

Development consent

Section 89E of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, under delegation dated 16 February 2015, I grant consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Chris Wilson
Executive Director
Infrastructure and Industry Assessments

Sydney **29 April** 2015

SCHEDULE 1

Application No.:	SSD 5535
Applicant:	Seventh Day Adventist, Greater Sydney Conference
Consent Authority:	Minister for Planning
Land:	167-181 Fox Valley Road, Wahroonga (Lot 621 DP 1128314, Lot 1, DP 834960, Lot 2 DP 843960, Lot 1 DP 834961 and Lot 1-4 DP 834967)
Development:	The Wahroonga Adventist School, comprising: <ul style="list-style-type: none">• the construction of a new 8,158 sqm three to four storey school and associated playing fields (including amenities and stores building and two PE courts) over six stages;• a maximum 800 kindergarten to Year 12 students, including 90 Year 12 students;• staged construction of a basement car park, providing a total of 124 parking spaces and associated set down/pick up facilities; and• construction of a new access road and signalised intersection on Fox Valley Road.

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant Application	Seventh Day Adventist, Greater Sydney Conference The development application and the accompanying drawings plans and documentation described in Condition A2.
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	Ku-ring-gai Council
Certification of Crown Building works	Certification under s109R of the EP&A Act
Certifying Authority	Means a person who is authorised by or under section 109D of the EP&A Act to issue a construction certificate under Part 4A of the EP&A Act; or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
Day time	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Environment or its successors
EEC	Endangered ecological community
Evening	The period from 6pm to 10pm
Environmental Impact Statement (EIS)	<i>Wahroonga Adventist School (SSD 5535) Environmental Impact Statement</i> , prepared by MacroPlanDimasi, dated October 2014.
EPA	Environment Protection Authority, or its successor
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation or Regulation	Environmental Planning and Assessment Regulation 2000
Minister	Minister for Planning, or nominee
Night time	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NOW	NSW Office of Water, or its successor
OEH	Office of the Environment and Heritage, or its successor
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build
Response to Submissions (RtS)	Response to Submissions letter prepared by MacroPlanDimasi, dated 13 February 2015.
RMS	Roads and Maritime Services Division, Department of Transport or its successor
Secretary	Secretary of the Department of Planning and Environment, or nominee/delegate
Secretary's approval, agreement or satisfaction	A written approval from the Secretary (or nominee/delegate). Where the Secretary's approval, agreement or satisfaction is required under a condition of this consent, the Secretary will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Secretary may ask for additional information if the approval, agreement or satisfaction request is considered incomplete. When further information is requested, the time taken for the applicant to respond in writing will be added to the one month period.
Sensitive receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility.
Subject Site	167-181 Fox Valley Road, Wahroonga (Lot 621 DP 1128314, Lot 1, DP 834960, Lot 2 DP 843960, Lot 1 DP 834961 and Lot 1-4 DP 834967)

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

A1. In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the development.

Development Description

A2. Except as amended by the conditions of this consent, development consent is granted only to carrying out the development as described in Schedule 1.

Development in Accordance with Plans and Documents

A3. The applicant shall carry out the development generally in accordance with the:

- a) *Wahroonga Adventist School (SSD 5535) Environmental Impact Statement*, prepared by MacroPlanDimasi, dated October 2014;
- b) Response to Submissions letter prepared by MacroPlanDimasi, dated 13 February 2015, including the revised Environmental Impact Statement titled, *Wahroonga Adventist School (SSD 5535) Environmental Impact Statement*, prepared by MacroPlanDimasi, dated February 2015.
- c) following drawings, except for:
 - i) any modifications which are Exempt or Complying Development;
 - ii) as otherwise provided by the conditions of this consent.
- d) the conditions of this consent.

Architectural (or Design) Drawings prepared by Stanton Dahl Architects			
Drawing No.	Issue	Name of Plan	Date
DA01	2	Site Analysis Plan	05/12/13
DA02	3	Precinct Plan	06/02/15
DA02A	1	Fox Valley Road Intersection	05/09/14
DA03	3	Staging Plan – Stage 1	06/02/15
DA04	3	Staging Plan – Stage 2	06/02/15
DA05	3	Staging Plan – Stage 3	06/02/15
DA06	3	Staging Plan – Stage 4	06/02/15
DA06A	1	Staging Plan – Stage 5	06/02/15
DA06B	1	Staging Plan – Stage 6	06/02/15
DA07	3	Development Statistics – Sheet 1	06/02/15
DA08	3	Development Statistics – Sheet 2	06/02/15
DA09	3	Development Statistics – Sheet 3	06/02/15
DA10	2	Site Plan	05/12/13
DA11	2	Basement Plan	05/12/13
DA12	2	Ground Floor Plan	05/12/13

DA13	2	First Floor Plan	05/12/13
DA14	2	Second Floor Plan	05/12/13
DA15	2	Third Floor Plan	05/12/13
DA16	2	Roof Plan	05/12/13
DA17	3	Playing Fields Plan	06/02/15
DA22	2	Elevations (Sheet 1 of 2)	05/12/13
DA23	2	Elevations (Sheet 2 of 2)	05/12/13
DA24	3	Sections	21/10/14
DA26	1	Planning Fields Elevations & Sections	05/12/13
DA51	2	Materials & Finishes	05/12/13
DA61	2	Construction Access/Parking – Stage 1	06/02/15
DA62	2	Construction Access/Parking – Stage 2	06/02/15
DA63	2	Construction Access/Parking – Stage 3	06/02/15
DA64	2	Construction Access/Parking – Stage 4	06/02/15
DA65	1	Construction Access/Parking – Stage 5	06/02/15
DA66	1	Construction Access/Parking – Stage 6	06/02/15
Landscape (or Design) Drawings prepared by Ladd Hudson Architects			
Drawing No.	Issue	Name of Plan	Date
LP-001	A	Landscape Plan	05/03/13

Inconsistency between documents

- A4. If there is any inconsistency between the plans and documentation referred to above the most recent document shall prevail to the extent of the inconsistency. However, conditions of this consent prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Building Code of Australia Compliance

- A5. All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:
- a) complying with the deemed to satisfy provisions, or
 - b) formulating an alternative solution which :
 - i) complies with the performance requirements, or
 - ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - iii) a combination of a) and b).

Development Expenses

- A6. It is the responsibility of the applicant to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this consent.

Lapsing of approval

- A7. This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

Prescribed Conditions

A8. The applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Secretary as Moderator

A9. Where this consent requires further approval from public authorities, the parties shall not act unreasonably in preventing an agreement from being reached. In the event that an agreement is unable to be reached within two months or a timeframe otherwise agreed to by the Secretary, the matter is to be referred to the Secretary for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate a resolution. The Secretary's resolution of the matter will be binding on the parties.

Long Service Levy

A10. For work costing \$25,000 or more, a Long Service Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.

Legal Notices

A11. Any advice or notice to the consent authority shall be served on the Secretary.

Student Population

A12. This approval provides for the staged student population growth across the staged development of Wahroonga Adventist School, to a maximum of 800 students (inclusive of 90 Year 12 students), as follows:

	STAGE 1	STAGE 3	STAGE 6	TOTAL
STUDENTS	456	223	121	800

PART B REMEDIATION WORKS

Remediation

- B1. The applicant shall remediate the site in accordance with the approved *Report on Remediation Action Plan, Proposed Wahroonga School Campus, Fox Valley Road, Wahroonga NSW*, dated March 2015 and prepared by Douglas Partners Pty Ltd. Amendments to the approved RAP required as a result of further investigations must be prepared by a suitably qualified and experienced expert and approved by the site auditor.
- B2. Prior to the commencement of remediation works, the RAP must be certified by an accredited site auditor.
- B3. Upon completion of the remediation works on the site, the applicant shall submit a site audit report and a site audit statement prepared by an accredited site auditor. The site audit report and site audit statement must verify that the land is suitable for the proposed uses and be provided to the Certifying Authority and Council prior to the issue of the Occupation Certificate for stage 1.

Note: The applicant must comply with clauses 17 and 18 of *State Environmental Planning Policy No.55 – Remediation of Land*. Words and expressions used in these conditions have the same meaning as in the Contaminated Land Management Act 1997.

PART C PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

Construction Certificates

- C1. Stamped drawings must be lodged with the Certifying Authority for a Construction Certificate. The applicant must supply the Council and the Department with a copy of the Construction Certificate within two days from the date of its issue.

Additional details to be submitted – Operational Noise Mitigation

- C2. To ensure that noise impacts associated with the operation of the basement car park are minimised, the entry/exit ramp shall be acoustically treated in accordance with the recommendations detailed within *Development Application Acoustic Report, Proposed Wahroonga Adventist School Development*, dated 7 April 2015. Details of noise mitigation measures for the basement car park entry/exit ramp shall be provided to the satisfaction of the Secretary, or her nominee, prior to the issue of a Construction Certificate for stage 3.
- C3. To ensure that noise impacts associated with the use of the playing fields and PE courts are minimised, the playing fields and PE courts shall be acoustically treated in accordance with the recommendations detailed within *Development Application Acoustic Report, Proposed Wahroonga Adventist School Development*, dated 7 April 2015. Details of these noise mitigation measures shall be provided to the satisfaction of the Secretary, or her nominee, prior to the issue of a Construction Certification for stage 2.

Additional details to be submitted – Landscaping

- C4. Prior to the issue of a Construction Certificate for stage 2 playing fields works, an amended landscape plan for the playing fields shall be prepared and submitted to the satisfaction of the Secretary, or her nominee, demonstrating the following:
- a) a suitable public domain design that incorporates safe and accessible access from the top of the landscaped batters down to the playing area, amenities and store building and PE courts, by way of steps and ramps;
 - b) the location, size and suitable landscape treatment of the acoustic earth mound or similar acoustic measure around the perimeter of the playing fields; and
 - c) a minimum three metre setback to the adjacent E2 Environmental Conservation zoned bushland.

Construction Environmental Management Plan

- C5.
- a) Prior to the issue of a Construction Certificate for stage 1, a Construction Environmental Management Plan (CEMP) shall be submitted to the Certifying Authority. The Plan shall address, but not be limited to, the following matters where relevant:
 - i) hours of work;
 - ii) 24 hour contact details of site manager;
 - iii) traffic management, in consultation with the Council;
 - iv) construction noise and vibration management, prepared by a suitably qualified person;
 - v) management of dust to protect the amenity of the neighborhood;

- vi) erosion and sediment control;
 - vii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site;
 - viii) external lighting in compliance with Australian Standard 4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting; and
 - ix) flora and fauna management.
- b) The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.
 - c) The applicant shall submit a copy of the CEMP to the Council, prior to commencement of work.

Construction Traffic and Pedestrian Management Plan

C6. Prior to the issue of a Construction Certificate for stage 1, a Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control shall be prepared in consultation with Council and the Roads and Maritime Services (RMS), and where required, the approval of the Council's traffic committee obtained, and submitted to the Certifying Authority.

The plan is to address access and parking and maintain safe access for pedestrians and cyclists and the continued operational needs of existing public transport infrastructure, including bus stops. The plan shall include, but not be limited to, the following matters which are to be addressed by suitably qualified person(s):

- a) strategies to manage traffic volumes and movement anticipated during construction;
- b) management of loading and unloading of materials on the site and not from the adjoining road reserves;
- c) identify strategies for the provision of displaced on-site parking during these activities;
- d) identify strategies and procedures for the parking of construction worker vehicles that will minimise impact on existing parking requirements within the area;
- e) measures to minimise the impact of construction traffic on the surrounding road network including the restriction on access for large vehicles during the morning and afternoon peak periods and school zone periods;
- f) complaint management and contingency measures; and
- g) Where required, progressively updated prior to each development stage.

The applicant shall submit a copy of the plan to the Council and Department prior to commencement of work.

Construction Noise and Vibration Management Plan

C7. Prior to the issue of a Construction Certificate for stage 1, a Construction Noise and Vibration Management Plan shall be prepared and submitted to the satisfaction of the Certifying Authority. The plan must be prepared by a suitably qualified person who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants. The Plan must include but not limited to the following:

- a) identification of each work area, site compound and access route (both private and public);

- b) identification of specific activities that will be carried out and associated noise sources at the premises and access routes;
- c) identification of all potentially affected sensitive receivers;
- d) the construction noise and vibration objectives identified in accordance with the NSW Interim Construction Noise Guideline and Assessing Vibration: A technical Guideline;
- e) assessment of potential noise and vibration from construction methods (including noise from construction traffic against the objectives identified in (d));
- f) where the objectives are predicted to exceed an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce noise impacts;
- g) details of noise and vibration monitoring to be undertaken during construction and excavation works at the source and adjoining sensitive receivers to measure and monitor performance and respond to complaints;
- h) description of management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during construction, including early erection of operation noise control barriers; and
- i) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity.

The applicant shall submit a copy of the plan to the Department and to the Council, prior to commencement of work.

Waste Management Plan during construction

C8.

- a) Prior to the issue of a Construction Certificate for stage 1, a Construction Waste Management Plan prepared by a suitably qualified person in consultation with the Council, shall be submitted to the Certifying Authority. The Plan shall address, but not be limited to, the following matters:
 - i) Recycling of demolition materials, including concrete; and
 - ii) Removal of hazardous materials and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.
- b) Details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the Certifying Authority prior to the removal of any hazardous materials.
- c) The applicant shall submit a copy of the Plan to the Council, prior to commencement of work.
- d) The applicant must notify the Roads and Maritime Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the Subject Site, prior to the commencement of the removal of any waste material from the Subject Site.
- e) All demolition, excavation and construction waste dockets are to be retained on site, or at suitable location, in order to confirm which facility received materials generated from the site for recycling or disposal.
 - i) Each docket is to be an official receipt from a facility authorised to accept the material type, for disposal or processing; and
 - ii) This information is to be made available at the request of an Authorised Officer of Council.

Air Quality Management Plan

- C9. Prior to the issue of a Construction Certificate for stage 1, an Air Quality Management Plan is to be prepared which describes project specific mitigation measures and safeguards to control dust and exhaust emissions and shall be submitted to the Certifying Authority. This plan must be implemented at all stages of the development to minimise impacts on nearby sensitive receivers.

Number of Car and Bicycle Parking Spaces

- C10. At the completion of the basement car park, a maximum of 124 car parking spaces, including a minimum of two accessible car parking spaces, shall be provided. Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for stage 6.
- C11. A minimum of ten basement staff bicycle parking spaces and 20 ground level visitor and student bicycle parking spaces shall be provided for the development. Details confirming the bicycle parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for stage 6.
- C12. Evidence shall be submitted to the Certifying Authority prior to the issue of the relevant Construction Certificate demonstrating the location of bicycle parking in easy to access, well lit areas that incorporate passive surveillance and that the layout, design and security of bicycle parking facilities complies with the requirements of Australian Standard 2890.3-1993 Parking Facilities Part 3: Bicycle Parking Facilities, except that:
- a) all basement bicycle parking for staff/employees must be Class 2 bicycle facilities; and
 - b) all ground level bicycle parking for students and visitors must be Class 3 bicycle rails.

Car Park and Service Vehicle Layout

- C13. Plans demonstrating compliance with the following traffic and parking requirements shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate:
- a) car parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) should be in accordance with Australian Standard 2890.1-2004, Australian Standard 2890.6 for accessible spaces and Australian Standard 2890.2-2002 for heavy vehicle usage;
 - b) appropriate pedestrian advisory signs are to be provided at the egress from the car park;
 - c) all works/regulatory signposting associated with the proposed development shall be at no cost to the relevant roads authority; and
 - d) the swept path of the longest vehicle (including garbage trucks) entering and existing the subject site, as well as manoeuvrability through the subject site, shall be in accordance with AUSTROADS.

Road and Footpath Infrastructure

- C14.
- a) Prior to the issue of the relevant Construction Certificate for stage 3, the provision of the new traffic control signals and civil works at Fox Valley Road and new school access road intersection shall be designed to meet RMS requirements and endorsed and drawn by a suitably qualified practitioner. The design requirements shall be in accordance with RMS Traffic Signage Design Manual and other Australian Codes of Practice.
 - b) The certified copies of the civil design for the signalised intersection shall be submitted to the RMS for consideration and approval prior to the release of the Construction Certificate for stage 3 and prior to the commencement of road works.

The applicant may be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. Please note that the WAD will need to be executed prior to the RMS's assessment of the detailed civil plans.

- c) To ensure that satisfactory access is provided to Wahroonga Adventist School, a shared footpath designed to AUSROADS standards shall be provided along the Fox Valley Road frontage of the school property. The design of the footpath shall ensure that it is capable of use as a shared pedestrian and cyclist path. Any encroachments onto private property are to be dedicated as "Road Widening" at no cost to Council.

The design of the footpath is to address the connectivity with existing footpath infrastructure adjoining the site, fencing and night time visibility and lighting in accordance with AS/NZ1158.3.

- d) To ensure that appropriate pedestrian safety measures are provided, pedestrian fencing is required along the site's Fox Valley Road frontage at the pedestrian access points to ensure pedestrians remain on the footpath and do not cross Fox Valley Road, including allowance for necessary openings. Details are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate. Further information regarding pedestrian fencing can be obtained from the Roads and Maritime Services Network and Safety Section (Speed Management) on 02 8849 2681.

Note: RMS fees for administration, plan checking, civil works inspections and project management shall be paid by the applicant prior to the commencement of works.

Bus Facilities

- C15. To ensure that suitable arrangements are made for alternative modes of transport, the applicant shall provide bus facilities (i.e. bus stop, shelter and pedestrian access) in consultation with Council and service providers. Details regarding the design, location and operation shall be provided to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for stage 3.

Structural Details

- C16. Prior to the issue of the relevant Construction Certificate, the applicant shall submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrate compliance with:
 - a) the relevant clauses of the BCA; and
 - b) the development consent.

Reflectivity

- C17. The building materials used on the facades of the building shall have a maximum normal specular reflectivity of visible light of 20 percent and shall be designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers. A report/statement demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

Outdoor Lighting

- C18. All playing field lighting shall comply with Australian Standard 2560 Sports Lighting and shall not give rise to unacceptable light spill. The playing field lighting design shall demonstrate the following:
 - a) Lighting levels are generally to meet training standards (not above);

- b) Consider amenity impacts and include measures to reduce light spill to adjoining land uses, including residential dwellings, Sydney Adventist Hospital and E2 Environmental Conservation zoned bushland;
- c) Include sustainability provisions in the lighting control strategy, including:
 - i) the use of automatic timers and light adjustment timers;
 - ii) multiple switching to allow only required areas to be on; and
 - iii) to ensure the lighting is used only when sport/activities is prearranged and where needed to ensure a safe venue for users.

Details demonstrating compliance with these requirements, including a plan measuring the extent of light spill, are to be submitted to the satisfaction of the Secretary, or her nominee prior to the issue of a Construction Certificate for stage 2.

C19. All outdoor lighting within the site shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and Australian Standard 4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

Access for People with Disabilities

C20. The building must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on Construction Certificate drawings.

Pre-Construction Dilapidation Reports (Buildings)

C21. The applicant is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all retained existing and adjoining buildings within the 'zone of influence'. This zone is to be defined as the horizontal distance from the edge of the excavation to twice the maximum excavation depth. Any entry into private land is subject to the consent of the owner(s) and any inspection of buildings on privately affected land shall include details of the whole building where only part of the building may fall within the 'zone of influence'. The report shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for stage 1. A copy of the report is also to be forwarded to the Council.

Pre-Construction Dilapidation Reports (Public Infrastructure)

C22. Prior to the issue of the Construction Certificate for stage 1, a dilapidation report on the visible and structural condition of Fox Valley Road and of all structures contained therein, shall be prepared and submitted to Council.

The report must be completed by a consulting structural/civil engineer. Particular attention must be paid to accurately recording (both written and photographic) existing damaged areas on the aforementioned infrastructure so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development.

The developer may be held liable to any recent damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded by the requirements of this condition prior to the commencement of works.

A written acknowledgment from Council must be obtained (attesting to this condition being appropriately satisfied) and submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Mechanical Ventilation

C23. All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards 1668.2 and Australian Standard 3666 Microbial Control of Air Handling and Water Systems of Building, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

Stormwater and Drainage Works Design

C24. Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional and in accordance with the requirements of Ku-ring-gai Council shall be submitted to the certifier prior to issue of the relevant Construction Certificate. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff. The design is to be in accordance with Ku-ring-gai Development Control Plan No. 47 – Water Management, including water quality measures.

Sydney Water Notice of Requirements

C25.

- a) An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, section 73 of the Sydney Water Act 1994 (Compliance Certificate) prior to the issue of a Construction Certificate for stage 1.
- b) The Application must be made through an authorised Water Servicing Coordinator. Please refer to the “Your Business” section of the web site www.sydneywater.com.au then follow the “e-Developer” icon or telephone 13 20 92 for assistance.
- c) Following application a “Notice of Requirements” will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

Excavation for Services

C26. Prior to the issue of the relevant Construction Certificate, the Certifying Authority shall be satisfied that no proposed underground services (ie: water, sewerage, drainage, gas or other service) unless previously approved by conditions of consent, are located beneath the canopy of any tree protected under Council’s Tree Preservation Order, located on the subject allotment and adjoining allotments, unless the applicant can provide evidence by way of a statement from a qualified arborist that underground services will not harm the tree.

PART D PRIOR TO COMMENCEMENT OF WORKS

Notice of Commencement of Works

D1. The Certifying Authority and Council shall be given written notice, at least 48 hours prior to the commencement of building works on the subject site.

Bush Fire Protection

- D2. At the commencement of construction, and in perpetuity, the property around the Wahroonga Adventist School buildings fronting Fox Valley Road shall be managed as an Inner Protection Area (IPA) for a distance of 100 metres as outlined within section 4.1.3 and Appendix 5 of *Planning for Bush Fire Protection 2006* and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Construction Noise Mitigation

- D3. To minimise adverse noise impacts generated by the staged construction works, acoustic barriers (a minimum two metres in height) are to be installed around the perimeter of the school development site prior to the commencement of each respective stage. The acoustic barriers are to remain erected until such time as noise generated by construction works is no longer assessed as being adverse or intrusive.

The acoustic barrier must be constructed of a material with a minimum surface density of 12kg/m² (e.g. 25 mm thick timber or two layers or 0.6 mm thick typical steel fencing material).

Erosion and Sedimentation Control

- D4. Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater—Soils & Construction Volume 1 (2004)* by Landcom. Details are to be submitted to the satisfaction of the Certifying Authority prior to the commencement of any works.

Safety/Health/Amenity

- D5. Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site and maintained throughout development. Each toilet provided shall be:
- a) a standard flushing toilet, and
 - b) connected:
 - i) to a public sewer, or
 - ii) if connection to a public sewer is not practicable, to an accredited sewage management facility provided by the Council, or
 - iii) if connection to a public sewer or an accredited sewage management facility is not practicable to some other sewage management facility approved by Council.
- D6. A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:
- a) the name, address and telephone number of the principal certifying authority for the work, and
 - b) the name of the principal contractor (if any) for the 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.

This condition does not apply to:

- a) building work carried out inside an existing building, or
- b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

D7. Should the development work:

- a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- b) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

Utility Services

- D8. Prior to the commencement of work, the applicant is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure.
- D9. Prior to the commencement of works, written advice shall be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services.
- D10. If required, all works within the road reserve are to include the adjustment and/or relocation of services as necessary to the requirements of the appropriate service authorities and to ensure that the services are constructed flush with the finished surface levels.

Preparation of Tree Protection Plan

- D11. Prior to the commencement of works, the appointed Project Arborist is to prepare a tree protection plan incorporating suitable tree protection measures for the full term of construction in accordance with the Tree Report submitted with the Environmental Impact Statement. These measures are to be implemented to the satisfaction of the Project Arborist and the Certifying Authority prior to the commencement of works. The Project Arborist must provide a written statement to the Certifying Authority prior to the commencement of work on site to verify the protection measures (including fencing, ground protection and signage) have been installed to his/her satisfaction. The Project Arborist must inspect the protection measures on a regular basis throughout the construction period to ensure that the health of all trees on the site is not being compromised due to construction activity.

PART E DURING CONSTRUCTION

Hours of Work

- E1. The hours of construction, including the delivery of materials to and from the subject site, shall be restricted as follows:
 - a) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive
 - b) between 7:00 am and 1:00 pm, Saturdays
 - c) no work on Sundays and public holidays
 - d) Works may be undertaken outside these hours where:

- i) the delivery of materials is required outside these hours by the Police or other authorities; or
- ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; or
- iii) variation is approved in advance in writing by the Secretary or her nominee.

Asbestos Removal

- E2. All works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with National Occupational Health and Safety Commission (NOHSC): "Code of Practice for the Safe Removal of Asbestos" and the City of Sydney Asbestos Policy.
- E3. 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.
- E4. Asbestos to be disposed of must only be transported to waste facilities licensed to accept asbestos.
- E5. All adjoining properties and those opposite the development 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 address.
- E6. No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc).

Classification of Waste

- E7. Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the Protection of the 'Environment Operations Act 1997 and the NSW DECC Waste Classification Guidelines, Part1: Classifying Waste (April 2008)'. The classification of the material is essential to determine where the waste may be legally taken. The Protection of the Environment Operations Act 1997 provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the EPA.

Bush Fire Protection

- E8. To ensure that the development is not adversely impacted on by the threat of bushfire:
 - a) internal road access shall comply with section 4.2.7 of *Planning for Bush Fire Protection 2006*;
 - b) Water, electricity and gas shall comply with section 4.1.3 of *Planning for Bush Fire Protection 2006*; and
 - c) all buildings shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard 3959-2009 *Construction of buildings in bush fire-prone areas* and section A3.7 Addendum Appendix 3 of *Planning for Bush Fire Protection 2006*.

Erosion and Sediment Control

- E9. All erosion and sediment control measures, are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all

ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Excavation

E10. All excavation and backfilling associated with the erection/demolition of buildings must be properly guarded and protected to prevent them from being dangerous to life or property.

Disposal of Seepage and Stormwater

E11. Any seepage or rainwater collected on-site during construction or ground water shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

Approved Plans to be On-site

E12. A copy of the approved and certified plans, specifications and documents incorporating conditions of consent and certification shall be kept on the subject site at all times and shall be readily available for perusal by any officer of the Department, Council or the Certifying Authority.

Site Notice

E13.

- a) A site notice(s) shall be prominently displayed at the boundaries of the subject site for the purposes of informing the public of the development details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer.
- b) The notice(s) is to satisfy all but not be limited to, the following requirements:
 - i) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size
 - ii) The notice is to be durable and weatherproof and is to be displayed throughout the works period
 - iii) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice
 - iv) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the subject site is not permitted.

Protection of Trees

E14.

- a) No street trees are to be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property.
- b) All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of Council.
- c) All trees on the subject site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.
- d) No mechanical excavation shall be undertaken within the canopy spread of any existing trees to be retained until root pruning by hand along the perimeter line of such works is completed.

- e) No activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order at any time.
- f) Any canopy replenishment trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Council's Tree Preservation Order. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species.

Construction Noise Management

- E15. The development shall be constructed with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the Construction Noise and Vibration Management Plan.
- E16. If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.
- E17. The applicant shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Plan.
 - a) 8.00 am to 12.00 pm, Monday to Friday
 - b) 2.00 pm to 5.00 pm Monday to Friday
 - c) 9.00 am to 1.00 pm, Saturday
- E18. Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where outlined in a Construction Noise and Vibration Management Plan.
- E19. Any noise generated during the construction of the development must not be offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997* or exceed approved noise limits for the subject site.

Vibration Criteria

- E20. Vibration caused by construction at any residence or structure outside the subject site must be limited to:
 - a) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures;
 - b) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472- Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment;
 - c) Vibratory compactors must not be used closer than 30 metres distance from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above; and
 - d) These limits apply unless otherwise outlined in a Construction Noise and Vibration Management Plan.

Work Cover Requirements

E21. To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.

Hoarding Requirements

E22. The following hoarding requirements shall be complied with:

- a) no third party advertising is permitted to be displayed on the subject hoarding/fencing; and
- b) the construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

Construction Vehicles

E23. All construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.

No Obstruction of Public Way

E24. The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all work on site.

Public Bus Services

E25. The construction of the Wahroonga Adventist School and associated construction traffic accessing the site shall be undertaken in a manner that does not create any safety concerns and minimises disruptions to public bus services in the surrounding area.

Impact of Below Ground (sub-surface) Works – Non-Aboriginal Relics

E26. If any archaeological relics are uncovered during the course of the work, then all works shall cease immediately in that area and the Office of Environment and Heritage's Heritage Branch contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the NSW Heritage Act 1977 may be required before further works can continue in that area.

PART F PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

Subdivision Certificate

F1. Prior to the issue of a subdivision certificate, the applicant shall provide to the Certifying Authority evidence that all matters required on title including dimensions of the proposed allotments, any easements required by this consent, approvals, and other consents, Asset Protection Zones, rights of way, covenants or other restrictions, have been lodged for registration or registered at the NSW Land and Property Information.

PART G PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Structural Inspection Certificate

- G1. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to occupation of the building. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the approval authority and the Council after:
- a) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and
 - b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Mechanical Ventilation

- G2. Following completion, installation and testing of all the mechanical ventilation systems, the applicant shall provide evidence to the satisfaction of the Certifying Authority, prior to the issue of any occupation or commencement of use, that the installation and performance of the mechanical systems complies with:
- a) The Building Code of Australia;
 - b) Australian Standard 1668 and other relevant codes;
 - c) the development consent and any relevant modifications; and,
 - d) any dispensation granted by the New South Wales Fire Brigade.
- G3. The installation and operation of all cooling towers and warm water systems are to comply with the Public Health (Microbial Control) Regulations and Australian Standard 3666. The applicant is required to register with Council's Environment and Community Services Directorate any and all water cooled cooling towers and/or warm water mixing systems which are installed on the land.

Post-construction Dilapidation Report

- G4. Prior to the commencement of use or occupation of the building:
- a) The applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads within the zone of influence defined in condition B21.
 - b) The report is to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Certifying Authority must:
 - i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and
 - ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
 - c) A copy of this report is to be forwarded to the Council.

Road and Infrastructure Damage

- G5. The cost of repairing any damage caused to Council's assets in the vicinity of the subject site as a result of construction works associated with the approved development and as identified within the Post-construction Dilapidation Report required in accordance with condition B22, are to be

met in full by the applicant/developer prior to the commencement of use or occupation of the building.

Fire Safety Certification

- G6. Prior to commencement of use or occupation of the building, a Fire Safety Certificate shall be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority, Council and a copy forwarded to the New South Wales Fire Brigades and prominently displayed in the building.

Emergency and Evacuation Plan

- G7. Prior to the prior to the commencement of use or occupation of the building, an emergency and evacuation plan addressing section 4.2.7 of *Planning for Bush Fire Protection 2006* shall be prepared for the site. A copy of the plan shall be provided to the Department and Council.

Completion of Landscape and Public Domain Works

- G8. Prior to the commencement of use or occupation of each development stage, the Certifying Authority is to be satisfied that all relevant landscape and public domain works, including the removal of all noxious and/or environmental weed species, has been undertaken in accordance with the approved plan(s) and conditions of consent.
- G9. All landscaping of the site shall comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

Workplace Travel Plan

- G10. A Workplace Travel Plan for teaching and support staff advising of the various transport options to access the site shall be submitted to the satisfaction of the Certifying Authority prior to the occupation or commencement of use of the first stage.

New Signalised Intersection and Site Access Road

- G11. To ensure that satisfactory vehicular and pedestrian access is provided for Wahroonga Adventist School, the signalised intersection at Fox Valley Road and new school access road shall be operational prior to the issue of an Occupation Certification for stage 3.

School Zone

- G12. To ensure that vehicles and pedestrians accessing the school is managed in a safe manner, School Zones must be installed along all roads with a direct access point (either pedestrian or vehicular) from Wahroonga Adventist School. Road Safety precautions and parking zones should be included into the neighbouring local road network. Incorporated bus zones are to be in accordance with RMS standards. Details are to be submitted to the satisfaction of the Certifying Authority prior to any occupation or commencement of use.
- G13. To ensure appropriate traffic safety measures are implemented for the Wahroonga Adventist School, written authorisation must be obtained from the RMS to install School Zone signs and associated pavement markings and/or remove/relocate any existing Speed Limit signs.

To obtain authorisation, the applicant must submit the following for review and approval by the RMS, at least six weeks prior to any occupation or commencement of use:

- a) a copy of this development consent;
- b) the proposed school commencement/opening date;
- c) two sets of detailed design plans showing the following:
 - i) school property boundaries;

- ii) all adjacent road carriageways to the school property;
 - iii) all proposed school access points to the public road network and any conditions imposed/proposed on their use;
 - iv) all existing and proposed pedestrian crossing facilities on the adjacent road network;
 - v) all existing and proposed traffic control devices and pavement markings on adjacent road network (including School Zone signs and pavement markings); and
 - vi) all existing and proposed street furniture and street trees.
- d) all School Zone signs and pavement markings must be installed prior to student occupation of the site;
 - e) following installation of all School Zone signs and pavement markings the applicant must arrange an inspection with the RMS for formal handover of the assets to RMS. The installation date information must also be provided to RMS at the same time.

Note: Until the assets are formally handed-over and accepted by the RMS, RMS takes no responsibility for the School Zones/assets.

G14. To ensure that appropriate pedestrian safety measures are provided, pedestrian fencing shall be installed along the site's Fox Valley Road frontage at the pedestrian access points to ensure pedestrians remain on the footpath and do not cross Fox Valley Road, including allowance for necessary openings. Details are to be submitted to the satisfaction of the Certifying Authority prior to the any occupation or commencement of use.

Operational Management Plan

G15. Prior to the occupation or commencement of use of the first stage, an Operational Management Plan for Wahroonga Adventist School shall be prepared and submitted to the satisfaction of the Certifying Authority, that addresses, but not limited to, school operating hours, the use and management of the stage/hall facility (during and after school hours), use and management of the playing fields (during and after school hours), the use and management of the out of school hours care (OOSH) facility and any operational restrictions as required by this consent.

Operational Traffic and Car Parking Management Plan

G16. The applicant is to prepare a Traffic and Car Parking Management Plan (TCPMP) for the entire school campus and progressively updated at each development stage. The TCPMP shall be submitted to the satisfaction of the Certifying Authority prior to the issue of any Occupation Certificate, demonstrating the following:

- a) pedestrian safety;
- b) the location of all car parking spaces on the school campus, their allocation (i.e. staff, visitor, student, accessible, etc.);
- c) the location and operational management procedures of the student drop off/pick-up facility, including staff management arrangements);
- d) delivery and service vehicle and bus access and management arrangements;
- e) management of approved access arrangements;
- f) traffic and car parking arrangements throughout the staged development of the school;
- g) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts;
- h) car parking arrangements and management associated with the proposed use of school facilities by community/church members; and

- i) monitoring and review program.

The TCPMP shall be incorporated into the Operational Management Plan for Wahroonga Adventist School.

Certificate of Compliance for works

- G17. Prior to occupation, the applicant shall provide to the Certifying Authority evidence that all matters required to be registered on title, including easements required by this consent, approvals, and other consents, have been lodged for registration or registered at the NSW Land and Property Information.

Food Preparation Areas

- G18. All food premises must be designed and constructed to comply with Food Safety Standard 3.2.3 *Food Premises and Equipment* of the Food Standards Code.

Note: Requirements of Australian Standard 4674 – 2004 “*Design, construction and fit-out of food premises*” and NSW Food Authority “*Food premises – Design, construction and fit-out guide*” to be considered to achieve the necessary construction standards for the food premises.

- G19. The applicant must arrange for an inspection by an Environmental Health officer of the food premises to assess compliance with Food Safety Standard 3.2.2 *Food Safety Practices and General Requirements* and Food Safety Standard 3.2.3 *Food Premises and Equipment* of the Food Standards Code prior to operating a food business.

External Lighting

- G20. External Lighting shall comply with Australian Standard 4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the applicant shall submit to the consent authority evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.

PART H POST OCCUPATION

Bush Fire Protection

- H1. The property around the Wahroonga Adventist School buildings fronting Fox Valley Road shall be managed as an Inner Protection Area (IPA) for a distance of 100 metres as outlined within section 4.1.3 and Appendix 5 of *Planning for Bush Fire Protection 2006* and the NSW Rural Fire Service’s document ‘Standards for asset protection zones’.

Playing Fields and PE Courts Use

- H2. To ensure that the environmental and residential amenity of the adjoining sensitive receivers is not adversely affected by unacceptable noise pollution and light spill, the use of the Wahroonga Adventist School playing fields shall be restricted as follows:
- a) use of the playing fields and PE courts (including associated lighting) is restricted to 6:00 pm; and
 - b) use of the playing fields and PE courts for competition sporting events is not permitted.

Loading and Unloading

- H3. All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the subject site at all times.

Unobstructed Driveways and Parking Areas

- H4. All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

Neighbourhood Amenity

- H5. The proposed operation of the Wahroonga Adventist School shall not interfere with the amenity of the neighbourhood by reason of noise, vibration, light spill, smell, fumes, smoke, dust, wastewater or otherwise. In particular:

- a) Only clean and unpolluted water is permitted to be discharged to Councils' stormwater drainage system or any waters.
- b) All wastes shall be contained within appropriate containers fitted with a tight-fitting vermin-proof lid. Contractors with appropriate waste management approval shall be engaged to collect and transport all categories of contaminated wastes, recycled materials and rubbish for off-site disposal.

- H6. Noise associated with the operation of any plant, machinery or other equipment on the subject site, shall not exceed 5dB(A) above the background noise level when measured at the boundary of the subject site.

- H7. Details demonstrating compliance with the development specific noise levels are to be verified within 60 days after the occupation of stage 6 works and commencement of operations. These details are to be submitted to the satisfaction of the Secretary, or her nominee, verifying that the operational noise levels do not exceed the operation noise level goals identified in the *Development Application Acoustic Report, Proposed Wahroonga Adventist School Development*, dated 7 April 2015.

The noise monitoring program shall also verify compliance with the acceptable noise criteria in the NSW Industrial Noise Policy, January 2000. Should the noise monitoring program identify any exceedence of the noise criteria referred to above, the applicant is required to implement appropriate noise attenuation measures so that operational noise levels comply with the criteria.

Public Way to be Unobstructed

- H8. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

Works-as-Executed Plans

- H9. Works-as-executed drainage plans are to be provided to Council on completion of works.

Fire Safety Certification

- H10. The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.

Compliance with Food Code

- H11. The applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the

Australian Standard 4674 Design, construction and fit-out of food premises. The applicant shall provide evidence of receipt of the certificate to the satisfaction of the Certifying Authority prior to the occupation of the building(s) or commencement of the use.

ADVISORY NOTES

Appeals

AN1 The applicant has the right to appeal to the Land and Environment Court in the manner set out in the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2000 (as amended).

Other Approvals and Permits

AN2 The applicant shall apply to the relevant authority for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the *Local Government Act, 1993* or *Section 138 of the Roads Act, 1993*.

Use of Mobile Cranes

AN3 The applicant shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied with:

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

Responsibility for other consents / agreements

AN4 The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Movement of Trucks Transporting Waste Material

AN5 The applicant must notify the Roads and Maritime Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the subject site, prior to the commencement of the removal of any waste material from the subject site.

Building Identification

AN6 The building name and number, if any, should be clearly displayed at either end of the ground level frontages prior to the occupation of the building or commencement of the use.

Temporary Structures

AN7

- a) An approval under State Environmental Planning Policy (Temporary Structures) 2007 must be obtained from the Council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.
- b) Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Council with the application under State Environmental Planning Policy (Temporary Structures) 2007 to certify the structural adequacy of the design of the temporary structures.

Disability Discrimination Act

AN8 This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

AN9

- a) The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.
- b) This application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the applicant's responsibility to consult the Department of Sustainability, Environment, Water, Population and Communities to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

Asbestos Removal

AN10 All excavation and demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with Work Health and Safety Regulation 2011, the NSW Government and WorkCover document titled *How to Safely Remove Asbestos: Code of practice* and NOHSC: "Code of Practice for the Safe Removal of Asbestos"

AN11 Five days prior to the commencement of licensed asbestos removal, WorkCover must be formally notified of the works. All adjoining properties and those opposite the development 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 number and email address.

Site contamination issues during construction

AN12 Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination then the applicant must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with the Department.