

Sydney Grammar School Weigall Sports Complex SSD-10421

STAGING REPORT



Revision Name	Revision Number	Revision Date	Author
Staging Plan	0	25/05/2026	PH (FCP)
Staging Report	1	22/06/2026	SR (RUP) and PH (FCP)
Staging Report	2	13 /07/2026	RF

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Appendix A

Condition Compliance Matrix

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Notification of Determination and Stamped Plans for DA389/2025/1 approved by Woollahra Council

1 Introduction

Sydney Grammar School received approval for State Significant Development SSD-10421 on 5 November 2021, with a subsequent modification approved on 4 December 2023, relating to the construction and operation of the new Weigall Sports Complex, car park, and associated works.

The School intends to deliver the approved development in a series of staged packages to accommodate operational requirements, align with broader master planning objectives, and support an effective procurement strategy.

In accordance with Condition A11 of SSD-10421, the development may be constructed and operated in stages. This Staging Report is therefore submitted to the Planning Secretary for consideration and approval.

2 Location

The site is located at the Weigall Playing Fields, Nield Avenue, Paddington, and comprises the following land parcels:

- Lot 1 DP 633259
- Lot 2 DP 547260 (part)
- Lot 1 DP 311460 (part)



Figure 1: Site Location Plan

3 Staging of Works

To address Condition A11 of SSD-10421, the Weigall Sports Complex project is proposed to be delivered in the following stages.

The Condition Compliance Matrix at **Appendix A** notes the proposed staging for satisfaction of the conditions of consent in SSD-10421.

Commencement of Works (No Construction Certificate Required)

Stage 1A – Early Demolition Works

- Demolition and removal of six existing multi-purpose / tennis courts;
- Interim development and operation of the site in accordance with development consent DA389/2025/1 approved by Woollahra Council (**Appendix B**); and
- Refer to Figure 2 below for the extent of this scope of works.

Stage 1B – Demolition Works

- Demolition and removal of the existing cricket nets and Barry Pavilion.

Stage 1C – Site Clearance and Infrastructure Removal

- Removal of at-grade car parking areas, the Nield Avenue driveway crossover, and existing vehicle service road infrastructure.

Construction Certificate Stages

Stage 2A – Bulk Earthworks and Remediation

- Bulk excavation and earthworks; and
- Remediation works, including Acid Sulphate Soil (ASS) management and validation.

Stage 2B – Services Diversions

- Diversion and upgrade of existing sewer and stormwater infrastructure.

Stage 3A – Sports Complex Construction

- Construction of the three-storey sports complex, including:
 - Swimming pool;
 - Multi-purpose courts;
 - Spectator seating;
 - Associated amenities and support facilities; and
 - Substation.

Stage 3B – External and Public Domain Works

- External landscaping works;
- Tree removal and replacement planting;
- Road and public domain works; and
- Installation of wayfinding and associated signage.

Stage 4 – Multi-Storey Car Park

- Construction of a multi-storey car park comprising:
 - 102 car spaces;
 - 6 motorcycle spaces;
 - 42 bicycle spaces; and
 - Driver and operational support facilities.

The staged works are proposed to be undertaken under a number of Construction Certificates. Where appropriate, multiple stages or phases of work may be delivered under a single Construction Certificate.

The environmental management measures and supporting documentation required by the development consent will be prepared and implemented progressively in accordance with the relevant construction stage. These may include, but are not limited to, Construction Traffic Management Plans, Construction Worker Transport Management Plans, Dilapidation Reports, Construction Environmental Management Plans, and associated specialist management plans.

Similarly, operational and occupancy-related plans required under the consent will be prepared and submitted prior to occupation or operation of the relevant stage of development, as applicable.

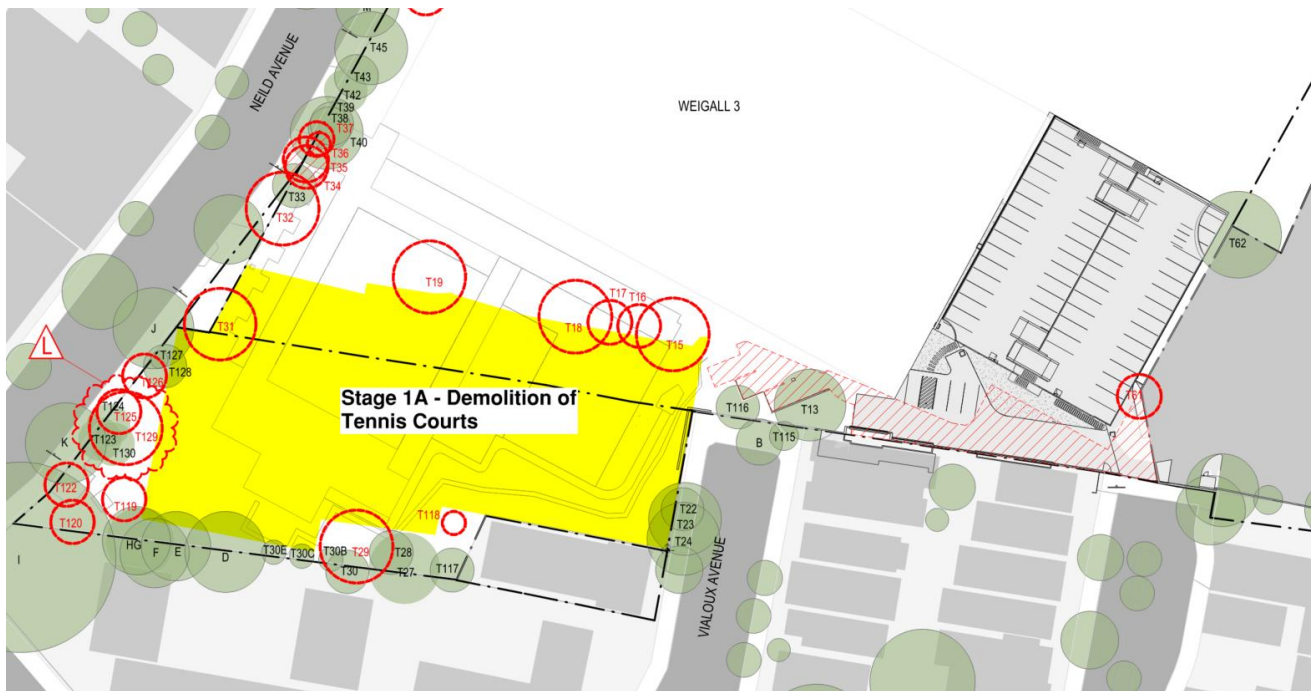


Figure 2: Extent of Stage 1A Early Demolition Works

4 Relationship to other consents

Sydney Grammar School has obtained a separate development application (DA) approval (DA389/2025/1) which was granted by Woollahra Council on 12/03/2026 for the following development:

“Upgrade the existing courts and pitches to Sydney Grammar School Weigall 2 and 5, Neid Avenue, Paddington including new fencing to the courts a new multicourt with synthetic turf and tree(s) removal”.

A further application proposing minor modifications (DA389/2025/2) was submitted to Woollahra Council on 26 May 2026 (and is pending determination).

As shown by **Figure 3** and the Notification of Determination and Stamped Plans at **Appendix B**, the development approved by DA389/2025/1 occupies part of the SSD site.

Table 1 lists the works that are:

- Approved by SSD - 10421 (to be carried out as Stage 1A – Early Demolition Works)
- Approved by DA389/2025/1 (as proposed to be modified by DA389/2025/2)
- Exempt development works.

Shaded cells in **Table 1** confirm the relevant approval pathway to be relied upon for each portion of the listed works.

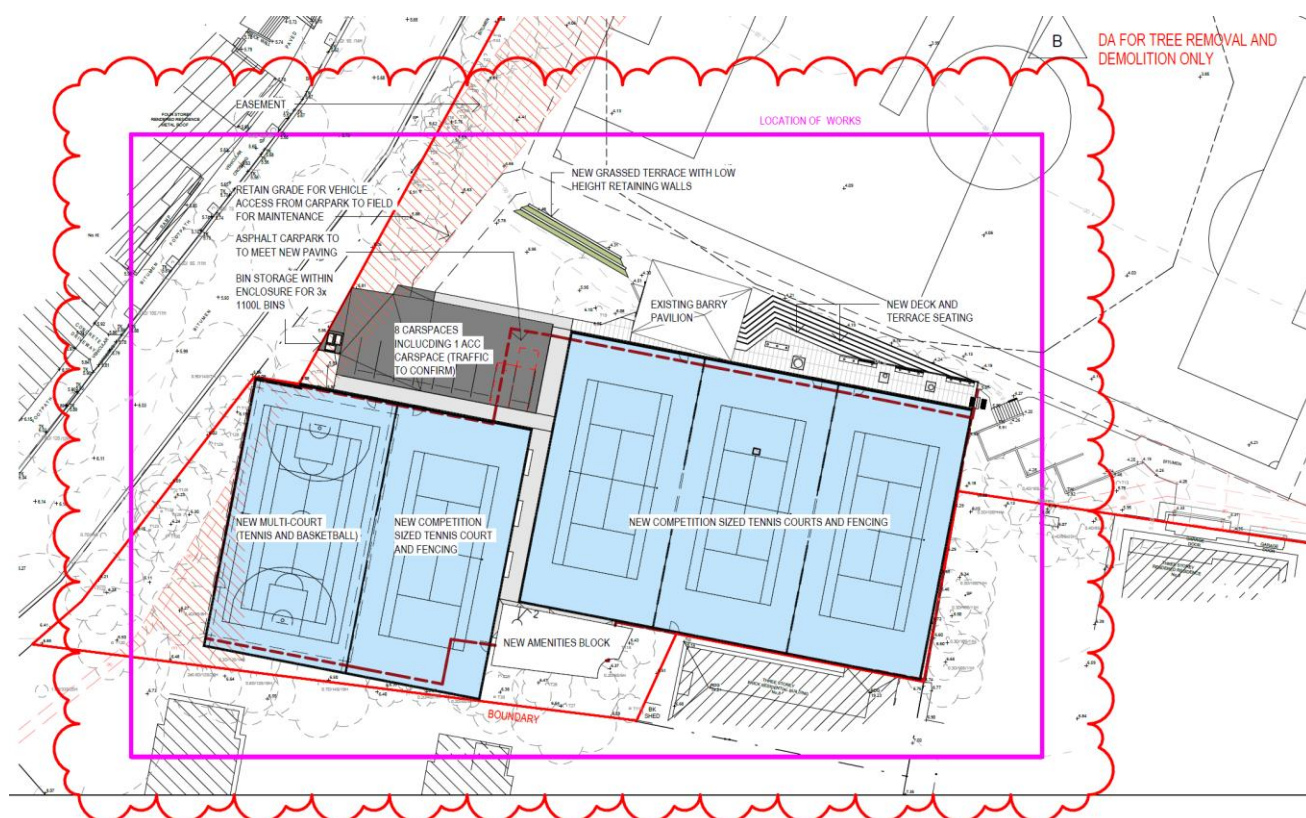


Figure 3: Site plan of works approved by DA389/2025/1 (as proposed to be modified by DA389/2025/2) (Source: AR-A01-00-00 Issue B prepared by BVN)

Table 1: Works approved by SSD - 10421 (to be carried out as Stage 1A – Early Demolition Works), DA389/2025/1 (pending approval of DA389/2025/2) and exempt development

KEY (showing approval pathway to be relied upon)

 SSD-10421 - Stage 1A

 DA389/2025/2

 Exempt development

	SSD-10421 - Stage 1A	DA389/2025/2	Exempt development
1. Demolition of existing cricket nets and related structures, tennis fencing, hardscape and related structures	✓	✓	
2. Construction of replacement tennis courts, tennis court fencing, grassed terrace, alterations to carpark, deck, terrace, seating & amenities building			✓
3. Construction of new synthetic pitch		✓	
4. Removal of trees			
• T15		✓	
• T17	✓	✓	
• T18	✓		
• T19	✓		
• T27	✓		
• T28	✓		
• T29	✓	✓	
• T30	✓		
• T31	✓		
• T117	✓		
• T118	✓	✓	
• T127		✓	
• T128		✓	
• T182		✓	
• T183		✓	
• T184		✓	
• T185		✓	

5 Compliance with condition A12 in SSD-10421

Table 2 specifies which section(s) of the Staging Report address/satisfy the subclauses of staging condition A.12.

Table 2: Section of the Staging Report that addresses/satisfies condition A.12

Condition A.12	Relevant section of the Staging Report
<i>A Staging Report prepared in accordance with condition A11 must:</i>	
<i>(a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;</i>	Section 6, Table 3 which notes that staged construction of the project is proposed.
<i>(b) if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);</i>	Section 6, Table 3 which notes that staged operation of the project is proposed. Note: Stage 1A will operate in association with the (interim) development approved by development consent DA389/2025/1 (as proposed to be modified by SA389/2025/2) (Appendix B) and the associated exempt development works (see Table 1). Stage 3A - Construction and operation of sports complex will be the next stage of operation, followed by Stage 4 Construction and operation of the car park.
<i>(b) specify how compliance with conditions will be achieved across and between each of the stages of the project; and</i>	Condition Compliance* Matrix, Appendix A .
<i>(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.</i>	Stage 1A – Interim operation of the site in accordance with the development consent DA389/2025/1 approved by Woollahra Council (as proposed to be modified by SA389/2025/2), Appendix B . Subsequent stages – Mechanisms to manage cumulative impacts of the development will be addressed in future revisions of this Staging Report.

6 Target Program

Table 3 shows the indicative staging program, showing where works are to be commenced before and after obtaining a construction certificate .

Table 3: SSD-10421 staging of works

Stage	Description	Indicative Timing
6.1 Commencement of Works (No Construction Certificate Required)		
Stage 1A	Demolition of multi-purpose / tennis courts (interim development and operation of the site in accordance with development consent DA389/2025/1 approved by Woollahra Council, Appendix B)	July 2026 – August 2026
Stage 1B	Demolition of cricket nets and Barry Pavilion	Q4 2028 – Q1 2029
Stage 1C	Removal of car parking, driveway and service road	Q1 2029
6.2 Construction Certificate Stages		
Stage 2A	Bulk earthworks and remediation	Q2 2029 – Q4 2029
Stage 2B	Sewer and stormwater diversions	Q2 2028 – Q4 2029
Stage 3A	Construction of sports complex (operation of the sports complex)	Q1 2030 – Q1 2032
Stage 3B	Landscaping and public domain works	Q3 2031 – Q1 2032
Stage 4	Construction of multi-storey car park (operation of the car park)	Q1 2032 – Q1 2033

The above program is indicative only and may be subject to refinement as detailed design, procurement and operational requirements evolve.

7 Conditions to be addressed under Stage 1A

The Stage 1A works are limited to demolition of the existing multi-purpose / tennis courts and are intended to establish physical commencement of SSD-10421.

As detailed the Condition Compliance Matrix (**Appendix A**), the following conditions are considered applicable to Stage 1A:

1. Condition A11 - Staging
2. Condition A12 - Staging
3. Condition A24 - Access to Information
4. Condition C1 – Notification of Commencement
5. Condition C5 – Pre-construction Dilapidation Report
6. Condition C10 – Community Consultative Committee
7. Condition C11 – Community Communications Strategy
8. Condition C12 – Demolition
9. Condition C14 – Construction Environmental Management Plan (CEMP)
10. Conditions C16 - C20 CEMP Sub-Plans
11. Condition C32 - Hazardous Material Register
12. Condition C34 – Engagement of Project Arborist
13. Condition D3 - Demolition

The Stage 1A demolition works, together with satisfaction of these conditions, comprises physical commencement of SSD-10421.

This Staging Report and the Condition Compliance Matrix (**Appendix A**) would be reviewed and updated as required throughout the staged construction/operation program.

Appendix A

Condition Compliance Matrix

Appendix B

Development consent and stamped plans for DA389/2025/1 approved by Woollahra Council

SSD-10421 - Condition Compliance Matrix
Construction and operation of the new Weigall Sport Complex for Sydney Grammar School

Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART A	A1	Obligation to Minimise Harm to the Environment	ALL	
PART A	A2	Terms of Consent	ALL	
PART A	A3		ALL	
PART A	A4		ALL	
PART A	A5	Limits of Consent	ALL	
PART A	A6		ALL	
PART A	A7	Use of the Site	Stages 3A, 3B & 4	
PART A	A8	Prescribed Conditions	ALL	
PART A	A9	Planning Secretary as Moderator	ALL	
PART A	A10	Evidence of Consultation	Stage 1A - Consultation for Stage 1A scope of work was carried out by Woollahra Council when it assessed and resolved to approve DA389/2025/1 and DA389/2025/2 (noting that no submissions were received). Further consultation to occur at Stages 2A, 3A, 3B & 4	YES
PART A	A11	Staging	Stage 1A (then ongoing)	YES
PART A	A12		Stage 1A (then ongoing)	YES
PART A	A13		ALL	
PART A	A14		ALL	
PART A	A15	Staging, Combining and Updating Strategies, Plans or Programs	ALL	
PART A	A16		ALL	
PART A	A17		ALL	
PART A	A18		ALL	
PART A	A19	Structural Adequacy	Stages 3A, 3B & 4	
PART A	A20	External Walls and Cladding	Stages 3A, 3B & 4	
PART A	A21	Applicability of Guidelines	ALL	
PART A	A22		ALL	
PART A	A23	Monitoring and Environmental Audits	ALL	
PART A	A24	Access to Information	Stage 1A (then ongoing)	YES

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Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART A	A25	Compliance	ALL	
PART A	A26	Incident Notification, Reporting and Response	ALL	
PART A	A27		ALL	
PART A	A28	Non-Compliance Notification	ALL	
PART A	A29		ALL	
PART A	A30		ALL	
PART A	A31	Revision of Strategies, Plans and Programs	ALL	
PART A	A32		ALL	
PART A	A33	Compliance Reporting	ALL	
PART A	A34		Stages 2A to 4	
PART A	A35		Stages 2A to 4	
PART A	A36		Stages 2A to 4	
PART A	A37	Sydney Trains	ALL	
PART A	A38		ALL	
PART B	B1	Design Amendments	Before Stage 2A	
PART B	B2		Before Stage 2A	
PART B	B3		Stages 3A & 4	
PART B	B4	External Walls and Cladding	Stages 3A & 4	
PART B	B5	Paddington Greenway	deleted	
PART B	B6	Electrical Substation	Stage 3A	
PART B	B7	Sydney Water Infrastructure and existing stormwater systems	Stage 2B, 3A & 4	
PART B	B8		Stage 2B, 3A & 4	
PART B	B9		Stage 2B, 3A & 4	
PART B	B10	Solar Panel Reflectivity	Stage 3A	
PART B	B11		Stage 3A	
PART B	B12	Swimming Pool Exhaust	Stage 3A	
PART B	B13	Operational Noise – Design of Mechanical Plant and Equipment	Stages 3A & 4	
PART B	B14	Operational Waste Storage and Processing	Stages 3A & 4	
PART B	B15	Parking, Driveway and Service Vehicle Layout	Stages 3A & 4	
PART B	B16	Bicycle Parking and End -of-Trip Facilities	Stages 3A & 4	
PART B	B17	Landscaping	Stages 3A, 3B & 4	

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Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART B	B18	Public Domain Works	Stages 3A, 3B & 4	
PART B	B19	Geotechnical and Hydrogeological Design, Certification and Monitoring	Stage 2A	
PART B	B20		Stage 2A	
PART B	B21		Stage 2A	
PART B	B22	Stormwater Management System	Stage 2B	
PART B	B23		Stage 2B	
PART B	B24		Stage 2B	
PART B	B25		Stage 2B	
PART B	B26	Flooding	Stages 3A, 3B & 4	
PART B	B27		Stages 3A, 3B & 4	
PART B	B27A		Stages 3A, 3B & 4	
PART B	B28	Roadworks and Pedestrian Access Improvements	Stages 3A, 3B & 4	
PART B	B29		Stages 3A, 3B & 4	
PART B	B30		Stages 3A, 3B & 4	
PART B	B31	Sydney Trains	Stage 2A	
PART B	B32		Stage 2A	
PART B	B33		Stage 2A	
PART B	B34	Construction Methodology	Stage 2A to 4	
PART B	B35	All Abilities Access	Stages 3A, 3B & 4	
PART C	C1	Notification of Commencement	Stage 1A (then ongoing)	
PART C	C2		Stage 1A (then ongoing)	
PART C	C3	Certified Drawings	Stage 1A (then ongoing)	
PART C	C4	Payment of Damage Security Deposit	Stage 1A - Property Damage Security Deposit paid in the amount of \$17,110 to Woollahra Council in accordance with Condition C4	YES

SSD-10421 - Condition Compliance Matrix
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Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART C	C5	Pre-construction Dilapidation Report - Protection of Public Infrastructure	Stage 1A -Dilapidation Report has been uploaded onto the planning portal to satisfy Condition C5	YES
PART C	C6	Pre-construction Condition Surveys - Residential Properties	Stage 1A - Not required as no Impact on Residential Propoerties Stage 2A - Surveys are to be completed before this stage which comprises bulk excavation works and remediation	
PART C	C7		As above	
PART C	C8		As above	
PART C	C9	Loose Foundation Materials	Stage 2A	

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Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART C	C10	Community Consultative Committee	Stage 1A - Dept has appointed the Independent Chair (IC) for the CCC Consultation for Stage 1A scope of work was carried out by Woollahra Council when it assessed DA389/2025/1 and DA389/2025/2 (noting that no submissions were received) Stage 2A - Establishment and commencement of CCC	YES
PART C	C11	Community Communication Strategy	Condition C11 was satisfied/approved by the Department on 27 September 2023	YES
PART C	C12	Demolition	Stage 1A - A Demolition Management Plan (DMP) has been uploaded onto the planning portal	YES
PART C	C13	Environmental Management Plan Requirements	Stage 2A	
PART C	C14	Construction Environmental Management Plan	Stage 1A - A CEMP has been uploaded onto the planning portal Stage 2A - Conditions C14 to C20 to be satisfied	YES
PART C	C15		As above	

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Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART C	C16		Covering Letter submitted with CEMP on Sub-Plans	YES
PART C	C17		As above	YES
PART C	C18		As Above	YES
PART C	C19		As above	YES
PART C	C20		As above	YES
PART C	C21	Construction Work Zone	Stage 2A	
PART C	C22		Stage 2A	
PART C	C23	No Parking Zone and Temporary Removal of One Car Park on Vialoux Avenue	Stage 2A	
PART C	C24	Construction Worker Transportation	Stage 1A - This has been included as part of the CEMP	YES
PART C	C25		Stage 2A	
PART C	C26	Soil and Water	Stage 1A (which includes demolition and tree removal) - An Erosion and Sedimentation Control Plan is to be submitted to and approved by Woollahra Council in accordance with DA389/2025/1 conditions D.3 (before the issue of a CC) Stage 2A - Condition C26 and C27 are to be satisfied	YES
PART C	C27		As above	
PART C	C28	Outdoor Lighting	Stages 3A & 4	

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Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART C	C29	Ecologically Sustainable Development	Stage 1A (which includes demolition and tree removal) - DA389/2025/1 conditions F.16 Site Waste Minimisation and Management - Demolition sets out measures to maximise resource recovery and minimise residual waste from demolition activities Stage 2A - Condition C29 is to be satisfied	
PART C	C30	Utilities	Stages 3A & 4	
PART C	C31		Stages 3A & 4	
PART C	C32	Hazardous Material Register	A Targeted Destructive Hazardous Material Building Assessment (June 2026) has been prepared by Prensa and uploaded to the planning portal 22/06/2026). Additionally, DA389/2025/1 Conditions B.4 Identification of Hazardous Material, F.16 Site Waste Minimisation and Management - Demolition, F.18 Asbestos Removal, F.19 Classification of Hazardous Waste, F.20 Disposal of Asbestos and Hazardous Waste, F21 Asbestos Removal Signage address the management of hazardous material	YES
PART C	C33	Hazardous Materials Survey and Management Plan	As above	

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Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART C	C34	Project arborist	A project Arborist has been engaged	YES
PART C	C35	Heritage and Archaeology	Stage 1A This stage includes very minimal ground disturbance and if any related items are encountered then the "Unexpected Finds Protocol" will be carried out Stage 2A - Condition C35 is to be satisfied	
PART C	C36	Site Auditor	Stage 1A - Approved DA389/2025/1 retains the existing use of the site as recreation facilities associated with an educational establishment/school use and very shallow soil disturbance is proposed (being limited to footings for the new fencing). As the approved development does not change the contamination risk assessment, Woollahra Council considered that the land is suitable for the development Stage 2A - Condition C36 to be satisfied	
PART D	D1	Site Notice	Stage 1A	
PART D	D2	Operation of Plant and Equipment	ALL	
PART D	D3	Demolition	Stages 1A, 1B & 1C	
PART D	D4	Construction Hours	ALL	
PART D	D5		ALL	
PART D	D6		ALL	

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Construction and operation of the new Weigall Sport Complex for Sydney Grammar School

Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART D	D7		ALL	
PART D	D8		Stage 2A	
PART D	D9	Implementation of Management Plans	Stage 1A (which includes demolition and tree removal) A CEMP has been prepared in accordance with Condition C14 Stage 2A - Condition D9 to D10 to be satisfied	
PART D	D10		Stages 2A to 4	
PART D	D11		Stages 2A to 4	
PART D	D12		Stages 2A to 4	
PART D	D13	Construction Traffic	ALL	
PART D	D14		ALL	
PART D	D15	No Obstruction of Public Way	ALL	
PART D	D16	Site Cranes	Stages 3A & 4	
PART D	D17		Stages 3A & 4	
PART D	D18		Stages 3A & 4	
PART D	D19		Stages 3A & 4	
PART D	D20	Hoarding Requirements	Stages 2A to 4	
PART D	D21	Construction Noise Limits	ALL	
PART D	D22		ALL	
PART D	D24		ALL	
PART D	D25		ALL	
PART D	D26	Vibration Criteria	ALL	
PART D	D27		ALL	
PART D	D28		ALL	

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Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART D	D29	Tree Protection	Stage 1A (which includes tree removal) - In accordance with DA389/2025/1 Condition A.3 Approved Plans and Supporting Documents, A.5 Tree Preservation and Landscaping Works, B.14 Construction Management Plan, B.15 Arborist Documentation and Compliance Checklist, B.16 Permissible work within Tree Protection Zones work must be carried out in accordance with the Arboricultural Impact Assessment Report prepared by Civica and under the guidance of the Project Arborist. Stage 2A - Condition D29 to D31 to be satisfied	
PART D	D30		Stage 2A	
PART D	D31		Stage 2A	
PART D	D32	Air Quality	ALL	
PART D	D33		ALL	
PART D	D34	Imported Soil	Stages 2A to 4	
PART D	D35	Disposal of Seepage and Stormwater	Stages 2A to 4	
PART D	D36	Emergency Management	ALL	
PART D	D37	Aboriginal Heritage and Unexpected Finds Protocol	ALL	
PART D	D38		ALL	
PART D	D39	Non-Aboriginal Heritage Unexpected Finds Protocol	ALL	
PART D	D40		ALL	
PART D	D41		ALL	

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Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART D	D42	Waste Storage, Processing and Hazardous Materials	ALL	
PART D	D43		ALL	
PART D	D44		ALL	
PART D	D45		ALL	
PART D	D46		ALL	
PART D	D47	Site Contamination	Stage 2A	
PART D	D48		Stage 2A	
PART D	D49		Stage 2A	
PART D	D50	Existing Drainage Easement, Drainage Reserve or Stormwater Drainage System Benefiting Council	Stages 3A & 4	
PART D	D51		Stages 3A & 4	
PART D	D52		Stages 3A & 4	
PART D	D53		ALL	
PART D	D54		ALL	
PART D	D55		ALL	
PART D	D56	Independent Environmental Audit	RUP to make a separate submission on Portal to alter the timing of this work to occur at Stage 2A	
PART D	D57		As above	
PART D	D58		As above	
PART D	D59		As above	
PART D	D60		As above	
PART D	D61		As above	

SSD-10421 - Condition Compliance Matrix
Construction and operation of the new Weigall Sport Complex for Sydney Grammar School

Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART D	D62	Heritage Interpretation Strategy	Stage 1A - Pursuant to condition D62, the applicant requests that the Planning Secretary delay the requirement for to prepare a Heritage Interpretation Strategy given the minor nature of the Stage 1A works and the duration of time before commencement of the substantive CC works. Stage 2A - Heritage Interpretation Strategy to be prepared as part of the first CC stage of works, in accordance with Condition D62	
PART D	D63	Sydney Trains	ALL	
PART D	D64		ALL	
PART D	D65		ALL	
PART E	E1	Notification of Occupation	Stages 3A & 4	
PART E	E2	External Walls and Cladding	Stages 3A & 4	
PART E	E3		Stages 3A & 4	
PART E	E4	Post -construction Dilapidation Report – Public Infrastructure	Stages 3A & 4	
PART E	E5	Repair of Public Infrastructure	Stages 3A, 3B & 4	
PART E	E6	Post -construction Condition Survey – Residential Properties	Stages 3A, 3B & 4	
PART E	E7		Stages 3A, 3B & 4	
PART E	E8	Repair – Heritage Significant Properties	Stages 3A, 3B & 4	
PART E	E9	Utilities and Services	Stages 3A, 3B & 4	
PART E	E10	Works as Executed Plans	Stages 3A, 3B & 4	
PART E	E11		Stages 3A, 3B & 4	
PART E	E12	Stormwater Completion Deed of Agreement and Positive Covenant	Stages 3A, 3B & 4	

SSD-10421 - Condition Compliance Matrix
Construction and operation of the new Weigall Sport Complex for Sydney Grammar School

Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART E	E13	Green Travel Plan	Stage 3A - Prepare Green Travel Plan when Building A becomes operational (students onsite)	
PART E	E14	Operational Transport and Access Management Plan (OTAMP)	As above	
PART E	E15	Mechanical Ventilation	Stages 3A & 4	
PART E	E16	Operational Noise – Design of Mechanical Plant and Equipment	Stages 3A & 4	
PART E	E17	Car Parking, Service Vehicles and Bicycle Parking Arrangements	Stages 3A & 4	
PART E	E18	Fire Safety Certification	Stages 3 & 4	
PART E	E19	Structural Inspection Certificate	Stages 3A & 4	
PART E	E20	Stormwater Operation and Maintenance Plan	Stages 3A & 4	
PART E	E21	Warm Water Systems and Cooling Systems	Stages 3A & 4	
PART E	E22	Outdoor Lighting	Stages 3A & 4	
PART E	E23	Signage	Stages 3A & 4	
PART E	E24		Stages 3A & 4	
PART E	E25		Stages 3A & 4	
PART E	E26		Stages 3A & 4	
PART E	E27	Operational Waste Management Plan	Stages 3A & 4	
PART E	E28	Site Contamination	Stages 3A & 4	
PART E	E29	Landscaping	Stages 3A & 4	
PART E	E30		Stages 3A & 4	
PART E	E31		Stages 3A & 4	
PART E	E32	Operational Flood Emergency Management Plan	Stages 3A & 4	
PART E	E32A		Stages 3A & 4	
PART E	E32B		Stages 3A & 4	
PART E	E33	Operational Management Plan	Stages 3A & 4	
PART E	E34	Adjustment to Public Utilities	Stage 2B	
PART E	E35	Development Contributions	Stage 3A	
PART E	E36	Roadworks and Access	Stage 3B	
PART E	E37	Local Area Traffic Management Plan (LATM)	Stage 3B	
PART E	E38	Fencing	Stages 3A & 4	
PART E	E39		Stages 3A & 4	

SSD-10421 - Condition Compliance Matrix
Construction and operation of the new Weigall Sport Complex for Sydney Grammar School

Part	Condition Number	Heading	When will condition be addressed (Stage or Stages)	Completed
PART E	E40	Heritage Interpretation Strategy	Stage 3A	
PART E	E41	Swimming Pool	Stage 3A	
PART F	F1	Hours of operation	Stages 3A & 4	
PART F	F2		Stages 3A & 4	
PART F	F3		Stages 3A & 4	
PART F	F4	Capacity, Usage and events	Stages 3A & 4	
PART F	F5		Stages 3A & 4	
PART F	F6		Stages 3A & 4	
PART F	F7		Stages 3A & 4	
PART F	F8		Stages 3A & 4	
PART F	F9	Operation of Plant and Equipment	Stages 3A & 4	
PART F	F10	Warm Water Systems and Cooling Systems	Stages 3A & 4	
PART F	F11	Community Communication Strategy	ALL	
PART F	F12	Operational Noise Limits	Stages 3A & 4	
PART F	F13		Stages 3A & 4	
PART F	F14	Unobstructed Driveways and Parking Areas	Stages 3A & 4	
PART F	F15	Ecologically Sustainable Development	Stages 3A & 4	
PART F	F16	Outdoor Lighting	Stages 3A & 4	
PART F	F17	Landscaping	Stages 3A & 4	
PART F	F18	Discharge Limits	Stages 3A & 4	
PART F	F19	Heritage Interpretation Strategy	Stages 3A & 4	
PART F	F20	Green Travel Plan	Stages 3A & 4	
PART F	F21	Operational Management Plan	Stages 3A & 4	
PART F	F22	Signage	Stages 3A & 4	
PART F	F23		Stages 3A & 4	



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA389/2025/1 PAN-582584
Applicant	Robinson Urban Planning Pty Ltd 83 Fletcher Street, TAMARAMA NSW 2026,
Description of development	Upgrade the existing courts and pitches to Sydney Grammar School Weigall 2 and 5, Neild Avenue, Paddington including new fencing to the courts a new multicourt with synthetic turf and tree(s) removal
Property	Neild Avenue PADDINGTON LOT: 1 DP: 633259
Determination	Approved Consent Authority • Council
Date of determination	12/03/2026
Date from which the consent operates	12/03/2026
Date on which the consent lapses	12/03/2031

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

Reasons for approval

The application has been assessed within the framework of the matters for consideration under section 4.15 of the Environmental Planning and Assessment Act 1979 and is recommended for approval because:

- It is considered to be satisfactory with all relevant planning policies including the objectives of WLEP 2014 and WDCP 2015.
- It will not have adverse effects on the local built and natural environment nor any adverse social and economic impacts in the locality.
- All likely impacts to adjoining properties including any submissions made have been addressed in the report, or are considered to be satisfactory.
- The site is suitable for the proposed development.
- The proposal is in the public interest.

Right of appeal / request a review of the determination

If you are dissatisfied with this determination:

Request a review

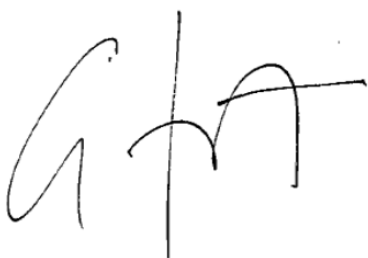
You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority, and determined, within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Note: You do not have the right to request a review of the determination under section 8.3 of the EP&A Act if the application is Designated Development or Crown Development.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 month after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

A handwritten signature in black ink, appearing to read 'G Fotis', with a vertical line drawn through the middle of the signature.

George Fotis

Team Leader – Development Assessment

The person on behalf of the consent authority

For further information, please contact our Assessment Officer, S Gerangelos, on 02 9391 7126 between 8.30am and 11.00am Monday to Friday.

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below:

ALL DEVELOPMENT TYPES

A. GENERAL CONDITIONS

A.1 Conditions

Consent is granted subject to the following conditions imposed under section 4.16 of the Environmental Planning and Assessment Act 1979 ("the Act"), and the provisions of the Environmental Planning and Assessment Regulation 2021 ("the Regulations") and the provisions of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 ("the Development Certification and Fire Safety Regulations"), such conditions being reasonable and relevant to the development as assessed under section 4.15 of the Act.

Notes:

Failure to comply with this development consent and any condition of this consent is a criminal offence. Failure to comply with other environmental laws is also a criminal offence.

Where there is any breach Council may without any further warning:

- a) Issue Penalty Infringement Notices (On-the-spot fines);
- b) Issue notices and orders;
- c) Prosecute any person breaching this consent; and/or
- d) Seek injunctions/orders before the courts to restrain and remedy any breach.

Maximum penalties under NSW environmental laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

Should Council have to take any action to enforced compliance with this consent or other environmental laws Council's policy is to seek from the Court appropriate orders requiring the payments of its costs beyond any penalty or remedy the Court may order.

This consent and this specific advice will be tendered to the Court when seeking costs orders from the Court where Council is successful in any necessary enforcement action.

The payment of environmental penalty infringement notices does not result in any criminal offence being recorded. If a penalty infringement notice is challenged in Court and the person is found guilty of the offence by the Court, subject to section 10 of the Crimes (Sentencing Procedure) Act 1999, a criminal conviction is recorded. The effect of a criminal conviction beyond any fine is serious.

Condition Reason: To ensure all parties are aware of the relevant legislation that applies to the development.

(Standard Condition A.1 - Autotext 1A)

A.2 Definitions

Unless specified otherwise, words have the same meaning as defined by the *Act*, the *Regulations*, the *Development Certification and Fire Safety Regulations* and the *Interpretation Act 1987* as in force at the date of consent.

Applicant means the applicant for this consent.

Approved Plans mean the plans endorsed by Council referenced by this consent as amended by conditions of this consent.

Chartered professional engineer means an engineer that has been awarded certification as a chartered engineer in a particular area of practice by Engineers Australia, the professional body for engineers in Australia. The areas of practice are determined by Engineers Australia and include civil, geotechnical and structural engineering.

Local native plants means species of native plant endemic to Sydney's eastern suburbs.

Owner-builder has the same meaning as in the *Home Building Act 1989*.

PC means the Principal Certifier under the *Act*.

Principal Contractor has the same meaning as in the *Act*, or where a Principal Contractor has not been appointed by the Owner of the land being developed Principal Contractor means the Owner of the land being developed.

Professional engineer has the same meaning as in the *BCA*.

Public place has the same meaning as in the *Local Government Act 1993*.

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

SEE means the final version of the Statement of Environmental Effects lodged by the Applicant.

Site means the land being developed subject to this consent.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Woollahra LEP means *Woollahra Local Environmental Plan 2014*

Woollahra DCP means *Woollahra Development Control Plan 2015*

Work for the purposes of this consent means:
the use of land in connection with development,
the subdivision of land,
the erection of a building,
the carrying out of any work,
the use of any site crane, machine, article, material, or thing,
the storage of waste, materials, site crane, machine, article, material, or thing,
the demolition of a building,
the piling, piercing, cutting, boring, drilling, rock breaking, rock sawing or excavation of land,
the delivery to or removal from the site of any machine, article, material, or thing, or
the occupation of the site by any person unless authorised by an occupation certificate.

Condition Reason: To ensure all parties are aware of the relevant definitions.

(Standard Condition A2 - Autotext 2A)

A.3 Approved Plans and Supporting Documents

Those with the benefit of this consent must carry out all work and maintain the use and works in accordance with both the architectural plans to which is affixed a Council stamp "Approved" and supporting documents listed below unless modified by any following condition.

Where the plans relate to alterations or additions only those works shown in colour or highlighted are approved.

Reference	Description	Author	Date
2405004	Architectural Plans	BVN Architects	
AR-B00-AA-00 Rev. 4	Existing Site Plan		07/10/2025
AR-B01-NL-00 Rev. 4	Proposed Site Plan		07/10/2025
AR-B10-00-00 Rev. 4	General arrangement plan – Level 00 Cricket		07/10/2025
AR-B10-01-01 Rev. 3	General arrangement plan – Level 01 Tennis		20/08/2025
AR-B21-01-00 Rev. 3	Demolitions – Plan – Barry Pavillion		20/08/2025
AR-D10-XX-00 Rev. 3	Tennis Court Elevations		20/08/2025
	Arboricultural Impact Assessment Report	Civica	20/10/2025
	Arboricultural Impact Assessment Report – Tree Root Survey	Bradshaw Consulting Arborists	14/01/2026
	Planners Response to Root Mapping and Landscaping	Robinson Urban Planning	15/01/2026

Notes:

Warning to Principal Certifier – You must always insist on sighting the original Council stamped approved plans. You must not rely solely upon the plan reference numbers in this condition. Should the Applicant not be able to provide you with the original copy Council will provide you with access to its files so you may review our original copy of the approved plans.

These plans and supporting documentation may be subject to conditions imposed under section 4.17(1)(g) of the Act modifying or amending the development.

Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(Standard Condition A.5 - Autotext 5A)

A.4 Ancillary Aspects of Development (section 4.17(2) of the Act)

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 (2012) unless expressly provided otherwise by these conditions at the Owner's expense.

Notes:

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.

Condition Reason: To ensure all parties are aware of works required to public infrastructure and to ensure payment for works.

(Standard Condition A.8 - Autotext 8A)

A.5 Tree Preservation and Landscaping Works

While site work is being carried out, all landscape works must be undertaken in accordance with the approved landscape plan, arborist report, tree management plan and transplant method statement as applicable.

a) The following trees must be retained:

- Trees on private land:

Council Ref No	Species	Location	Dimension (metres)
15	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Most eastern specimen on grassed embankment on the eastern side of the Barry Pavillion	10-15 x 10-15
17	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Third most eastern specimen on grassed embankment on the eastern side of the Barry Pavillion	10-15 x 10-15
18	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Fourth most eastern specimen on grassed embankment on the eastern side of the Barry Pavillion	10-15 x 10-15
19	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Grassed embankment on the western side of the Barry Pavillion	10-15 x 10-15
27	<i>Ulmus parvifolia</i> (Chinese Elm)	Southern end of existing tennis courts – most eastern specimen	10-15 x 10-15
28	<i>Araucaria columnaris</i> (Cook Island pine)	Southern end of existing tennis courts	15-12 x 5-10
30	<i>Hymenosporum flavum</i> (Native Frangipani)	Southern end of existing tennis courts	10-15 x 5-10
31	<i>Jacaranda mimosifolia</i> (Jacaranda)	Southern side of Neild Avenue carpark entrance	10-15 x 10-15
128	<i>Syzygium paniculatum</i> (Brush Cherry)	Western edge of existing basket ball/tennis courts	10-15 x 5-10

The tree/s required to be retained must appear coloured green on the Construction Certificate plans.

b) The following trees may be removed:

Council Ref No	Species	Location	Dimension (metres)
16	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Second most eastern specimen on grassed embankment on the eastern side of the Barry Pavillion	10-15 x 10-15
29	<i>Ulmus parvifolia</i> (Chinese Elm)	Southern end of existing tennis courts – most western specimen	10-15 x 10-15
118	<i>Callistemon viminalis</i> . (Weeping Bottle Brush)	Southern end of existing tennis courts	<5 x <5
127	<i>Syzygium paniculatum</i> (Brush Cherry)	Western edge of existing basket ball/tennis courts	10-15 x 5-10
182, 183, 184, 185	<i>Hymenosporum flavum</i> (Native Frangipani)	Southern end of existing basket ball/tennis courts	5-10 x <5

The tree/s that may be removed must appear coloured red on the Construction Certificate plans.

Condition Reason: To ensure all landscape works are undertaken in accordance with the approved plans and documents.

(Standard Condition A.22 - Autotext 22A)

A.6 No Underpinning works

This development consent does NOT give approval to any works outside the boundaries of the subject property including any underpinning works to any structures on adjoining properties.

Condition Reason: To ensure all works are located within the boundaries of the site and to confirm that no consent is granted for underpinning works to any structures on adjoining properties.

(Standard Condition - A.31 - Autotext 31A)

A.7 Development Consent is Not Granted in Relation to these Matters

This approval does not give consent to the construction of the proposed decking area on the eastern side of the existing Barry Pavillion.

Section 7.3.6 of the submitted Arboricultural Impact Assessment report identifies the proposed decking would require excessive pruning of lower tree branches to achieve the necessary vertical clearance for safe access and use of the decking. Excessive pruning would impact the health of the trees and reduce their long term viability.

Condition Reason: To ensure all parties are aware of works that have not been granted consent

DEMOLITION WORK

B. BEFORE DEMOLITION WORK COMMENCES

B.1 Construction Certificate Required Prior to Any Demolition

Where demolition is associated with an altered portion of, or an extension to an existing building the demolition of any part of a building is "commencement of erection of building" under section 6.6 of the Act.

In such circumstance all conditions included at the following development stages of this consent must be satisfied prior to any demolition work:

Before issue of a construction certificate
Before building work commences

This includes, but is not limited to, the issue of a Construction Certificate, appointment of a Principal Certifier, and Notice of Commencement under the Act.

Note:

See *Over our Dead Body Society Inc v Byron Bay Community Association Inc* [2001] NSWLEC 125.

Condition Reason: To ensure appropriate conditions are complied with for development for the alteration and extension of an existing building.

B.2 Erosion and Sediment Controls – Installation

Before any site work commences, water pollution, erosion and sedimentation controls must be installed and maintained in accordance with:

- a) “Do it Right On Site, Soil and Water Management for the Construction Industry” and accompanying factsheets published by the Southern Sydney Regional Organisation of Councils, and
- b) “Managing Urban Stormwater - Soils and Construction” 2004 published by the NSW Government (The Blue Book).

Where there is any conflict The Blue Book takes precedence.

Notes:

The “Do it Right On Site, Soil and Water Management for the Construction Industry” publication and accompanying factsheets can be downloaded from www.woollahra.nsw.gov.au and The Blue Book is available at www.environment.nsw.gov.au

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.

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.

Condition Reason: To prevent potential water pollution and dust nuisance.

(Standard Condition B.4 - Autotext 4B)

B.3 Establishment of Tree Protection Zones

Prior to any site works, tree protection measures must be established around all trees to be retained in accordance with Section 4 of the Australian Standard Protection of Trees on Development Sites (AS 4970).

The Tree Protection Zones must be calculated in accordance with Section 3 of the Australian Standard Protection of Trees on Development Sites (AS 4970).

A Construction Site Management Plan, which clearly details the tree protection measures, must be prepared before the issue of a construction certificate. The tree protection measures must comply with the following requirements;

- a) Trunk protection must be installed around the trunks of the following trees:

Council Ref No	Species
19	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)
27	<i>Ulmus parvifolia</i> (Chinese Elm)
28	<i>Araucaria columnaris</i> (Cook Island pine)
30	<i>Hymenosporum flavum</i> (Native Frangipani)

31	<i>Jacaranda mimosifolia</i> (Jacaranda)
128	<i>Syzygium paniculatum</i> (Brush Cherry)

Trunk protection must consist of a padding material such as hessian or thick carpet underlay wrapped around the trunk. Hardwood planks (50mm x100mm or similar) must be placed over the padding and around the trunk of the tree at 150mm centres. The planks must be secured with 8 gauge wire at 300mm spacing. Trunk protection must extend a minimum height of 2 metres or to the maximum possible length permitted by the first branches.

- b) Signs identifying the Tree Protection Zone (TPZ) area must be erected on each side of the trunk protection indicating the distance of the TPZ radius from the trunk of each tree. The TPZ distance is listed in the Arboricultural Impact Assessment report. Signage must be visible from within the development site.
- c) No excavation, construction activity, grade changes, storage of materials, stockpiling, siting of works sheds, preparation of mixes or cleaning of tools is permitted within the stated Tree Protection Zone radius of each tree, unless specified in this consent.
- d) Temporary access within the TPZ area for pedestrian and machinery movements must only be permitted with the approval of the site arborist or unless specified in this consent.
- e) The site supervisor must be made aware of all tree protection requirements associated with these conditions of consent by the project arborist. Any subsequent site personnel and contractors to the site must be made aware of all tree protection requirements by the site foreman.

The project arborist must provide written certification of compliance to the Principal Certifier with the above conditions

Condition Reason: To ensure the protection of existing trees.

B.4 Identification of Hazardous Material

Prior to any site works, and in accordance with Australian Standard AS2601: The Demolition of Structures, all hazardous substances located on the site must be identified, including asbestos, polychlorinated biphenyls (PCBs), lead paint, underground storage tanks, chemicals, etc.

In this regard, prior to any site works, Council must be provided with a written report prepared by a suitably qualified competent person detailing:
all hazardous materials identified on the site,
the specific location of all hazardous materials identified,
whether the hazardous materials are to be removed from the site as part of the works to be undertaken, and
safety measures to be put in place.

Condition Reason: To protect the health and safety of all persons while works are being undertaken and to ensure all safety measures have been identified and are in place to protect all parties in the immediate vicinity of the site.

(Standard Condition B.6 - Autotext 6B)

B.5 Public Road Assets Prior to Any Work/Demolition

Prior to any site works, a full record of the condition of the public infrastructure on public land adjacent to the development site must be submitted to Council.

The report must include photographs and/or CCTV footage showing the current condition and any existing damage fronting and adjoining the site to the:

road pavement,

street signage including street lights,

kerb and gutter,

footway including pedestrian crossings, footpath, and driveways,

retaining walls, or other significant structures,

Heritage Items, including street name inlays,

utility service items including historical utility covers, and

drainage structures/pits/pipes (CCTV footage).

The reports are to be supplied in electronic format in Word and if applicable accompanied by CCTV footage. 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 site works under this consent.

Condition Reason: To clarify the condition of the existing public infrastructure prior to the commencement of any site works.

(Standard Condition B.7 - Autotext 7B)

B.6 Payment of Security and Fees

Prior to any site works, the following security and fees must be paid in full:

Description	Amount	Indexed	Council Fee Code
SECURITY under section 4.17(6) of the <i>Environmental Planning and Assessment Act 1979</i>			
Property Damage Security Deposit Making good any damage caused to any property of the Council	\$16,875.00	No	T115
INSPECTION FEES under section 608 of the Local Government Act 1993			
Security Deposit Administration Fee	\$235.00	No	T16
TOTAL SECURITY AND FEES	\$17,110.00		

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 any site works being undertaken, 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.

Notes:

An application must be made to Council by the person who paid the security for release of the securities held under section 4.17 of the Act.

The securities will not be released until the Occupation Certificate has been lodged with Council, Council has inspected the site and Council is satisfied that the public works have been carried out to Council's requirements. Council may use part or all of the security to complete the works to its satisfaction if the works do not meet Council's requirements.

Council will only release the security upon being satisfied that all damage or all works, the purpose for which the security has been held have been remedied or completed to Council's satisfaction as the case may be.

Council may retain a portion of the security to remedy any defects in any such public work that arise within 6 months after the work is completed.

Upon completion of each section of road, drainage and landscape work to Council's satisfaction, 90% of the bond monies held by Council for these works will be released upon application. 10% may be retained by Council for a further 6 month period and may be used by Council to repair or rectify any defects or temporary works during the 6 month period.

The Refund of Security Bond Application form can be downloaded from www.woollahra.nsw.gov.au

Condition Reason: To ensure any relevant security and fees are paid.
(Standard Condition B.14 - Autotext 14B)

B.7 Adjoining Buildings Founded on Loose Foundation Materials

Before any site work commences, a professional engineer must determine 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 any reasonable direction of the professional engineer must be complied with.

Notes:

- A failure 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.
- The person with the benefit of this consent is 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.

Condition Reason: To ensure professional engineering advice is obtained to confirm that appropriate underpinning and support to adjoining land is maintained.
(Standard Condition B.18 - Autotext 18B)

B.8 Works (Construction) Zone – Approval and Implementation

If the Construction Management Plan relies upon a Works Zone, before any site work commences, a Works Zone application must be made.

If the works zone is approved, all fees for the Works Zone must be paid before it can be installed.

All Works Zone signs must have been erected by Council to permit enforcement of the Works Zone by Council's Rangers and NSW Police before commencement of any site work. Signs are not erected until full payment of Works Zone fees is made.

Notes:

A minimum of four to six weeks must be allowed (for routine applications) from the date of making an application to the Traffic Committee (Woollahra Local Traffic Committee) constituted under clause 20 of the Transport Administration (General) Regulation 2018 to exercise those functions delegated by Transport for New South Wales under section 31(3) of the Transport Administration Act 1988.

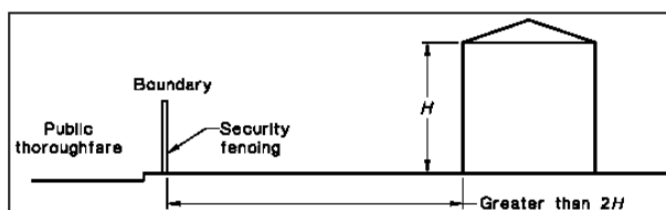
The enforcement of the Works Zone is at the discretion of Council's Rangers and the NSW Police Service. Any breach of the Works Zone must be reported to either Council or the NSW Police Service.

Condition Reason: To facilitate the efficient operation of construction projects and to minimise traffic disruption.

(Standard Condition B.21 - Autotext 21B)

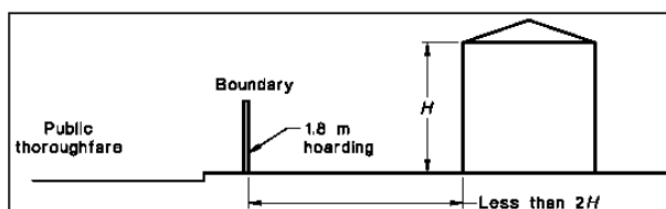
B.9 Security Fencing, Hoarding (including 'Creative Hoardings') and Overhead Protection

Before any site work commences, security fencing must be provided around the perimeter of the development site, including any additional precautionary measures taken to prevent unauthorised entry to the site at all times during the demolition, excavation and construction period. Security fencing must be the equivalent 1.8m high chain wire as specified in AS 1725.



Type A Hoarding

Where the development site adjoins a public thoroughfare, the common boundary between them must be fenced for its full length with a hoarding, unless the least horizontal distance between the common boundary and the nearest parts of the structure is greater than twice the height of the structure. The hoarding must be constructed of solid materials (chain wire or the like is not acceptable) to a height of not less than 1.8m adjacent to the thoroughfare.



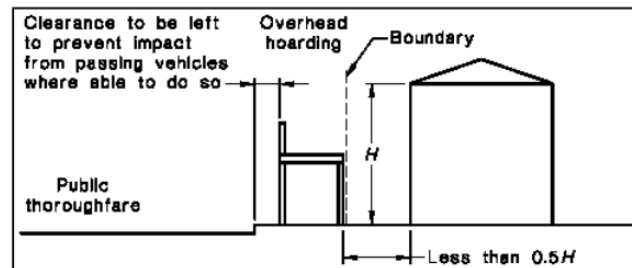
Type B Hoarding

Where a development site adjoins a public thoroughfare with a footpath alongside the common boundary then, in addition to the hoarding required above, the footpath must be covered by an overhead protective structure and the facing facade protected by heavy-duty scaffolding, unless either:

- a) the vertical height above footpath level of the structure being demolished is less than 4.0m; or
- b) the least horizontal distance between footpath and the nearest part of the structure is greater than half the height of the structure.

The overhead structure must consist of a horizontal platform of solid construction and vertical supports, and the platform must:

- a) extend from the common boundary to 200mm from the edge of the carriageway for the full length of the boundary,
- b) have a clear height above the footpath of not less than 2.1m,
- c) terminate 200mm from the edge of the carriageway (clearance to be left to prevent impact from passing vehicles) with a continuous solid upstand projecting not less than 0.5m above the platform surface, and
- d) together with its supports, be designed for a uniformly distributed live load of not less than 7 kPa.



The overhead protective structures must be installed and maintained in accordance with the NSW "Code of Practice - Overhead Protective Structures 1995". This is code available at www.safework.nsw.gov.au/__data/assets/pdf_file/0008/52883/Overhead-protective-structures-Code-of-practice.pdf

All Hoardings

Security fencing, hoarding and overhead protective structure must not obstruct access to utilities services including but not limited to man holes, pits, stop valves, fire hydrants or the like.

Hoardings on Public Land including 'Creative Hoardings'

All fees associated with the application and occupation and use of the road (footway) for required hoarding or overhead protection must be paid in full.

A creative hoarding (i.e. an approved artwork or historic image affixed to the hoarding) is required if the hoarding meets the criteria in Council's Creative Hoardings Policy (adopted March 2020). The cost of printing and affixing the creative hoarding is the responsibility of the person with the benefit of this consent. The Creative Hoardings Policy can be downloaded from Council's website www.woollahra.nsw.gov.au

Notes:

A minimum of two (2) weeks from the date of making a hoarding application to determination must be allowed. Any approval for a hoarding or overhead protection under the Roads Act 1993 will be subject to its own conditions and fees.

Council seeks to increase public art in the public domain by requiring artwork or historic images on hoardings located on public land. Under the Creative Hoardings Policy an application for a hoarding proposed on public land will require an approved artwork or

historic image affixed to the hoarding if the hoarding meets the criteria in section 3 of the Policy:

- a) Hoardings proposed on land zoned E1 Local Centre, or MU1 Mixed Use, or SP2 Infrastructure under Woollahra Local Environmental Plan 2014 AND erected for 8 weeks or more
OR
- b) Hoardings proposed on land located along a State classified road (regardless of the zone) AND erected for 8 weeks or more
OR
- c) Hoardings proposed in any other location than that referred to in A. and B. above AND erected for 12 weeks or more, except where:
 - 1. the capital investment value of the work to which the hoarding relates is less than \$1 million, or
 - 2. the land is zoned R2 Low Density Residential, or
 - 3. the land is zoned R3 Medium Density Residential and the hoarding is located in a lane or street that does not have through traffic (e.g. a cul-de-sac or no through road).

Artwork and historic images for the hoardings are assessed and approved in accordance with the Creative Hoardings Policy. Details of the artwork or images proposed to be affixed to the hoardings must be submitted with Council's form "Application for a permit to use a footpath for the erection of a hoarding/scaffolding". The Creative Hoardings Policy can be downloaded from www.woollahra.nsw.gov.au

Condition Reason: To ensure public safety.

(Standard Condition B.22 - Autotext 22B)

B.10 Site Signs

Before any site work commences, the sign/s required by clauses 70 of the Regulation and 75 of the Development Certification and Fire Safety Regulation must be erected and maintained at all times.

Clause 70 of the Regulation provides:

Erection of signs

For the purposes of section 4.17(11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a) showing the name, address and telephone number of the principal certifier for the work, and
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

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

This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

This clause does not apply in relation to Crown building work that is certified, in accordance with section 6.28 of the Act, to comply with the Building Code of Australia.

Clause 75 of the Development Certification and Fire Safety Regulation provides:

Signs on development sites

If there is a person who is the Principal Certifier or the Principal Contractor for any building work, subdivision work or demolition work authorised to be carried out on a site by a development consent or complying development certificate:

Each such person MUST ensure that a rigid and durable sign showing the person's identifying particulars so that they can be read easily by anyone in any public road or other public place adjacent to the site is erected in a prominent position on the site before the commencement of work, and is maintained on the site at all times while this clause applies until the work has been carried out.

Notes:

Clause 75 of the Development Certification and Fire Safety Regulations imposes a maximum penalty of 55 penalty units if these requirements are not complied with.

If Council is appointed as the Principal Certifier it will provide the sign to the Principal Contractor or Owner-builder who must ensure that the sign is erected and maintained as required by clause 70 of the Regulation and clause 75 of the Development Certification and Fire Safety Regulation.

Condition Reason: To ensure that contact details for the principal certifier and principal contractor are provided on a sign at the development site.

(Standard Condition B.23 - Autotext 23B)

B.11 Toilet Facilities

Before any site work commences, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

- a) must be a standard flushing toilet, and
- b) must be connected to a public sewer, or
- c) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
- d) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

Notes:

In this condition 'sewage management facility' and 'public sewer' are as defined by clause 25 of the Local Government (Approvals) Regulation 1999.

This condition does not set aside the requirement to comply with SafeWork NSW requirements.

Condition Reason: To ensure toilet facilities are provided for workers at the work site.

(Standard Condition B.24 - Autotext 24B)

B.12 Establishment of Boundary Location, Building Location and Datum

Before any site work commences, a surveyor registered under the Surveying and Spatial Information Act 2002 must:

- a) set out the boundaries of the site by permanent marks (including permanent recovery points),
- b) set out the location and level of foundation excavations, footings, walls and slabs by permanent marks, pegs or profiles relative to the boundaries of the land and relative to Australian Height Datum (AHD) in compliance with the approved plans,

- c) establish a permanent datum point (bench mark) within the boundaries of the site relative to AHD, and
- d) provide a copy of a survey report, prepared by the registered surveyor, detailing the title boundaries, pegs/profiles, recovery points and bench mark locations as established under this condition to the Principal Certifier.

Notes:

Where there is any discrepancy between the approved development consent and the Construction Certificate, especially in relation to the height, location or external configuration of the building (but not limited to these issues) the site works must not proceed until the variations as shown are consistent with the consent. Failure to do so may result in a breach of development consent.

On larger developments, or where boundary redefinition is required, the placement of new State Survey Marks as permanent marks must be considered by the registered surveyor.

Condition Reason: To ensure that the boundary locations, building location, and a datum point is established by a surveyor.

(Standard Condition B.25 - Autotext 25B)

B.13 Compliance with Australian Standard for Demolition

While site work is being carried out, the demolition of buildings and structures must comply with Australian Standard AS 2601—2001: The Demolition of Structures.

Condition Reason To control the risks of demolition work.

(Standard Condition B.27 - Autotext 27B)

B.14 Construction Management Plan Arborist Review

Prior to any site works, the Construction Management Plan must be reviewed and certified by the Project Arborist confirming that appropriate tree protection measures are implemented. The Construction Management Plan must be prepared in accordance with all tree protection measures specified within this consent.

The plan must address:

- a) The movement and positioning of heavy machinery, lifting cranes, pier drilling gantry etc.;
- b) Site construction access, temporary crossings and movement corridors on the site defined;
- c) Contractors car parking;
- d) Phasing of construction works;
- e) The space needed for all foundation excavations and construction works;
- f) All changes in ground level;
- g) Space for site sheds and other temporary structures such as toilets;
- h) Space for sorting and storing materials (short or long term), spoil and fuel and the mixing of cement and concrete; and
- i) The effects of slope on the movement of potentially harmful liquid spillages towards or into tree protection areas.

Condition Reason To ensure the Construction Management Plan incorporates measures for the protection of existing trees.

B.15 Arborists Documentation and Compliance Checklist

Prior to any site works, the project arborist must provide written certification that all tree protection measures and construction techniques relevant to this consent are implemented. Documentation for each site visit must include:

- A record of the condition of trees to be retained prior to and throughout development.
- Recommended actions to improve site conditions and rectification of non-compliance.
- Recommendations for future works which may impact the trees.

All compliance certification documents must be kept on site.

As a minimum the following intervals of site inspections must be made:

Stage of arboricultural inspection and supervision	Compliance documentation and photos must include
Prior to any site works	• Project Arborist to hold pre construction site meeting with the principal contractor to discuss methods and importance of tree protection measures and resolve any issues in relation to feasibility of tree protection requirements that may arise. Project Arborist to mark all trees approved for removal under DA consent. • The project arborist must install or supervise the installation of tree protection measures.

Inspections and compliance documentation must be made by an arborist with AQF Level 5 qualifications.

Additional site visits must be made when required by the site arborist and/or site foreman for ongoing monitoring/supervisory work.

Condition Reason To establish the works which are permissible within the Tree Protection Zones.

B.16 Permissible work within Tree Protection Zones

Prior to any site works, the following works are permissible within the Tree Protection Zone:

Council Ref No	Species	Radius from Centre of Trunk (Metres)	Approved works
19	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	12	Grassed terrace with low height retaining walls.
27	<i>Ulmus parvifolia</i> (Chinese Elm)	6	Amenities block to be constructed above existing grade. The bottom face of the slab to be a minimum of 150mm above exiting grade. Any pipe work for the amenities block must be installed above existing grade and outside of the radial distance specified in this table.
28	<i>Araucaria columnaris</i> (Cook Island pine)	7	Amenities block to be constructed above existing grade. The bottom face of the slab to be a minimum of 150mm above exiting grade. Any pipe work for the amenities block must be installed above existing grade and outside of the radial distance specified in this table.

30	<i>Hymenosporum flavum</i> (Native Frangipani)	3	Amenities block to be constructed above existing grade. The bottom face of the slab to be a minimum of 150mm above existing grade. Any pipe work for the amenities block must be installed above existing grade and outside of the radial distance specified in this table. Additionally the proposed tennis courts.
31	<i>Jacaranda mimosifolia</i> (Jacaranda)	7	Proposed multi courts to be constructed above existing grade levels. Car space resurfacing to be constructed at existing grade levels.
128	<i>Syzygium paniculatum</i> (Brush Cherry)	5	Proposed multi courts to be constructed above existing grade levels.
186	<i>Celtis sinensis</i> (Chinese Nettle)	7	Proposed multi courts to be constructed above existing grade levels.
187	<i>Celtis sinensis</i> (Chinese Nettle)	5	Proposed multi courts to be constructed above existing grade levels.
188	<i>Celtis sinensis</i> (Chinese Nettle)	8	Proposed multi courts to be constructed above existing grade levels.
189	<i>Celtis sinensis</i> (Chinese Nettle)	8	Proposed multi courts to be constructed above existing grade levels.
191	<i>Cinnamomum camphora</i> (Camphor Laurel)	4	Proposed multi courts to be constructed above existing grade levels.
61	<i>Phoenix canariensis</i> (Canary Island Date palm)	4	Proposed cricket nets.
61A	<i>Jacaranda mimosifolia</i> (Jacaranda)	7	Proposed cricket nets.

The project arborist must provide written certification of compliance to the Principal Certifier with the above condition.

Condition Reason To establish the works which are permissible within the Tree Protection Zones.

REMEDIATION WORK

C. ON COMPLETION OF REMEDIATION WORK

Nil.

BUILDING WORK

D. BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

D.1 Modification of Details of the Development (section 4.17(1)(g) of the Act)

Before the issue of any construction certificate, the approved plans and the construction certificate plans and specification, required to be submitted to the Principal Certifier under clause 7 of the Development Certification and Fire Safety Regulations, must detail the following amendments:

a) **Amended architectural plans.**

To minimize and avoid unacceptable impacts to existing trees the following amendments must be undertaken and submitted **and approved by Council's Tree Officer prior to the issue of any construction certificate.**

- To avoid unacceptable impacts to existing Trees 15, 17 and 18 the proposed decking area to the east of Barry Pavillion **must be deleted.**
- Plans must be amended to show the retention of Trees 15, 17, 18, 19, 31, 128, 28, 27 30, 61 and 61A
- Plans must be amended to show the car park resurfacing within the Tree Protection Zone (TPZ) of Tree 31 to remain at existing grade.
- Plan must show the proposed amenities block to be constructed above ground on piers located so that no roots equal to or greater than 40mm in diameter are severed. The under-slab height of the proposed amenities block must be a minimum of 150mm above exiting grade. No underground pipework is to be installed within the TPZ of Trees 27, 28 and 30.

Notes:

- Clause 20 of the Development Certification and Fire Safety Regulations prohibits ***the*** issue of any construction certificate subject to this condition unless the Principal Certifier is satisfied that the condition has been complied with.
- Clause 19 of the Development Certification and Fire Safety Regulations prohibits the issue of any construction certificate that is inconsistent with this consent.

Condition Reason: To require design changes and/or further information to be provided to address specific issues identified during the assessment under section 4.15 of the Act.
(Standard Condition D.4 - Autotext 4D)

D.2 Payment of Long Service Levy

Before the issue of any construction certificate, the original receipt(s) for the payment of the following levy must be provided to the Principal Certifier:

Description	Amount	Indexed	Council Fee Code
LONG SERVICE LEVY under <i>Building and Construction Industry Long Service Payments Act 1986</i>			
Long Service Levy www.longservice.nsw.gov.au/bci/levy/other-information/levy-calculator	Contact LSL Corporation or use online calculator	No	

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 Principal

Certifier prior to the issue of any construction certificate. The levy can be paid directly to the Long Service Corporation or to Council. Further information can be obtained from the Long Service Corporation website www.longservice.nsw.gov.au or the Long Service Corporation on 131 441.

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.

Condition Reason: To ensure any relevant levy is paid.

(Autotext 5D)

D.3 Erosion and Sediment Control Plan – Submission and Approval

Before the issue of any construction certificate, an erosion and sediment control plan, prepared by a suitably qualified person in accordance with the following documents, must be submitted to the Principal Certifier. The erosion and sediment control plan must comply with:

- a) “Do it Right On Site, Soil and Water Management for the Construction Industry” and the accompanying factsheets published by the Southern Sydney Regional Organisation of Councils; and
- b) “Managing Urban Stormwater - Soils and Construction” 2004 published by the NSW Government (The Blue Book).

Where there is any conflict The Blue Book takes precedence.

The Principal Certifier must be satisfied that the erosion and sediment control plan complies with the publications above prior to issuing any construction certificate.

Notes:

The International Erosion Control Association – Australasia 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.

The “Do it Right On Site, Soil and Water Management for the Construction Industry” publication and accompanying factsheets can be downloaded from www.woollahra.nsw.gov.au, and The Blue Book is available at www.environment.nsw.gov.au

Under clause 73(2)(a)(v) of the Development Certification and Fire Safety Regulation an Accredited Certifier may be satisfied as to this matter.

Condition Reason: To prevent potential water pollution and dust nuisance.

(Standard Condition D.25 - Autotext 25D)

D.4 Payment of S7.12 Contributions Levy

A payment of a levy authorised by section 7.12 of the Environmental Planning and Assessment Act 1979 must be paid prior to the issue of any Construction Certificate or Subdivision Works Certificate. The Principal Certifier is to be provided with the original receipt for payment under the Woollahra Section 7.12 Development Contributions Plan 2022.

A cost estimate report, no more than 3 months old, demonstrating the proposed cost of carrying out the development must be completed and submitted to Council for determination of the costs of work. This report must incorporate all approved modification applications. The

costs and expenses of the proposed cost of development must be established in accordance with clause 208 of the Environmental Planning and Assessment Regulation 2021.

The cost estimate report must be in the form of:

A cost summary report, prepared by the applicant or a person acting on the behalf of the applicant for a development up to \$150,000;

A cost summary report, prepared by a suitably qualified person, at the applicant's cost, where the cost of development is between \$150,000 and \$749,999; or

A quantity surveyor's report, at the applicant's cost, for development over \$750,000.

Note: A 'suitably qualified person' is defined in the Woollahra Section 7.12 Development Contributions Plan 2022.

The applicable levy rate is to be calculated using the summary schedule below.

Summary Schedule	
Development Cost	Levy Rate
• Up to and including \$100,000	Nil
• More than \$100,000 and up to and including \$200,000	0.5% of the cost
• More than \$200,000	1% of the cost

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.

Deferred or periodic payment of section 7.12 levy

Where the Applicant makes a written request supported by reasons for payment of the section 7.12 levy other than as required by clause 2.9, 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 and irrevocably agrees to pay the guaranteed sum to the Council on written request by Council prior to the issue of an occupation certificate,

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 recourse 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, 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 7.12 levy will be adjusted in accordance with clause 2.12 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.

Do you need HELP indexing the levy?

Please contact Council's Customer Service Team on 02 9391 7000. Failure to correctly calculate the adjusted development levy will delay the issue of any certificate issued under section 6.4 of the Act and could void any such certificate (e.g. construction certificate, subdivision certificate, or occupation certificate).

Condition Reason: To ensure any relevant contributions are paid.

(Standard Condition D.27 - Autotext 27D)

D.5 Tree Protection Plan and Specification

Before the issue of any construction certificate, the Principal Certifier must ensure the measures for tree protection detailed in this consent are in place. The construction certificate plans and specifications must show the following information:

- a) Trees to be numbered and coloured in accordance with these conditions:
 - shaded green where required to be retained and protected
 - shaded red where authorised to be removed
- b) Tree Protection Plan and Specification prepared by an arborist with a minimum qualification of AQF 5 including the following:
 - Tree Location Plan (to scale) based on/overlaid with the approved plans, indicating trees to be retained, removed or transplanted, and the location of tree protection zones (TPZ) and structural root zones (SRZ) of trees to be retained and protected.
 - The plan must also include site specific tree protection recommendations such as fencing, ground and trunk protection and other protection devices.
 - Tree Protection Specification (written document) with tree protection requirements included from this consent and in accordance with sections 4 & 5 of AS4970, providing guidance for the implementation of tree protection methods.
 - To minimise construction damage, the plan must show specific areas requiring works to be done under direct supervision of the project arborist.
- c) References to applicable tree management plan, arborists report or transplant method statement.

This plan must be kept on site until the issue of the occupation certificate for the whole building.

Condition Reason: To ensure the construction certificate includes the approved tree management details, and all measures are implemented.

(Standard Condition D.30 - Autotext 30D)

D.6 Structural Adequacy of Existing Supporting Structures

Before the issue of any construction certificate, a certificate from a professional structural engineer, certifying the adequacy of the existing supporting structure to support the additional loads proposed to be imposed by the development, must be provided to the Principal Certifier and submitted with the construction certificate application.

Condition Reason: To ensure that the existing structure is able to support the additional loads proposed.

(Standard Condition D.35 - Autotext 35D)

D.7 Professional Engineering Details

Before the issue of any construction certificate, the construction certificate plans and specifications, required under clause 7 of the Development Certification and Fire Safety Regulation, must include detailed professional engineering plans and/or specifications for all structural, electrical, hydraulic, hydrogeological, geotechnical, mechanical and civil work complying with this consent, approved plans, and supporting documentation. Detailed professional engineering plans and/or specifications must be submitted to the Principal Certifier with the application for any construction certificate.

Notes:

This does not affect the right of the developer to seek staged construction certificates.

Condition Reason: To ensure professional engineering details and technical specifications are provided.

(Standard Condition D.36 - Autotext 36D)

D.8 Engineer Certification

Before the issue of any construction certificate, engineer certification must be submitted to the Principal Certifier confirming that the structural design does not incorporate any temporary or permanent underpinning works or ground anchors, bolts, etc. which encroach outside the boundaries of the subject property.

This development consent does NOT give approval to any works outside the boundaries of the subject property including any underpinning works to any structures on adjoining properties and Council's property.

Condition Reason: To ensure certification is provided that demonstrates all structural works are located within the boundaries of the site and do not include underpinning works to any structures on adjoining properties.

(Standard Condition D.37 - Autotext 37D)

D.9 Geotechnical and Hydrogeological Design, Certification and Monitoring

Before the issue of the construction certificate, the applicant must submit, for approval by the Principal Certifier, a detailed geotechnical report prepared by a chartered professional geotechnical engineer in accordance with Council's DA Guide document "Guidelines for Geotechnical and Hydrogeological Reports".

The geotechnical report must include 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 chartered professional structural engineer.

The geotechnical report must be certified by the chartered professional geotechnical 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 details of cut-off walls or similar controls 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.

- d) Provide tanking to below ground structures to prevent the entry of seepage water such that subsoil drainage/seepage water is NOT collected and discharged to the kerb and gutter.
- e) Provide that vibration from site works (including but not limited to demolition, excavation, sifting, piling and construction) does not exceed the following limits at any time, as measured from the site boundary:
 - For continuous vibration: Maximum peak velocity of 0.28 mm/s
 - For intermittent vibration: Maximum peak velocity of 2.5 mm/s and maximum vibration dose value of 0.2 m/s^{1.75}
 - For impulsive vibration: Maximum peak velocity of 2.5 mm/s

These are the minimum standards. Some locations may be more susceptible to vibration impacts and require more stringent vibration limits to protect human comfort and prevent structural damage. A chartered professional geotechnical engineer must determine whether more stringent vibration limits are required.

Factors that may influence vibration impacts include, but are not limited to: ground conditions, and sensitive buildings in the vicinity of the site, e.g. heritage, age, construction type and materials of buildings.

The report must include 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 so that vibration does not exceed the maximum peak particle velocity standards,
- details the trigger levels for anticipated vibration types and buildings in the neighbourhood, and frequency of monitoring,
- 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 hydrogeological measures by the chartered professional geotechnical engineer, and
- details a contingency plan.

Condition Reason: To ensure that geotechnical, hydrogeological and vibration impacts are appropriately managed.

(Standard Condition D.40 - Autotext 40D)

D.10 Stormwater Discharge to Existing Stormwater Drainage System

Before the issue of any construction certificate, the applicant must submit, for approval by the Principal Certifier, detailed stormwater management plans prepared by a chartered professional civil engineer, which include the following:

- a) The stormwater management plans must specify any components of the existing drainage system to be retained and certified to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required.
- b) Detail the location of the existing stormwater drainage system including all pipes, inspection openings, surface drains, pits and their discharge location as well as any new stormwater drainage system.
- c) Detail any remedial works required to upgrade the existing stormwater drainage system.
- d) Internal stormwater drainage pipes and pits are to be designed for rainfall intensities up to and including the 1% AEP event if an unimpeded overland flow path to the street drainage system is not available. Design details and calculations must be included in the stormwater management plans.

- f) All below ground structures are to be fully tanked or appropriately designed such that subsoil drainage/seepage water is NOT discharged to the kerb and gutter to comply with Chapter E2.2.5 of Council's DCP. Notation to this requirement must be clearly depicted on the drawings.
- g) Dimensions of all drainage pit and access grates must comply with AS3500.3 and Council's DCP.
- h) Interceptor drain(s) at the site boundary to prevent stormwater flows from the site crossing the footpath; and General compliance with the Woollahra DCP 2015 Chapter E2 – Stormwater and Flood Risk Management.
- i) General compliance with the 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 Australian Government publication, Australian Rainfall and Run-off, 2019 edition or most current version thereof. It must include:

- a) All pipe layouts, dimensions, grades, lengths and material specification.
- b) Location and dimensions of all downpipes.
- 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.
- f) Overland flow paths over impervious areas.

Where new Stormwater Drainage System crosses the footpath area within any road, separate approval under section 138 of the Roads Act 1993 must be obtained from Council for those works before the issue of any construction certificate.

All Stormwater Drainage System work within any road or public place must comply with Woollahra Municipal Council's Specification for Roadworks, Drainage and Miscellaneous Works (2012).

Notes:

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

Condition Reason: To ensure that site stormwater is disposed of in a controlled and sustainable manner.

(Standard Condition D49 - Autotext 49D)

E. BEFORE BUILDING WORK COMMENCES

E.1 Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

Before any building work commences, and under section 4.17(11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

- a) that the work must be carried out in accordance with the requirements of the Building Code of Australia,
- b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This condition does not apply:

- a) to the extent to which an exemption is in force under the Home Building Regulation 2014, or
- b) to the erection of a temporary building.

In this condition, a reference to the BCA is a reference to that code as in force on the date the application for the relevant Construction Certificate is made.

Notes:

This condition must be satisfied prior to commencement of any work in relation to the contract of insurance under the Home Building Act 1989. This condition also has effect during the carrying out of all building work with respect to compliance with the Building Code of Australia.

All new guttering is to comply with the provisions of AS3500.

Condition Reason: To ensure that works are carried out in accordance with the Building Code of Australia and any required contract of insurance is in force.

(Standard Condition E.1 - Autotext 1E)

E.2 Erosion and Sediment Controls – Installation

Before any building work commences, water pollution, erosion and sedimentation controls must be installed and maintained 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” and accompanying factsheets published by the Southern Sydney Regional Organisation of Councils, and
- c) “Managing Urban Stormwater - Soils and Construction” 2004 published by the NSW Government (The Blue Book).

Where there is any conflict The Blue Book takes precedence.

Notes:

The International Erosion Control Association – Australasia (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.

The “Do it Right On Site, Soil and Water Management for the Construction Industry” publication and the accompanying factsheets can be downloaded from www.woollahra.nsw.gov.au and The Blue Book is available at www.environment.nsw.gov.au

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.

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.

Condition Reason: To prevent potential water pollution and dust nuisance.

(Standard Condition E14 - Autotext 14E)

E.3 Building - Construction Certificate, Appointment of Principal Certifier, Appointment of Principal Contractor and Notice of Commencement (Part 6, Division 6.3 of the Act)

Building work must not commence, until:

- a) A construction certificate for the building work has been issued by the consent authority, the Council (if the Council is not the consent authority) or an accredited Certifier, and
- b) The person having the benefit of the development consent has:
appointed a Principal Certifier for the building work, and
notified the Principal Certifier that the person will carry out the building work as an Owner-builder, if that is the case, and
- c) The Principal Certifier has, no later than 2 days before the building work commences:
notified the consent authority and the Council (if the Council is not the consent authority) of his or her appointment, and
notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d) The person having the benefit of the development consent, if not carrying out the work as an Owner-builder, has:
appointed a Principal Contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
notified the Principal Certifier of any such appointment, and
unless that person is the Principal Contractor, notified the Principal Contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
given at least 2 days' notice to the Council of the person's intention to commence the erection of the building.

Notes:

Building has the same meaning as in section 1.4 of the Act and includes part of a building and any structure or part of a structure.

New building has the same meaning as in section 6.1 of the Act and includes an altered portion of, or an extension to, an existing building.

The commencement of demolition works associated with an altered portion of, or an extension to, an existing building is considered to be the commencement of building work requiring compliance with section 6.6(2) of the Act (including the need for a Construction Certificate) prior to any demolition work. See: *Over our Dead Body Society Inc v Byron Bay Community Association Inc* [2001] NSWLEC 125.

Construction Certificate Application, PC Service Agreement and Notice of Commencement forms can be downloaded from Council's website www.woollahra.nsw.gov.au

It is an offence for any person to carry out the erection of a building in breach of this condition and in breach of section 6.6(2) of the Act.

Under the Home Building Act 1989 any property owner who intends undertaking construction work to a dwelling house or dual occupancy to the value of \$12,000 or over must complete an approved education course and obtain an owner-builder permit from NSW Fair Trading.

Condition Reason: To ensure a construction certificate has been issued, a Principal Certifier is appointed, a Principal Contractor (if applicable) is appointed, and a notice of commencement has been submitted.

(Standard Condition E.15 - Autotext 15E)

F. DURING BUILDING WORK

F.1 Compliance with BCA and Insurance Requirements under the Home Building Act 1989

While site work is being carried out:

- a) work must be carried out in accordance with the requirements of the Building Code of Australia (BCA),
- b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This condition does not apply:

- a) to the extent to which an exemption is in force under the Development Certification and Fire Safety Regulations, or
- b) to the erection of a temporary building.

In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

For the purposes of section 4.17(11) of the Act, the above condition is prescribed in relation to a development consent for development that involves any building work.

Notes:

All new guttering is to comply with the provisions of AS 3500.

Condition Reason: To ensure compliance with the BCA and Home building Act 1989.

(Standard Condition F.1 - Autotext 1F)

F.2 Requirement to Notify about New Evidence

While site work is being carried out, any new information that comes to light, which has the potential to alter previous conclusions about site contamination, heritage significance, threatened species or other relevant matters must be immediately notified to Council and the Principal Certifier.

Condition Reason: To ensure Council and the Principal Certifier are made aware of new information.

(Standard Condition F.4 - Autotext 4F)

F.3 Critical Stage Inspections

While site work is being carried out, critical stage inspections must be called for by the Principal Contractor or Owner-builder as required by the Principal Certifier, any PC service agreement, the Act, the Development Certification and Fire Safety Regulation, and the Regulation.

Work must not proceed beyond each critical stage until the Principal Certifier is satisfied that work is proceeding in accordance with this consent, the construction certificate(s) and the Act.

Critical stage inspections means the inspections prescribed by the Development Certification and Fire Safety Regulations, and Regulations for the purposes of section 6.5 of the Act or as required by the Principal Certifier and any PC Service Agreement.

Notes:

The Principal Certifier may require inspections beyond mandatory critical stage

inspections in order that the Principal Certifier be satisfied that work is proceeding in accordance with this consent.

The Principal Certifier may, in addition to inspections, require the submission of Compliance Certificates, survey reports or evidence of suitability in accordance with Part A2G2 of the BCA in relation to any matter relevant to the development.

Condition Reason: To ensure that building work progresses in accordance with the approved plans, conditions of consent, and requirements of the act.

(Standard Condition F.5 - Autotext 5F)

F.4 Hours of Work –Amenity of the Neighbourhood

While site work is being carried out:

- a) No work must take place on any Sunday or public holiday.
- b) No work must take place before 7am or after 5pm any weekday.
- c) No work must take place before 7am or after 1pm any Saturday.
- d) The following work must not take place before 9am or after 4pm any weekday, or before 9am or after 1pm any Saturday or at any time on a Sunday or public holiday:
 - piling,
 - piling,
 - rock or concrete cutting, boring or drilling,
 - rock breaking,
 - rock sawing,
 - jack hammering, or
 - machine excavation.
- e) No loading or unloading of material or equipment associated with the activities listed in part d) above must take place before 9am or after 4pm any weekday, or before 9am or after 1pm any Saturday or at any time on a Sunday or public holiday.
- f) No operation of any equipment associated with the activities listed in part d) above must take place before 9am or after 4pm any weekday, or before 9am or after 1pm any Saturday or at any time on a Sunday or public holiday.
- g) No rock excavation being cutting, boring, drilling, breaking, sawing , jack hammering or bulk excavation of rock, must occur without a 15 minute interval break within every hour.

Notes:

The use of noise and vibration generating plant and equipment and vehicular traffic, including trucks in particular, significantly degrade the amenity of neighbourhoods and more onerous restrictions apply to these activities. This more invasive work generally occurs during the foundation and bulk excavation stages of development. If you are in doubt as to whether or not a particular activity is considered to be subject to the more onerous requirement (9am to 4pm weekdays and 9am to 1pm Saturdays) please consult with Council.

Each and every breach of this condition by any person may be subject to a separate penalty infringement notice or prosecution.

The delivery and removal of plant, equipment and machinery associated with wide loads subject to Transport for NSW and NSW Police restrictions on their movement outside the approved hours of work will be considered on a case by case basis.

Compliance with these hours of work does not affect the rights of any person to seek a remedy to offensive noise as defined by the Protection of the Environment Operations Act 1997, the Protection of the Environment Operations (Noise Control) Regulation 2017.

NSW EPA Noise Guide is available at www.epa.nsw.gov.au/noise/nglg.htm

Condition Reason: To mitigate the impact of work upon the amenity of the neighbourhood.

(Standard Condition F.6 - Autotext 6F)

F.5 Public Footpaths – Safety, Access and Maintenance

While site work is being carried out, any person acting with the benefit of this consent must:

- a) Not erect or maintain any gate or fence that swings out, or encroaches 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) Any damage caused to the road, footway, vehicular crossing, nature strip or any public place must be immediately made safe and then repaired, to the satisfaction of Council.
- f) Not stand any plant and equipment upon the road or footway.
- g) If it is proposed to locate any site fencing, hoardings, skip bins or other articles upon any part of the footpath, nature strip or any public place, or operate a crane, hoist or concrete pump on or over Council land, an application must be submitted to and approved by Council beforehand.
- h) Provide a clear safe pedestrian route a minimum of 1.5m wide.
- i) Protect heritage listed street name inlays located in the footpath, kerb and gutter, and any other structure, to ensure they are not removed or damaged during development.

This condition does not apply to the extent that a permit or approval exists under the section 148B of the Road Transport Act 2013, section 138 of the Roads Act 1993 or section 68 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.

Notes:

Section 148B of the Road Transport Act 2013 allows the NSW Police to close any road or road related area to traffic during any temporary obstruction or danger to traffic or for any temporary purpose.

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.

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.

Condition Reason: To ensure safe access is maintained to footpaths and roads during building works.

(Standard Condition F.7 - Autotext 7F)

F.6 Tree Preservation

While site work is being carried out, all persons must comply with Chapter E.3 – *Tree Management* of Council's Development Control Plan (DCP) 2015, other than where varied by this consent. The DCP applies to any tree with a height greater than 5 metres or a diameter spread of branches greater than 3 metres.

General Protection Requirements:

- a) The tree protection measures must be maintained during all development work unless otherwise specified within these conditions of consent.
- b) Excavation must cease where tree roots with a diameter exceeding 50mm are exposed. The principal contractor must procure an inspection of the exposed tree roots by an arborist with a minimum AQF Level 5 qualification. Excavation must only recommence with the implementation of the recommendations of the arborist.
- c) Where there is damage to any part of a tree the principal contractor must procure an inspection of the tree by a qualified arborist immediately. The principal contractor must immediately implement treatment as directed by the arborist. The arborist is to supply a detailed report to the appointed certifier.

Trees must be pruned in accordance with Australian Standard AS 4373 "Pruning of Amenity Trees" and WorkCover NSW Code of Practice Amenity Tree Industry.

Condition Reason: To protect trees during the carrying out of sitework.

F.7 Maintenance of Environmental Controls

While site work is being carried out, the following monitoring, measures and controls must be maintained:

- a) erosion and sediment controls,
- b) dust controls,
- c) dewatering discharges,
- d) noise controls,
- e) vibration monitoring and controls, and
- f) ablutions.

F.8 Support of Adjoining Land and Buildings

While site work is being carried out, a person must not 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.

Notes:

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:

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

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).

Clause 17 of the Roads Regulation 2018 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.

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.

Condition Reason: To ensure that the support of adjoining land is not removed.

F.9 Erosion and Sediment Controls – Maintenance

While site work is being carried out, water pollution, erosion, and sedimentation controls must be maintained 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" and the accompanying factsheets published by the Southern Sydney Regional Organisation of Councils, and
- c) "Managing Urban Stormwater - Soils and Construction" 2004 published by the NSW Government (The Blue Book).

Where there is any conflict The Blue Book takes precedence.

Notes:

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.

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.

Condition Reason: To prevent potential water pollution and dust nuisance.

(Standard Condition F.15 - Autotext 15F)

F.10 Disposal of Site Water During Construction

While site work is being carried out:

- a) Prior to pumping any water into the road or public stormwater system, approval must be obtained from Council under section 138(1)(d) of the Roads Act 1993.
- b) Water pollution, as defined by the Protection of the Environment Operations Act 1997, must not occur as the result of the discharge to the road, public stormwater system or other place of 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.

Condition Reason: To ensure that adjoining and neighbouring land is not adversely affected by unreasonable overland flows of stormwater and that site water does not cause erosion and water pollution.

(Standard Condition F.17 - Autotext 17F)

F.11 Site Cranes

While site work is being carried out, 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 relevant approvals have been obtained 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.

Notes:

Where it is proposed to swing a crane over a public place a separate application to Council must be made under section 68 of the Local Government Act 1993 and obtain activity approval from Council prior to swinging or hoisting over the public place.

Where it is proposed to swing a crane over private land the consent of the owner of that private land is required. Alternatively, 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 and Environment Court Act 1979 as appropriate must be obtained. 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.

Condition Reason: To ensure site cranes are used safely with the relevant approvals.

(Standard Condition F.19 - Autotext 19F)

F.12 Check Surveys - boundary location, building location, building height, stormwater drainage system and flood protection measures relative to Australian Height Datum

While site work is being carried out, a registered surveyor must carry out check surveys and provide 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.

Work must not proceed beyond each of the following critical stages until compliance has been demonstrated to the Principal Certifier'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 are in place 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.

Condition Reason: To ensure that development occurs in the location and at the height approved under this consent, which is critical to ensure that buildings are constructed to minimum heights for flood protection and maximum heights to protect views and the amenity of neighbours.

(Standard Condition F.20 - Autotext 20F)

F.13 Placement and Use of Skip Bins

While site work is being carried out, all waste storage containers, including but not limited to skip bins, must be stored within the site unless:

- a) Activity Approval has been issued by Council under section 68 of the Local Government Act 1993 to place the waste storage container in a public place; and
- b) where located on the road it is located only in a positions where a vehicle may lawfully park in accordance with the Australian Road Rules.

Notes:

Waste storage containers must not be located on the footpath without a site specific activity approval. Where such site specific activity approval is granted a 1.5m wide clear path of travel is maintained free of any trip hazards.

Condition Reason: To ensure waste storage containers are appropriately located.

(Standard Condition F.21 - Autotext 21F)

F.14 Prohibition of Burning

While site work is being carried out, there must be no burning of any waste or other materials. The burning of copper chrome arsenate (CCA) or pentachlorophenol (PCP) treated timber is prohibited in all parts of NSW. All burning is prohibited in the Woollahra local government area.

Notes:

Under the Protection of the Environment Operations (Clean Air) Regulation 2021 all burning (including burning of vegetation and domestic waste) is prohibited except with approval. No approval is granted under this consent for any burning.

Condition Reason: To ensure no burning of waste occurs.

(Standard Condition F.22 - Autotext 22F)

F.15 Dust Mitigation

While site work is being carried out, dust mitigation must be implemented in accordance with "Dust Control - Do it right on site" and the accompanying facts sheets published by the Southern Sydney Regional Organisation of Councils.

This generally requires:

- a) Dust screens to all hoardings and site fences.
- b) All stockpiles or loose materials to be covered when not being used.
- c) All equipment, where capable, being fitted with dust catchers.

- d) All loose materials being placed bags before placing into waste or skip bins.
- e) All waste and skip bins being kept covered when not being filled or emptied.
- f) The surface of excavation work being kept wet to minimise dust.
- g) Landscaping incorporating trees, dense shrubs and grass being implemented as soon as practically possible to minimise dust.

Notes:

“Dust Control - Do it right on site” and the accompanying factsheets can be downloaded from Council’s website www.woollahra.nsw.gov.au

Special precautions must be taken when removing asbestos or lead materials from development sites. Additional information can be obtained from www.safework.nsw.gov.au and www.epa.nsw.gov.au. Other specific conditions and advice may apply.

Demolition and construction activities may affect local air quality and contribute to urban air pollution. The causes are dust, smoke and fumes coming from equipment or activities, and airborne chemicals when spraying for pest management. Precautions must be taken to prevent air pollution.

Condition Reason: To mitigate the impact of dust upon the amenity of the neighbourhood and prevent water pollution.

(Standard Condition F.23 - Autotext 23F)

F.16 Site Waste Minimisation and Management – Demolition

While site work is being carried out, in order to maximise resource recovery and minimise residual waste from demolition activities:

- a) the provisions of the Site Waste Minimisation and Management Plan (SWMMP) are to be implemented at all times during the course of the work,
- b) an area is to be allocated for the storage of materials for use, recycling and disposal (giving consideration to slope, drainage, location of waterways, stormwater outlets, vegetation and access and handling requirements),
- c) separate collection bins and/or areas for the storage of residual waste are to be provided,
- d) the purpose and content of the bins and/or storage areas are to be clearly ‘signposted’,
- e) measures to prevent damage by the elements, odour, health risks and windborne litter are to be implemented, and
- f) site disturbance must be minimised, and unnecessary excavation limited.

When implementing the SWMMP the Applicant must ensure:

- a) footpaths, public reserves and street gutters are not used as places to store demolition waste or materials of any kind without Council approval,
- b) any material moved offsite is transported in accordance with the requirements of the Protection of the Environment Operations Act 1997,
- c) waste is only transported to a place that can lawfully be used as a waste facility,
- d) generation, storage, treatment and disposal of hazardous waste and special waste (including asbestos) is conducted in accordance with relevant waste legislation administered by the NSW Environment Protection Authority, and relevant occupational health and safety legislation administered by SafeWork NSW, and
- e) evidence such as weighbridge dockets and invoices for waste disposal or recycling services are retained.

Notes:

Materials that have an existing reuse or recycling market must not be disposed of in a land fill. Reuse and recycling opportunities are decreased when asbestos is not carefully removed and segregated from other waste streams.

Condition Reason: To maximise resource recovery and minimise residual waste from demolition activities.

(Standard Condition F.31 - Autotext 31F)

F.17 Site Waste Minimisation and Management – Construction

While site work is being carried out, in order to maximise resource recovery and minimise residual waste from construction activities:

- a) the provisions of the Site Waste Minimisation and Management Plan (SWMMP) are to be implemented at all times during the course of the work,
- b) deliveries of materials must be arranged so that materials are delivered 'as needed' to prevent the degradation of materials through weathering and moisture damage,
- c) consideration must be given to returning excess materials to the supplier or manufacturer,
- d) an area must be allocated for the storage of materials for use, recycling and disposal (considering slope, drainage, location of waterways, stormwater outlets and vegetation),
- e) the purpose and content of the storage areas must be clearly 'signposted',
- f) contractors must be arranged for the transport, processing and disposal of waste and recycling and all contractors must be aware of the legal requirements for disposing of waste,
- g) separate collection bins or areas for the storage of residual waste must be promoted,
- h) measures to prevent damage by the elements, odour and health risks, and windborne litter must be implemented,
- i) site disturbance must be minimised and unnecessary excavation limited,
- j) all waste must be transported to a place that can lawfully be used as a waste facility, and
- k) records demonstrating lawful disposal of waste must be retained and kept readily accessible for inspection by regulatory authorities such as Council, the NSW EPA or SafeWork NSW.

Condition Reason: To maximise resource recovery and minimise residual waste from construction activities.

(Standard Condition F.32 - Autotext 32F)

F.18 Asbestos Removal

While site work is being carried out, all asbestos removal work must be carried out safely according to NSW work health and safety legislation.

Where hazardous material, including bonded or friable asbestos has been identified in accordance with the conditions in Section B above, and such material must be demolished, disturbed and subsequently removed, all such works must comply with the following criteria:

- a) Be undertaken by contractors who hold a current SafeWork NSW "demolition licence" and a current SafeWork NSW "Class A licence" for friable asbestos removal.
- b) Be carried out in accordance with the relevant SafeWork NSW codes of practice.
- c) No asbestos products may be reused on the site.
- d) No asbestos laden skip or bins must be left in any public place.

Notes:

Before starting work, a work site-specific permit approving each asbestos project must be obtained from SafeWork NSW. A permit will not be granted without a current SafeWork licence.

All removal, repair or disturbance of or to asbestos material must comply with:

- Work Health and Safety Act 2011,
- Work Health and Safety Regulation 2017,
- SafeWork NSW "Code of Practice: How to Safely Remove Asbestos" (2016), and

- SafeWork NSW "Code of Practice: How to Manage and Control Asbestos in the Workplace" (2016).

For more information go to the SafeWork NSW website on asbestos

www.safework.nsw.gov.au/health-and-safety/safety-topics-a-z/asbestos, and
www.safework.nsw.gov.au/law-and-policy/legislation-and-codes/codes-of-practice or call 131 050

Condition Reason: To ensure the safe removal of asbestos and protect the health and safety of persons working on the site and the public
(Standard Condition F.39 - Autotext 39F)

F.19 Classification of Hazardous Waste

While site work is being carried out, and prior to the exportation of hazardous waste (including hazardous fill or soil) from the site, the waste materials must be classified in accordance with the provision of the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines, Part1: Classifying Waste, 2014.

Condition Reason: To ensure that where hazardous waste will be removed from a site an asbestos licensed contractor can definitively determine where the waste may be legally taken for disposal.

(Standard Condition F40 - Autotext 40F)

F.20 Disposal of Asbestos and Hazardous Waste

While site work is being carried out, asbestos and hazardous waste, once classified in accordance with the hazardous waste classification condition must only be transported to waste facilities licensed to accept asbestos and appropriate classifications of hazardous waste.

Condition Reason: To ensure that asbestos and other hazardous waste is disposed of lawfully under the Protection of the Environment Operations Act 1997 and relevant NSW EPA requirements.

(Standard Condition F.41 - Autotext 41F)

F.21 Asbestos Removal Signage

While site work is being carried out and when asbestos is being removed, standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm are to be erected in prominent visible positions on the site.

Condition Reason: To ensure awareness of any hazard to the health and safety of persons working on the site and public.

(Standard Condition F.42 - Autotext 42F)

F.22 Notification of Asbestos Removal

While site work is being carried out, in addition to the requirements for licensed asbestos removalists to give written notice to SafeWork NSW, all adjoining properties and those opposite the development site must be notified in writing of the dates and times when asbestos removal is to be conducted.

The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and facsimile numbers and email addresses.

Condition Reason: To ensure that local residents are informed and have adequate contact details for incidents of asbestos removal.

F.23 Arborists Documentation and Compliance Checklist

While site work is being carried out, the project arborist must provide written certification that all tree protection measures and construction techniques relevant to this consent have been implemented. Documentation for each site visit must include:

- a) a record of the condition of trees to be retained prior to and throughout development,
- b) recommended actions to improve site conditions and rectification of non-compliance, and
- c) recommendations for future works which may impact the trees.

All compliance certification documents must be kept on site by the site Supervisor.

As a minimum the following intervals of site inspections must be made:

Stage of arboricultural inspection and supervision	Compliance documentation and photos must include
While site work is carried out	• The project arborist must supervise all demolition and excavation works within the Tree Protection Zones of nominated trees listed in this consent. • The project arborist must supervise the installation of the approved multi courts, tennis courts and car park resurfacing, documenting the condition of roots and soil. • The project arborist must ensure pier holes within the Tree Protection Zones of nominated trees listed in this consent are positioned to avoid the severance of and damage to roots greater than 40mm diameter. • Regular inspections as indicated in the Arboricultural Impact Assessment report.

Inspections and compliance documentation must be made by an arborist with AQF Level 5 qualifications.

Additional site visits must be made when required by site arborist and/or site foreman for ongoing monitoring/supervisory work.

Condition Reason: To ensure that all tree protection measures and construction techniques relevant to this consent have been implemented.

(Standard Condition F.45 - Autotext 45F)

F.24 Replacement/Supplementary trees which must be planted

While site work is being carried out, any replacement or supplementary tree must be grown in accordance with Tree stock for landscape use (AS 2303). The following replacement tree/s must be planted in deep soil landscaped area <delete this if planted in a planter box on a structure> and maintained in a healthy and vigorous condition. If the replacement tree is found to be faulty, damaged, dying or dead before it attains a size whereby it becomes a prescribed tree in accordance with Chapter E.3 of Council's Development Control Plan, it must be replaced with another of the same species, which complies with the criteria outlined below.

Species/Type	Planting Location	Container Size/Size of Tree (at planting)	Minimum Dimensions at Maturity (metres)
5 x <i>Syzygium australe</i> (Brush Cherry Lillypilly)	Adjacent the southern edge of the proposed multi courts	45 litres each	5 metres height

1 x <i>Stenocarpus sinuatus</i> (Queensland Firewheel tree) OR <i>Brachychiton discolor</i> (Lacebark Kurrajong)	Location of removed tree No.29	100 litre	8 x 5
1 x <i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Vicinity of removed Tree No.16	100 litre	8 x 7

The project arborist must document compliance with the above condition.

Condition Reason: To ensure the provision of appropriate replacement planting.
(Standard Condition F.46 - Autotext 46F)

F.25 Resurfacing the car park in the vicinity of trees

While site work is being carried out, resurfacing works within the specified radius from the trunks of the following trees must be constructed at existing grade. When preparing the area for resurfacing within the specified radius the soil surface must not be skimmed/excavated. The new surface must be established above the former ground level.

Council Ref No	Species	Location	Radius from centre of trunk (metres)
31	<i>Jacaranda mimosifolia</i> (Jacaranda)	Southern side of Neild Avenue carpark entrance	7

Resurfacing works are to be designed in consultation with a qualified Arborist (minimum qualification of Australian Qualification Framework Level 5 or recognised equivalent).

The project arborist must document compliance with the above condition.

Condition Reason: To ensure that paving works would not adversely impact upon the health of existing trees.

F.26 Court in the vicinity of trees

While site work is being carried out, no roots equal to or greater than 40mm diameter are to be severed from the specified radius from the trunks of the following trees.

Council Ref No	Species	Location	Radius from centre of trunk (metres)
19	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Grassed embankment on the western side of the Barry Pavillion	12
27	<i>Ulmus parvifolia</i> (Chinese Elm)	Southern end of existing tennis courts – most eastern specimen	6
28	<i>Araucaria columnaris</i> (Cook Island pine)	Southern end of existing tennis courts	7
30	<i>Hymenosporum flavum</i> (Native Frangipani)	Southern end of existing tennis courts	3
31	<i>Jacaranda mimosifolia</i> (Jacaranda)	Southern side of Neild Avenue carpark entrance	7

128	<i>Syzygium paniculatum</i> (Brush Cherry)	Western edge of existing basket ball/tennis courts	5
186	<i>Celtis sinensis</i> (Chinese Nettle)	Adjacent the southern boundary of the subject site	7
187	<i>Celtis sinensis</i> (Chinese Nettle)	Adjacent the southern boundary of the subject site	5
188	<i>Celtis sinensis</i> (Chinese Nettle)	Adjacent the southern boundary of the subject site	8
189	<i>Celtis sinensis</i> (Chinese Nettle)	Adjacent the southern boundary of the subject site	8
191	<i>Cinnamomum camphora</i> (Camphor Laurel)	Adjacent the southern boundary of the subject site	4

The project arborist must document compliance with the above condition.

Condition Reason: To ensure level changes would not adversely impact upon the health of existing trees.

(Standard Condition F.49 - Autotext 49F)

F.27 Footings in the vicinity of trees

While site work is being carried out, footings for any structure within the specified radius from the trunks of the following trees must be supported using an isolated pier and beam system.

Council Ref No	Species	Location	Radius from centre of trunk (metres)
27	<i>Ulmus parvifolia</i> (Chinese Elm)	Southern end of existing tennis courts – most eastern specimen	6
28	<i>Araucaria columnaris</i> (Cook Island pine)	Southern end of existing tennis courts	7
30	<i>Hymenosporum flavum</i> (Native Frangipani)	Southern end of existing tennis courts	3

Excavations for the installation of piers must be located so that no tree root with a diameter equal to or in excess of 40mm is severed or damaged. The smallest possible area must be excavated which allows construction of the pier. In consultation with the project engineer the piers must be offset a minimum 100mm from any root equal to or in excess of 40mm to accommodate future growth.

Any excavation within the specified radius must be with dry vac or hand excavation.

The project arborist must document compliance with the above condition.

Condition Reason: To ensure the proposed footings would not adversely impact upon the health of existing trees.

F.28 Slab in the vicinity of trees

While site work is being carried out, any concrete slab structure within the specified radius from the trunks of the following trees must have a minimum under slab height of 150mm above existing grade levels.

Council Ref No	Species	Location	Radius from centre of trunk (metres)
27	<i>Ulmus parvifolia</i> (Chinese Elm)	Southern end of existing tennis courts – most eastern specimen	6
28	<i>Araucaria columnaris</i> (Cook Island pine)	Southern end of existing tennis courts	7
30	<i>Hymenosporum flavum</i> (Native Frangipani)	Southern end of existing tennis courts	3

Excavations for the installation of piers must be located so that no tree root with a diameter equal to or in excess of 40mm is severed or damaged. The smallest possible area must be excavated which allows construction of the pier. In consultation with the project engineer the piers must be offset a minimum 100mm from any root equal to or in excess of 40mm to accommodate future growth.

The project arborist must document compliance with the above condition.

Condition Reason: To ensure the proposed footings would not adversely impact upon the health of existing trees.

F.29 Installation of pipes and pits in the vicinity of trees

While site work is being carried out, all pipes and pits within the specified radius from the trunks of the following trees must be installed above existing grade.

Council Ref No	Species	Location	Radius from centre of trunk (metres)
27	<i>Ulmus parvifolia</i> (Chinese Elm)	Southern end of existing tennis courts – most eastern specimen	6
28	<i>Araucaria columnaris</i> (Cook Island pine)	Southern end of existing tennis courts	7
30	<i>Hymenosporum flavum</i> (Native Frangipani)	Southern end of existing tennis courts	3

The project arborist must document compliance with the above condition.

Condition Reason: To ensure the installation of the stormwater works would not adversely impact upon the health of existing trees.

G. BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

G.1 Occupation Certificate (section 6.9 of the Act)

A person must not commence occupation or use of the whole or any part of a new building (within the meaning of section 6.10 of the Act) unless an occupation certificate has been issued in relation to the building or part.

Notes:

New building includes an altered portion of, or an extension to, an existing building.

Condition Reason: To ensure the building is suitable to occupy.

(Standard Condition G.1 - Autotext 1G)

G.2 Landscaping

Before the issue of any occupation certificate, the Principal Certifier and Council must be provided with a works-as-executed landscape plan and certification from a qualified landscape architect/designer, horticulturist and/or arborist as applicable to the effect that the landscaping and replacement/supplementary tree planting works comply with this consent.

Condition Reason: To ensure that all landscaping work is completed prior to occupation.

(Standard Condition G.26 - Autotext 2G)

G.3 Amenity Landscaping

Before the issue of any occupation certificate, all approved amenity landscaping (screen planting, soil stabilisation planting, etc.) and replacement/supplementary tree planting must be installed in accordance with the approved plans and documents and any relevant conditions of consent.

Condition Reason: To ensure that the environmental impacts of the development are mitigated by approved landscaping prior to the occupation of the development.

(Standard Condition G.6 - Autotext 6G)

G.4 Commissioning and Certification of Systems and Works

Before the issue of any occupation certificate, works-as-executed (WAE) plans prepared by a registered surveyor, compliance certificates, and evidence of suitability in accordance with Part A5G1 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 must be submitted to the satisfaction of the Principal Certifier.

Works-as-executed plans, compliance certificates, and evidence of suitability in accordance with Part A5G1 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 Certifier may require.

Notes:

The PC 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).

The PC must submit to Council, with any occupation certificate, copies of WAE plans, compliance certificates and evidence of suitability in accordance with Part A5G1 of the BCA upon which the PC has relied in issuing any occupation certificate.

Condition Reason: To ensure that systems and works as completed meet development standards as defined by the Act, comply with the BCA, and this consent, and to ensure a public record of works as executed is maintained.

(Standard Condition G.7 - Autotext 7G)

G.5 Removal of Ancillary Works and Structures

Before the issue of any occupation certificate for the whole of the building, the following articles must be removed from the land and any adjoining public place:

- a) the site sign,
- b) ablutions,
- c) hoarding,
- d) scaffolding, and
- e) waste materials, matter, article or thing.

Condition Reason: To ensure that all ancillary matter is removed prior to occupation.

G.6 Arborists Documentation and Compliance Checklist – Prior to any occupation certificate

Before the issue of any occupation certificate for the whole of the building, the project arborist must provide written certification that all tree protection measures and construction techniques relevant to this consent have been implemented. Documentation for each site visit must include:

- a) A record of the condition of trees to be retained prior to and throughout development.
- b) Recommended actions to improve site conditions and rectification of non-compliance.
- c) Recommendations for future works which may impact the trees.

All compliance certification documents must be kept on site.

As a minimum the following intervals of site inspections must be made:

Stage of arboricultural inspection and supervision	Compliance documentation and photos must include
Before the issue of any occupation certificate for the whole of the building	• The project arborist must supervise the dismantling of tree protection measures • After all demolition, construction and landscaping works are complete the project Arborist must assess that the subject trees have been retained in the same condition and vigour. If changes to condition are identified the project Arborist must provide recommendations for remediation.

Inspections and compliance documentation must be made by an arborist with AQF Level 5 qualifications.

Additional site visits must be made when required by site arborist and/or site foreman for ongoing monitoring/supervisory work.

Condition Reason: To ensure that all tree protection measures and construction techniques relevant to this consent are implemented.

H. OCCUPATION AND ONGOING USE

H.1 Maintenance of Landscaping

During the occupation and ongoing use, all landscaping must be maintained in general accordance with this consent.

This condition does not prohibit the planting of additional trees or shrubs subject that they are native species endemic to the immediate locality.

Notes:

This condition also acknowledges that development consent is not required to plant vegetation and that over time additional vegetation may be planted to replace vegetation or enhance the amenity of the locality.

Owners must have regard to the amenity impact of trees upon the site and neighbouring land.

Condition Reason: To ensure that the landscaping design intent is not eroded over time by the removal of landscaping or inappropriate exotic planting.

(Standard Condition H.25 - Autotext 25H)

H.2 Noise Control

During the occupation and ongoing use, the use of the premises must not give rise to the transmission of offensive noise to any place of different occupancy. Offensive noise is defined in the Protection of the Environment Operations Act 1997.

Notes:

Council will generally enforce this condition in accordance with the Noise Guide for Local Government (www.epa.nsw.gov.au/your-environment/noise/regulating-noise/noise-guide-local-government) and the NSW Industrial Noise Policy (www.epa.nsw.gov.au/your-environment/noise/industrial-noise) published by the NSW Environment Protection Authority. Other State Government authorities also regulate the Protection of the Environment Operations Act 1997.

Useful links:

- Community Justice Centres—free mediation service provided by the NSW Government www.cjc.nsw.gov.au.
- NSW Environment Protection Authority— see “noise” section www.environment.nsw.gov.au/noise.
- NSW Government legislation- access to all NSW legislation, including the Protection of the Environment Operations Act 1997 and the Protection of the Environment Noise Control Regulation 2017 is available at www.legislation.nsw.gov.au.
- Australian Acoustical Society—professional society of noise related professionals www.acoustics.asn.au.
- Association of Australian Acoustical Consultants—professional society of noise related professionals www.aaac.org.au.
- Liquor and Gaming NSW—www.liquorandgaming.nsw.gov.au.

Condition Reason: To protect the amenity of the neighbourhood.
(Standard Condition H.56 - Autotext 56H)

H.3 Outdoor Lighting – Sports Lighting

During the occupation and ongoing use, outdoor sports lighting must generally comply with AS/NZS 4282: Control of the obtrusive effects of outdoor lighting. The maximum luminous intensity from each luminaire must not exceed the level 1 control relevant under Table 2.2 of AS 4282.

The maximum illuminance and the threshold limits must be in accordance with Table 2.1 of AS 4282.

No sports lighting must operate after 11pm and must, by automatic timer, switch off at the 11.00pm curfew.

The intensity of light provided to the sporting area must comply with AS2560 and relevant parts to this Australian Standard.

Notes:

The height of the poles as proposed may be too low to comply with both AS4282 and AS2560. Where this is disclosed, it will be necessary to seek an amendment to this consent if it is proposed to increase the height of the poles and lights to achieve compliance with both standards.

Council may consider, subject to an appropriate Section 4.55 Application, relaxation of this condition where it can be demonstrated, by expert report, that the level of lighting in the existing area already exceeds the above criteria, where physical shielding is present or physical shielding is reasonably possible.

Condition Reason: To control the obtrusive effects of outdoor lighting, to limit the hours of use to protect the amenity of neighbours and to maintain safe conditions for sporting activities.

(Standard Condition H.47 - Autotext 47H)

SUBDIVISION WORK

I. BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

Nil.

J. BEFORE SUBDIVISION WORK COMMENCES

Nil.

K. BEFORE ISSUE OF A SUBDIVISION CERTIFICATE

Nil.

LAND SUBDIVISION

L. BEFORE ISSUE OF A SUBDIVISION CERTIFICATE

Nil.

STRATA SUBDIVISION

M. BEFORE ISSUE OF A STRATA CERTIFICATE

Nil.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the *Conditions of development consent: [advisory notes](#)*. The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the Building and Development Certifiers Act 2018.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Council means Woollahra Municipal Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the Environmental Planning and Assessment Act 1979.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2021.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Woollahra Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,
the reuse of stormwater,
the detention of stormwater,
the controlled release of stormwater, and
connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the Strata Schemes Development Act 2015 that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the Conveyancing Act 1919.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA389/2025/1 PAN-582584
Applicant	Robinson Urban Planning Pty Ltd 83 Fletcher Street, TAMARAMA NSW 2026,
Description of development	Upgrade the existing courts and pitches to Sydney Grammar School Weigall 2 and 5, Neild Avenue, Paddington including new fencing to the courts a new multicourt with synthetic turf and tree(s) removal
Property	Neild Avenue PADDINGTON LOT: 1 DP: 633259
Determination	Approved Consent Authority • Council
Date of determination	12/03/2026
Date from which the consent operates	12/03/2026
Date on which the consent lapses	12/03/2031

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

Reasons for approval

The application has been assessed within the framework of the matters for consideration under section 4.15 of the Environmental Planning and Assessment Act 1979 and is recommended for approval because:

- It is considered to be satisfactory with all relevant planning policies including the objectives of WLEP 2014 and WDCP 2015.
- It will not have adverse effects on the local built and natural environment nor any adverse social and economic impacts in the locality.
- All likely impacts to adjoining properties including any submissions made have been addressed in the report, or are considered to be satisfactory.
- The site is suitable for the proposed development.
- The proposal is in the public interest.

Right of appeal / request a review of the determination

If you are dissatisfied with this determination:

Request a review

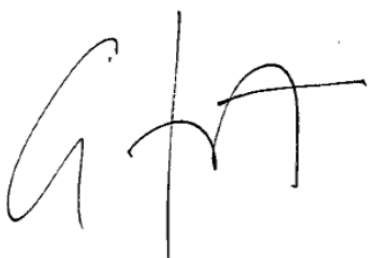
You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority, and determined, within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Note: You do not have the right to request a review of the determination under section 8.3 of the EP&A Act if the application is Designated Development or Crown Development.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 month after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

A handwritten signature in black ink, appearing to read 'G Fotis', with a vertical line drawn through the middle of the signature.

George Fotis

Team Leader – Development Assessment

The person on behalf of the consent authority

For further information, please contact our Assessment Officer, S Gerangelos, on 02 9391 7126 between 8.30am and 11.00am Monday to Friday.

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below:

ALL DEVELOPMENT TYPES

A. GENERAL CONDITIONS

A.1 Conditions

Consent is granted subject to the following conditions imposed under section 4.16 of the Environmental Planning and Assessment Act 1979 ("the Act"), and the provisions of the Environmental Planning and Assessment Regulation 2021 ("the Regulations") and the provisions of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 ("the Development Certification and Fire Safety Regulations"), such conditions being reasonable and relevant to the development as assessed under section 4.15 of the Act.

Notes:

Failure to comply with this development consent and any condition of this consent is a criminal offence. Failure to comply with other environmental laws is also a criminal offence.

Where there is any breach Council may without any further warning:

- a) Issue Penalty Infringement Notices (On-the-spot fines);
- b) Issue notices and orders;
- c) Prosecute any person breaching this consent; and/or
- d) Seek injunctions/orders before the courts to restrain and remedy any breach.

Maximum penalties under NSW environmental laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

Should Council have to take any action to enforced compliance with this consent or other environmental laws Council's policy is to seek from the Court appropriate orders requiring the payments of its costs beyond any penalty or remedy the Court may order.

This consent and this specific advice will be tendered to the Court when seeking costs orders from the Court where Council is successful in any necessary enforcement action.

The payment of environmental penalty infringement notices does not result in any criminal offence being recorded. If a penalty infringement notice is challenged in Court and the person is found guilty of the offence by the Court, subject to section 10 of the Crimes (Sentencing Procedure) Act 1999, a criminal conviction is recorded. The effect of a criminal conviction beyond any fine is serious.

Condition Reason: To ensure all parties are aware of the relevant legislation that applies to the development.

(Standard Condition A.1 - Autotext 1A)

A.2 Definitions

Unless specified otherwise, words have the same meaning as defined by the *Act*, the *Regulations*, the *Development Certification and Fire Safety Regulations* and the *Interpretation Act 1987* as in force at the date of consent.

Applicant means the applicant for this consent.

Approved Plans mean the plans endorsed by Council referenced by this consent as amended by conditions of this consent.

Chartered professional engineer means an engineer that has been awarded certification as a chartered engineer in a particular area of practice by Engineers Australia, the professional body for engineers in Australia. The areas of practice are determined by Engineers Australia and include civil, geotechnical and structural engineering.

Local native plants means species of native plant endemic to Sydney's eastern suburbs.

Owner-builder has the same meaning as in the *Home Building Act 1989*.

PC means the Principal Certifier under the *Act*.

Principal Contractor has the same meaning as in the *Act*, or where a Principal Contractor has not been appointed by the Owner of the land being developed Principal Contractor means the Owner of the land being developed.

Professional engineer has the same meaning as in the *BCA*.

Public place has the same meaning as in the *Local Government Act 1993*.

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

SEE means the final version of the Statement of Environmental Effects lodged by the Applicant.

Site means the land being developed subject to this consent.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Woollahra LEP means *Woollahra Local Environmental Plan 2014*

Woollahra DCP means *Woollahra Development Control Plan 2015*

Work for the purposes of this consent means:
the use of land in connection with development,
the subdivision of land,
the erection of a building,
the carrying out of any work,
the use of any site crane, machine, article, material, or thing,
the storage of waste, materials, site crane, machine, article, material, or thing,
the demolition of a building,
the piling, piercing, cutting, boring, drilling, rock breaking, rock sawing or excavation of land,
the delivery to or removal from the site of any machine, article, material, or thing, or
the occupation of the site by any person unless authorised by an occupation certificate.

Condition Reason: To ensure all parties are aware of the relevant definitions.

(Standard Condition A2 - Autotext 2A)

A.3 Approved Plans and Supporting Documents

Those with the benefit of this consent must carry out all work and maintain the use and works in accordance with both the architectural plans to which is affixed a Council stamp "Approved" and supporting documents listed below unless modified by any following condition.

Where the plans relate to alterations or additions only those works shown in colour or highlighted are approved.

Reference	Description	Author	Date
2405004	Architectural Plans	BVN Architects	
AR-B00-AA-00 Rev. 4	Existing Site Plan		07/10/2025
AR-B01-NL-00 Rev. 4	Proposed Site Plan		07/10/2025
AR-B10-00-00 Rev. 4	General arrangement plan – Level 00 Cricket		07/10/2025
AR-B10-01-01 Rev. 3	General arrangement plan – Level 01 Tennis		20/08/2025
AR-B21-01-00 Rev. 3	Demolitions – Plan – Barry Pavillion		20/08/2025
AR-D10-XX-00 Rev. 3	Tennis Court Elevations		20/08/2025
	Arboricultural Impact Assessment Report	Civica	20/10/2025
	Arboricultural Impact Assessment Report – Tree Root Survey	Bradshaw Consulting Arborists	14/01/2026
	Planners Response to Root Mapping and Landscaping	Robinson Urban Planning	15/01/2026

Notes:

Warning to Principal Certifier – You must always insist on sighting the original Council stamped approved plans. You must not rely solely upon the plan reference numbers in this condition. Should the Applicant not be able to provide you with the original copy Council will provide you with access to its files so you may review our original copy of the approved plans.

These plans and supporting documentation may be subject to conditions imposed under section 4.17(1)(g) of the Act modifying or amending the development.

Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(Standard Condition A.5 - Autotext 5A)

A.4 Ancillary Aspects of Development (section 4.17(2) of the Act)

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 (2012) unless expressly provided otherwise by these conditions at the Owner's expense.

Notes:

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.

Condition Reason: To ensure all parties are aware of works required to public infrastructure and to ensure payment for works.

(Standard Condition A.8 - Autotext 8A)

A.5 Tree Preservation and Landscaping Works

While site work is being carried out, all landscape works must be undertaken in accordance with the approved landscape plan, arborist report, tree management plan and transplant method statement as applicable.

a) The following trees must be retained:

- Trees on private land:

Council Ref No	Species	Location	Dimension (metres)
15	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Most eastern specimen on grassed embankment on the eastern side of the Barry Pavillion	10-15 x 10-15
17	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Third most eastern specimen on grassed embankment on the eastern side of the Barry Pavillion	10-15 x 10-15
18	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Fourth most eastern specimen on grassed embankment on the eastern side of the Barry Pavillion	10-15 x 10-15
19	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Grassed embankment on the western side of the Barry Pavillion	10-15 x 10-15
27	<i>Ulmus parvifolia</i> (Chinese Elm)	Southern end of existing tennis courts – most eastern specimen	10-15 x 10-15
28	<i>Araucaria columnaris</i> (Cook Island pine)	Southern end of existing tennis courts	15-12 x 5-10
30	<i>Hymenosporum flavum</i> (Native Frangipani)	Southern end of existing tennis courts	10-15 x 5-10
31	<i>Jacaranda mimosifolia</i> (Jacaranda)	Southern side of Neild Avenue carpark entrance	10-15 x 10-15
128	<i>Syzygium paniculatum</i> (Brush Cherry)	Western edge of existing basket ball/tennis courts	10-15 x 5-10

The tree/s required to be retained must appear coloured green on the Construction Certificate plans.

b) The following trees may be removed:

Council Ref No	Species	Location	Dimension (metres)
16	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Second most eastern specimen on grassed embankment on the eastern side of the Barry Pavillion	10-15 x 10-15
29	<i>Ulmus parvifolia</i> (Chinese Elm)	Southern end of existing tennis courts – most western specimen	10-15 x 10-15
118	<i>Callistemon viminalis</i> . (Weeping Bottle Brush)	Southern end of existing tennis courts	<5 x <5
127	<i>Syzygium paniculatum</i> (Brush Cherry)	Western edge of existing basket ball/tennis courts	10-15 x 5-10
182, 183, 184, 185	<i>Hymenosporum flavum</i> (Native Frangipani)	Southern end of existing basket ball/tennis courts	5-10 x <5

The tree/s that may be removed must appear coloured red on the Construction Certificate plans.

Condition Reason: To ensure all landscape works are undertaken in accordance with the approved plans and documents.

(Standard Condition A.22 - Autotext 22A)

A.6 No Underpinning works

This development consent does NOT give approval to any works outside the boundaries of the subject property including any underpinning works to any structures on adjoining properties.

Condition Reason: To ensure all works are located within the boundaries of the site and to confirm that no consent is granted for underpinning works to any structures on adjoining properties.

(Standard Condition - A.31 - Autotext 31A)

A.7 Development Consent is Not Granted in Relation to these Matters

This approval does not give consent to the construction of the proposed decking area on the eastern side of the existing Barry Pavillion.

Section 7.3.6 of the submitted Arboricultural Impact Assessment report identifies the proposed decking would require excessive pruning of lower tree branches to achieve the necessary vertical clearance for safe access and use of the decking. Excessive pruning would impact the health of the trees and reduce their long term viability.

Condition Reason: To ensure all parties are aware of works that have not been granted consent

DEMOLITION WORK

B. BEFORE DEMOLITION WORK COMMENCES

B.1 Construction Certificate Required Prior to Any Demolition

Where demolition is associated with an altered portion of, or an extension to an existing building the demolition of any part of a building is "commencement of erection of building" under section 6.6 of the Act.

In such circumstance all conditions included at the following development stages of this consent must be satisfied prior to any demolition work:

Before issue of a construction certificate
Before building work commences

This includes, but is not limited to, the issue of a Construction Certificate, appointment of a Principal Certifier, and Notice of Commencement under the Act.

Note:

See *Over our Dead Body Society Inc v Byron Bay Community Association Inc* [2001] NSWLEC 125.

Condition Reason: To ensure appropriate conditions are complied with for development for the alteration and extension of an existing building.

B.2 Erosion and Sediment Controls – Installation

Before any site work commences, water pollution, erosion and sedimentation controls must be installed and maintained in accordance with:

- a) “Do it Right On Site, Soil and Water Management for the Construction Industry” and accompanying factsheets published by the Southern Sydney Regional Organisation of Councils, and
- b) “Managing Urban Stormwater - Soils and Construction” 2004 published by the NSW Government (The Blue Book).

Where there is any conflict The Blue Book takes precedence.

Notes:

The “Do it Right On Site, Soil and Water Management for the Construction Industry” publication and accompanying factsheets can be downloaded from www.woollahra.nsw.gov.au and The Blue Book is available at www.environment.nsw.gov.au

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.

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.

Condition Reason: To prevent potential water pollution and dust nuisance.

(Standard Condition B.4 - Autotext 4B)

B.3 Establishment of Tree Protection Zones

Prior to any site works, tree protection measures must be established around all trees to be retained in accordance with Section 4 of the Australian Standard Protection of Trees on Development Sites (AS 4970).

The Tree Protection Zones must be calculated in accordance with Section 3 of the Australian Standard Protection of Trees on Development Sites (AS 4970).

A Construction Site Management Plan, which clearly details the tree protection measures, must be prepared before the issue of a construction certificate. The tree protection measures must comply with the following requirements;

- a) Trunk protection must be installed around the trunks of the following trees:

Council Ref No	Species
19	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)
27	<i>Ulmus parvifolia</i> (Chinese Elm)
28	<i>Araucaria columnaris</i> (Cook Island pine)
30	<i>Hymenosporum flavum</i> (Native Frangipani)

31	<i>Jacaranda mimosifolia</i> (Jacaranda)
128	<i>Syzygium paniculatum</i> (Brush Cherry)

Trunk protection must consist of a padding material such as hessian or thick carpet underlay wrapped around the trunk. Hardwood planks (50mm x100mm or similar) must be placed over the padding and around the trunk of the tree at 150mm centres. The planks must be secured with 8 gauge wire at 300mm spacing. Trunk protection must extend a minimum height of 2 metres or to the maximum possible length permitted by the first branches.

- b) Signs identifying the Tree Protection Zone (TPZ) area must be erected on each side of the trunk protection indicating the distance of the TPZ radius from the trunk of each tree. The TPZ distance is listed in the Arboricultural Impact Assessment report. Signage must be visible from within the development site.
- c) No excavation, construction activity, grade changes, storage of materials, stockpiling, siting of works sheds, preparation of mixes or cleaning of tools is permitted within the stated Tree Protection Zone radius of each tree, unless specified in this consent.
- d) Temporary access within the TPZ area for pedestrian and machinery movements must only be permitted with the approval of the site arborist or unless specified in this consent.
- e) The site supervisor must be made aware of all tree protection requirements associated with these conditions of consent by the project arborist. Any subsequent site personnel and contractors to the site must be made aware of all tree protection requirements by the site foreman.

The project arborist must provide written certification of compliance to the Principal Certifier with the above conditions

Condition Reason: To ensure the protection of existing trees.

B.4 Identification of Hazardous Material

Prior to any site works, and in accordance with Australian Standard AS2601: The Demolition of Structures, all hazardous substances located on the site must be identified, including asbestos, polychlorinated biphenyls (PCBs), lead paint, underground storage tanks, chemicals, etc.

In this regard, prior to any site works, Council must be provided with a written report prepared by a suitably qualified competent person detailing:
all hazardous materials identified on the site,
the specific location of all hazardous materials identified,
whether the hazardous materials are to be removed from the site as part of the works to be undertaken, and
safety measures to be put in place.

Condition Reason: To protect the health and safety of all persons while works are being undertaken and to ensure all safety measures have been identified and are in place to protect all parties in the immediate vicinity of the site.

(Standard Condition B.6 - Autotext 6B)

B.5 Public Road Assets Prior to Any Work/Demolition

Prior to any site works, a full record of the condition of the public infrastructure on public land adjacent to the development site must be submitted to Council.

The report must include photographs and/or CCTV footage showing the current condition and any existing damage fronting and adjoining the site to the:

road pavement,

street signage including street lights,

kerb and gutter,

footway including pedestrian crossings, footpath, and driveways,

retaining walls, or other significant structures,

Heritage Items, including street name inlays,

utility service items including historical utility covers, and

drainage structures/pits/pipes (CCTV footage).

The reports are to be supplied in electronic format in Word and if applicable accompanied by CCTV footage. 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 site works under this consent.

Condition Reason: To clarify the condition of the existing public infrastructure prior to the commencement of any site works.

(Standard Condition B.7 - Autotext 7B)

B.6 Payment of Security and Fees

Prior to any site works, the following security and fees must be paid in full:

Description	Amount	Indexed	Council Fee Code
SECURITY under section 4.17(6) of the <i>Environmental Planning and Assessment Act 1979</i>			
Property Damage Security Deposit Making good any damage caused to any property of the Council	\$16,875.00	No	T115
INSPECTION FEES under section 608 of the Local Government Act 1993			
Security Deposit Administration Fee	\$235.00	No	T16
TOTAL SECURITY AND FEES	\$17,110.00		

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 any site works being undertaken, 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.

Notes:

An application must be made to Council by the person who paid the security for release of the securities held under section 4.17 of the Act.

The securities will not be released until the Occupation Certificate has been lodged with Council, Council has inspected the site and Council is satisfied that the public works have been carried out to Council's requirements. Council may use part or all of the security to complete the works to its satisfaction if the works do not meet Council's requirements.

Council will only release the security upon being satisfied that all damage or all works, the purpose for which the security has been held have been remedied or completed to Council's satisfaction as the case may be.

Council may retain a portion of the security to remedy any defects in any such public work that arise within 6 months after the work is completed.

Upon completion of each section of road, drainage and landscape work to Council's satisfaction, 90% of the bond monies held by Council for these works will be released upon application. 10% may be retained by Council for a further 6 month period and may be used by Council to repair or rectify any defects or temporary works during the 6 month period.

The Refund of Security Bond Application form can be downloaded from
www.woollahra.nsw.gov.au

Condition Reason: To ensure any relevant security and fees are paid.
(Standard Condition B.14 - Autotext 14B)

B.7 Adjoining Buildings Founded on Loose Foundation Materials

Before any site work commences, a professional engineer must determine 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 any reasonable direction of the professional engineer must be complied with.

Notes:

- A failure 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.
- The person with the benefit of this consent is 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.

Condition Reason: To ensure professional engineering advice is obtained to confirm that appropriate underpinning and support to adjoining land is maintained.
(Standard Condition B.18 - Autotext 18B)

B.8 Works (Construction) Zone – Approval and Implementation

If the Construction Management Plan relies upon a Works Zone, before any site work commences, a Works Zone application must be made.

If the works zone is approved, all fees for the Works Zone must be paid before it can be installed.

All Works Zone signs must have been erected by Council to permit enforcement of the Works Zone by Council's Rangers and NSW Police before commencement of any site work. Signs are not erected until full payment of Works Zone fees is made.

Notes:

A minimum of four to six weeks must be allowed (for routine applications) from the date of making an application to the Traffic Committee (Woollahra Local Traffic Committee) constituted under clause 20 of the Transport Administration (General) Regulation 2018 to exercise those functions delegated by Transport for New South Wales under section 31(3) of the Transport Administration Act 1988.

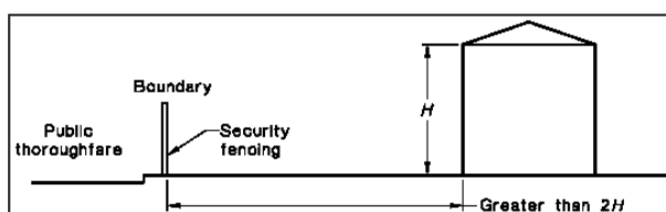
The enforcement of the Works Zone is at the discretion of Council's Rangers and the NSW Police Service. Any breach of the Works Zone must be reported to either Council or the NSW Police Service.

Condition Reason: To facilitate the efficient operation of construction projects and to minimise traffic disruption.

(Standard Condition B.21 - Autotext 21B)

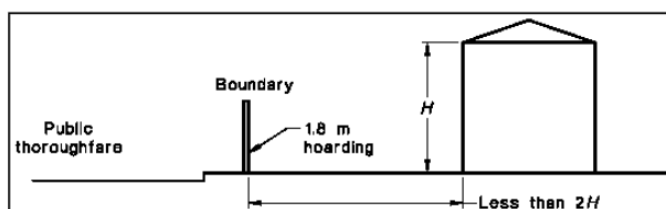
B.9 Security Fencing, Hoarding (including 'Creative Hoardings') and Overhead Protection

Before any site work commences, security fencing must be provided around the perimeter of the development site, including any additional precautionary measures taken to prevent unauthorised entry to the site at all times during the demolition, excavation and construction period. Security fencing must be the equivalent 1.8m high chain wire as specified in AS 1725.



Type A Hoarding

Where the development site adjoins a public thoroughfare, the common boundary between them must be fenced for its full length with a hoarding, unless the least horizontal distance between the common boundary and the nearest parts of the structure is greater than twice the height of the structure. The hoarding must be constructed of solid materials (chain wire or the like is not acceptable) to a height of not less than 1.8m adjacent to the thoroughfare.



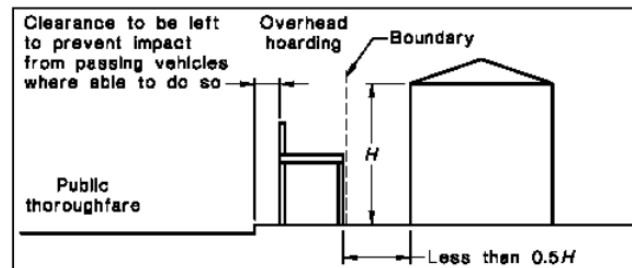
Type B Hoarding

Where a development site adjoins a public thoroughfare with a footpath alongside the common boundary then, in addition to the hoarding required above, the footpath must be covered by an overhead protective structure and the facing facade protected by heavy-duty scaffolding, unless either:

- a) the vertical height above footpath level of the structure being demolished is less than 4.0m; or
- b) the least horizontal distance between footpath and the nearest part of the structure is greater than half the height of the structure.

The overhead structure must consist of a horizontal platform of solid construction and vertical supports, and the platform must:

- a) extend from the common boundary to 200mm from the edge of the carriageway for the full length of the boundary,
- b) have a clear height above the footpath of not less than 2.1m,
- c) terminate 200mm from the edge of the carriageway (clearance to be left to prevent impact from passing vehicles) with a continuous solid upstand projecting not less than 0.5m above the platform surface, and
- d) together with its supports, be designed for a uniformly distributed live load of not less than 7 kPa.



The overhead protective structures must be installed and maintained in accordance with the NSW "Code of Practice - Overhead Protective Structures 1995". This is code available at www.safework.nsw.gov.au/__data/assets/pdf_file/0008/52883/Overhead-protective-structures-Code-of-practice.pdf

All Hoardings

Security fencing, hoarding and overhead protective structure must not obstruct access to utilities services including but not limited to man holes, pits, stop valves, fire hydrants or the like.

Hoardings on Public Land including 'Creative Hoardings'

All fees associated with the application and occupation and use of the road (footway) for required hoarding or overhead protection must be paid in full.

A creative hoarding (i.e. an approved artwork or historic image affixed to the hoarding) is required if the hoarding meets the criteria in Council's Creative Hoardings Policy (adopted March 2020). The cost of printing and affixing the creative hoarding is the responsibility of the person with the benefit of this consent. The Creative Hoardings Policy can be downloaded from Council's website www.woollahra.nsw.gov.au

Notes:

A minimum of two (2) weeks from the date of making a hoarding application to determination must be allowed. Any approval for a hoarding or overhead protection under the Roads Act 1993 will be subject to its own conditions and fees.

Council seeks to increase public art in the public domain by requiring artwork or historic images on hoardings located on public land. Under the Creative Hoardings Policy an application for a hoarding proposed on public land will require an approved artwork or

historic image affixed to the hoarding if the hoarding meets the criteria in section 3 of the Policy:

- a) Hoardings proposed on land zoned E1 Local Centre, or MU1 Mixed Use, or SP2 Infrastructure under Woollahra Local Environmental Plan 2014 AND erected for 8 weeks or more
OR
- b) Hoardings proposed on land located along a State classified road (regardless of the zone) AND erected for 8 weeks or more
OR
- c) Hoardings proposed in any other location than that referred to in A. and B. above AND erected for 12 weeks or more, except where:
 - 1. the capital investment value of the work to which the hoarding relates is less than \$1 million, or
 - 2. the land is zoned R2 Low Density Residential, or
 - 3. the land is zoned R3 Medium Density Residential and the hoarding is located in a lane or street that does not have through traffic (e.g. a cul-de-sac or no through road).

Artwork and historic images for the hoardings are assessed and approved in accordance with the Creative Hoardings Policy. Details of the artwork or images proposed to be affixed to the hoardings must be submitted with Council's form "Application for a permit to use a footpath for the erection of a hoarding/scaffolding". The Creative Hoardings Policy can be downloaded from www.woollahra.nsw.gov.au

Condition Reason: To ensure public safety.

(Standard Condition B.22 - Autotext 22B)

B.10 Site Signs

Before any site work commences, the sign/s required by clauses 70 of the Regulation and 75 of the Development Certification and Fire Safety Regulation must be erected and maintained at all times.

Clause 70 of the Regulation provides:

Erection of signs

For the purposes of section 4.17(11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a) showing the name, address and telephone number of the principal certifier for the work, and
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

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

This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

This clause does not apply in relation to Crown building work that is certified, in accordance with section 6.28 of the Act, to comply with the Building Code of Australia.

Clause 75 of the Development Certification and Fire Safety Regulation provides:

Signs on development sites

If there is a person who is the Principal Certifier or the Principal Contractor for any building work, subdivision work or demolition work authorised to be carried out on a site by a development consent or complying development certificate:

Each such person MUST ensure that a rigid and durable sign showing the person's identifying particulars so that they can be read easily by anyone in any public road or other public place adjacent to the site is erected in a prominent position on the site before the commencement of work, and is maintained on the site at all times while this clause applies until the work has been carried out.

Notes:

Clause 75 of the Development Certification and Fire Safety Regulations imposes a maximum penalty of 55 penalty units if these requirements are not complied with.

If Council is appointed as the Principal Certifier it will provide the sign to the Principal Contractor or Owner-builder who must ensure that the sign is erected and maintained as required by clause 70 of the Regulation and clause 75 of the Development Certification and Fire Safety Regulation.

Condition Reason: To ensure that contact details for the principal certifier and principal contractor are provided on a sign at the development site.

(Standard Condition B.23 - Autotext 23B)

B.11 Toilet Facilities

Before any site work commences, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

- a) must be a standard flushing toilet, and
- b) must be connected to a public sewer, or
- c) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
- d) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

Notes:

In this condition 'sewage management facility' and 'public sewer' are as defined by clause 25 of the Local Government (Approvals) Regulation 1999.

This condition does not set aside the requirement to comply with SafeWork NSW requirements.

Condition Reason: To ensure toilet facilities are provided for workers at the work site.

(Standard Condition B.24 - Autotext 24B)

B.12 Establishment of Boundary Location, Building Location and Datum

Before any site work commences, a surveyor registered under the Surveying and Spatial Information Act 2002 must:

- a) set out the boundaries of the site by permanent marks (including permanent recovery points),
- b) set out the location and level of foundation excavations, footings, walls and slabs by permanent marks, pegs or profiles relative to the boundaries of the land and relative to Australian Height Datum (AHD) in compliance with the approved plans,

- c) establish a permanent datum point (bench mark) within the boundaries of the site relative to AHD, and
- d) provide a copy of a survey report, prepared by the registered surveyor, detailing the title boundaries, pegs/profiles, recovery points and bench mark locations as established under this condition to the Principal Certifier.

Notes:

Where there is any discrepancy between the approved development consent and the Construction Certificate, especially in relation to the height, location or external configuration of the building (but not limited to these issues) the site works must not proceed until the variations as shown are consistent with the consent. Failure to do so may result in a breach of development consent.

On larger developments, or where boundary redefinition is required, the placement of new State Survey Marks as permanent marks must be considered by the registered surveyor.

Condition Reason: To ensure that the boundary locations, building location, and a datum point is established by a surveyor.

(Standard Condition B.25 - Autotext 25B)

B.13 Compliance with Australian Standard for Demolition

While site work is being carried out, the demolition of buildings and structures must comply with Australian Standard AS 2601—2001: The Demolition of Structures.

Condition Reason To control the risks of demolition work.

(Standard Condition B.27 - Autotext 27B)

B.14 Construction Management Plan Arborist Review

Prior to any site works, the Construction Management Plan must be reviewed and certified by the Project Arborist confirming that appropriate tree protection measures are implemented. The Construction Management Plan must be prepared in accordance with all tree protection measures specified within this consent.

The plan must address:

- a) The movement and positioning of heavy machinery, lifting cranes, pier drilling gantry etc.;
- b) Site construction access, temporary crossings and movement corridors on the site defined;
- c) Contractors car parking;
- d) Phasing of construction works;
- e) The space needed for all foundation excavations and construction works;
- f) All changes in ground level;
- g) Space for site sheds and other temporary structures such as toilets;
- h) Space for sorting and storing materials (short or long term), spoil and fuel and the mixing of cement and concrete; and
- i) The effects of slope on the movement of potentially harmful liquid spillages towards or into tree protection areas.

Condition Reason To ensure the Construction Management Plan incorporates measures for the protection of existing trees.

B.15 Arborists Documentation and Compliance Checklist

Prior to any site works, the project arborist must provide written certification that all tree protection measures and construction techniques relevant to this consent are implemented. Documentation for each site visit must include:

- A record of the condition of trees to be retained prior to and throughout development.
- Recommended actions to improve site conditions and rectification of non-compliance.
- Recommendations for future works which may impact the trees.

All compliance certification documents must be kept on site.

As a minimum the following intervals of site inspections must be made:

Stage of arboricultural inspection and supervision	Compliance documentation and photos must include
Prior to any site works	• Project Arborist to hold pre construction site meeting with the principal contractor to discuss methods and importance of tree protection measures and resolve any issues in relation to feasibility of tree protection requirements that may arise. Project Arborist to mark all trees approved for removal under DA consent. • The project arborist must install or supervise the installation of tree protection measures.

Inspections and compliance documentation must be made by an arborist with AQF Level 5 qualifications.

Additional site visits must be made when required by the site arborist and/or site foreman for ongoing monitoring/supervisory work.

Condition Reason To establish the works which are permissible within the Tree Protection Zones.

B.16 Permissible work within Tree Protection Zones

Prior to any site works, the following works are permissible within the Tree Protection Zone:

Council Ref No	Species	Radius from Centre of Trunk (Metres)	Approved works
19	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	12	Grassed terrace with low height retaining walls.
27	<i>Ulmus parvifolia</i> (Chinese Elm)	6	Amenities block to be constructed above existing grade. The bottom face of the slab to be a minimum of 150mm above exiting grade. Any pipe work for the amenities block must be installed above existing grade and outside of the radial distance specified in this table.
28	<i>Araucaria columnaris</i> (Cook Island pine)	7	Amenities block to be constructed above existing grade. The bottom face of the slab to be a minimum of 150mm above exiting grade. Any pipe work for the amenities block must be installed above existing grade and outside of the radial distance specified in this table.

30	<i>Hymenosporum flavum</i> (Native Frangipani)	3	Amenities block to be constructed above existing grade. The bottom face of the slab to be a minimum of 150mm above existing grade. Any pipe work for the amenities block must be installed above existing grade and outside of the radial distance specified in this table. Additionally the proposed tennis courts.
31	<i>Jacaranda mimosifolia</i> (Jacaranda)	7	Proposed multi courts to be constructed above existing grade levels. Car space resurfacing to be constructed at existing grade levels.
128	<i>Syzygium paniculatum</i> (Brush Cherry)	5	Proposed multi courts to be constructed above existing grade levels.
186	<i>Celtis sinensis</i> (Chinese Nettle)	7	Proposed multi courts to be constructed above existing grade levels.
187	<i>Celtis sinensis</i> (Chinese Nettle)	5	Proposed multi courts to be constructed above existing grade levels.
188	<i>Celtis sinensis</i> (Chinese Nettle)	8	Proposed multi courts to be constructed above existing grade levels.
189	<i>Celtis sinensis</i> (Chinese Nettle)	8	Proposed multi courts to be constructed above existing grade levels.
191	<i>Cinnamomum camphora</i> (Camphor Laurel)	4	Proposed multi courts to be constructed above existing grade levels.
61	<i>Phoenix canariensis</i> (Canary Island Date palm)	4	Proposed cricket nets.
61A	<i>Jacaranda mimosifolia</i> (Jacaranda)	7	Proposed cricket nets.

The project arborist must provide written certification of compliance to the Principal Certifier with the above condition.

Condition Reason To establish the works which are permissible within the Tree Protection Zones.

REMEDIATION WORK

C. ON COMPLETION OF REMEDIATION WORK

Nil.

BUILDING WORK

D. BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

D.1 Modification of Details of the Development (section 4.17(1)(g) of the Act)

Before the issue of any construction certificate, the approved plans and the construction certificate plans and specification, required to be submitted to the Principal Certifier under clause 7 of the Development Certification and Fire Safety Regulations, must detail the following amendments:

a) **Amended architectural plans.**

To minimize and avoid unacceptable impacts to existing trees the following amendments must be undertaken and submitted **and approved by Council's Tree Officer prior to the issue of any construction certificate.**

- To avoid unacceptable impacts to existing Trees 15, 17 and 18 the proposed decking area to the east of Barry Pavillion **must be deleted.**
- Plans must be amended to show the retention of Trees 15, 17, 18, 19, 31, 128, 28, 27 30, 61 and 61A
- Plans must be amended to show the car park resurfacing within the Tree Protection Zone (TPZ) of Tree 31 to remain at existing grade.
- Plan must show the proposed amenities block to be constructed above ground on piers located so that no roots equal to or greater than 40mm in diameter are severed. The under-slab height of the proposed amenities block must be a minimum of 150mm above exiting grade. No underground pipework is to be installed within the TPZ of Trees 27, 28 and 30.

Notes:

- Clause 20 of the Development Certification and Fire Safety Regulations prohibits ***the*** issue of any construction certificate subject to this condition unless the Principal Certifier is satisfied that the condition has been complied with.
- Clause 19 of the Development Certification and Fire Safety Regulations prohibits the issue of any construction certificate that is inconsistent with this consent.

Condition Reason: To require design changes and/or further information to be provided to address specific issues identified during the assessment under section 4.15 of the Act.
(Standard Condition D.4 - Autotext 4D)

D.2 Payment of Long Service Levy

Before the issue of any construction certificate, the original receipt(s) for the payment of the following levy must be provided to the Principal Certifier:

Description	Amount	Indexed	Council Fee Code
LONG SERVICE LEVY under <i>Building and Construction Industry Long Service Payments Act 1986</i>			
Long Service Levy www.longservice.nsw.gov.au/bci/levy/other-information/levy-calculator	Contact LSL Corporation or use online calculator	No	

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 Principal

Certifier prior to the issue of any construction certificate. The levy can be paid directly to the Long Service Corporation or to Council. Further information can be obtained from the Long Service Corporation website www.longservice.nsw.gov.au or the Long Service Corporation on 131 441.

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.

Condition Reason: To ensure any relevant levy is paid.

(Autotext 5D)

D.3 Erosion and Sediment Control Plan – Submission and Approval

Before the issue of any construction certificate, an erosion and sediment control plan, prepared by a suitably qualified person in accordance with the following documents, must be submitted to the Principal Certifier. The erosion and sediment control plan must comply with:

- a) “Do it Right On Site, Soil and Water Management for the Construction Industry” and the accompanying factsheets published by the Southern Sydney Regional Organisation of Councils; and
- b) “Managing Urban Stormwater - Soils and Construction” 2004 published by the NSW Government (The Blue Book).

Where there is any conflict The Blue Book takes precedence.

The Principal Certifier must be satisfied that the erosion and sediment control plan complies with the publications above prior to issuing any construction certificate.

Notes:

The International Erosion Control Association – Australasia 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.

The “Do it Right On Site, Soil and Water Management for the Construction Industry” publication and accompanying factsheets can be downloaded from www.woollahra.nsw.gov.au, and The Blue Book is available at www.environment.nsw.gov.au

Under clause 73(2)(a)(v) of the Development Certification and Fire Safety Regulation an Accredited Certifier may be satisfied as to this matter.

Condition Reason: To prevent potential water pollution and dust nuisance.

(Standard Condition D.25 - Autotext 25D)

D.4 Payment of S7.12 Contributions Levy

A payment of a levy authorised by section 7.12 of the Environmental Planning and Assessment Act 1979 must be paid prior to the issue of any Construction Certificate or Subdivision Works Certificate. The Principal Certifier is to be provided with the original receipt for payment under the Woollahra Section 7.12 Development Contributions Plan 2022.

A cost estimate report, no more than 3 months old, demonstrating the proposed cost of carrying out the development must be completed and submitted to Council for determination of the costs of work. This report must incorporate all approved modification applications. The

costs and expenses of the proposed cost of development must be established in accordance with clause 208 of the Environmental Planning and Assessment Regulation 2021.

The cost estimate report must be in the form of:

A cost summary report, prepared by the applicant or a person acting on the behalf of the applicant for a development up to \$150,000;

A cost summary report, prepared by a suitably qualified person, at the applicant's cost, where the cost of development is between \$150,000 and \$749,999; or

A quantity surveyor's report, at the applicant's cost, for development over \$750,000.

Note: A 'suitably qualified person' is defined in the Woollahra Section 7.12 Development Contributions Plan 2022.

The applicable levy rate is to be calculated using the summary schedule below.

Summary Schedule	
Development Cost	Levy Rate
• Up to and including \$100,000	Nil
• More than \$100,000 and up to and including \$200,000	0.5% of the cost
• More than \$200,000	1% of the cost

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.

Deferred or periodic payment of section 7.12 levy

Where the Applicant makes a written request supported by reasons for payment of the section 7.12 levy other than as required by clause 2.9, 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 and irrevocably agrees to pay the guaranteed sum to the Council on written request by Council prior to the issue of an occupation certificate,

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 recourse 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, 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 7.12 levy will be adjusted in accordance with clause 2.12 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.

Do you need HELP indexing the levy?

Please contact Council's Customer Service Team on 02 9391 7000. Failure to correctly calculate the adjusted development levy will delay the issue of any certificate issued under section 6.4 of the Act and could void any such certificate (e.g. construction certificate, subdivision certificate, or occupation certificate).

Condition Reason: To ensure any relevant contributions are paid.

(Standard Condition D.27 - Autotext 27D)

D.5 Tree Protection Plan and Specification

Before the issue of any construction certificate, the Principal Certifier must ensure the measures for tree protection detailed in this consent are in place. The construction certificate plans and specifications must show the following information:

- a) Trees to be numbered and coloured in accordance with these conditions:
 - shaded green where required to be retained and protected
 - shaded red where authorised to be removed
- b) Tree Protection Plan and Specification prepared by an arborist with a minimum qualification of AQF 5 including the following:
 - Tree Location Plan (to scale) based on/overlaid with the approved plans, indicating trees to be retained, removed or transplanted, and the location of tree protection zones (TPZ) and structural root zones (SRZ) of trees to be retained and protected.
 - The plan must also include site specific tree protection recommendations such as fencing, ground and trunk protection and other protection devices.
 - Tree Protection Specification (written document) with tree protection requirements included from this consent and in accordance with sections 4 & 5 of AS4970, providing guidance for the implementation of tree protection methods.
 - To minimise construction damage, the plan must show specific areas requiring works to be done under direct supervision of the project arborist.
- c) References to applicable tree management plan, arborists report or transplant method statement.

This plan must be kept on site until the issue of the occupation certificate for the whole building.

Condition Reason: To ensure the construction certificate includes the approved tree management details, and all measures are implemented.

(Standard Condition D.30 - Autotext 30D)

D.6 Structural Adequacy of Existing Supporting Structures

Before the issue of any construction certificate, a certificate from a professional structural engineer, certifying the adequacy of the existing supporting structure to support the additional loads proposed to be imposed by the development, must be provided to the Principal Certifier and submitted with the construction certificate application.

Condition Reason: To ensure that the existing structure is able to support the additional loads proposed.

(Standard Condition D.35 - Autotext 35D)

D.7 Professional Engineering Details

Before the issue of any construction certificate, the construction certificate plans and specifications, required under clause 7 of the Development Certification and Fire Safety Regulation, must include detailed professional engineering plans and/or specifications for all structural, electrical, hydraulic, hydrogeological, geotechnical, mechanical and civil work complying with this consent, approved plans, and supporting documentation. Detailed professional engineering plans and/or specifications must be submitted to the Principal Certifier with the application for any construction certificate.

Notes:

This does not affect the right of the developer to seek staged construction certificates.

Condition Reason: To ensure professional engineering details and technical specifications are provided.

(Standard Condition D.36 - Autotext 36D)

D.8 Engineer Certification

Before the issue of any construction certificate, engineer certification must be submitted to the Principal Certifier confirming that the structural design does not incorporate any temporary or permanent underpinning works or ground anchors, bolts, etc. which encroach outside the boundaries of the subject property.

This development consent does NOT give approval to any works outside the boundaries of the subject property including any underpinning works to any structures on adjoining properties and Council's property.

Condition Reason: To ensure certification is provided that demonstrates all structural works are located within the boundaries of the site and do not include underpinning works to any structures on adjoining properties.

(Standard Condition D.37 - Autotext 37D)

D.9 Geotechnical and Hydrogeological Design, Certification and Monitoring

Before the issue of the construction certificate, the applicant must submit, for approval by the Principal Certifier, a detailed geotechnical report prepared by a chartered professional geotechnical engineer in accordance with Council's DA Guide document "Guidelines for Geotechnical and Hydrogeological Reports".

The geotechnical report must include 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 chartered professional structural engineer.

The geotechnical report must be certified by the chartered professional geotechnical 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 details of cut-off walls or similar controls 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.

- d) Provide tanking to below ground structures to prevent the entry of seepage water such that subsoil drainage/seepage water is NOT collected and discharged to the kerb and gutter.
- e) Provide that vibration from site works (including but not limited to demolition, excavation, sifting, piling and construction) does not exceed the following limits at any time, as measured from the site boundary:
 - For continuous vibration: Maximum peak velocity of 0.28 mm/s
 - For intermittent vibration: Maximum peak velocity of 2.5 mm/s and maximum vibration dose value of 0.2 m/s^{1.75}
 - For impulsive vibration: Maximum peak velocity of 2.5 mm/s

These are the minimum standards. Some locations may be more susceptible to vibration impacts and require more stringent vibration limits to protect human comfort and prevent structural damage. A chartered professional geotechnical engineer must determine whether more stringent vibration limits are required.

Factors that may influence vibration impacts include, but are not limited to: ground conditions, and sensitive buildings in the vicinity of the site, e.g. heritage, age, construction type and materials of buildings.

The report must include 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 so that vibration does not exceed the maximum peak particle velocity standards,
- details the trigger levels for anticipated vibration types and buildings in the neighbourhood, and frequency of monitoring,
- 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 hydrogeological measures by the chartered professional geotechnical engineer, and
- details a contingency plan.

Condition Reason: To ensure that geotechnical, hydrogeological and vibration impacts are appropriately managed.

(Standard Condition D.40 - Autotext 40D)

D.10 Stormwater Discharge to Existing Stormwater Drainage System

Before the issue of any construction certificate, the applicant must submit, for approval by the Principal Certifier, detailed stormwater management plans prepared by a chartered professional civil engineer, which include the following:

- a) The stormwater management plans must specify any components of the existing drainage system to be retained and certified to be in good condition and of adequate capacity to convey additional runoff and be replaced or upgraded if required.
- b) Detail the location of the existing stormwater drainage system including all pipes, inspection openings, surface drains, pits and their discharge location as well as any new stormwater drainage system.
- c) Detail any remedial works required to upgrade the existing stormwater drainage system.
- d) Internal stormwater drainage pipes and pits are to be designed for rainfall intensities up to and including the 1% AEP event if an unimpeded overland flow path to the street drainage system is not available. Design details and calculations must be included in the stormwater management plans.

- f) All below ground structures are to be fully tanked or appropriately designed such that subsoil drainage/seepage water is NOT discharged to the kerb and gutter to comply with Chapter E2.2.5 of Council's DCP. Notation to this requirement must be clearly depicted on the drawings.
- g) Dimensions of all drainage pit and access grates must comply with AS3500.3 and Council's DCP.
- h) Interceptor drain(s) at the site boundary to prevent stormwater flows from the site crossing the footpath; and General compliance with the Woollahra DCP 2015 Chapter E2 – Stormwater and Flood Risk Management.
- i) General compliance with the 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 Australian Government publication, Australian Rainfall and Run-off, 2019 edition or most current version thereof. It must include:

- a) All pipe layouts, dimensions, grades, lengths and material specification.
- b) Location and dimensions of all downpipes.
- 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.
- f) Overland flow paths over impervious areas.

Where new Stormwater Drainage System crosses the footpath area within any road, separate approval under section 138 of the Roads Act 1993 must be obtained from Council for those works before the issue of any construction certificate.

All Stormwater Drainage System work within any road or public place must comply with Woollahra Municipal Council's Specification for Roadworks, Drainage and Miscellaneous Works (2012).

Notes:

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

Condition Reason: To ensure that site stormwater is disposed of in a controlled and sustainable manner.

(Standard Condition D49 - Autotext 49D)

E. BEFORE BUILDING WORK COMMENCES

E.1 Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

Before any building work commences, and under section 4.17(11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

- a) that the work must be carried out in accordance with the requirements of the Building Code of Australia,
- b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This condition does not apply:

- a) to the extent to which an exemption is in force under the Home Building Regulation 2014, or
- b) to the erection of a temporary building.

In this condition, a reference to the BCA is a reference to that code as in force on the date the application for the relevant Construction Certificate is made.

Notes:

This condition must be satisfied prior to commencement of any work in relation to the contract of insurance under the Home Building Act 1989. This condition also has effect during the carrying out of all building work with respect to compliance with the Building Code of Australia.

All new guttering is to comply with the provisions of AS3500.

Condition Reason: To ensure that works are carried out in accordance with the Building Code of Australia and any required contract of insurance is in force.

(Standard Condition E.1 - Autotext 1E)

E.2 Erosion and Sediment Controls – Installation

Before any building work commences, water pollution, erosion and sedimentation controls must be installed and maintained 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” and accompanying factsheets published by the Southern Sydney Regional Organisation of Councils, and
- c) “Managing Urban Stormwater - Soils and Construction” 2004 published by the NSW Government (The Blue Book).

Where there is any conflict The Blue Book takes precedence.

Notes:

The International Erosion Control Association – Australasia (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.

The “Do it Right On Site, Soil and Water Management for the Construction Industry” publication and the accompanying factsheets can be downloaded from www.woollahra.nsw.gov.au and The Blue Book is available at www.environment.nsw.gov.au

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.

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.

Condition Reason: To prevent potential water pollution and dust nuisance.

(Standard Condition E14 - Autotext 14E)

E.3 Building - Construction Certificate, Appointment of Principal Certifier, Appointment of Principal Contractor and Notice of Commencement (Part 6, Division 6.3 of the Act)

Building work must not commence, until:

- a) A construction certificate for the building work has been issued by the consent authority, the Council (if the Council is not the consent authority) or an accredited Certifier, and
- b) The person having the benefit of the development consent has:
appointed a Principal Certifier for the building work, and
notified the Principal Certifier that the person will carry out the building work as an Owner-builder, if that is the case, and
- c) The Principal Certifier has, no later than 2 days before the building work commences:
notified the consent authority and the Council (if the Council is not the consent authority) of his or her appointment, and
notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d) The person having the benefit of the development consent, if not carrying out the work as an Owner-builder, has:
appointed a Principal Contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
notified the Principal Certifier of any such appointment, and
unless that person is the Principal Contractor, notified the Principal Contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
given at least 2 days' notice to the Council of the person's intention to commence the erection of the building.

Notes:

Building has the same meaning as in section 1.4 of the Act and includes part of a building and any structure or part of a structure.

New building has the same meaning as in section 6.1 of the Act and includes an altered portion of, or an extension to, an existing building.

The commencement of demolition works associated with an altered portion of, or an extension to, an existing building is considered to be the commencement of building work requiring compliance with section 6.6(2) of the Act (including the need for a Construction Certificate) prior to any demolition work. See: *Over our Dead Body Society Inc v Byron Bay Community Association Inc* [2001] NSWLEC 125.

Construction Certificate Application, PC Service Agreement and Notice of Commencement forms can be downloaded from Council's website www.woollahra.nsw.gov.au

It is an offence for any person to carry out the erection of a building in breach of this condition and in breach of section 6.6(2) of the Act.

Under the Home Building Act 1989 any property owner who intends undertaking construction work to a dwelling house or dual occupancy to the value of \$12,000 or over must complete an approved education course and obtain an owner-builder permit from NSW Fair Trading.

Condition Reason: To ensure a construction certificate has been issued, a Principal Certifier is appointed, a Principal Contractor (if applicable) is appointed, and a notice of commencement has been submitted.

(Standard Condition E.15 - Autotext 15E)

F. DURING BUILDING WORK

F.1 Compliance with BCA and Insurance Requirements under the Home Building Act 1989

While site work is being carried out:

- a) work must be carried out in accordance with the requirements of the Building Code of Australia (BCA),
- b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This condition does not apply:

- a) to the extent to which an exemption is in force under the Development Certification and Fire Safety Regulations, or
- b) to the erection of a temporary building.

In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

For the purposes of section 4.17(11) of the Act, the above condition is prescribed in relation to a development consent for development that involves any building work.

Notes:

All new guttering is to comply with the provisions of AS 3500.

Condition Reason: To ensure compliance with the BCA and Home building Act 1989.

(Standard Condition F.1 - Autotext 1F)

F.2 Requirement to Notify about New Evidence

While site work is being carried out, any new information that comes to light, which has the potential to alter previous conclusions about site contamination, heritage significance, threatened species or other relevant matters must be immediately notified to Council and the Principal Certifier.

Condition Reason: To ensure Council and the Principal Certifier are made aware of new information.

(Standard Condition F.4 - Autotext 4F)

F.3 Critical Stage Inspections

While site work is being carried out, critical stage inspections must be called for by the Principal Contractor or Owner-builder as required by the Principal Certifier, any PC service agreement, the Act, the Development Certification and Fire Safety Regulation, and the Regulation.

Work must not proceed beyond each critical stage until the Principal Certifier is satisfied that work is proceeding in accordance with this consent, the construction certificate(s) and the Act.

Critical stage inspections means the inspections prescribed by the Development Certification and Fire Safety Regulations, and Regulations for the purposes of section 6.5 of the Act or as required by the Principal Certifier and any PC Service Agreement.

Notes:

The Principal Certifier may require inspections beyond mandatory critical stage

inspections in order that the Principal Certifier be satisfied that work is proceeding in accordance with this consent.

The Principal Certifier may, in addition to inspections, require the submission of Compliance Certificates, survey reports or evidence of suitability in accordance with Part A2G2 of the BCA in relation to any matter relevant to the development.

Condition Reason: To ensure that building work progresses in accordance with the approved plans, conditions of consent, and requirements of the act.

(Standard Condition F.5 - Autotext 5F)

F.4 Hours of Work –Amenity of the Neighbourhood

While site work is being carried out:

- a) No work must take place on any Sunday or public holiday.
- b) No work must take place before 7am or after 5pm any weekday.
- c) No work must take place before 7am or after 1pm any Saturday.
- d) The following work must not take place before 9am or after 4pm any weekday, or before 9am or after 1pm any Saturday or at any time on a Sunday or public holiday:
 - piling,
 - piling,
 - rock or concrete cutting, boring or drilling,
 - rock breaking,
 - rock sawing,
 - jack hammering, or
 - machine excavation.
- e) No loading or unloading of material or equipment associated with the activities listed in part d) above must take place before 9am or after 4pm any weekday, or before 9am or after 1pm any Saturday or at any time on a Sunday or public holiday.
- f) No operation of any equipment associated with the activities listed in part d) above must take place before 9am or after 4pm any weekday, or before 9am or after 1pm any Saturday or at any time on a Sunday or public holiday.
- g) No rock excavation being cutting, boring, drilling, breaking, sawing , jack hammering or bulk excavation of rock, must occur without a 15 minute interval break within every hour.

Notes:

The use of noise and vibration generating plant and equipment and vehicular traffic, including trucks in particular, significantly degrade the amenity of neighbourhoods and more onerous restrictions apply to these activities. This more invasive work generally occurs during the foundation and bulk excavation stages of development. If you are in doubt as to whether or not a particular activity is considered to be subject to the more onerous requirement (9am to 4pm weekdays and 9am to 1pm Saturdays) please consult with Council.

Each and every breach of this condition by any person may be subject to a separate penalty infringement notice or prosecution.

The delivery and removal of plant, equipment and machinery associated with wide loads subject to Transport for NSW and NSW Police restrictions on their movement outside the approved hours of work will be considered on a case by case basis.

Compliance with these hours of work does not affect the rights of any person to seek a remedy to offensive noise as defined by the Protection of the Environment Operations Act 1997, the Protection of the Environment Operations (Noise Control) Regulation 2017.

NSW EPA Noise Guide is available at www.epa.nsw.gov.au/noise/nglg.htm

Condition Reason: To mitigate the impact of work upon the amenity of the neighbourhood.

(Standard Condition F.6 - Autotext 6F)

F.5 Public Footpaths – Safety, Access and Maintenance

While site work is being carried out, any person acting with the benefit of this consent must:

- a) Not erect or maintain any gate or fence that swings out, or encroaches 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) Any damage caused to the road, footway, vehicular crossing, nature strip or any public place must be immediately made safe and then repaired, to the satisfaction of Council.
- f) Not stand any plant and equipment upon the road or footway.
- g) If it is proposed to locate any site fencing, hoardings, skip bins or other articles upon any part of the footpath, nature strip or any public place, or operate a crane, hoist or concrete pump on or over Council land, an application must be submitted to and approved by Council beforehand.
- h) Provide a clear safe pedestrian route a minimum of 1.5m wide.
- i) Protect heritage listed street name inlays located in the footpath, kerb and gutter, and any other structure, to ensure they are not removed or damaged during development.

This condition does not apply to the extent that a permit or approval exists under the section 148B of the Road Transport Act 2013, section 138 of the Roads Act 1993 or section 68 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.

Notes:

Section 148B of the Road Transport Act 2013 allows the NSW Police to close any road or road related area to traffic during any temporary obstruction or danger to traffic or for any temporary purpose.

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.

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.

Condition Reason: To ensure safe access is maintained to footpaths and roads during building works.

(Standard Condition F.7 - Autotext 7F)

F.6 Tree Preservation

While site work is being carried out, all persons must comply with Chapter E.3 – *Tree Management* of Council's Development Control Plan (DCP) 2015, other than where varied by this consent. The DCP applies to any tree with a height greater than 5 metres or a diameter spread of branches greater than 3 metres.

General Protection Requirements:

- a) The tree protection measures must be maintained during all development work unless otherwise specified within these conditions of consent.
- b) Excavation must cease where tree roots with a diameter exceeding 50mm are exposed. The principal contractor must procure an inspection of the exposed tree roots by an arborist with a minimum AQF Level 5 qualification. Excavation must only recommence with the implementation of the recommendations of the arborist.
- c) Where there is damage to any part of a tree the principal contractor must procure an inspection of the tree by a qualified arborist immediately. The principal contractor must immediately implement treatment as directed by the arborist. The arborist is to supply a detailed report to the appointed certifier.

Trees must be pruned in accordance with Australian Standard AS 4373 "Pruning of Amenity Trees" and WorkCover NSW Code of Practice Amenity Tree Industry.

Condition Reason: To protect trees during the carrying out of sitework.

F.7 Maintenance of Environmental Controls

While site work is being carried out, the following monitoring, measures and controls must be maintained:

- a) erosion and sediment controls,
- b) dust controls,
- c) dewatering discharges,
- d) noise controls,
- e) vibration monitoring and controls, and
- f) ablutions.

F.8 Support of Adjoining Land and Buildings

While site work is being carried out, a person must not 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.

Notes:

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:

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

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).

Clause 17 of the Roads Regulation 2018 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.

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.

Condition Reason: To ensure that the support of adjoining land is not removed.

F.9 Erosion and Sediment Controls – Maintenance

While site work is being carried out, water pollution, erosion, and sedimentation controls must be maintained 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" and the accompanying factsheets published by the Southern Sydney Regional Organisation of Councils, and
- c) "Managing Urban Stormwater - Soils and Construction" 2004 published by the NSW Government (The Blue Book).

Where there is any conflict The Blue Book takes precedence.

Notes:

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.

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.

Condition Reason: To prevent potential water pollution and dust nuisance.

(Standard Condition F.15 - Autotext 15F)

F.10 Disposal of Site Water During Construction

While site work is being carried out:

- a) Prior to pumping any water into the road or public stormwater system, approval must be obtained from Council under section 138(1)(d) of the Roads Act 1993.
- b) Water pollution, as defined by the Protection of the Environment Operations Act 1997, must not occur as the result of the discharge to the road, public stormwater system or other place of 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.

Condition Reason: To ensure that adjoining and neighbouring land is not adversely affected by unreasonable overland flows of stormwater and that site water does not cause erosion and water pollution.

(Standard Condition F.17 - Autotext 17F)

F.11 Site Cranes

While site work is being carried out, 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 relevant approvals have been obtained 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.

Notes:

Where it is proposed to swing a crane over a public place a separate application to Council must be made under section 68 of the Local Government Act 1993 and obtain activity approval from Council prior to swinging or hoisting over the public place.

Where it is proposed to swing a crane over private land the consent of the owner of that private land is required. Alternatively, 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 and Environment Court Act 1979 as appropriate must be obtained. 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.

Condition Reason: To ensure site cranes are used safely with the relevant approvals.

(Standard Condition F.19 - Autotext 19F)

F.12 Check Surveys - boundary location, building location, building height, stormwater drainage system and flood protection measures relative to Australian Height Datum

While site work is being carried out, a registered surveyor must carry out check surveys and provide 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.

Work must not proceed beyond each of the following critical stages until compliance has been demonstrated to the Principal Certifier'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 are in place 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.

Condition Reason: To ensure that development occurs in the location and at the height approved under this consent, which is critical to ensure that buildings are constructed to minimum heights for flood protection and maximum heights to protect views and the amenity of neighbours.

(Standard Condition F.20 - Autotext 20F)

F.13 Placement and Use of Skip Bins

While site work is being carried out, all waste storage containers, including but not limited to skip bins, must be stored within the site unless:

- a) Activity Approval has been issued by Council under section 68 of the Local Government Act 1993 to place the waste storage container in a public place; and
- b) where located on the road it is located only in a positions where a vehicle may lawfully park in accordance with the Australian Road Rules.

Notes:

Waste storage containers must not be located on the footpath without a site specific activity approval. Where such site specific activity approval is granted a 1.5m wide clear path of travel is maintained free of any trip hazards.

Condition Reason: To ensure waste storage containers are appropriately located.

(Standard Condition F.21 - Autotext 21F)

F.14 Prohibition of Burning

While site work is being carried out, there must be no burning of any waste or other materials. The burning of copper chrome arsenate (CCA) or pentachlorophenol (PCP) treated timber is prohibited in all parts of NSW. All burning is prohibited in the Woollahra local government area.

Notes:

Under the Protection of the Environment Operations (Clean Air) Regulation 2021 all burning (including burning of vegetation and domestic waste) is prohibited except with approval. No approval is granted under this consent for any burning.

Condition Reason: To ensure no burning of waste occurs.

(Standard Condition F.22 - Autotext 22F)

F.15 Dust Mitigation

While site work is being carried out, dust mitigation must be implemented in accordance with "Dust Control - Do it right on site" and the accompanying facts sheets published by the Southern Sydney Regional Organisation of Councils.

This generally requires:

- a) Dust screens to all hoardings and site fences.
- b) All stockpiles or loose materials to be covered when not being used.
- c) All equipment, where capable, being fitted with dust catchers.

- d) All loose materials being placed bags before placing into waste or skip bins.
- e) All waste and skip bins being kept covered when not being filled or emptied.
- f) The surface of excavation work being kept wet to minimise dust.
- g) Landscaping incorporating trees, dense shrubs and grass being implemented as soon as practically possible to minimise dust.

Notes:

“Dust Control - Do it right on site” and the accompanying factsheets can be downloaded from Council’s website www.woollahra.nsw.gov.au

Special precautions must be taken when removing asbestos or lead materials from development sites. Additional information can be obtained from www.safework.nsw.gov.au and www.epa.nsw.gov.au. Other specific conditions and advice may apply.

Demolition and construction activities may affect local air quality and contribute to urban air pollution. The causes are dust, smoke and fumes coming from equipment or activities, and airborne chemicals when spraying for pest management. Precautions must be taken to prevent air pollution.

Condition Reason: To mitigate the impact of dust upon the amenity of the neighbourhood and prevent water pollution.

(Standard Condition F.23 - Autotext 23F)

F.16 Site Waste Minimisation and Management – Demolition

While site work is being carried out, in order to maximise resource recovery and minimise residual waste from demolition activities:

- a) the provisions of the Site Waste Minimisation and Management Plan (SWMMP) are to be implemented at all times during the course of the work,
- b) an area is to be allocated for the storage of materials for use, recycling and disposal (giving consideration to slope, drainage, location of waterways, stormwater outlets, vegetation and access and handling requirements),
- c) separate collection bins and/or areas for the storage of residual waste are to be provided,
- d) the purpose and content of the bins and/or storage areas are to be clearly ‘signposted’,
- e) measures to prevent damage by the elements, odour, health risks and windborne litter are to be implemented, and
- f) site disturbance must be minimised, and unnecessary excavation limited.

When implementing the SWMMP the Applicant must ensure:

- a) footpaths, public reserves and street gutters are not used as places to store demolition waste or materials of any kind without Council approval,
- b) any material moved offsite is transported in accordance with the requirements of the Protection of the Environment Operations Act 1997,
- c) waste is only transported to a place that can lawfully be used as a waste facility,
- d) generation, storage, treatment and disposal of hazardous waste and special waste (including asbestos) is conducted in accordance with relevant waste legislation administered by the NSW Environment Protection Authority, and relevant occupational health and safety legislation administered by SafeWork NSW, and
- e) evidence such as weighbridge dockets and invoices for waste disposal or recycling services are retained.

Notes:

Materials that have an existing reuse or recycling market must not be disposed of in a land fill. Reuse and recycling opportunities are decreased when asbestos is not carefully removed and segregated from other waste streams.

Condition Reason: To maximise resource recovery and minimise residual waste from demolition activities.

(Standard Condition F.31 - Autotext 31F)

F.17 Site Waste Minimisation and Management – Construction

While site work is being carried out, in order to maximise resource recovery and minimise residual waste from construction activities:

- a) the provisions of the Site Waste Minimisation and Management Plan (SWMMP) are to be implemented at all times during the course of the work,
- b) deliveries of materials must be arranged so that materials are delivered 'as needed' to prevent the degradation of materials through weathering and moisture damage,
- c) consideration must be given to returning excess materials to the supplier or manufacturer,
- d) an area must be allocated for the storage of materials for use, recycling and disposal (considering slope, drainage, location of waterways, stormwater outlets and vegetation),
- e) the purpose and content of the storage areas must be clearly 'signposted',
- f) contractors must be arranged for the transport, processing and disposal of waste and recycling and all contractors must be aware of the legal requirements for disposing of waste,
- g) separate collection bins or areas for the storage of residual waste must be promoted,
- h) measures to prevent damage by the elements, odour and health risks, and windborne litter must be implemented,
- i) site disturbance must be minimised and unnecessary excavation limited,
- j) all waste must be transported to a place that can lawfully be used as a waste facility, and
- k) records demonstrating lawful disposal of waste must be retained and kept readily accessible for inspection by regulatory authorities such as Council, the NSW EPA or SafeWork NSW.

Condition Reason: To maximise resource recovery and minimise residual waste from construction activities.

(Standard Condition F.32 - Autotext 32F)

F.18 Asbestos Removal

While site work is being carried out, all asbestos removal work must be carried out safely according to NSW work health and safety legislation.

Where hazardous material, including bonded or friable asbestos has been identified in accordance with the conditions in Section B above, and such material must be demolished, disturbed and subsequently removed, all such works must comply with the following criteria:

- a) Be undertaken by contractors who hold a current SafeWork NSW "demolition licence" and a current SafeWork NSW "Class A licence" for friable asbestos removal.
- b) Be carried out in accordance with the relevant SafeWork NSW codes of practice.
- c) No asbestos products may be reused on the site.
- d) No asbestos laden skip or bins must be left in any public place.

Notes:

Before starting work, a work site-specific permit approving each asbestos project must be obtained from SafeWork NSW. A permit will not be granted without a current SafeWork licence.

All removal, repair or disturbance of or to asbestos material must comply with:

- Work Health and Safety Act 2011,
- Work Health and Safety Regulation 2017,
- SafeWork NSW "Code of Practice: How to Safely Remove Asbestos" (2016), and

- SafeWork NSW "Code of Practice: How to Manage and Control Asbestos in the Workplace" (2016).

For more information go to the SafeWork NSW website on asbestos

www.safework.nsw.gov.au/health-and-safety/safety-topics-a-z/asbestos, and

www.safework.nsw.gov.au/law-and-policy/legislation-and-codes/codes-of-practice or call 131 050

Condition Reason: To ensure the safe removal of asbestos and protect the health and safety of persons working on the site and the public

(Standard Condition F.39 - Autotext 39F)

F.19 Classification of Hazardous Waste

While site work is being carried out, and prior to the exportation of hazardous waste (including hazardous fill or soil) from the site, the waste materials must be classified in accordance with the provision of the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines, Part1: Classifying Waste, 2014.

Condition Reason: To ensure that where hazardous waste will be removed from a site an asbestos licensed contractor can definitively determine where the waste may be legally taken for disposal.

(Standard Condition F40 - Autotext 40F)

F.20 Disposal of Asbestos and Hazardous Waste

While site work is being carried out, asbestos and hazardous waste, once classified in accordance with the hazardous waste classification condition must only be transported to waste facilities licensed to accept asbestos and appropriate classifications of hazardous waste.

Condition Reason: To ensure that asbestos and other hazardous waste is disposed of lawfully under the Protection of the Environment Operations Act 1997 and relevant NSW EPA requirements.

(Standard Condition F.41 - Autotext 41F)

F.21 Asbestos Removal Signage

While site work is being carried out and when asbestos is being removed, standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm are to be erected in prominent visible positions on the site.

Condition Reason: To ensure awareness of any hazard to the health and safety of persons working on the site and public.

(Standard Condition F.42 - Autotext 42F)

F.22 Notification of Asbestos Removal

While site work is being carried out, in addition to the requirements for licensed asbestos removalists to give written notice to SafeWork NSW, all adjoining properties and those opposite the development site must be notified in writing of the dates and times when asbestos removal is to be conducted.

The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and facsimile numbers and email addresses.

Condition Reason: To ensure that local residents are informed and have adequate contact details for incidents of asbestos removal.

F.23 Arborists Documentation and Compliance Checklist

While site work is being carried out, the project arborist must provide written certification that all tree protection measures and construction techniques relevant to this consent have been implemented. Documentation for each site visit must include:

- a) a record of the condition of trees to be retained prior to and throughout development,
- b) recommended actions to improve site conditions and rectification of non-compliance, and
- c) recommendations for future works which may impact the trees.

All compliance certification documents must be kept on site by the site Supervisor.

As a minimum the following intervals of site inspections must be made:

Stage of arboricultural inspection and supervision	Compliance documentation and photos must include
While site work is carried out	• The project arborist must supervise all demolition and excavation works within the Tree Protection Zones of nominated trees listed in this consent. • The project arborist must supervise the installation of the approved multi courts, tennis courts and car park resurfacing, documenting the condition of roots and soil. • The project arborist must ensure pier holes within the Tree Protection Zones of nominated trees listed in this consent are positioned to avoid the severance of and damage to roots greater than 40mm diameter. • Regular inspections as indicated in the Arboricultural Impact Assessment report.

Inspections and compliance documentation must be made by an arborist with AQF Level 5 qualifications.

Additional site visits must be made when required by site arborist and/or site foreman for ongoing monitoring/supervisory work.

Condition Reason: To ensure that all tree protection measures and construction techniques relevant to this consent have been implemented.

(Standard Condition F.45 - Autotext 45F)

F.24 Replacement/Supplementary trees which must be planted

While site work is being carried out, any replacement or supplementary tree must be grown in accordance with Tree stock for landscape use (AS 2303). The following replacement tree/s must be planted in deep soil landscaped area <delete this if planted in a planter box on a structure> and maintained in a healthy and vigorous condition. If the replacement tree is found to be faulty, damaged, dying or dead before it attains a size whereby it becomes a prescribed tree in accordance with Chapter E.3 of Council's Development Control Plan, it must be replaced with another of the same species, which complies with the criteria outlined below.

Species/Type	Planting Location	Container Size/Size of Tree (at planting)	Minimum Dimensions at Maturity (metres)
5 x <i>Syzygium australe</i> (Brush Cherry Lillypilly)	Adjacent the southern edge of the proposed multi courts	45 litres each	5 metres height

1 x <i>Stenocarpus sinuatus</i> (Queensland Firewheel tree) OR <i>Brachychiton discolor</i> (Lacebark Kurrajong)	Location of removed tree No.29	100 litre	8 x 5
1 x <i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Vicinity of removed Tree No.16	100 litre	8 x 7

The project arborist must document compliance with the above condition.

Condition Reason: To ensure the provision of appropriate replacement planting.
(Standard Condition F.46 - Autotext 46F)

F.25 Resurfacing the car park in the vicinity of trees

While site work is being carried out, resurfacing works within the specified radius from the trunks of the following trees must be constructed at existing grade. When preparing the area for resurfacing within the specified radius the soil surface must not be skimmed/excavated. The new surface must be established above the former ground level.

Council Ref No	Species	Location	Radius from centre of trunk (metres)
31	<i>Jacaranda mimosifolia</i> (Jacaranda)	Southern side of Neild Avenue carpark entrance	7

Resurfacing works are to be designed in consultation with a qualified Arborist (minimum qualification of Australian Qualification Framework Level 5 or recognised equivalent).

The project arborist must document compliance with the above condition.

Condition Reason: To ensure that paving works would not adversely impact upon the health of existing trees.

F.26 Court in the vicinity of trees

While site work is being carried out, no roots equal to or greater than 40mm diameter are to be severed from the specified radius from the trunks of the following trees.

Council Ref No	Species	Location	Radius from centre of trunk (metres)
19	<i>Schinus molle</i> var. <i>areira</i> (Peppercorn tree)	Grassed embankment on the western side of the Barry Pavillion	12
27	<i>Ulmus parvifolia</i> (Chinese Elm)	Southern end of existing tennis courts – most eastern specimen	6
28	<i>Araucaria columnaris</i> (Cook Island pine)	Southern end of existing tennis courts	7
30	<i>Hymenosporum flavum</i> (Native Frangipani)	Southern end of existing tennis courts	3
31	<i>Jacaranda mimosifolia</i> (Jacaranda)	Southern side of Neild Avenue carpark entrance	7

128	<i>Syzygium paniculatum</i> (Brush Cherry)	Western edge of existing basket ball/tennis courts	5
186	<i>Celtis sinensis</i> (Chinese Nettle)	Adjacent the southern boundary of the subject site	7
187	<i>Celtis sinensis</i> (Chinese Nettle)	Adjacent the southern boundary of the subject site	5
188	<i>Celtis sinensis</i> (Chinese Nettle)	Adjacent the southern boundary of the subject site	8
189	<i>Celtis sinensis</i> (Chinese Nettle)	Adjacent the southern boundary of the subject site	8
191	<i>Cinnamomum camphora</i> (Camphor Laurel)	Adjacent the southern boundary of the subject site	4

The project arborist must document compliance with the above condition.

Condition Reason: To ensure level changes would not adversely impact upon the health of existing trees.

(Standard Condition F.49 - Autotext 49F)

F.27 Footings in the vicinity of trees

While site work is being carried out, footings for any structure within the specified radius from the trunks of the following trees must be supported using an isolated pier and beam system.

Council Ref No	Species	Location	Radius from centre of trunk (metres)
27	<i>Ulmus parvifolia</i> (Chinese Elm)	Southern end of existing tennis courts – most eastern specimen	6
28	<i>Araucaria columnaris</i> (Cook Island pine)	Southern end of existing tennis courts	7
30	<i>Hymenosporum flavum</i> (Native Frangipani)	Southern end of existing tennis courts	3

Excavations for the installation of piers must be located so that no tree root with a diameter equal to or in excess of 40mm is severed or damaged. The smallest possible area must be excavated which allows construction of the pier. In consultation with the project engineer the piers must be offset a minimum 100mm from any root equal to or in excess of 40mm to accommodate future growth.

Any excavation within the specified radius must be with dry vac or hand excavation.

The project arborist must document compliance with the above condition.

Condition Reason: To ensure the proposed footings would not adversely impact upon the health of existing trees.

F.28 Slab in the vicinity of trees

While site work is being carried out, any concrete slab structure within the specified radius from the trunks of the following trees must have a minimum under slab height of 150mm above existing grade levels.

Council Ref No	Species	Location	Radius from centre of trunk (metres)
27	<i>Ulmus parvifolia</i> (Chinese Elm)	Southern end of existing tennis courts – most eastern specimen	6
28	<i>Araucaria columnaris</i> (Cook Island pine)	Southern end of existing tennis courts	7
30	<i>Hymenosporum flavum</i> (Native Frangipani)	Southern end of existing tennis courts	3

Excavations for the installation of piers must be located so that no tree root with a diameter equal to or in excess of 40mm is severed or damaged. The smallest possible area must be excavated which allows construction of the pier. In consultation with the project engineer the piers must be offset a minimum 100mm from any root equal to or in excess of 40mm to accommodate future growth.

The project arborist must document compliance with the above condition.

Condition Reason: To ensure the proposed footings would not adversely impact upon the health of existing trees.

F.29 Installation of pipes and pits in the vicinity of trees

While site work is being carried out, all pipes and pits within the specified radius from the trunks of the following trees must be installed above existing grade.

Council Ref No	Species	Location	Radius from centre of trunk (metres)
27	<i>Ulmus parvifolia</i> (Chinese Elm)	Southern end of existing tennis courts – most eastern specimen	6
28	<i>Araucaria columnaris</i> (Cook Island pine)	Southern end of existing tennis courts	7
30	<i>Hymenosporum flavum</i> (Native Frangipani)	Southern end of existing tennis courts	3

The project arborist must document compliance with the above condition.

Condition Reason: To ensure the installation of the stormwater works would not adversely impact upon the health of existing trees.

G. BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

G.1 Occupation Certificate (section 6.9 of the Act)

A person must not commence occupation or use of the whole or any part of a new building (within the meaning of section 6.10 of the Act) unless an occupation certificate has been issued in relation to the building or part.

Notes:

New building includes an altered portion of, or an extension to, an existing building.

Condition Reason: To ensure the building is suitable to occupy.

(Standard Condition G.1 - Autotext 1G)

G.2 Landscaping

Before the issue of any occupation certificate, the Principal Certifier and Council must be provided with a works-as-executed landscape plan and certification from a qualified landscape architect/designer, horticulturist and/or arborist as applicable to the effect that the landscaping and replacement/supplementary tree planting works comply with this consent.

Condition Reason: To ensure that all landscaping work is completed prior to occupation.

(Standard Condition G.26 - Autotext 2G)

G.3 Amenity Landscaping

Before the issue of any occupation certificate, all approved amenity landscaping (screen planting, soil stabilisation planting, etc.) and replacement/supplementary tree planting must be installed in accordance with the approved plans and documents and any relevant conditions of consent.

Condition Reason: To ensure that the environmental impacts of the development are mitigated by approved landscaping prior to the occupation of the development.

(Standard Condition G.6 - Autotext 6G)

G.4 Commissioning and Certification of Systems and Works

Before the issue of any occupation certificate, works-as-executed (WAE) plans prepared by a registered surveyor, compliance certificates, and evidence of suitability in accordance with Part A5G1 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 must be submitted to the satisfaction of the Principal Certifier.

Works-as-executed plans, compliance certificates, and evidence of suitability in accordance with Part A5G1 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 Certifier may require.

Notes:

The PC 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).

The PC must submit to Council, with any occupation certificate, copies of WAE plans, compliance certificates and evidence of suitability in accordance with Part A5G1 of the BCA upon which the PC has relied in issuing any occupation certificate.

Condition Reason: To ensure that systems and works as completed meet development standards as defined by the Act, comply with the BCA, and this consent, and to ensure a public record of works as executed is maintained.

(Standard Condition G.7 - Autotext 7G)

G.5 Removal of Ancillary Works and Structures

Before the issue of any occupation certificate for the whole of the building, the following articles must be removed from the land and any adjoining public place:

- a) the site sign,
- b) ablutions,
- c) hoarding,
- d) scaffolding, and
- e) waste materials, matter, article or thing.

Condition Reason: To ensure that all ancillary matter is removed prior to occupation.

G.6 Arborists Documentation and Compliance Checklist – Prior to any occupation certificate

Before the issue of any occupation certificate for the whole of the building, the project arborist must provide written certification that all tree protection measures and construction techniques relevant to this consent have been implemented. Documentation for each site visit must include:

- a) A record of the condition of trees to be retained prior to and throughout development.
- b) Recommended actions to improve site conditions and rectification of non-compliance.
- c) Recommendations for future works which may impact the trees.

All compliance certification documents must be kept on site.

As a minimum the following intervals of site inspections must be made:

Stage of arboricultural inspection and supervision	Compliance documentation and photos must include
Before the issue of any occupation certificate for the whole of the building	• The project arborist must supervise the dismantling of tree protection measures • After all demolition, construction and landscaping works are complete the project Arborist must assess that the subject trees have been retained in the same condition and vigour. If changes to condition are identified the project Arborist must provide recommendations for remediation.

Inspections and compliance documentation must be made by an arborist with AQF Level 5 qualifications.

Additional site visits must be made when required by site arborist and/or site foreman for ongoing monitoring/supervisory work.

Condition Reason: To ensure that all tree protection measures and construction techniques relevant to this consent are implemented.

H. OCCUPATION AND ONGOING USE

H.1 Maintenance of Landscaping

During the occupation and ongoing use, all landscaping must be maintained in general accordance with this consent.

This condition does not prohibit the planting of additional trees or shrubs subject that they are native species endemic to the immediate locality.

Notes:

This condition also acknowledges that development consent is not required to plant vegetation and that over time additional vegetation may be planted to replace vegetation or enhance the amenity of the locality.

Owners must have regard to the amenity impact of trees upon the site and neighbouring land.

Condition Reason: To ensure that the landscaping design intent is not eroded over time by the removal of landscaping or inappropriate exotic planting.

(Standard Condition H.25 - Autotext 25H)

H.2 Noise Control

During the occupation and ongoing use, the use of the premises must not give rise to the transmission of offensive noise to any place of different occupancy. Offensive noise is defined in the Protection of the Environment Operations Act 1997.

Notes:

Council will generally enforce this condition in accordance with the Noise Guide for Local Government (www.epa.nsw.gov.au/your-environment/noise/regulating-noise/noise-guide-local-government) and the NSW Industrial Noise Policy (www.epa.nsw.gov.au/your-environment/noise/industrial-noise) published by the NSW Environment Protection Authority. Other State Government authorities also regulate the Protection of the Environment Operations Act 1997.

Useful links:

- Community Justice Centres—free mediation service provided by the NSW Government www.cjc.nsw.gov.au.
- NSW Environment Protection Authority— see “noise” section www.environment.nsw.gov.au/noise.
- NSW Government legislation- access to all NSW legislation, including the Protection of the Environment Operations Act 1997 and the Protection of the Environment Noise Control Regulation 2017 is available at www.legislation.nsw.gov.au.
- Australian Acoustical Society—professional society of noise related professionals www.acoustics.asn.au.
- Association of Australian Acoustical Consultants—professional society of noise related professionals www.aaac.org.au.
- Liquor and Gaming NSW—www.liquorandgaming.nsw.gov.au.

Condition Reason: To protect the amenity of the neighbourhood.
(Standard Condition H.56 - Autotext 56H)

H.3 Outdoor Lighting – Sports Lighting

During the occupation and ongoing use, outdoor sports lighting must generally comply with AS/NZS 4282: Control of the obtrusive effects of outdoor lighting. The maximum luminous intensity from each luminaire must not exceed the level 1 control relevant under Table 2.2 of AS 4282.

The maximum illuminance and the threshold limits must be in accordance with Table 2.1 of AS 4282.

No sports lighting must operate after 11pm and must, by automatic timer, switch off at the 11.00pm curfew.

The intensity of light provided to the sporting area must comply with AS2560 and relevant parts to this Australian Standard.

Notes:

The height of the poles as proposed may be too low to comply with both AS4282 and AS2560. Where this is disclosed, it will be necessary to seek an amendment to this consent if it is proposed to increase the height of the poles and lights to achieve compliance with both standards.

Council may consider, subject to an appropriate Section 4.55 Application, relaxation of this condition where it can be demonstrated, by expert report, that the level of lighting in the existing area already exceeds the above criteria, where physical shielding is present or physical shielding is reasonably possible.

Condition Reason: To control the obtrusive effects of outdoor lighting, to limit the hours of use to protect the amenity of neighbours and to maintain safe conditions for sporting activities.

(Standard Condition H.47 - Autotext 47H)

SUBDIVISION WORK

I. BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

Nil.

J. BEFORE SUBDIVISION WORK COMMENCES

Nil.

K. BEFORE ISSUE OF A SUBDIVISION CERTIFICATE

Nil.

LAND SUBDIVISION

L. BEFORE ISSUE OF A SUBDIVISION CERTIFICATE

Nil.

STRATA SUBDIVISION

M. BEFORE ISSUE OF A STRATA CERTIFICATE

Nil.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the *Conditions of development consent: [advisory notes](#)*. The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the Building and Development Certifiers Act 2018.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Council means Woollahra Municipal Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the Environmental Planning and Assessment Act 1979.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2021.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Woollahra Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,
the reuse of stormwater,
the detention of stormwater,
the controlled release of stormwater, and
connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the Strata Schemes Development Act 2015 that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the Conveyancing Act 1919.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.