road or Footway requires *Council* Approval and in the case of classified roads the NSW Roads and Traffic Authority. Road includes that portion of the road uses as a footway.
Standard Condition: E7 (Autotext EE7)

36. (E.11) Maintenance of Environmental Controls

The *principal contractor* or *owner builder* must ensure that the following monitoring, measures and controls are maintained:

- a) Erosion and sediment controls,
- b) Dust controls,
- c) Dewatering discharges,
- d) Noise controls;
- e) Vibration monitoring and controls;
- f) Ablutions;

Note: See http://www.epa.nsw.gov.au/small_business/builders.htm for additional information.
Standard Condition: E11

37. (E.12) Compliance with Geotechnical/Hydrogeological Monitoring Program

Excavation must be undertaken in accordance with the recommendations of the *Geotechnical / Hydrogeological Monitoring Program* and any oral or written direction of the supervising *professional engineer*.

The *principal contractor* and any sub-contractor must strictly follow the *Geotechnical / Hydrogeological Monitoring Program* for the development including, but not limited to;

- a) the location and type of monitoring systems to be utilised;
- b) recommended hold points to allow for inspection and certification of geotechnical and hydrogeological measures by the *professional engineer*; and
- c) the contingency plan.

Note: The consent authority cannot require that the author of the geotechnical/hydrogeological report submitted with the Development Application to be appointed as the *professional engineer* supervising the work however, it is the Council’s recommendation that the author of the report be retained during the construction stage.
Standard Condition: E12 (Autotext EE12)

38. (E.13) Support of Adjoining Land Owners

A person must not to do anything on or in relation to the *site* (the supporting land) that removes the support provided by the supporting land to any other land (the supported land) or building (the supported building).

For the purposes of this condition, supporting land includes the natural surface of the site, the subsoil of the site, any water beneath the site, and any part of the site that has been reclaimed.

Note: This condition does not authorise any trespass or encroachment upon any adjoining or supported land or building whether private or public. Where any underpinning, shoring, soil anchoring (temporary or

permanent) or the like is considered necessary upon any adjoining or supported land by any person the *principal contractor* or *owner builder* must obtain:

- a. the consent of the owners of such adjoining or supported land to trespass or encroach, or
- b. an access order under the Access to Neighbouring Land Act 2000, or
- c. an easement under section 88K of the *Conveyancing Act 1919*, or
- d. an easement under section 40 of the *Land & Environment Court Act 1979* as appropriate.

Note: Section 177 of the *Conveyancing Act 1919* creates a statutory duty of care in relation to support of land. Accordingly, a person has a duty of care not to do anything on or in relation to land being developed (the supporting land) that removes the support provided by the supporting land to any other adjoining land (the supported land).

Note: Clause 20 of the *Roads (General) Regulation 2000* prohibits excavation in the vicinity of roads as follows: "Excavations adjacent to road - A person must not excavate land in the vicinity of a road if the excavation is capable of causing damage to the road (such as by way of subsidence) or to any work or structure on the road." Separate approval is required under the Roads Act 1993 for any underpinning, shoring, soil anchoring (temporary) or the like within or under any road. Council will not give approval to permanent underpinning, shoring, soil anchoring within or under any road.

Note: The encroachment of work or the like is a civil matter of trespass or encroachment and Council does not adjudicate or regulate such trespasses or encroachments except in relation to encroachments upon any road, public place, crown land under Council's care control or management, or any community or operational land as defined by the *Local Government Act 1993*.

Standard Condition: E13 (Autotext EE13)

39. (E.14) Vibration Monitoring

Vibration monitoring equipment must be installed and maintained, under the supervision of a *professional engineer* with expertise and experience in geotechnical engineering, between any potential source of vibration and any *building* identified by the *professional engineer* as being potentially at risk of movement or damage from settlement and/or vibration during the excavation and during the removal of any excavated material from the land being developed.

If vibration monitoring equipment detects any vibration at the level of the footings of any adjacent building exceeding the peak particle velocity adopted by the *professional engineer* as the maximum acceptable peak particle velocity an audible alarm must activate such that the *principal contractor* and any sub-contractor are easily alerted to the event.

Where any such alarm triggers all excavation works must cease immediately. Prior to the vibration monitoring equipment being reset by the *professional engineer* and any further work recommencing the event must be recorded and the cause of the event identified and documented by the *professional engineer*.

Where the event requires, in the opinion of the *professional engineer*, any change in work practices to ensure that vibration at the level of the footings of any adjacent building does not exceed the peak particle velocity adopted by the *professional engineer* as the maximum acceptable peak particle velocity these changes in work practices must be documented and a written direction given by the *professional engineer* to the *principal contractor* and any sub-contractor clearly setting out required work practice.

The *principal contractor* and any sub-contractor must comply with all work directions, verbal or written, given by the *professional engineer*.

A copy of any written direction required by this condition must be provided to the *Principal Certifying Authority* within 24 hours of any event.

Where there is any movement in foundations such that damaged is occasioned to any adjoining *building* or such that there is any removal of support to *supported land* the *professional engineer*, *principal contractor* and any sub-contractor responsible for such work must immediately cease all work, inform the owner of that *supported land* and take

immediate action under the direction of the *professional engineer* to prevent any further damage and restore support to the *supported land*.

Note: *Professional engineer* has the same mean as in Clause A1.1 of the BCA.

Note: *Building* has the same meaning as in section 4 of the Act i.e. “*building* includes part of a building and any structure or part of a structure”.

Note: *Supported land* has the same meaning as in section 88K of the Conveyancing Act 1919.

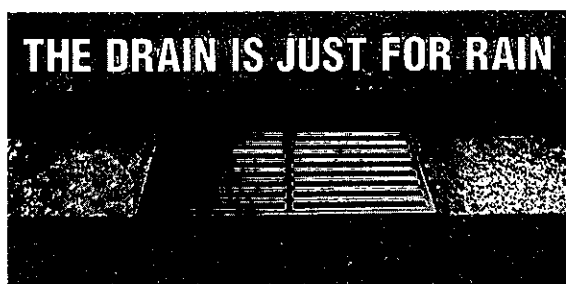
Standard Condition: E14 (Autotext EE14)

40. (E.15) Erosion and Sediment Controls – Maintenance

The *principal contractor* or *owner builder* must maintain water pollution, erosion and sedimentation controls in accordance with:

- a) The Soil and Water Management Plan required under this consent;
- b) “*Do it Right On Site, Soil and Water Management for the Construction Industry*” published by the Southern Sydney Regional Organisation of Councils, 2001; and
- c) “*Managing Urban Stormwater - Soils and Construction*” published by the NSW Department of Housing 4th Edition (“*The Blue Book*”).

Where there is any conflict *The Blue Book* takes precedence.



Note: A failure to comply with this condition may result in penalty infringement notices, prosecution, notices and orders under the Act and/or the Protection of the Environment Operations Act 1997 without any further warning. It is a criminal offence to cause, permit or allow pollution.

Note: Section 257 of the Protection of the Environment Operations Act 1997 provides that “the occupier of premises at or from which any pollution occurs is taken to have caused the pollution”.

Warning: Irrespective of this condition any person occupying the site may be subject to proceedings under the Protection of the Environment Operations Act 1997 where pollution is caused, permitted or allowed as the result of the occupation of the land being developed whether or not they actually cause the pollution.

Standard Condition: E15 (Autotext EE15)

41. (E.17) Disposal of Site Water during Construction

The principal contractor or owner builder must ensure:

- a) Prior to pumping any water into the road or public stormwater system that approval is obtained from *Council* under section 138(1)(d) of the *Roads Act* 1993;
- b) That *water pollution*, as defined by the *Protection of the Environment Operations Act* 1997, does not occur as the result of the discharge to the road, public stormwater system or other place or any site water;
- c) That stormwater from any roof or other impervious areas is linked, via temporary downpipes and stormwater pipes, to a Council approved stormwater disposal system immediately upon completion of the roof installation or work creating other impervious areas.

Note: This condition has been imposed to ensure that adjoining and neighbouring land is not adversely affected by unreasonable overland flows of stormwater and that site water does not concentrate water such that they cause erosion and water pollution.

Standard Condition: E17 (Autotext EE17)

42. (E.19) Site Cranes

Site Crane(s) and hoist(s) may be erected within the boundary of the land being developed subject to compliance with Australian Standards AS 1418, AS 2549 and AS 2550 and all relevant parts to these standards.

Cranes must not swing or hoist over any public place unless the *principal contractor* or *owner builder* have the relevant approval under the *Local Government Act 1993*, *Crown Lands Act 1989* or *Roads Act 1993*.

The crane must not be illuminated outside approved working hours other than in relation to safety beacons required by the Civil Aviation Safety Authority under the *Civil Aviation Act 1988 (Cth)*.

No illuminated sign(s) must be erected upon or displayed upon any site crane.

Note: Where it is proposed to swing a crane over a public place the *principal contractor* or *owner builder* must make a separate application to Council under section 68 of the *Local Government Act 1993* and obtain activity approval from Council prior to swinging or hoisting over the public place.

Note: Where it is proposed to swing a crane over private land the consent of the owner of that private land is required. Alternatively, the *principal contractor* or *owner builder* must obtain an access order under the *Access to Neighbouring Land Act 2000* or easement under section 88K of the *Conveyancing Act 1919* or section 40 of the *Land & Environment Court Act 1979* as appropriate. The encroachment of cranes or the like is a civil matter of trespass and encroachment. Council does not adjudicate or regulate such trespasses or encroachments.

Standard Condition: E19 (Autotext EE19)

43. (E.20) Check Surveys – boundary location, building location, building height, stormwater drainage system and flood protection measures relative to AHD

The *Principal Contractor* or *Owner Builder* must ensure that a surveyor registered under the *Surveying Act 2002* carries out check surveys and provides survey certificates confirming the location of the building(s), ancillary works, flood protection works and the stormwater drainage system relative to the boundaries of the *site* and that the height of buildings, ancillary works, flood protection works and the stormwater drainage system relative to Australian Height Datum complies with this consent at the following critical stages.

The *Principal Contractor* or *Owner Builder* must ensure that work must not proceed beyond each of the following critical stages until compliance has been demonstrated to the *PCA*'s satisfaction:

- a) Upon the completion of foundation walls prior to the laying of any floor or the pouring of any floor slab and generally at damp proof course level;
- b) Upon the completion of formwork for floor slabs prior to the laying of any floor or the pouring of any concrete and generally at each storey;
- c) Upon the completion of formwork or framework for the roof(s) prior to the laying of any roofing or the pouring of any concrete roof;
- d) Upon the completion of formwork and steel fixing prior to pouring of any concrete for any ancillary structure, flood protection work, swimming pool or spa pool or the like;

- e) Upon the completion of formwork and steel fixing prior to pouring of any concrete for driveways showing transitions and crest thresholds confirming that driveway levels match Council approved driveway crossing levels and minimum flood levels.;
- f) Stormwater Drainage Systems prior to back filling over pipes confirming location, height and capacity of works.
- g) Flood protection measures are in place confirming location, height and capacity.

Note: This condition has been imposed to ensure that development occurs in the location and at the height approved under this consent. This is critical to ensure that building are constructed to minimum heights for flood protection and maximum heights to protect views and the amenity of neighbours.

Standard Condition: E20 (Autotext EE20)

44. (E.25) Replacement of Sandstone Kerb or Gutter

Where existing sandstone kerb or gutter is to be replaced in concrete, the sandstone remains the property of Council. The stones are to be removed and handled in such a manner so as not to cause any damage to the sandstone.

The stones must be delivered on pallets between 7am to 4pm, Monday to Friday, by the *Principal Contractor* or *Owner* to Woollahra Council's Works Depot. Prior to delivery contact Civil Operations on 9391 7973

Standard Condition: E25 (Autotext EE25)

45. (E.27) Existing drainage easement, drainage reserve or stormwater drainage system benefiting Council

Council drainage easement(s) drainage reserve(s) or stormwater system passes through the site. No building or other structure must be placed over the drainage easement or stormwater system or within the zone of influence taken from the invert of any pipe.

The *principal contractor* or *owner builder* must locate all *Stormwater Drainage Systems* without causing any damage to the public system and ensure its protection. The *owner*, *principal contractor* or *owner builder* must not obstruct or otherwise remove, disconnect or render inoperable the *Stormwater Drainage System*.

Works such as fences must not obstruct the natural floodway or alter the natural floodway in such a way as to direct or concentrate stormwater on to neighbouring properties.

Where the relocation or reconstruction of Council's drainage system is approved then all work carried out on assets which are under Council ownership or will revert to the ownership, care, control or management of Council, in connection with the *development* to which this consent relates, must comply with Council's *Specification for Roadworks, Drainage and Miscellaneous Works* dated February 2012.

The *owner*, *principal contractor* or *owner builder* must meet all costs associated with such works.

This condition does not set aside the need to obtain relevant approvals under the *Roads Act 1993* or *Local Government Act 1993* for works within Roads and other public places.

Note: The Local Government Act 1993 provides:

"59A *Ownership of water supply, sewerage and stormwater drainage works*

- a. Subject to this Division, a council is the owner of all works of water supply, sewerage and stormwater drainage installed in or on land by the council (whether or not the land is owned by the council).

- b. A council may operate, repair, replace, maintain, remove, extend, expand, connect, disconnect, improve or do any other things that are necessary or appropriate to any of its works to ensure that, in the opinion of the council, the works are used in an efficient manner for the purposes for which the works were installed."

Standard Condition: E27 (Autotext EE27)

46. (F.7) Commissioning and Certification of Systems and Works

The *principal contractor* or *owner builder* must submit to the satisfaction of the *PCA* works-as-executed ("WAE") plans, *Compliance Certificates* and evidence of suitability in accordance with Part A2.2 of the *BCA* confirming that the *works*, as executed and as detailed, comply with the requirement of this consent, the *Act*, the *Regulations*, any relevant *construction certificate*, the *BCA* and relevant *Australian Standards*.

Works-as-executed ("WAE") plans, *Compliance Certificates* and evidence of suitability in accordance with Part A2.2 of the *BCA* must include but may not be limited to:

- a) Certification from the supervising professional engineer that the requirement of the Geotechnical/Hydrogeological conditions and report recommendations were implemented and satisfied during development work.
- b) All flood protection measures.
- c) All garage/car park/basement car park, driveways and access ramps comply with Australian Standard AS 2890.1 – "Off-Street car parking."
- d) All stormwater drainage and storage systems.
- e) All mechanical ventilation systems.
- f) All hydraulic systems.
- g) All structural work.
- h) All acoustic attenuation work.
- i) All waterproofing.
- j) Such further matters as the Principal Certifying Authority may require.

Note: This condition has been imposed to ensure that systems and works as completed meet *development standards* as defined by the *Act*, comply with the *BCA*, comply with this consent and so that a public record of works as execute is maintained.

Note: The *PCA* may require any number of WAE plans, certificates, or other evidence of suitability as necessary to confirm compliance with the *Act*, *Regulation*, *Development Standards*, *BCA*, and relevant *Australia Standards*. As a minimum WAE plans and certification is required for stormwater drainage and detention, mechanical ventilation work, hydraulic services (including but not limited to fire services).

Note: The *PCA* must submit to Council, with any *Occupation Certificate*, copies of works-as-executed ("WAE") plans, *Compliance Certificates* and evidence of suitability in accordance with Part A2.2 of the *BCA* upon which the *PCA* has relied in issuing any *Occupation Certificate*.

Standard Condition: F7 (Autotext FF7)

47. (F.9) Commissioning and Certification of Public Infrastructure Works

The *principal contractor* or *owner builder* must submit, to the satisfaction of Woollahra Municipal Council, certification from a *professional engineer* that all public infrastructure works have been executed in compliance with this consent and with Council's *Specification for Roadworks, Drainage and Miscellaneous Works* dated February 2012.

The certification must be supported by closed circuit television / video inspection provided on DVD of all stormwater drainage together with Works-As-Executed engineering plans and a survey report detailing all finished reduced levels.

Standard Condition F9 (Autotext FF9)

48. (G.4) Electricity Substations – Dedication as road and/or easements for access

If an electricity substation, is required on the site the owner must dedicate to the appropriate energy authority (to its satisfaction), free of cost, an area of land adjoining the street alignment to enable an electricity substation to be established. The size and location of the electricity substation is to be in accordance with the requirements of the appropriate energy authority and Council. The opening of any access doors must not intrude onto the public road (footway or road pavement).

Documentary evidence of compliance, including correspondence from the energy authority is to be provided to the *Principal Certifying Authority* prior to issue of the Construction Certificate detailing energy authority requirements.

The Accredited Certifier must be satisfied that the requirements of energy authority have been met prior to issue of the Construction Certificate.

Where an electricity substation is provided on the site adjoining the road boundary, the area within which the electricity substation is located must be dedicated as public road. Where access is required across the site to access an electricity substation an easement for access across the site from the public place must be created upon the linen plans burdening the subject site and benefiting the Crown in right of New South Wales and any Statutory Corporation requiring access to the electricity substation.

Standard Condition: G4 (Autotext GG4)

49. (H.13) Road Works (including footpaths)

The following works must be completed to the satisfaction of Council, in compliance with Council's "Specification for Roadworks, Drainage and Miscellaneous Works" dated February 2012 unless expressly provided otherwise by these conditions at the *principal contractor's* or *owner's* expense:

- a) Stormwater pipes, pits and connections to public stormwater systems within the *road*;
- b) Driveways and vehicular crossings within the *road*;
- c) Removal of redundant driveways and vehicular crossings;
- d) New footpaths within the *road*;
- e) Relocation of existing power/light pole
- f) relocation/provision of street signs
- g) New or replacement street trees;
- h) New footway verges, where a grass verge exists, the balance of the area between the footpath and the kerb or site boundary over the full frontage of the proposed development must be turfed. The grass verge must be constructed to contain a uniform minimum 75mm of friable growing medium and have a total cover of turf predominant within the street.
- i) New or reinstated kerb and guttering within the *road*; and
- j) New or reinstated road surface pavement within the *road*.

Note: Security held by Council pursuant to section 80A(6) of the Act will not be release by Council until compliance has been achieved with this condition. An application for refund of security must be submitted with the *Final Occupation Certificate* to Council. This form can be downloaded from Council's website www.woollahra.nsw.gov.au or obtained from Council's customer service centre.

Standard Condition: H13 (Autotext HH13)

50. (H.14) Dilapidation Report for public infrastructure works

The *Principal Contractor* must submit a follow up dilapidation report, prepared by a *professional engineer*, on Council's infrastructure within and near the development site to Council upon completion of the work.

The Final Occupation Certificate must not be issued until Council's Civil Works Engineer is satisfied that the works have been satisfactorily completed and the PCA has been provided with correspondence from Council to this effect.

The dilapidation report must include:

- a) Photographs showing any existing damage to the road pavement fronting the site,
- b) Photographs showing any existing damage to the kerb and gutter fronting the site,
- c) Photographs showing any existing damage to the footway including footpath pavement fronting the site,
- d) Photographs showing any existing damage to retaining walls within the footway or road, and
- e) Closed circuit television/video inspection (in DVD format) of public stormwater drainage systems fronting, adjoining or within the site, and
- f) The full name and signature of the professional engineer.

The reports are to be supplied in both paper copy and electronic format in Word. Photographs are to be in colour, digital and date stamped.

The dilapidation report must specify (with supporting photographic/DVD evidence) the exact location and extent of any damaged or defective public infrastructure. If the required report is not submitted then Council will assume any damage to any infrastructure in the immediate vicinity of the site was caused by the principle contractor and owner carrying out work under this consent.

Note: If the Principal Contractor fails to submit the dilapidation report required by this condition and damage is occasioned to public assets adjoining the site Council will deduct from security any costs associated with remedying, repairing or replacing damaged public infrastructure. Nothing in this condition prevents Council making any claim against security held for this purpose.
Standard Condition: H14 (AutotextHH14)

51. (H.20) Positive Covenant & Works-As-Executed certification of stormwater systems

On completion of construction work, stormwater drainage works are to be certified by a *professional engineer* with Works-As-Executed drawings supplied to the *PCA* detailing:

- a) Compliance with conditions of development consent relating to stormwater;
- b) The structural adequacy of the On-Site Detention system (OSD);
- c) That the works have been constructed in accordance with the approved design and will provide the detention storage volume and attenuation in accordance with the submitted calculations;
- d) Pipe invert levels and surface levels to Australian Height Datum;
- e) Contours indicating the direction in which water will flow over land should the capacity of the pit be exceeded in a storm event exceeding design limits.
- f) A positive covenant pursuant to Section 88E of the *Conveyancing Act* 1919 must be created on the title of the subject property, providing for the indemnification of Council from any claims or actions and for the on-going maintenance of the on-site-detention

system and/or absorption trenches, including any pumps and sumps incorporated in the development. The wording of the Instrument must be in accordance with Council's standard format and the Instrument must be registered at the Land Titles Office.

Note: The required wording of the Instrument can be downloaded from Council's web site www.woollahra.nsw.gov.au. The PCA must supply a copy of the WAE Plans to Council together with the *Final Occupation Certificate*.

Note: The *Final Occupation Certificate* must not be issued until this condition has been satisfied.
Standard Condition: H20 (Autotext HH20)

ADVISINGS

52. (K.23) Dilapidation report

Please note the following in relation to the condition for a dilapidation report:

- a) The dilapidation report will be made available to affected property owners on requested and may be used by them in the event of a dispute relating to damage allegedly due to the carrying out of the development.
- b) This condition cannot prevent neighbouring buildings being damaged by the carrying out of the development.
- c) Council will not be held responsible for any damage which may be caused to adjoining buildings as a consequence of the development being carried out.
- d) Council will not become directly involved in disputes between the Developer, its contractors and the owners of neighbouring buildings.
- e) In the event that access for undertaking the dilapidation survey is denied the applicant is to demonstrate in writing to the satisfaction of the PCA that all reasonable steps were taken to obtain access to the adjoining property. The dilapidation report will need to be based on a survey of what can be observed externally.

Standard Advising: K23 (Autotext KK23)

53. (K.24) Roads Act Application

Works or structures over, on or under public roads or footpaths are subject to Sections 138, 139 and 218 of the *Roads Act* 1993 and specifically:

- Construction of driveways and/or new or alterations to footpath paving
- Alteration and/or extension to Council drainage infrastructure
- Alteration and/or addition of retaining walls
- Pumping of water to Council's roadway
- Installation of soil/rock anchors under the roadway

An "Application to carry out works in a Public Road" form must be completed and lodged, with the Application fee, at Council's Customer Services counter. Detailed plans and specifications of all works (including but not limited to structures, road works, driveway crossings, footpaths and stormwater drainage etc) within existing roads, must be attached, submitted to and approved by Council under Section 138 of the *Roads Act* 1993, before the issue of any *Construction Certificate*.

Detailed engineering plans and specifications of the works required by this Condition must accompany the Application form. The plans must clearly show the following:

- Engineering drawings (plan, sections and elevation views) and specifications of the footpath, driveways, kerb & gutter, new gully pit showing clearly the connection point

of site outlet pipe(s). Note, the connection drainage lines must be as direct as possible and generally run perpendicular to the kerb alignment.

- Engineering drawings of the new drainage line to be constructed joining the new and existing drainage pits including services.

All driveways must include a design longitudinal surface profile for the proposed driveway for assessment. The driveway profile is to start from the road centreline and be along the worst case edge of the proposed driveway. Gradients and transitions must be in accordance with Clause 2.5.3, 2.6 of AS 2890.1 – 2004, Part 1 – Off-street car parking. The driveway profile submitted to Council must be to (1:25) scale (for template checking purposes) and contain all relevant details: reduced levels, proposed grades and distances.

The existing footpath level and grade at the street alignment of the property must be maintained unless otherwise specified by *Council*. Your driveway levels are to comply with AS2890.1 and Council's Standard Drawings. There may be occasions where these requirements conflict with your development and you are required to carefully check the driveway/garage slab and footpath levels for any variations.

Note: Any adjustments required from the garage slab and the street levels are to be carried out internally on private property

Drainage design works must comply with the Council's Woollahra DCP 2015 Chapter E2 – Stormwater and Flood Risk Management, and

Temporary ground anchors may be permitted, in accordance with Council's "*Rock Anchor Policy*".

Services: Prior to any excavation works, the location and depth of all public utility services (telephone, cable TV, electricity, gas, water, sewer, drainage, etc.) must be ascertained. The applicant shall be responsible for all public utility adjustment/relocation works, necessitated by the development work and as required by the various public utility authorities and/or their agents.

All public domain works must comply with the latest version of Council's "*Specification for Roadworks, Drainage and Miscellaneous Works*" unless expressly provided otherwise by these conditions. This specification and the application form can be downloaded from www.woollahra.nsw.gov.au .

Note: To ensure that this work is completed to Council's satisfaction, this consent by separate condition, may impose one or more Infrastructure Works Bonds.

Note: When a large *Roads Act* is required, then four (4) weeks is to be allowed for assessment.

Note: *Road* has the same meaning as in the *Roads Act* 1993.

Note: The intent of this condition is that the design of the road, footpaths, driveway crossings and public stormwater drainage works must be detailed and approved prior to the issue of any *Construction Certificate*. Changes in levels may arise from the detailed design of buildings, road, footpath, driveway crossing grades and stormwater. Changes required under *Road Act* 1993 approvals may necessitate design and levels changes under this consent. This may in turn require the applicant to seek to amend this consent.

Standard Advising: K24 (Autotext KK24)