

Original signed by Geoff Mossemenear on 13/12/19

Date determined: 12/12/19

Date operates: 13/12/19

Date lapses: 13/12/24

Public Works Advisory
Attention: Michelle Moodley
PO Box N408
GROSVENOR PLACE NSW 1220

D202/19
GM (CIS)

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 AS AMENDED
NOTICE OF DETERMINATION – Approval**

Development Application Number: 202/19

Land to which this applies: 60 Kareela Road, Cremorne Point
Lot No.: 0, SP: 72

Applicant: Public Works Advisory

Proposal: Demolition of all existing structures, soil removal, demolition of front fence and all retaining walls, removal of all shrubs, vegetation and tree at front of site, demolition of all paths, driveway and garden beds, backfilling with VENM, and associated works and remediation of site.

Determination of Development Application: Subject to the provisions of Section 4.17 of the Environmental Planning and Assessment Act 1979, approval has been granted subject to conditions in the notice of determination.

Date of Determination: 12 December 2019

Reason for approval: The development application has been assessed against all applicable environmental planning instruments and was found to be generally satisfactory, including in relation to the North Sydney LEP 2013 and North Sydney DCP 2013.

The development application would promote the orderly and economic use and development of land and its approval is in the public interest.

Having regard to the provisions of Section 4.15 of the EP&A Act 1979 the application is considered to be satisfactory and therefore can be approved.

Consent to operate from: 13 December 2019

Consent will lapse on: 13 December 2024

Period of Consent Subject to Section 4.20 of the Act, this consent becomes effective and operates from the date listed above. The consent lapses five years after the date of consent in accordance with Section 4.53 of the Act and cannot be extended. To activate this consent, works must physically commence onsite by 13 December 2024.

How community views were taken into account: The development application has taken into account community views and adequately addresses the concerns raised in submissions, will not result in any unreasonable adverse effect on the local built and natural environment and will not result in any unreasonable adverse social or economic impact.

Review of determination and right of appeal: Within 6 months after the date of notification of the decision, a review of this determination can be requested under Division 8.2 of the Act or an appeal to the Land and Environment Court made pursuant to the provisions of Section 8.7 of the Act. A review of determination should be lodged as soon as possible, and preferably no later two months after the date of notification of the decision to enable the review to be completed within the six-month period.

Endorsed for and on behalf of North Sydney Council

DATE

Signature on behalf of consent authority
GEOFF MOSSEMENEAR
EXECUTIVE PLANNER

(i) Conditions

Consent is granted subject to the following conditions imposed pursuant to Section 4.17 of the Environmental Planning & Assessment Act 1979 (“the *Act*”) and the provisions of the Environmental Planning & Assessment Regulation 2000 (“the *Regulation*”) such conditions being reasonable and relevant to the development as assessed pursuant to Section 4.17 of the Act.

(ii) Definitions

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

Applicant means the applicant for this consent.

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

AS or ***AS/NZS*** means Australian Standard® or Australian/New Zealand Standard®, respectively, published by Standards Australia International Limited.

NCC means the National Construction Code as published by the Australian Building Codes Board as in force at the date of issue of any *Construction Certificate*.

Council means North Sydney Council.

Court means the Land and Environment Court.

Local Native Plants means species of native plant endemic to North Sydney LGA.

Stormwater Drainage System means all works, facilities and documentation relating to:

- The collection of stormwater,
- The retention of stormwater,
- The reuse of stormwater,
- The detention of stormwater,
- The controlled release of stormwater; and
- Connections to easements and public stormwater systems.

Owner means the owner of the *site* and successors in title to the *site*.

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

Principal Certifier for building or subdivision work means the certifier appointed as the principal certifier for the building work under section 6.6 (1) or for the subdivision work under section 6.12 (1).

Principal Contractor for building work means the person responsible for the overall coordination and control of the carrying out of the building work.

Note: If any residential building work is involved, the principal contractor must be the holder of a contractor licence under the *Home Building Act 1989*.

Professional Engineer has the same meaning as in the *NCC*.

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.

NSLEP 2013 means *North Sydney Local Environmental Plan 2013*

NSDCP 2013 means *North Sydney Development Control Plan 2013*

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 any 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*.

Note: **Interpretation of Conditions** – Where there is any need to obtain an interpretation of the intent of any condition this must be done in writing to Council and confirmed in writing by Council.

INDEX OF CONDITIONS

	Page No.
1. Construction Management Program – Local Traffic Committee Approval	6
2. Dilapidation Report Damage to Public Infrastructure	7
3. Sediment Control	8
4. Work Zone	8
5. Public Liability Insurance – Works on Public Land	9
6. Parking Restrictions	9
7. Road Reserve Safety	9
8. Developer’s Cost of Work on Council Property	10
9. No Removal of Trees on Public Property	10
10. Special Permits	10
11. Construction Hours	11
12. Out of Hours Works Permits	12
13. Site Amenities and Facilities	12
14. Health and Safety	12
15. Community Information	13
16. Prohibition on Use of Pavements	13
17. Plant & Equipment Kept Within Site	13
18. Demolition, Asbestos Removal, Hazardous materials	13
19. Noise from Plant and Equipment	14
20. Vibration from Plant and Equipment	14
21. Remedial Action Plan (Contaminated Land)	15
22. Asbestos Removal	15
23. Asbestos Clearance Certificate	15
24. Imported Fill Material	16
25. Waste Disposal	16
26. Validation for Remediation	16
27. Site Maintenance	16
28. Traffic	16
29. Tree Pruning	18

Construction Management Program – Local Traffic Committee Approval

1. A Construction Management Program prepared by a suitably qualified and experienced traffic consultant must be submitted and approved in writing by North Sydney Traffic Committee **PRIOR TO THE COMMENCEMENT OF ANY WORKS ON SITE**. Any use of Council property will require appropriate approvals prior to any work commencing. At a minimum, the Construction Management Program must specifically address the following matters:
 - a) A plan view (min 1:100 scale) of the entire site and frontage roadways indicating:
 - i. Dedicated temporary construction site driveway entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways and footways;
 - ii. The proposed signage for pedestrian management to comply with the relevant Australian Standards, including pram ramps;
 - iii. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
 - iv. The locations of any proposed Work Zones in the frontage roadways (to be approved by Council’s Traffic Committee);
 - v. Locations of hoardings proposed;
 - vi. Location of any proposed crane standing areas;
 - vii. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
 - viii. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected; and
 - ix. The provision of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
 - b) A detailed heavy vehicle access route map through the Council area to Arterial Roads. Provision is to be made to ensure through traffic is maintained at all times.
 - c) The proposed phases of works on the site, and the expected duration of each phase.
 - d) How access to neighbouring properties will be maintained at all times and the proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of process.
 - e) The road is not to be used as a waiting area for trucks delivering to or awaiting pick up of materials.
 - f) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising structural engineer and must not involve any permanent or temporary encroachment onto Councils property.
 - g) Proposed protection for Council and adjoining properties. Details are to include site fencing and the provision of “B” class hoardings over footpaths and laneways.

- h) A Waste Management Plan. The Waste Management Plan must include, but not be limited to, the estimated volume of waste and method of disposal for the construction and operation phases of the development, design of on-site waste storage and recycling area and administrative arrangements for waste and recycling management during the construction process.

All traffic control work and excavation, demolition and construction activities must be undertaken in accordance with the approved Construction Management Program and any conditions attached to the approved Program. A certificate of compliance with this condition must be obtained from Council's development engineers. A copy of the approved Construction Management Program and any conditions imposed on that Program, must be kept on the site at all times and made available to any officer of Council upon request.

Notes:

- 1) North Sydney Council's adopted fee for certification of compliance with this condition shall be payable on lodgement, or in any event, prior to the issue of the relevant approval.
- 2) Any use of Council property will require appropriate approvals and demonstration of liability insurances prior to such work commencing.
- 3) Failure to provide complete and detailed information may result in delays. It is recommended that your Construction Management Plan be lodged with Council as early as possible, as a minimum six (6) weeks notice is required to refer items to the Traffic Committee.
- 4) Dependent on the circumstances of the site, Council may request additional information to that detailed above.

(Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the demolition process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community)

Dilapidation Report Damage to Public Infrastructure

2. A dilapidation survey and report (including photographic record) must be prepared by a suitably qualified consultant which details the pre-developed condition of the existing public infrastructure in the vicinity of the development site. Particular attention must be paid to accurately recording any pre-developed damaged areas so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development. A copy of the dilapidation survey and report must be lodged with North Sydney Council.

The contractor may be held liable for all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded and demonstrated as pre-existing under the requirements of this condition.

The contractor shall bear the cost of carrying out works to restore all public infrastructure damaged as a result of the carrying out of the development, and no occupation of the development shall occur until damage caused as a result of the carrying out of the development is rectified.

(Reason: To record the condition of public infrastructure prior to the commencement of works)

Sediment Control

3. Where demolition or excavation activity requires the disturbance of the soil surface or existing vegetation, erosion and sediment control techniques, as a minimum, are to be in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom, 2004) commonly referred to as the “Blue Book” or a suitable and effective alternative method.

A Sediment Control Plan must be prepared prior to commencement of works. The Sediment Control Plan must be consistent with the Blue Book and disclose:

- a) All details of drainage to protect and drain the site during the demolition processes;
- b) All sediment control devices, barriers and the like;
- c) Sedimentation tanks, ponds or the like;
- d) Covering materials and methods; and
- e) A schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.
- f) Methods for the temporary and controlled disposal of stormwater during construction.

All works must be undertaken in accordance with the approved Sediment Control plan.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

Work Zone

4. If a Work Zone is proposed, an application must be made to the North Sydney Local Traffic Committee to install the ‘Work Zone’. A Work Zone permit is required to be issued by the Council prior to the commencements of any works.

Work Zones are provided specifically for the set down and pick up of materials and not for the parking of private vehicles associated with the site. Work Zones will generally not be approved where there is sufficient space on-site for the setting down and picking up of goods being taken to or from a construction site. If the Work Zone is approved by the Committee, the Applicant must obtain a written copy of the related resolution from the North Sydney Local Traffic Committee.

Where approval of the ‘Work Zone’ is given by the Committee, the requirements of the Committee, including installation of the necessary ‘Work Zone’ signage and payment of any fees, must occur prior to commencement of any works on the site. Further, at the expiration of the Work Zone approval, the contractor is required to remove the Work Zone signs and reinstate any previous signs, all at the contractor's cost. The requirements imposed by the Committee on the Work Zone permit (or permits) must be complied with at all times.

(Reason: Amenity and convenience during construction)

Public Liability Insurance – Works on Public Land

5. Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of public land and the undertaking of approved works within Council’s road reserve or public land, as approved by this consent. The Policy is to note, and provide protection/full indemnification for North Sydney Council, as an interested party. A copy of the Policy must be submitted to Council prior to commencement of any works. The Policy must be valid for the entire period that the works are being undertaken.

(Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.)

(Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land)

Parking Restrictions

6. The placement of any barriers, traffic cones, obstructions or other device in the road shoulder or kerbside lane is prohibited without the prior written consent of Council. Changes to existing public parking facilities/restrictions must be approved by the North Sydney Local Traffic Committee. The Developer will be held responsible for any breaches of this condition, and will incur any fines associated with enforcement by Council regulatory officers.

(Reason: To ensure that existing kerbside parking provisions are not compromised during works)

Road Reserve Safety

7. All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the works, with no obstructions caused to the said footways and roadways. Construction materials and plant must not be stored in the road reserve without approval of Council. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site.

Where public infrastructure is damaged, repair works must be carried out in when and as directed by Council officers (at full Contractor cost). Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) “Traffic Control Devices for Work on Roads”. **If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**

(Reason: Public Safety)

Developer's Cost of Work on Council Property

8. The developer must bear the cost of all works associated with the development that occurs on Council's property, including the restoration of damaged areas.

(Reason: To ensure the proper management of public land and funds)

No Removal of Trees on Public Property

9. No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved by this consent shall be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works.

(Reason: Protection of existing environmental infrastructure and community assets)

Special Permits

10. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development must occur entirely on the property.

The developer, owner or builder may apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property. In the event that a permit is granted by Council for the carrying out of works, processes, storage of materials, loading and unloading associated with the development on Council's property, the development must be carried out in accordance with the requirements of the permit. A minimum of forty-eight (48) hours notice is required for any permit: -

1) **On-street mobile plant**

Eg. cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the developer's, owner's and builder's responsibilities to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.

(Reason: Proper management of public land)

2) **Hoardings**

Permits are required to erect Class A and Class B hoardings. If an 'A' Class hoarding is to alienate a section of Council's property, that section will require a permit for the occupation of Council's property.

(Reason: Proper management of public land)

3) **Storage of building materials and building waste containers (skips) on Council's property**

Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.

(Reason: Proper management of public land)

4) **Kerbside restrictions, construction zones**

Attention is drawn to the existing kerbside restrictions adjacent to the development. Should alteration of existing kerbside restrictions be required, or the provision of a construction zone, the appropriate application must be made and the fee paid to Council. Alternatives to such restrictions may require referral to Council's Traffic Committee and may take considerable time to be resolved. An earlier application is suggested to avoid delays in construction programs.

(Reason: Proper management of public land)

Construction Hours

11. Building construction and works must be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 3.00 pm inclusive, with no work on Sundays and Public Holidays.

For the purposes of this condition:

- i. "Building construction" means any physical activity on the site involved in the erection of a structure, cladding, external finish, formwork, fixture, fitting of service installation and the unloading of plant, machinery, materials or the like.
- ii. "Demolition works" means any physical activity to tear down or break up a structure (or part thereof) or surface, or the like, and includes the loading of demolition waste and the unloading of plant or machinery.
- iii. "Excavation work" means the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders, or the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site and includes the unloading of plant or machinery associated with excavation work.

All builders, excavators must display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

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

Out of Hours Work Permits

12. Where it is necessary for **emergency** works to occur outside those hours allowed by these conditions, an application may be made to Council's Customer Services Centre for a permit to carry out emergency works outside of the approved hours. If a permit is issued the development must be carried out in accordance with any requirements of the permit. A permit and shall only be approved if **public safety or convenience is at risk**. Any further variation shall require the lodgement and favourable determination of a modification application pursuant to Section 4.55 of the Environmental Planning and Assessment Act 1979.

Notes:

- 1) Failure to obtain a permit for work outside of the approved hours will result in on the spot fines being issued, or Council pursuing any action required (including legal proceedings) to have the out of hours work cease, without prior warning.
- 2) Further information on permits can be obtained from the Council website at www.northsydney.nsw.gov.au.
- 3) It is recommended that applications for permits be lodged as early as possible to allow sufficient time for determination by Council and avoid disruption or delay due to conflicting priorities.
- 4) Permit Emergency for such occurrence shall be limited to two occasions per calendar month

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

Site Amenities and Facilities

13. Where work involved in the erection and demolition of a building is being carried out, amenities which satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements, must be provided and maintained at all times. The type of work place determines the type of amenities required.

Further information and details can be obtained from the Internet at www.workcover.nsw.gov.au

(Reason: To ensure the health and safety of the community and workers on the site)

Health and Safety

14. All work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements to prepare a health and safety plan. Site fencing must be installed sufficient to exclude the public from the site. Safety signs must be erected that warn the public to keep out of the site, and provide a contact telephone number for enquiries.

Further information and details regarding occupational health and safety requirements for construction sites can be obtained from the internet at www.workcover.nsw.gov.au

(Reason: To ensure the health and safety of the community and workers on the site)

Community Information

15. Reasonable measures must be undertaken at all times to keep nearby residents informed about the proposed work, such as by way of signs, leaflets, public meetings and telephone contact numbers, to ensure that adjoining residents are aware of the likely duration of the works on the site

(Reason: To ensure that residents are kept informed of activities that may affect their amenity)

Prohibition on Use of Pavements

16. Building materials must not be placed on Council's footpaths, roadways, parks or grass verges, (unless a permit is obtained from Council beforehand). A suitable sign to this effect must be erected adjacent to the street alignment.

(Reason: To ensure public safety and amenity on public land)

Plant & Equipment Kept Within Site

17. All plant and equipment used in the undertaking of the development/ works, including concrete pumps, wagons, lifts, mobile cranes, hoardings etc, must be situated within the boundaries of the site (unless a permit is obtained from Council beforehand) and so placed that all concrete slurry, water, debris and the like must be discharged onto the building site, and is to be contained within the site boundaries.

Details of Council requirements for permits on public land for standing plant, hoardings, storage of materials and construction zones and the like are available on Council's website at www.northsydney.nsw.gov.au.

(Reason: To ensure public safety and amenity on public land)

Demolition, Asbestos Removal, Hazardous materials

18. A Demolition Environmental Management Plan (DEMP) in accordance with the submitted Statement of Environmental Effects (report number ISR19061) must be prepared by a suitably qualified person in relation to the existing building fabric to be demolished. A suitably qualified person is an environmental scientist with experience in this area of work.

The demolition works must be carried out in accordance with the recommendations of the report and the following:

- a) the removal of asbestos – loose fill, friable and bonded - must be undertaken by a WorkSafe NSW licensed contractor, licensed for all categories of asbestos removal;
- b) all removal must be in strict accordance with the requirements of the WorkSafe NSW Authority in relation to the removal, handling and disposal of material containing asbestos and any Work Safe Australia requirements.
- c) during the removal of any asbestos a sign stating “DANGER ASBESTOS REMOVAL IN PROGRESS” must be erected in a visible position at the boundary of the site; and

- d) Waste disposal receipts must be provided to the Certifying Authority as proof of correct disposal of asbestos laden waste.
- e) The DEMP must address lead-based paint on the building structure to be demolished and soil on the site contaminated with asbestos.
- f) The DEMP must address dust generation and suppression during the demolition process and during disturbance of soil on the site. It must outline the methods to be implemented to prevent the generation and/or spread of dust.
- g) The DEMP must include air and dust monitoring advising of the method/s of monitoring; the acceptable limits; procedure in the event a limit is exceeded; and the responsible personnel in this area.

(Reason: To ensure the long-term health of workers on site and occupants of the building is not put at risk unnecessarily)

Noise from Plant and Equipment

19. The use of all plant and equipment installed on the premises must not:

- (a) Contribute an LAeq(15min) which will cause the total LAeq(15min) from all plant and equipment operating contemporaneously on the site or in the strata scheme or in the mixed strata schemes to exceed the RBL by more than 5dB when measured at the boundary of any affected receiver . The modifying factor adjustments in Section 4 of the EPA Industrial Noise Policy shall be applied.
- (b) Cause “offensive noise” as defined in the *Protection of the Environment Operations Act 1997*.

“affected receiver” includes residential premises (including any lot in the strata scheme or another strata scheme), premises for short-term accommodation, schools, hospitals, places of worship, commercial premises and parks and such other affected receiver as may be notified by the Council in writing.

“boundary” includes any window or elevated window of an affected receiver.

Terms in this condition have the same meaning as in the Noise Guide for Local Government and the Industrial Noise Policy published by the NSW Environment Protection Authority.

(Reason: To maintain an appropriate level of amenity for adjoining land uses)

Vibration from Plant and Equipment

20. The use of all plant and equipment to be installed on the premises must comply with the vibration limits specified in “Assessing Vibration: a technical guideline” issued by the NSW Environment Protection Authority, at the boundary of any affected receiver.

A certificate from an appropriately qualified acoustical consultant eligible for membership of the Association of Australian Acoustic Consultants must be submitted, certifying that all plant and equipment on the site, together with the proposed plant and equipment, operating contemporaneously will comply with the requirements of this condition.

“affected receiver” includes residential premises (including any lot in the strata scheme or another strata scheme), premises for short-term accommodation, schools, hospitals, places of worship and commercial premises and such other affected receiver as may be notified by the Council in writing.

“boundary” includes any window or elevated window of an affected residence.

“contemporaneously” means *existing at or occurring in the same period of time* (Macquarie Dictionary 3rd rev. ed. 2004).

(Reason: To maintain an appropriate level of amenity for adjoining land uses)

Remedial Action Plan (Contaminated Land)

21. The asbestos removal, demolition work and site remediation must be carried out in accordance with the Demolition Environmental Management Plan approved under this consent and all relevant guidelines issued under the Contaminated Land Management Act; in strict accordance with the requirements of the WorkSafe NSW Authority and any Work Safe Australia requirements. The works shall be over seen and supervised by a suitably qualified professional.

(Reason: To ensure the proper management of contaminated land)

Asbestos Removal

22. All demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkSafe NSW Asbestos or “Demolition Licence”. The category of license shall be to remove loose fill, friable and bonded asbestos, and removal must be carried out in accordance with National Occupational Health and Safety Commission.

(Reason: To ensure works are carried out in accordance with relevant WorkSafe NSW requirements)

Asbestos Clearance Certificate

23. An asbestos clearance certificate signed by an appropriately qualified person (being an Occupational Hygienist or Environmental Consultant) must be submitted (and a copy forwarded to Council) for the demolition and remediation works prior to the use of the site, the asbestos clearance certificate must certify the following: -

a) the building/ land is free of asbestos.

The certificate must also be accompanied by tipping receipts, which detail that all asbestos waste has been disposed of at an approved asbestos waste disposal depot.

Note: Further details of licensed asbestos waste disposal facilities can be obtained from www.epa.nsw.gov.au

(Reason: To ensure that building works involving asbestos based products are safe for occupation and will pose no health risks to occupants)

Imported Fill Material

24. The only waste derived fill material that may be received at the development site is: -
- a) Virgin excavated natural material (within the meaning of the Protection of the Environment Operations Act 1997); and
 - b) Any other waste-derived material the subject of a resource recovery exemption under cl. 51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material.

Any waste-derived material the subject of a resource recovery exemption received at the development site, must be accompanied by documentation as the material's compliance with the exemption conditions and must be provided to the Certifying Authority on request.

(Reason: To ensure that imported fill is of an acceptable standard for environmental protection purposes)

Waste Disposal

25. All records demonstrating the lawful disposal of waste must be retained and kept readily accessible for inspection by regulatory authorities such as North Sydney Council and the Environmental Protection Authority.

(Reason: To ensure the lawful disposal of construction and demolition waste)

Validation for Remediation

26. A validation and site monitoring report prepared in accordance with relevant guidelines issued under the *Contaminated Land Management Act 1997* must be submitted to the Council within one month of completion of the remediation work.

(Reason: To ensure environmental amenity is maintained)

Site Maintenance

27. At the completion of works, the site shall be secured with fencing and grass sown for dust control. The grass is to be maintained at regular intervals to ensure that the site does not become overgrown and unsightly.

(Reason: Amenity and safety)

Traffic

28. The following traffic conditions shall be complied with by the contractors:

- All works on any public road are to be undertaken in accordance with AS 1742.3.
- No truck and dog trailers are to be used for the site.

- The maximum size of deliver and construction vehicles must not exceed a Medium Rigid Vehicle (MRV) of 8.8m in length.
- Approval must be obtained from Council for all temporary construction vehicular crossings.
- Installation of a Work Zone for 60 Kareela Road is subject to the applicant paying all appropriate Council advertised fees and charges, including the cost of the signage.
- The residents/occupiers of Kareela Road, Hodgson Avenue, Iredale Avenue are to be notified by letter that a Work Zone 8am to 5pm Monday to Friday, 8am to 3pm Saturday is to be installed. The letter should indicate the length of the Work Zone, the existing parking restrictions the Work Zone will replace and the duration of the Work Zone. A copy of the notification is to be provided to Council before the signs are installed. The notification is to have the name and number of the site manager in case of complaints.
- Any approved Work Zone is to be used only to pick up and drop off materials and equipment. Construction vehicles are not to wait or park in the Works Zone, Truck Zone and Loading Zone.
- Trucks may only enter and leave the construction site in a forward direction, unless under the direct supervision of two RMS accredited traffic controllers, one to direct heavy vehicle movement in and out of the site and one to ensure no pedestrian enters the path of a heavy vehicle.
- A minimum of two RMS accredited traffic controllers are to be provided to direct entering and exiting vehicles at the entry/exit to the works zone whilst ensuring no pedestrians or vehicles enter the zone of heavy vehicle movement.
- Access to adjoining residents and businesses are to be maintained at all times.
- The adjoining residents are to be updated on a monthly basis and at key stages, particularly in relation to heavy vehicle movements, and be provided with a phone number to contact the site manager.
- At no time shall Kareela Road, Hodgson Avenue, Iredale Avenue or any other road be blocked by any vehicle or works associated with the construction of the proposed development. Through traffic is to be maintained at all times.
- Kareela Road, Hodgson Avenue, Iredale Avenue or any other road are not to be used as a waiting area for trucks delivering to or awaiting pick up of materials etc. from the proposed development.
- Construction vehicles are not to queue in Kareela Road, Hodgson Avenue, Iredale Avenue or any other road.
- Tower cranes shall be located wholly on-site.
- Mobile cranes shall be located wholly on-site or with an approved Stand Plant Permit.
- Concrete pumps shall be located wholly on-site or with an approved Stand Plant Permit, unless the pump and trucks can stand wholly within the signposted Work Zone.
- All pump lines crossing Council footpaths must be ramped over to allow safe pedestrian/wheelchair traffic at all times.
- Pedestrian access and the diversion of pedestrians shall be carried out in accordance with Australian Standard 1742.3 and 1742.10.
- If pedestrians are diverted, pram ramps must be provided in accordance with Australian Standard 1428.1.
- If a Permit to Stand Plant or Temporary Road Closure is required, application must be made to NSW Police, North Shore Local Area command.
- If a Permit to Stand Plant is required, application must be made to Council in accordance with Council's Stand Plant Permit Form and Conditions.

- If a Temporary Road Closure is required, application must be made to Council in accordance with Council's Temporary Road Closure Form and Conditions.
- A traffic route map and conditions are to be made available to truck drivers engaged for this development.
- A list of truck drivers' names with their licences and vehicle plate numbers and conditions are to be kept on-site by the contractor at all times, and be made available for inspection by Council Officers, Police Officers and Council Rangers.
- Repeated failure to comply with these conditions will result in removal of any Work Zone under notice.
- All Traffic Management Plans and Traffic Control Plans must be endorsed with the name of the person preparing the plan along with their level of certified qualification and certificate number. Only persons with current "Select/Modify Traffic Control Plans" or "Design Audit Traffic Control Plans" tickets are qualified to develop and endorse Traffic Management Plans and Traffic Control Plans.

(Reason: To ensure public safety and amenity on public land)

Tree Pruning

29. Selective pruning of branches no greater than 40mm in diameter that are within 2m of the building envelope may be pruned in order to erect scaffolding and hoardings. All pruning works shall be undertaken under the guidance of an appropriately qualified arborist/tree surgeon in accordance with Australian Standard AS 4373-2007 - Pruning of Amenity Trees. No other pruning to any trees shall be permitted.
- a) Trees identified within the arborist report by GIS Environmental Consultants dated 14/05/19 as Trees 1, 2 & 3, and all trees on neighbouring properties shall be protected in accordance with AS4970-2009 (Protection of trees on development sites).

(Reason: To protect public assets)