

# DRAFT CONDITIONS OF CONSENT

## GENERAL CONDITIONS

### Condition

#### 1. Approved Plans and Supporting Documentation

The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:

#### Approved Plans

Plan No./ Issue	Plan Title	Drawn by	Dated	Council Reference
DA-0400 E	Site Plan	David White Architects Pty Ltd	22/05/2024	
DA-1100 D	Ground Floor - Proposed	David White Architects Pty Ltd	22/05/2024	
DA-1101 A	Upper Floor Plan - Proposed	David White Architects Pty Ltd	22/12/2023	
DA-1102 A	Basement Floor Plan - Proposed	David White Architects Pty Ltd	22/12/2023	
DA-9046 A	Basement Garage Manoeuvring Diagram	David White Architects Pty Ltd	13/05/204	
DA-1103 A	Roof Plan - Proposed	David White Architects Pty Ltd	22/12/2023	
DA-1200 A	North & West Elevations - Proposed	David White Architects Pty Ltd	22/12/2023	
DA-1201 A	South & East Elevations - Proposed	David White Architects Pty Ltd	22/12/2023	
DA-1202 A	Fence Elevations; Existing & Proposed	David White Architects Pty Ltd	22/12/2023	
DA-1300 A	Sections A & B	David White Architects Pty Ltd	22/12/2023	
DA-1301 C	Sections C & D	David White Architects Pty Ltd	13/05/2023	
DA-1700 A	Finishes Schedule	David White Architects Pty Ltd	22/12/2023	
DA-9000 C	Tree Analysis Drawing	David White Architects Pty Ltd	22/05/2024	
LP-01-B B	Landscape Plan	Selena Hannan Landscape Design	22/04/2024	
C5 B	Erosion and Sediment Control Plan	ACOR consultants (CC) Pty Ltd	21/12/2023	

Supporting Documentation

Document Title	Prepared by	Dated	Council Reference
Survey Plan Dwg No. 65476001A	Hill & Blume Consulting Surveyors	05/04/2023	D08795117
Construction Traffic Management & Erosion & Sediment Control Plans Sheets M1-M13 Issue B	Hydracor Consulting Engineers Pty Ltd	17/05/2024	D08884584
Arboricultural Impact Assessment Report	Jacksons Nature Works	7/05/2024	D0880866
Waste Management Plan	David White Architects Pty Ltd	21/12/2023	D08795119
Tree Risk Assessment Report	Arboricultural Tree Services Pty Ltd	September 2023	D08795118
Stormwater Management Plans Sheets C1-C6 Issue B	ACOR consultants (CC) Pty Ltd	21/12/2023	D08795116
Statement of Heritage Impact Issue C	GBA Heritage	21/12/2023	D08795109
Geotechnical Investigation Report Ref: 36078Zrpt	JK Geotechnics	27/06/2023	D08795108
BASIX Certificate No. 1731748S	Bonnefin Consulting Pty Ltd	22/12/2023	D08795105

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

**2. Amendment of Plans**

1. To comply with Councils requirement in terms of air quality and replacement tree planting, the approved plans are to be amended as follows:
  - a. The approved plans must delete any reference to the proposed fireplace in the rear yard as indicated in red on the approved ground floor plan.
  - b. The approved landscape plan must be amended to include a minimum of 3x *Eucalyptus pilularis* trees with a minimum 75L pot size.
2. These amended plans must be submitted with the application for the Construction Certificate.

*Reason: To require minor amendments to the approved plans and supporting documentation following assessment of the development.*

**3. Construction Certificate**

1. A Construction Certificate is required to be approved by Council or a Principal Certifier prior to the commencement of any construction works under this consent.
2. A separate approval must be obtained from Council for all works within the public road reserve under *S138 of the Roads Act 1993*.
3. The Construction Certificate plans must be consistent with the Development Consent plans.

*Reason: To ensure that detailed construction certificate plans are consistent with the approved plans and supporting documentation.*

#### 4. Section 7.12 Development Contributions

1. In accordance with Section 4.17(1) of the *Environmental Planning and Assessment Act 1979* and the Hornsby Shire Council Section 7.12 Development Contributions Plan 2019-2029, \$95,876.70 must be paid towards the provision, extension or augmentation of public amenities or public services, based on development costs of \$ 9,587,673.
2. The value of this contribution is current as of 28 May 2024. If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the Hornsby Shire Council Section 7.12 Development Contributions Plan and the amount payable will be calculated at the time of payment in the following manner:

$$\text{\$C}_{PY} = \frac{\text{\$C}_{DC} \times \text{CPI}_{PY}}{\text{CPI}_{DC}}$$

Where:

**\\$C<sub>PY</sub>** is the amount of the contribution at the date of Payment

**\\$C<sub>DC</sub>** is the amount of the contribution as set out in this Development Consent

**CPI<sub>PY</sub>** is the latest release of the Consumer Price Index (Sydney - All Groups) at the date of Payment as published by the ABS.

**CPI<sub>DC</sub>** is the Consumer Price Index (Sydney - All Groups) for the financial quarter at the date of this Development Consent.

3. The monetary contributions shall be paid to Council:
  - a. Prior to the issue of the Subdivision Certificate where the development is for subdivision; or
  - b. Prior to the issue of the first Construction Certificate where the development is for building work; or
  - c. Prior to issue of the Subdivision Certificate or first Construction Certificate, whichever occurs first, where the development involves both subdivision and building work; or
  - d. Prior to the works commencing where the development does not require a Construction Certificate or Subdivision Certificate.

*Note: Should the cost of works increase at Construction Certificate stage, a revised contribution amount will be calculated in accordance with the Hornsby Shire Council Section 7.12 Development Contributions Plan.*

*Note: It is the professional responsibility of the Principal Certifier to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.*

*Note: In accordance with Ministerial Directions, the payment of contribution fees for development with a cost of works of over \$10 million can be deferred to prior to Occupation Certificate.*

*Note: The Hornsby Shire Council Section 7.12 Development Contributions Plan may be viewed at [www.hornsby.nsw.gov.au](http://www.hornsby.nsw.gov.au) or a copy may be inspected at Council's Administration Centre during normal business hours.*

*Note: To arrange a Payment Advice for the monetary contributions, please contact Council's Customer Service Team on 9847 6666.*

*Reason: To address the increased demand for community infrastructure resulting from the approved*

development.

**5. Removal of Trees**

1. This development consent permits the removal of trees numbered 5, 13, 14, 14a, 14b, 14c, 15, 16, 17, 18, 27 and 35 as identified on page 35 contained in the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7/05/2024 (D08880866).
2. No consent is granted for the removal of trees numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 19, 20, 21, 22, 23, 24, 25, 26, 26a, 26b, 26c, 26d, 26e, 26f, 26g, 26h, 26i, 26j, 26k, 28, 29, 30, 31, 32, 33, 34 and 36 as these trees contribute to the established landscape amenity of the area/streetscape.

*Note: The removal of any other trees from the site requires separate approval by Council in accordance with Part 1B.6 Tree and Vegetation Preservation of the Hornsby Development Control Plan, 2013.*

*Reason: To identify only those trees permitted to be removed.*

**6. Retaining Walls**

To ensure the stability of the site, structural details of all required retaining walls must be submitted with the application of the Construction Certificate.

*Reason: To ensure the stability of the site and adjoining properties.*

**7. Domestic Solid Fuel Burning Appliances (For outdoor living area)**

1. The fire place and chimney/flue must be installed accordance with the requirements of Part 12.4 National Construction Code - Building Code of Australia.
2. The domestic solid-fuel heater must comply with the Protection of the Environment Operations (Clean Air) Regulation 2021 and Australian Standard AS4013 Domestic solid fuel burning appliances - Method for determination of flue gas emission.

*Reason: To ensure compliance with appropriate environmental standards to maintain air quality.*

**BUILDING WORK  
BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

Condition	
<b>8. Building Code of Australia</b>	Detailed plans, specifications and supporting information is required to be submitted to the certifying authority detailing how the proposed building work achieves compliance with the National Construction Code - Building Code of Australia. All building work must be carried out in accordance with the requirements of the National Construction Code - Building Code of Australia.
<i>Reason: Prescribed condition - EP&amp;A Regulation section 69(1).</i>	
<b>9. Notification of Home Building Act 1989 Requirements</b>	Residential building work within the meaning of the <i>Home Building Act 1989</i> must not be carried out unless the Principal Certifier for the development to which the work relates (not being Council) has

given Council written notice of the following information:

1. In the case of work for which a principal contractor is required to be appointed:
  - a. The name and licence number of the principal contractor; and
  - b. The name of the insurer by which the work is insured under Part 6 of that Act.
2. In the case of work to be done by an owner-builder:
  - a. The name of the owner-builder; and
  - b. If the owner-builder is required to hold an owner-builder's permit under that Act, the number of the owner-builder's permit.

*Note: If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being Council) has given Council written notification of the updated information.*

*Reason: Prescribed condition EP&A Regulation section 71(2) and (3).*

#### **10. Contract of Insurance (Residential Building Work)**

Where residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, this contract of insurance must be in force before any building work authorised to be carried out by the consent commences.

*Reason: Prescribed condition EP&A Regulation section 69(2).*

#### **11. Sydney Water Building Plan Approval**

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to [Sydney Water Tap in®](#) to apply.

*Note: Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.*

*Reason: To ensure the development complies with the requirements of Sydney Water.*

#### **12. Appointment of a Project Geotechnical Engineer**

An appropriately qualified Geotechnical Engineer shall be appointed to ensure that the stability of the land and construction is undertaken generally in accordance with the recommendations of the Geotechnical Report Ref: 36078Zrpt prepared by JK Geotechnics dated 27 June 2023.

*Reason: to ensure the stability of the site.*

#### **13. Stormwater Drainage - Dwellings**

The stormwater drainage system for the development must be designed for an average recurrence interval (ARI) of 20 years and be gravity drained in accordance with the following requirements:

1. Roof water must be connected to a rainwater tank in accordance with the approved BASIX Certificate requirements.
2. The overflow from the rainwater tank and collected surface water must be disposed of in accordance with AUS-SPEC Specifications ([www.hornsby.nsw.gov.au/property/build/aus-spec-](http://www.hornsby.nsw.gov.au/property/build/aus-spec-)

terms-and-conditions) and the following requirements:

- a. Connected directly to Council's street drainage system.
- b. The stormwater drainage system must be designed by a qualified hydraulic engineer.

*Reason: To ensure appropriate provision for management and disposal of stormwater.*

**14. Internal Driveway/Vehicular Areas**

The driveway and parking areas on site must be designed, constructed and a Construction Certificate issued in accordance with Australian Standards AS2890.1, AS2890.2, AS3727 and the following requirements:

1. The driveway shall be all weather standard.
2. Any structure including eaves gutters encroaching over the access driveway shall be removed.
3. The maximum grade shall not exceed 1 in 4 (25%) with the maximum changes of grade of 1 in 8 (12.5%) for summit grades and 1 in 6.7 (15%) for sag grades. Any transition grades shall have a minimum length of 2 metres.

*Reason: To provide safe vehicle and pedestrian access.*

**15. Appointment of a Project Arborist**

To ensure the trees that must be retained are protected, a project arborist with AQF Level 5 qualifications must be appointed to assist in ensuring compliance with the conditions of consent and provide monitoring reports as specified by the conditions of consent.

Details of the appointed project arborist must be submitted to Council and the PCA with the application for the construction certificate/subdivision works certificate.

*Reason: To ensure appropriate monitoring of tree(s) to be retained.*

**16. Dilapidation Report**

1. Prior to the commencement of any works on site, the applicant must submit for approval by the Principal Certifier (with a copy forwarded to Council) a 'Dilapidation Report' detailing the structural condition of the adjoining properties:
  - a. Lot 132 DP 12364, No. 5 Chorley Avenue, Cheltenham
  - b. Lot 129 DP 12364, No. 11 Chorley Avenue, Cheltenham
  - c. Lot 128 DP 12364, No. 15 Chorley Avenue, Cheltenham
  - d. Lot 127 DP 12364, No. 17 Chorley Avenue, Cheltenham
  - e. Lot 106 DP 12364, No. 26 Sutherland Road, Cheltenham
  - f. Lot 105 DP 12364, No. 24 Sutherland Road, Cheltenham
2. The report must include a dilapidation report detailing the condition of the surrounding roadways, including but not limited to the following:
  - a. Chorley Avenue,
  - b. Cheltenham Road, and
  - c. Sutherland Road.
3. The report must include a photographic survey of the adjoining properties detailing their

physical condition, both internally and externally, including such items as walls, ceilings, roof, structural members, and other similar items. The report must be completed by a chartered structural/geotechnical engineer. A copy of the dilapidation report must be submitted to Council.

4. In the event access to adjoining allotments for the completion of a dilapidation survey is denied, the applicant must demonstrate in writing that all reasonable steps have been taken to advise the adjoining allotment owners of the benefit of this survey and details of failure to gain consent for access to the satisfaction of the Principal Certifier.

*Note: This documentation is for record keeping purposes only and can be made available to an applicant or affected property owner should it be requested to resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible.*

*Reason: To record the condition of adjoining properties and public land to resolve any dispute over damage from works.*

## **17. Construction Management Plan**

To assist in the protection of the public, the environment and Council's assets, a separate Construction Management Plan must be prepared by a suitably qualified environmental consultant in consultation with a qualified traffic engineer and AQF 5 arborist and submitted to Council's Compliance Team via Council's Online Services Portal for review and written approval.

The Construction Management Plan (CMP) must include the following details:

1. Description of the works
  - a. A description of the scope of works for all stages of development.
  - b. Site plans for all stages of works including the location of site sheds, concrete pump, and crane locations, unloading, and loading areas, waste and storage areas, existing survey marks, vehicle entry, surrounding pedestrian footpaths and hoarding (fencing) locations.
  - c. The CTMP plans shall be in accordance with all other plans submitted to Council as part of this development proposal.
  - d. A statement confirming that no building materials, work sheds, vehicles, machines, or the like shall be allowed to remain in the road reserve area without the written consent of Hornsby Shire Council.
  - e. If there is a requirement to obtain a Work Zone, Out of Hours permit, partial Road Closure or Crane Permit, the Plan must detail these requirements and include a statement that an application to Hornsby Shire Council will be made to obtain such a permit.
  - f. The Plan must state that the applicant and all employees of contractors on the site must obey any direction or notice from the Prescribed Certifying Authority or Hornsby Shire Council in order to ensure the above.
  - g. The CMP must detail all responsible parties ensuring compliance with the document and include the contact information for developers, builder, Principal Certifier, and any emergency details during and outside work hours.
2. A Construction Traffic Management Plan (CTMP) including the following:
  - a. The order of construction works and arrangement of all construction machines and vehicles

being used during all stages.

- b. The CTMP plans shall be in accordance with all other plans submitted to Council as part of this development proposal.
  - c. The Plan shall be in compliance with the requirements of the Roads and Maritime Services Traffic control at work sites Manual 2018 and detail:
    - i. Public notification of proposed works.
    - ii. Long term signage requirements.
    - iii. Short term (during actual works) signage.
    - iv. Vehicle Movement Plans, where applicable.
    - v. Traffic Management Plans.
    - vi. Pedestrian and Cyclist access and safety.
  - d. Traffic controls including those used during non-working hours. Pedestrian access and two-way traffic in the public road must be able to be facilitated at all times.
  - e. Details of parking arrangements for all employees and contractors, including layover areas for large trucks during all stages of works. The parking or stopping of truck and dog vehicles associated with the development will not be permitted other than on the site and the plan must demonstrate this will be achieved.
  - f. Proposed truck routes to and from the site including details of the frequency of truck movements for all stages of the development.
  - g. Swept path analysis for ingress and egress of the site for all stages of works.
  - h. The total quantity and size of trucks for exportation of fill on site throughout all stages of works, and a breakdown of total quantities of trucks for each stage of works.
  - i. The number of weeks trucks will be accessing and leaving the site with excavated fill material.
  - j. The maximum number of trucks travelling to and from the site on any given day for each stage of works. Consideration should be given to the amenity of the local area, and the maximum number of trucks per day should be limited to cause the least disturbance.
  - k. The maximum number of truck movements on any given day during peak commuting periods for all stages of works. Consideration should be given to the local area, and trucks should be scheduled to avoid peak commuting periods.
  - l. If there is a requirement to obtain a Work Zone, Out of Hours permit, partial Road Closure or Crane Permit, the Plan must detail these requirements and include a statement that an application to Hornsby Shire Council will be made to obtain such a permit.
3. A Construction Waste Management Plan detailing the following:
- a. A table of information detailing cut and in-situ fill calculations for all stages for works. The table must include specified dimensions (WxLxD) and total cubic metres.
  - b. Details of the importation or excavation of soil and fill, the classification of the fill, disposal methods and authorised disposal depots that will be used for the fill.
  - c. A scaled site plan including levels of the extent of cut and fill on the site, forming part of the proposed development.

- d. Asbestos management requirement and procedures for removal and disposal from the site in accordance with AS 2601-2001 - 'The Demolition of Structures', and the Protection of the Environment Operations (Waste) Regulation 2005.
  - e. General demolition & construction waste details including waste skip bin locations and litter management for workers.
4. A Tree Protection Plan (TPP) prepared by an AQF 5 Arborist in accordance with any approved Arboricultural Impact Assessment and tree location plans, detailing the following:
    - a. A site plan showing tree protection zones (TPZ) and structural root zones (SRZ) of trees to be retained and specific details of tree protection measures inclusive of distances (in metres) measured from tree trunks.
    - b. Construction methodology to avoid damage to trees proposed to be retained during construction works.
    - c. Specifications on tree protection materials used and methods within the TPZ or SRZ.
    - d. Location of dedicated material storage space on site outside of TPZ's and SRZ's for retained trees.
  5. A Construction Noise and Vibration Management Plan (CNMP) which includes:
    - a. Existing noise and vibration levels within the proximity of the proposed development site.
    - b. Details of the extent of rock breaking or rock sawing works forming part of the proposed development works.
    - c. The maximum level of noise and vibration predicted to be emitted during each stage of construction.
    - d. The duration of each stage of works where the maximum level of noise and vibration are predicted to be emitted for.
    - e. Details of mitigation measures, inclusive of respite periods, that will meet acoustic standards and guidelines at each stage of works.
    - f. Details of a complaints handling process for the surrounding neighbourhood for each stage of works.
  6. An Erosion and Sediment Control Plan (ESCP) that describes all erosion and sediment controls to be implemented in accordance with the publication Managing Urban Stormwater: Soils & Construction (4<sup>th</sup> Edition), which includes:
    - a. A site survey which identifies contours and approximate grades and the direction(s) of fall.
    - b. Locality of site and allotment boundaries.
    - c. Location of adjoining road(s) and all impervious surfaces.
    - d. Location of site access and stabilisation of site access.
    - e. Provision for the diversion of run off around disturbed areas.
    - f. Location of material stockpiles.
    - g. Proposed site rehabilitation and landscaping; staging of construction works.
    - h. Maintenance program for erosion and sediment control measures.
    - i. Provide a plan of how all construction works will be managed in a wet-weather events (i.e.

storage of equipment, stabilisation of the Site)

7. A de-watering plan that describes all controls to be implemented for the disposal of water that accumulates within any site excavation areas.
8. The CMP must detail all responsible parties ensuring compliance with the document and include the contact information for developers, builder, Principal Certifier, and any emergency details during and outside work hours.

*Note: The CMP must be lodged via Council's Online Services Portal at: <https://hornsbyprd-pwy-epw.cloud.infor.com/ePathway/Production/Web/Default.aspx> and by selecting the following menu options: Applications > New Applications > Under 'Application Types': Management Plans.*

*Reason: To document construction measures to protect the public and the surrounding environment.*

## BEFORE BUILDING WORK COMMENCES

Condition	
<b>18. Site Sign</b>	<ol style="list-style-type: none"><li>1. A sign must be erected in a prominent position on any site on which any approved work involving excavation, erection or demolition of a building is being carried out detailing:<ol style="list-style-type: none"><li>a. The name, address, and telephone number of the Principal Certifier.</li><li>b. the name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and</li><li>c. Unauthorised entry to the work site is prohibited.</li></ol></li><li>2. The sign must be maintained during excavation, demolition and building work is being carried out and must be removed when the work has been completed.</li></ol>
<b>19. Protection of Adjoining Areas</b>	<p>A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:</p> <ol style="list-style-type: none"><li>1. Could cause a danger, obstruction, or inconvenience to pedestrian or vehicular traffic.</li><li>2. Could cause damage to adjoining lands by falling objects; and/or</li><li>3. Involve the enclosure of a public place or part of a public place; and/or</li><li>4. Have been identified as requiring a temporary hoarding, fence, or awning within the Council approved Construction Management Plan (CMP).</li></ol> <p><i>Note: Notwithstanding the above, Council's separate written approval is required prior to the erection of any structure or other obstruction on public land.</i></p> <p><i>Reason: To ensure public safety and protection of adjoining land.</i></p>
<b>20. Toilet Facilities</b>	<ol style="list-style-type: none"><li>1. To provide a safe and hygienic workplace, toilet facilities must be available or be installed at the</li></ol>

works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site.

2. Each toilet must:
  - a. Be a standard flushing toilet connected to a public sewer; or
  - b. Be a temporary chemical closet approved under the *Local Government Act 1993*; or
  - c. Have an on-site effluent disposal system approved under the *Local Government Act 1993*.

*Reason: To ensure adequate toilet facilities are provided.*

## **21. Erosion and Sediment Control Measures**

Install and maintain adequate sediment and erosion control measures for the duration of all works, until such a time that sediment, sediment laden water or any other material/substance can no longer migrate from the premises. The measures are to be installed and maintained in such a manner as to prevent sediment, sediment-laden water, or any other materials and substances migrating from the site onto neighbouring land, the roadway, waters and/or into the stormwater system, and in accordance with:

1. The publication *Managing Urban Stormwater: Soils and Construction 2004* (4th edition) - 'The Blue Book'.
2. *Protection of the Environment Operations Act 1997*; and
3. The approved plans.

Controls are to be monitored and adjusted where required throughout the works to ensure compliance with the above.

*Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning. If you are unsure how to achieve compliance with this condition during works, you may need to engage the services of a suitably qualified environmental, soil or geotechnical consultant to assist.*

*Reason: To minimise impacts on the water quality of the downstream environment.*

## **22. Garbage Receptacle**

A garbage receptacle must be provided at the work site before works begin and must be maintained until all works are completed.

1. The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.
2. The receptacle lid must be kept closed at all times, other than when garbage is being deposited.
3. Food scraps must be placed in the garbage receptacle and not in demolition and construction waste bins.

*Reason: To maintain the site in a clean condition and protect local amenity.*

## **23. Installation of Tree Protection Measures**

1. Trees to be retained numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 19, 20, 21, 22, 23, 24, 25, 26, 26a, 26b, 26c, 26d, 26e, 26f, 26g, 26h, 26i, 26j, 26k, 28, 29, 30, 31, 32, 33, 34 and 36 as identified on Annexure C: Tree Impact Plans on page 35 of the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7 May 2024 must have tree protection

measures for the ground, trunk and canopy installed by the project arborist as follows:

- a. For the duration of demolition works, in accordance with the Tree Protection Plan on page 51 of the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7 May 2024.
  - b. For the duration of construction works, in accordance with the Tree Protection Plan on page 51 of the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7 May 2024.
2. Tree protection fencing for the trees to be retained must be installed by the engaged AQF 5 project arborist and consist of 1.8m high temporary fencing panels installed in accordance with Australian Standard AS4687-2007 Temporary fencing and hoardings.
  3. The installation of all required tree protection fencing must include shade cloth attached to the fencing to reduce transport of dust, particulates, and liquids from entering the tree protection zone.

*Reason: To minimise impacts on the water quality of the downstream environment.*

## DURING BUILDING WORK

Condition	
<b>24. Hours of Work</b>	
	<ol style="list-style-type: none"><li>1. All work on site (including remediation, demolition, construction, earth works and removal of vegetation), must only occur between 7am and 5pm Monday to Saturday.</li><li>2. No work is to be undertaken on Sundays or public holidays.</li></ol>
	<p><i>Reason: To protect the amenity of neighbouring properties.</i></p>
<b>25. Street Sweeping</b>	
	<p>During works (including remediation, demolition, earth works and construction) and until exposed ground surfaces across the site have been stabilised, street sweeping must be undertaken following sediment tracking from the site.</p> <p>The street cleaning service must utilise a 'scrub and dry' method and be undertaken for the full extent of any sediment tracking.</p> <p><i>Note: The above Item does not permit for sediment and/or any other materials/substances to exit the site in a way that constitutes water pollution as defined in the Protection of the Environment Operations Act 1997 or in a manner that contravenes other conditions in this consent.</i></p>
	<p><i>Reason: To minimise impacts to the natural environment.</i></p>
<b>26. Council Property</b>	
	<p>To ensure that the public reserve is kept in a clean, tidy, and safe condition during remediation, demolition and construction works, no building materials, waste, machinery, or related matter is to be stored on the road or footpath.</p>
	<p><i>Reason: To protect public land.</i></p>

<p><b>27. Disturbance of Existing Site</b></p> <p>During construction works, the existing ground levels of open space areas and natural landscape features, including natural rock-outcrops, vegetation, soil, and watercourses must not be altered unless otherwise nominated on the approved plans.</p> <p><i>Reason: To protect the natural features of the site.</i></p>
<p><b>28. Soil Management (Excavation)</b></p> <p>While site work is being carried out, the Principal Certifier or Council (where a principal certifier is not required) must be satisfied all soil removed from the site is managed in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li>1. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification, and the volume of material removed must be reported to the Principal Certifier or Council (where a principal certifier is not required).</li> <li>2. Tipping docket for the total volume of excavated material that are received from the licensed waste management facility must be provided to the Principal Certifier prior to the issue of an Occupation Certificate.</li> </ol> <p><i>Reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.</i></p>
<p><b>29. Survey Report</b></p> <p>A report(s) must be prepared by a registered surveyor and submitted to the Principal Certifier:</p> <ol style="list-style-type: none"> <li>1. Prior to the pouring of concrete at each level of the building certifying that: <ol style="list-style-type: none"> <li>a. The building, retaining walls and the like have been correctly positioned on the site; and</li> <li>b. The finished floor level(s) are in accordance with the approved plans.</li> </ol> </li> </ol> <p><i>Reason: To ensure buildings are positioned in the approved location and at the correct height.</i></p>
<p><b>30. Compliance with Construction Management Plan</b></p> <p>The Council approved Construction Management Plan (CMP) must be complied with for the duration of works, unless otherwise approved by Council.</p> <p><i>Reason: To ensure implementation of construction measures to protect the public and the surrounding environment.</i></p>
<p><b>31. Unexpected Finds</b></p> <p>Should the presence of asbestos or soil contamination, not recognised during the application process be identified during any stage of works, the applicant must immediately notify the Principal Certifier and Council (<a href="mailto:compliance@hornsby.nsw.gov.au">compliance@hornsby.nsw.gov.au</a>).</p> <p><i>Reason: To ensure the appropriate removal and disposal of contaminated materials.</i></p>
<p><b>32. De-watering of Excavated Sites</b></p> <p>Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in the pollution of waters, nuisance to neighbouring properties, or damage to</p>

neighbouring land and/or property.

*Reason: To document the safe removal of water during work to protect the public and the surrounding environment.*

**33. Erosion and Sediment Control**

1. Works are not to result in the discharge of sediment and or run-off onto the adjoining properties or public land.
2. The person having the benefit of this consent must ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site.

*Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning.*

*Reason: To minimise impacts on neighbouring properties and public land.*

**34. Soil and Water Management (Stockpiles)**

1. Stockpiles of topsoil, sand, aggregate, soil or other material shall be protected with adequate sediment controls and must not be located on any drainage line or easement, natural watercourse, footpath or roadway.
2. The storage of stockpiled topsoil, sand, aggregate, soil or other materials must not result in the discharge of sediment or run-off onto the adjoining properties or public land.

*Reason: To minimise impacts on the water quality of the downstream environment.*

**35. Storage and Removal of Waste**

1. All demolition and/or construction waste must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing.
2. All garbage and recyclable materials generated during work must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing.

*Reason: To ensure the site is maintained to an appropriate standard cleanliness and prevent any nuisance or danger to health, safety or the environment*

**36. Compliance with Geotechnical requirements**

The recommendations of the Geotechnical Report Ref: 36078Zrpt prepared by JK Geotechnics dated 27 June 2023 must be complied with during construction, including the following:

1. Excavation with hydraulic rock hammers, should commence by providing a vertical saw cut slot along the perimeter of the proposed rock excavation and maintaining the base of the slot at a lower level than the adjoining rock excavation at all times.
2. Quantitative vibration monitoring must be carried out during rock excavation when using rock hammers.
3. The initial footing excavations/drill holes must be inspected by a geotechnical engineer.

*Reason: to ensure the stability of the site.*

**37. Road Opening Permit**

A road opening permit shall be obtained from the Council to permit a person to dig into Council assets, such as roads, footpaths and nature strips. The applicable fees for the restoration of any public asset by Council shall be at the applicant's full expense.

*Reason: To ensure public infrastructure and property is maintained.*

**38. Prohibited Actions within the Fenced Tree Protection Zone**

The following activities are prohibited within the approved fenced tree protection zones unless otherwise approved by Council:

1. Soil cutting or filling, including excavation and trenching.
2. Soil cultivation, disturbance, or compaction
3. Stockpiling storage or mixing of materials
4. The parking, storing, washing, and repairing of tools, equipment, and machinery.
5. The disposal of liquids and refuelling
6. The disposal of building materials
7. The siting of offices or sheds
8. Any action leading to the impact on tree health or structure.

*Reason: To protect trees during construction.*

**39. Maintaining the Health of Trees Approved for Retention**

The appointed project arborist must monitor and record any and all necessary actions required to maintain tree health and condition for trees to be retained on the approved plans.

*Reason: To ensure appropriate monitoring of tree(s) to be retained.*

**40. Maintaining Tree Protection Measures**

Tree Protection Measures must be maintained by the project arborist for the duration of works.

*Reason: To protect trees during construction.*

**41. Approved Works within Tree Protection Zone incursions**

1. Where tree root pruning is required for the installation of piers, driveway or underground services, the pruning must be overseen by the AQF 5 project arborist and must be undertaken as follows:
  - a. Using sharp secateurs, pruners, handsaws, or chainsaws with the final cut being clean.
  - b. The maximum diameter of roots permitted to be cut is 30 mm.
2. The replacement driveway must be constructed using the following process:
  - a. Demolition must be done manually using small plant machinery only, no larger than a jackhammer.
3. The new driveway must be constructed using the following process:
  - a. To minimise soil compaction the proposed driveway must be built on or above grade

using sensitive construction techniques.

- b. To minimise soil compaction all imported material in the vicinity of the replacement driveway must be distributed by hand.
4. Approved excavations within the Tree Protection Zone of trees to be retained numbered T6 and T34 not associated with installation of services must be undertaken as follows:
    - a. Excavations associated with the basement and building footprint and within the Tree Protection Zone of trees numbered T6 and T34 must be overseen by the AQF 5 project arborist for the first 1m undertaken manually to locate roots and allow for pruning in accordance with condition No. 41.1(a)(b).
  5. No changes of grade within the Tree Protection Zone of trees to be retained on the approved plans, are permitted.
  6. To minimise impacts within the Tree Protection Zone (TPZ) of trees to be retained on the approved plans, the installation of services must be undertaken as follows:
    - a. The AQF 5 project arborist must be present to oversee the installation of any underground services which enter or transect the tree protection.
    - b. The installation of any underground services which either enter or transect the designated TPZ of T6 must utilise directional drilling only.
    - c. The installation of all other underground services which either enter or transect the designated TPZ must be undertaken manually.
    - d. For manually excavated trenches the AQF 5 project arborist must designate roots to be retained. Manual excavation may include the use of pneumatic and hydraulic tools.
  7. Where scaffolding is required, ground protection must be installed beneath the scaffolding in the following order:
    - a. Installation of a 100mm deep layer of woodchip.

*Reason: To protect trees during construction.*

#### **42. Building Materials and Site Waste**

The stockpiling of building materials, the parking of vehicles or plant, the disposal of cement slurry, wastewater or other contaminants must be located outside the tree protection zones as prescribed in the conditions of this consent of any tree to be retained.

*Reason: To protect trees during construction.*

#### **43. Waste Management**

All work must be carried out in accordance with the approved waste management plan.

*Reason: To ensure the management of waste to protect the environment and local amenity during construction.*

## BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Condition	
<b>44. Fulfilment of BASIX Commitments</b>	<p>The applicant must demonstrate the fulfilment of BASIX commitments pertaining to the development.</p> <p><i>Reason: Prescribed condition under section 75. EP&amp;A Regulation.</i></p>
<b>45. Replacement Tree Requirements and Certification</b>	<ol style="list-style-type: none"><li>1. The trees approved for removal under this consent, being trees numbered 5, 13, 14, 14a, 14b, 14c, 15, 16, 17, 18, 27 and 35 are offset through replacement planting of a minimum of 12 trees as detailed on the approved Landscape Plan.</li><li>2. The location and size of tree replacement planting must comply with the following:<ol style="list-style-type: none"><li>a. All replacement trees must be located in either the front or rear setbacks and planted 4 metres or greater from the foundation walls of the approved development.</li><li>b. The pot size of the replacement trees must be a minimum 45 litres.</li><li>c. All replacement trees must be a minimum of 3 metres in height.</li><li>d. All replacement trees must have the potential to reach a mature height greater than 10 metres.</li></ol></li><li>3. A certificate must be submitted to the Principal Certifier by a practicing landscape architect, horticulturalist or person with similar qualifications and experience certifying that all required landscaping works have been satisfactorily completed in accordance with the approved landscape plans.</li></ol> <p><i>Reason: To ensure replacement planting to maintain tree canopy.</i></p>
<b>46. Damage to Council Assets</b>	<p>To protect public property and infrastructure, any damage caused to Council's assets as a result of the construction or demolition of the development must be rectified by the applicant in accordance with AUS-SPEC Specifications (<a href="http://www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions">www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions</a>). Rectification works must be undertaken prior to the issue of an Occupation Certificate, or sooner, as directed by Council.</p> <p><i>Reason: To ensure public infrastructure and property is maintained.</i></p>
<b>47. Construction of Engineering Works</b>	<p>All engineering works identified in this consent are to be completed and a Compliance Certificate issued prior to the release of the Occupation Certificate.</p> <p><i>Reason: To ensure engineering works are completed.</i></p>
<b>48. Final Certification</b>	<p>The AQF 5 Project arborist must submit to the Principal Certifying Authority a certificate that includes the following:</p> <ol style="list-style-type: none"><li>1. All tree protection requirements complied with the as approved tree protection plan for the duration of demolition and/or construction works; and</li></ol>

2. All completed works relating to tree protection and maintenance have been carried out in compliance with the conditions of consent and approved plans; and
3. Dates, times, and reasons for all site attendance; and
4. All works undertaken to maintain the health of retained trees; and
5. Details of tree protection zone maintenance for the duration of works.

*Note: Copies of monitoring documentation may be requested throughout the development works.*

*Reason: To ensure compliance with tree protection commitments.*

**49. Asbestos Clearance Certificate**

Should any asbestos be encountered during demolition or construction works, a licenced asbestos assessor is required to provide a Clearance Certificate to the Principal Certifier prior to the issue of an Occupation Certificate, certifying that the asbestos has been removed and appropriately disposed of, and the site is now suitable for its approved use.

*Reason: To ensure the appropriate removal and disposal of contaminated materials and the site is suitable for its approved use.*

**50. Retaining Walls**

All retaining walls must be constructed as part of the development and prior to the issue of an Occupation Certificate.

*Reason: To ensure the stability of the site and adjoining land.*

**51. Submission of Excavated Material Tipping Dockets to Principal Certifier**

Tipping dockets for the total volume of excavated material that are received from the licensed waste facility must be provided to the Principal Certifier prior to the issue of an Occupation Certificate.

*Reason: To confirm appropriate disposal of excavated material.*

**52. Consolidation of Allotments**

All allotments the subject of this consent must be consolidated into one allotment.

*Note: The applicant is recommended to submit the plan of subdivision to consolidate allotments to the NSW Department of Lands at least 4-6 weeks prior to seeking an occupation certificate.*

*Reason: To ensure the orderly development of the site.*

**53. Certification from Geotechnical Engineer**

Prior to the issue of an occupation certificate, a certificate by a qualified geotechnical engineer shall be submitted to the principal certifying authority, certifying that all works have been carried out in accordance with the recommendations in the Geotechnical Report Ref: 36078Zrpt prepared by JK Geotechnics dated 27 June 2023.

*Reason: to ensure the stability of the site.*

## OCCUPATION AND ONGOING USE

Condition	
<b>54. Use of Premises</b>	
	The development approved under this consent shall be used for a residential dwelling and not for any other purpose without Council's separate written consent.
	<i>Reason: To ensure the use is undertaken with the terms of this consent.</i>

## DEMOLITION WORK BEFORE DEMOLITION WORK COMMENCES

Condition	
<b>55. Site Sign</b>	
	<ol style="list-style-type: none"><li>1. A sign must be erected in a prominent position on any site on which any approved work involving excavation, erection or demolition of a building is being carried out detailing:<ol style="list-style-type: none"><li>a. The name, address, and telephone number of the Principal Certifier.</li><li>b. the name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours; and</li><li>c. Unauthorised entry to the work site is prohibited.</li></ol></li><li>2. The sign must be maintained during excavation, demolition and building work is being carried out and must be removed when the work has been completed.</li></ol>
	<i>Reason: Prescribed condition EP&amp;A Regulation, section 70(2) and (3).</i>
<b>56. Asbestos Removal Signage</b>	
	Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.
	<i>Reason: To alert the public to any danger arising from the removal of asbestos.</i>
<b>57. Protection of Adjoining Areas</b>	
	A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works: <ol style="list-style-type: none"><li>1. Could cause a danger, obstruction, or inconvenience to pedestrian or vehicular traffic.</li><li>2. Could cause damage to adjoining lands by falling objects; and/or</li><li>3. Involve the enclosure of a public place or part of a public place; and/or</li><li>4. Have been identified as requiring a temporary hoarding, fence, or awning within the Council approved Construction Management Plan (CMP).</li></ol>
	<i>Note: Notwithstanding the above, Council's separate written approval is required prior to the</i>

*erection of any structure or other obstruction on public land.*

*Reason: To ensure public safety and protection of adjoining land.*

**58. Notice of Commencement for Demolition**

At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include:

1. Name
2. Address,
3. Contact telephone number,
4. Licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor,
5. The contact telephone number of council and
6. The contact telephone number of SafeWork NSW (4921 2900).

*Note: The written notice to Council can be sent to [devmail@hornsby.nsw.gov.au](mailto:devmail@hornsby.nsw.gov.au).*

*Reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries.*

**59. Toilet Facilities**

1. To provide a safe and hygienic workplace, toilet facilities must be available or be installed at the works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site.
2. Each toilet must:
  - a. Be a standard flushing toilet connected to a public sewer; or
  - b. Be a temporary chemical closet approved under the *Local Government Act 1993*; or
  - c. Have an on-site effluent disposal system approved under the *Local Government Act 1993*.

*Reason: To ensure adequate toilet facilities are provided.*

**60. Erosion and Sediment Control Measures**

Install and maintain adequate sediment and erosion control measures for the duration of all works, until such a time that sediment, sediment laden water or any other material/substance can no longer migrate from the premises. The measures are to be installed and maintained in such a manner as to prevent sediment, sediment-laden water, or any other materials and substances migrating from the site onto neighbouring land, the roadway, waters and/or into the stormwater system, and in accordance with:

1. The publication *Managing Urban Stormwater: Soils and Construction 2004* (4th edition) - 'The Blue Book'.
2. *Protection of the Environment Operations Act 1997*; and
3. The approved plans

Controls are to be monitored and adjusted where required throughout the works to ensure compliance with the above.

*Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning. If you are unsure how to achieve compliance with this condition during works, you may need to engage the services of a suitably qualified environmental, soil or geotechnical consultant to assist.*

*Reason: To minimise impacts on the water quality of the downstream environment.*

**61. Garbage Receptacle**

A garbage receptacle must be provided at the work site before works begin and must be maintained until all works are completed.

1. The garbage receptacle must have a tight-fitting lid and be suitable for the reception of food scraps and papers.
2. The receptacle lid must be kept closed at all times, other than when garbage is being deposited.
3. Food scraps must be placed in the garbage receptacle and not in demolition and construction waste bins.

*Reason: To maintain the site in a clean condition and protect local amenity.*

**62. Installation of Tree Protection Measures**

1. Trees to be retained numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 19, 20, 21, 22, 23, 24, 25, 26, 26a, 26b, 26c, 26d, 26e, 26f, 26g, 26h, 26i, 26j, 26k, 28, 29, 30, 31, 32, 33, 34 and 36 as identified on Annexure C: Tree Impact Plans on page 35 of the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7 May 2024 must have tree protection measures for the ground, trunk and canopy installed by the project arborist as follows:
  - a. For the duration of demolition works, in accordance with the Tree Protection Plan on page 51 of the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7 May 2024.
  - b. For the duration of construction works, in accordance with the Tree Protection Plan on page 51 of the Arboricultural Impact Assessment prepared by Jacksons Nature Works dated 7 May 2024.
2. Tree protection fencing for the trees to be retained must be installed by the engaged AQF 5 project arborist and consist of 1.8m high temporary fencing panels installed in accordance with Australian Standard AS4687-2007 Temporary fencing and hoardings.
3. The installation of all required tree protection fencing must include shade cloth attached to the fencing to reduce transport of dust, particulates, and liquids from entering the tree protection zone.

*Reason: To minimise impacts on the water quality of the downstream environment.*

**DURING DEMOLITION WORK**

Condition	
<b>63. Demolition</b>	To protect the surrounding environment, all demolition work must be carried out in accordance with Australian Standard AS2601-2001 Demolition of structures and the following requirements:

1. Demolition material must be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan; and
2. Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by SafeWork NSW in accordance with the Work Health and Safety Regulation 2017 and be appropriately transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2014; and
3. On construction sites where any building contains asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' and measuring not less than 400mm x 300mm must be displayed in a prominent position visible from the street.

*Reason: To ensure the appropriate removal and disposal of demolition materials.*

**64. Handling of Asbestos**

While demolition or remediation work is being carried out, any work involving the removal of asbestos must comply with the following requirements:

1. Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling, and disposal of any asbestos material.
2. Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and
3. Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m<sup>2</sup> or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate.

*Reason: To ensure that the removal of asbestos is undertaken safely and professionally.*

**65. Street Sweeping**

During works (including remediation, demolition, earth works and construction) and until exposed ground surfaces across the site have been stabilised, street sweeping must be undertaken following sediment tracking from the site.

The street cleaning service must utilise a 'scrub and dry' method and be undertaken for the full extent of any sediment tracking.

*Note: The above Item does not permit for sediment and/or any other materials/substances to exit the site in a way that constitutes water pollution as defined in the Protection of the Environment Operations Act 1997 or in a manner that contravenes other conditions in this consent.*

*Reason: To minimise impacts to the natural environment.*

**66. Council Property**

To ensure that the public reserve is kept in a clean, tidy, and safe condition during remediation, demolition and construction works, no building materials, waste, machinery, or related matter is to be stored on the road or footpath.

*Reason: To protect public land.*

**67. Unexpected Finds**

Should the presence of asbestos or soil contamination, not recognised during the application process be identified during any stage of works, the applicant must immediately notify the Principal

Certifier and Council ([compliance@hornsby.nsw.gov.au](mailto:compliance@hornsby.nsw.gov.au)).

*Reason: To ensure the appropriate removal and disposal of contaminated materials.*

**68. Erosion and Sediment Control**

1. Works are not to result in the discharge of sediment and or run-off onto the adjoining properties or public land.
2. The person having the benefit of this consent must ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site.

*Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning.*

*Reason: To minimise impacts on neighbouring properties and public land.*

**69. Soil and Water Management (Stockpiles)**

1. Stockpiles of topsoil, sand, aggregate, soil or other material shall be protected with adequate sediment controls and must not be located on any drainage line or easement, natural watercourse, footpath or roadway.
2. The storage of stockpiled topsoil, sand, aggregate, soil or other materials must not result in the discharge of sediment or run-off onto the adjoining properties or public land.

*Reason: To minimise impacts on the water quality of the downstream environment.*

**70. Storage and Removal of Waste**

1. All demolition and/or construction waste must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing.
2. All garbage and recyclable materials generated during work must be stored in a waste receptacle and be removed from the site at frequent intervals. Materials are to be wholly contained within the waste receptacle and not overflowing.

*Reason: To ensure the site is maintained to an appropriate standard cleanliness and prevent any nuisance or danger to health, safety or the environment.*

**71. Approved Works within Tree Protection Zone incursions**

1. Where tree root pruning is required for the installation of piers, driveway or underground services, the pruning must be overseen by the AQF 5 project arborist and must be undertaken as follows:
  - a. Using sharp secateurs, pruners, handsaws, or chainsaws with the final cut being clean.
  - b. The maximum diameter of roots permitted to be cut is 30 mm.
2. The replacement driveway must be constructed using the following process:
  - a. Demolition must be done manually using small plant machinery only, no larger than a jackhammer.
3. The new driveway must be constructed using the following process:
  - a. To minimise soil compaction the proposed driveway must be built on or above grade

using sensitive construction techniques.

- b. To minimise soil compaction all imported material in the vicinity of the replacement driveway must be distributed by hand.
4. Approved excavations within the Tree Protection Zone of trees to be retained numbered T6 and T34 not associated with installation of services must be undertaken as follows:
    - a. Excavations associated with the basement and building footprint and within the Tree Protection Zone of trees numbered T6 and T34 must be overseen by the AQF 5 project arborist for the first 1m undertaken manually to locate roots and allow for pruning in accordance with condition No. 71.1(a)(b).
  5. No changes of grade within the Tree Protection Zone of trees to be retained on the approved plans, are permitted.
  6. To minimise impacts within the Tree Protection Zone (TPZ) of trees to be retained on the approved plans, the installation of services must be undertaken as follows:
    - a. The AQF 5 project arborist must be present to oversee the installation of any underground services which enter or transect the tree protection.
    - b. The installation of any underground services which either enter or transect the designated TPZ of T6 must utilise directional drilling only.
    - c. The installation of all other underground services which either enter or transect the designated TPZ must be undertaken manually.
    - d. For manually excavated trenches the AQF 5 project arborist must designate roots to be retained. Manual excavation may include the use of pneumatic and hydraulic tools.
  7. Where scaffolding is required, ground protection must be installed beneath the scaffolding in the following order:
    - a. Installation of a 100mm deep layer of woodchip.

*Reason: To protect trees during demolition.*

## **72. Building Materials and Site Waste**

The stockpiling of building materials, the parking of vehicles or plant, the disposal of cement slurry, wastewater or other contaminants must be located outside the tree protection zones as prescribed in the conditions of this consent of any tree to be retained.

*Reason: To protect trees during demolition.*

## **73. Waste Management**

All work must be carried out in accordance with the approved waste management plan.

*Reason: To ensure the management of waste to protect the environment and local amenity during construction.*