

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.	Plan Title	Drawn by	Dated	Council Reference
A000	Cover Page	Archer Office	15/11/2023	
A020	Demolition Plan – Ground Floor	Archer Office	15/11/2023	
A021	Demolition Plan – Level One	Archer Office	15/11/2023	
A050	Staging Plan	Archer Office	No date	
A100	Site Plan	Archer Office	15/11/2023	
A101	Ground Floor Plan	Archer Office	15/11/2023	
A102	Level One Plan	Archer Office	15/11/2023	
A103	Roof Plan	Archer Office	15/11/2023	
A201	North East and South East Elevations	Archer Office	15/11/2023	
A202	South West and North West Elevations	Archer Office	15/11/2023	
A301	Section AA and BB	Archer Office	15/11/2023	

Supporting Documentation

Document Title	Prepared by	Dated	Council Reference
Schedule of Materials	Archer Office	15/11/2023	D08792483
Survey Plan Sheets 1 to 4	LTS	18/09/2023	D08792491
DA Accessibility Report Ref: 23000734	MBC Group	30/11/2023	D08792413
DA Acoustic Assessment Ref: 20230871.1/0812A/R1/WY	Acoustic Logic	08/12/2023	D08792420
Arboricultural Impact Assessment Rev C	Birds Tree Consultancy	26/2/2024	D08831896
Hazardous Building Materials Survey 65832/155,034 (Rev 0)	JBS&G	16/10/2023	D08792490
Statement of Heritage Impact Job No. 10069-R1	Heritage 21	08/12/2023	D08792475

Dwg No. LA.01 Landscape Plan Rev C	Hornsby Shire Council	11/12/2023	D08792476
Section J Report Job No. P231014 Rev 1	Evolved Engineering	08/12/2023	D08792484
Stormwater Management Plan	Enscape Studio	10/10/2023	D08792489
Construction & Demolition Waste Management Plan Rev E	Elephants Foot	26/2/2024	D08831897
Operational Management Plan	Northern Districts Cricket Club	April 2024	D08860736
Operational Waste Management Plan Rev H	Elephants Foot	26/02/2024	D08831894

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

2. Staged Development

The development is to be staged in accordance with the approved Staging Plan (A050) prepared by Archer Office, undated.

Reason: To ensure all parties are aware of the staging 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. 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. Removal of Trees

1. This development consent permits the removal of trees numbered T8, T9, T10 as identified on page 23 of Appendix D contained in the Arboricultural Impact Assessment Rev C prepared by Birds Tree Consultancy dated 26 February 2024.
2. No consent is granted for the removal of trees numbered T1, T2, T3, T4, T5, T6, T7, T11, T12, T13 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.

5. Tree Pruning

1. This development consent only permits the pruning of tree numbered T2 as identified in the Tree Location Plan Page 23 of the Arboricultural Impact Report Rev C prepared by Birds Tree Consultancy dated 26 February 2024.
2. Works can be undertaken in the form of canopy modification as follows:

Tree number	Work prescribed
T2	Remedial pruning is recommended to Tree 2 to remove long branch stubs left from previous pruning to minimise epicormic growth.

a. All specified pruning works must be less than 10 percent.

b. All pruning work must be undertaken by an arborist with minimum AQF3 qualifications.

Note: The pruning 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 minimise the impact on trees to be retained.

DEMOLITION WORK BEFORE DEMOLITION WORK COMMENCES

Condition
<p>6. Notice of Commencement for Demolition</p> <p>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:</p> <ol style="list-style-type: none"> 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). <p><i>Note: The written notice to Council can be sent to devmail@hornsby.nsw.gov.au.</i></p> <p><i>Reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries.</i></p>
<p>7. Asbestos Removal Signage</p> <p>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.</p> <p><i>Reason: To alert the public to any danger arising from the removal of asbestos.</i></p>

DURING DEMOLITION WORK

Condition	
8. Demolition	<p>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:</p> <ol style="list-style-type: none">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; and2. 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; and3. 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. <p><i>Reason: To ensure the appropriate removal and disposal of demolition materials.</i></p>

ON COMPLETION OF DEMOLITION WORK

Condition	
9. Asbestos Clearance Certificate	<p>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.</p> <p><i>Reason: To ensure the appropriate removal and disposal of contaminated materials and the site is suitable for its approved use.</i></p>

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Condition	
10. Heritage Interpretation Plan	<p>An Interpretation Plan for Waitara Park and the original grandstand building must be prepared and submitted to Council's Heritage Planner (devmail@hornsby.nsw.gov.au) for review and written approval in accordance with the following requirements:</p> <ol style="list-style-type: none">1. The plan is to be prepared by a suitably qualified and experienced heritage practitioner and respond to the interpretative design principles of the Hornsby Shire Council Heritage

[Interpretation Strategy and Action Plan.](#)

2. The plan must detail how information on the history and significance of the site will be provided for the public and specify the location, type, marking materials and contents of the interpretation being proposed.

Reason: To provide information to the public regarding the heritage values of the site.

11. Building Code of Australia

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.

Reason: Prescribed condition - EP&A Regulation section 69(1).

12. Fire Safety Schedule

A schedule of all proposed essential fire safety measures to be installed in the building (e.g. hydrants, hose reels, emergency warning systems etc.) shall be submitted with the construction certificate application. The schedule shall distinguish between existing and proposed fire safety measures.

Reason: To ensure all fire safety measures are identified to protect life and property.

13. Sydney Water – Approval

This application must be submitted to Sydney Water for approval to determine whether the development would affect any Sydney Water infrastructure, and whether further requirements are to be met.

Note: Building plan approvals can be obtained online via Sydney Water Tap In™ through www.sydneywater.com.au under the Building and Development tab.

Reason: To ensure the development is provided with the relevant utility services.

14. Identification of Survey Marks

A registered surveyor must identify all survey marks in the vicinity of the proposed development. Any survey marks required to be removed or displaced as a result of the proposed development shall be undertaken by a registered surveyor in accordance with Section 24 (1) of the *Surveying and Spatial Information Act 2002* and following the Surveyor General's Directions No.11 Preservation of Survey Infrastructure.

Reason: To identify and protect the State's survey infrastructure.

15. Stormwater Drainage

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. Connected to the existing internal drainage system.
2. The stormwater drainage system must be designed by a qualified hydraulic engineer.

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

16. 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 Principal Certifier with the application for the construction certificate.

Note: Copies of monitoring documentation may be requested throughout the development works and final certification is required prior to issue of the occupation certificate.

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

17. Demolition and Construction Management Plan

To assist in the protection of the public, the environment and Council's assets, a separate Demolition and 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 Plan 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 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 Plan 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 Demolition and Construction Traffic Management Plan including the following:
 - a. The order of construction works and arrangement of all construction machines and vehicles being used during all stages.
 - b. The 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 all importation and 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 or imported fill material.
 - j. The maximum number of trucks travelling to and from the site on any given day for each stage of works.
 - k. The maximum number of truck movements on any given day during peak commuting periods for all stages of works.
 - 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 construction waste details including construction 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. 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 (4th 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)
6. 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.

18. Waste Management Details

The following waste management requirements must be complied with:

1. All bin carting routes must be devoid of steps.
2. All bin carting routes must be an accessible path of travel in accordance with AS1428 Design and access for mobility.

3. The proposed additional bin storage enclosure or a temporary bin enclosure must be constructed prior to demolition of the timber fence bin storage enclosure.
4. An adequate supply of water and hose cock in a position where it cannot be damaged must be provided near the additional bin storage enclosure.
5. The additional bin storage enclosure must provide screening of the bins to a height of no less than 1.5m. Screening must not rely on the growth of plants; however plantings may supplement it. The bin enclosure must be in character with the development and blend in with the building design and landscaping in terms of appearance, materials, bulk and scale, location and orientation.
6. The floor of the additional bin storage must be constructed of concrete and finished so that it is non-slip, sealed and impervious.
7. The driveway pavement must be designed and constructed to accommodate tyre drag and scuffing and to carry the load of a heavy rigid vehicle.

Reason: to ensure all necessary infrastructure is provided for the efficient and effective management of waste for the full operational life of the development.

BEFORE BUILDING WORK COMMENCES

Condition	
19. Site Sign	<ol style="list-style-type: none"> 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"> a. The name, address, and telephone number of the Principal Certifier, 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 c. Unauthorised entry to the work site is prohibited. 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. <p><i>Reason: Prescribed condition EP&A Regulation, section 70(2) and (3).</i></p>
20. Protection of Adjoining Areas	<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"> 1. Could cause a danger, obstruction, or inconvenience to pedestrian or vehicular traffic. 2. Could cause damage to adjoining lands by falling objects; and/or 3. Involve the enclosure of a public place or part of a public place; and/or 4. Have been identified as requiring a temporary hoarding, fence, or awning within the Council approved Construction Management Plan (CMP). <p><i>Note: Notwithstanding the above, Council's separate written approval is required prior to the</i></p>

erection of any structure or other obstruction on public land.

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

21. 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.

22. 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.

23. Garbage receptacle

1. A garbage receptacle must be provided at the work site before works begin and must be maintained until all works are completed.
2. The garbage receptacle must have a tightfitting lid and be suitable for the reception of food scraps and papers.
3. The receptacle lid must be kept closed at all times, other than when garbage is being deposited.
4. Food scraps must be placed in a garbage receptacle and not in demolition and construction waste bins.

Reason: to protect wildlife from injury by preventing foraging in building waste, and to ensure putrescible waste is disposed of appropriately.

24. Waste Management Details

The following waste management requirements must be complied with:

1. The construction security fence/hoarding must not block or impede access to the bin storage area used by the PCYC.

Reason: to ensure on-going waste management is not impeded by construction works.

25. Garbage receptacle

1. A garbage receptacle must be provided at the work site before works begin and must be maintained until all works are completed.
2. The garbage receptacle must have a tightfitting lid and be suitable for the reception of food scraps and papers.
3. The receptacle lid must be kept closed at all times, other than when garbage is being deposited.
4. Food scraps must be placed in a garbage receptacle and not in demolition and construction waste bins.

Reason: to protect wildlife from injury by preventing foraging in building waste, and to ensure putrescible waste is disposed of appropriately.

26. Installation of Tree Protection Measures

1. Trees to be retained and numbered T1, T2, T3, T4, T5, T6, T7, T11, T12, T13 as identified on the Tree Location Plan Page 23 of the Arboricultural Impact Report Rev C prepared by Birds Tree Consultancy dated 26 February 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 Page 23 of the Arboricultural Impact Report Rev C prepared by Birds Tree Consultancy dated 26 February 2024.
 - b. For the duration of construction works, in accordance with Tree Protection Plan Page 23 of the Arboricultural Impact Report Rev C prepared by Birds Tree Consultancy dated 26 February 2024.
2. Tree protection fencing for the trees to be retained numbered T1, T2, T3, T4, T5, T6, T7, T11, T12, T13 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.
4. Tree crown protection measures are required and must be installed by the AQF 5 project arborist.
5. The circumference of the trunk(s) must be wrapped in hessian material to provide cushioning for

the installation of timber planks.

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

DURING BUILDING WORK

Condition	
27. Hours of Work	
<ol style="list-style-type: none">1. All work on site (including, demolition, construction, earth works and removal of vegetation), must only occur between 7am and 5pm Monday to Saturday.2. No work is to be undertaken on Sundays or public holidays.	
<i>Reason: To protect the amenity of neighbouring properties.</i>	
28. Environmental Management (Air Pollution)	
<p>The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent. During construction, the Applicant must ensure that:</p>	
<ol style="list-style-type: none">1. Exposed surfaces and stockpiles are suppressed by regular watering.2. All trucks entering or leaving the site with loads have their loads covered.3. Trucks associated with the development do not track dirt onto the public road network.4. Public roads used by these trucks are kept clean; and5. Land stabilisation works are carried out progressively on site to minimise exposed surfaces.	
<i>Reason: To minimise impacts to the natural environment and public health.</i>	
29. Street Sweeping	
<ol style="list-style-type: none">1. 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.2. The street cleaning service must utilise a 'scrub and dry' method and be undertaken for the full extent of any sediment tracking.	
<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. The directions under this condition, however, serve to prevent further water pollution from occurring.</i></p>	
<i>Reason: To minimise impacts to the natural environment.</i>	
30. Council Property	
<p>To ensure that the public reserve is kept in a clean, tidy, and safe condition during demolition and construction works, no building materials, waste, machinery, or related matter is to be stored on the road or footpath.</p>	
<p><i>Note: This consent does not give right of access to the site via Council's park or reserve. Should</i></p>	

such access be required, separate written approval is to be obtained from Council.

Reason: To protect public land.

31. Soil Management (Excavation and Fill)

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 or imported to the site is managed in accordance with the following requirements:

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).
2. Tipping dockets 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.
3. Prior to fill material being imported to the site, a Waste Classification Certificate shall be obtained from a suitably qualified environmental consultant confirming all fill material imported to the site must be:
 - a. Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*, or
 - b. A material identified as being subject to a resource recovery exemption by the NSW EPA, or
 - c. A combination of Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* and a material identified as being subject to a resource recovery exemption by the NSW EPA.
4. The required Waste Classification Certificate must be provided to the Principal Certifier prior to fill being imported to the site and made available to Council at its request.

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.

32. Maintenance of Public Footpaths

Public footpaths must be maintained for the duration of works to ensure they are free of trip hazards, displacements, breaks or debris to enable pedestrians to travel along the footpath safely.

Reason: To maintain safe pedestrian movement.

33. Compliance with Construction Management Plan

The Council approved Construction Management Plan must be complied with for the duration of works, unless otherwise approved by Council.

Reason: To ensure implementation of construction measures to protect the public and the surrounding environment.

<p>34. Disturbance of Existing Site</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>35. Prohibited Actions within the Fenced Tree Protection Zone</p> <p>The following activities are prohibited within the approved fenced tree protection zones unless otherwise approved by Council:</p> <ol style="list-style-type: none"> 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. <p><i>Reason: To protect trees during construction.</i></p>
<p>36. Maintaining the Health of Trees Approved for Retention</p> <p>The appointed project arborist must monitor and record any and all necessary actions required to maintain tree health and condition for trees on the approved plans.</p> <p><i>Reason: To ensure appropriate monitoring of tree(s) to be retained.</i></p>
<p>37. Maintaining Tree Protection Measures</p> <p>Tree Protection Measures must be maintained by the project arborist for the duration of works.</p> <p><i>Reason: To protect trees during construction.</i></p>
<p>38. Approved Works within Tree Protection Zone incursions</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. To minimise impacts within the Tree Protection Zone (TPZ) of trees numbered T1, T2, T3, T4, T5, T6, T7, T11, T12, T13 on the approved plans, the installation of services must be undertaken as follows: <ol style="list-style-type: none"> a. The AQF 5 project arborist must be present to oversee the installation of any

<p>underground services which enter or transect the tree protection.</p> <p>b. The installation of any underground services which either enter or transect the designated TPZ must utilise directional drilling only.</p> <p>OR</p> <p>c. The installation of any underground services which either enter or transect the designated TPZ must be undertaken manually.</p> <p>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.</p> <p><i>Reason: To protect trees during construction.</i></p>	
<p>39. Building Materials and Site Waste</p> <p>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.</p> <p><i>Reason: To protect trees during construction.</i></p>	
<p>40. Unexpected Finds</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 (compliance@hornsby.nsw.gov.au).</p> <p><i>Reason: To ensure the appropriate removal and disposal of contaminated materials.</i></p>	
<p>41. Compliance with Acoustic Report</p> <p>All construction control measures nominated in section 5.3.2 of the DA Acoustic Assessment Ref: 20230871.1/0812A/R1/WY, prepared by Acoustic Logic, dated 8 December 2023 must be implemented.</p> <p><i>Reason: To ensure the operational measures implemented protect the amenity of the local area.</i></p>	
<p>42. Erosion and Sediment Control</p> <ol style="list-style-type: none"> 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. <p><i>Note: On the spot penalties may be issued for any non-compliance with this requirement without any further notification or warning.</i></p> <p><i>Reason: To minimise impacts on neighbouring properties and public land.</i></p>	
<p>43. Soil and Water Management (Stockpiles)</p> <ol style="list-style-type: none"> 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.

44. 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.

45. Waste Management Details

Requirements of the approved Waste Management Plan shall be complied with during all site preparation works, demolition and throughout all construction works. When implementing the Waste Management Plan, the developer is to ensure:

1. The disposal of any demolition and construction waste must be undertaken in accordance with the requirements of the *Protection of Environment Operations Act 1997*
2. All waste on site is to be stored, handled and disposed of in such a manner as to not create air pollution, offensive noise or pollution of land and water as defined by the *Protection of Environment Operations Act 1997*
3. Generation, storage, treatment and disposal of hazardous waste is conducted in accordance with the relevant waste legislation administered by the EPA and relevant Occupational Health and Safety legislation administered by SafeWork NSW
4. All waste generated (including excavated materials) which cannot be reused or recycled must be transported to a facility which can lawfully accept it
5. All materials and resources that are to be stored on site during construction works are contained on the site. The provisions of the *Protection of Environment Operations Act 1997* must be complied with when placing/stock piling loose material, disposal of concrete waste or activities which have potential to pollute drains and water courses
6. The storage of waste and recycling containers must be within the boundaries of the development site at all times and should be secured within hoarding. Public footways and roads must not be used for the storage of any waste and must be kept clear of obstructions during all construction works
7. Additionally, written records of the following items must be maintained during the removal of any waste from the site and such information submitted to the Principal Certifying Authority within fourteen days of the date of completion of the works:
 - a. The identity of the person removing the waste.
 - b. The waste carrier vehicle registration.
 - c. Date and time of waste collection.
 - d. A description of the waste (type of waste and estimated quantity).

- e. Details of the site to which the waste is to be taken.
- f. The corresponding weighbridge tip docket/receipt from the site to which the waste is transferred (noting date and time of delivery, description (type and quantity) of waste).
- g. Whether the waste is expected to be reused, recycled or go to landfill.

Note: In accordance with the Protection of the Environment Operations Act 1997, the definition of waste includes any unwanted substance, regardless of whether it is reused, recycled or disposed to landfill.

- 8. From the commencement of works on site, until such time as the final occupation certificate is issued, the applicant is required to monitor the construction area and the immediate vicinity regularly for litter and illegal dumping. The applicant is to arrange removal of said material where required to avoid contamination of waterways and bushland as well as mitigating any further instances or compounding of illegal dumping.
- 9. The on-going collection of waste from occupied buildings (both on-site and elsewhere) must not be impeded by construction works.
- 10. Access to the bin storage bay used by the PCYC must not be obstructed at any time.
- 11. Hoarding/construction security fence, demolition and construction waste, construction materials, skip bins, work vehicles or any other obstacle must not block or impede access to the bin storage used by the PCYC and must not prevent or impede on-going waste collection services from taking place.

Reason: to ensure waste is efficiently and effectively managed during the demolition and construction stages of the development

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
<p>46. Damage to Council Assets</p> <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 (www.hornsby.nsw.gov.au/property/build/aus-spec-terms-and-conditions). 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>	
<p>47. Certification of Acoustic Measures</p> <p>Before the issue of an occupation certificate, a suitably qualified person must provide a compliance report to the Principal Certifier and Council demonstrating that the acoustic measures have been installed in accordance with the recommendations of the DA Acoustic Assessment Ref: 20230871.1/0812A/R1/WY, prepared by Acoustic Logic, dated 8 December 2023.</p> <p><i>Reason: To protect the amenity of the local area.</i></p>	

48. Preservation of Survey Marks	<p>A certificate by a Registered Surveyor must be submitted to the Principal Certifying Authority, certifying that there has been no removal, damage, destruction, displacement or defacing of the existing survey marks in the vicinity of the proposed development or otherwise the re-establishment of damaged, removed, or displaced survey marks has been undertaken in accordance with the Surveyor General's Direction No.11 Preservation of Survey Infrastructure.</p> <p><i>Reason: To protect the State's survey infrastructure.</i></p>
49. Construction of Engineering Works	<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>
50. Completion of landscaping	<p>A certificate must be provided 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.</p> <p><i>Reason: To ensure landscape works are completed.</i></p>
51. Fire Safety Statement – Final	<p>In accordance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, upon completion of the building, the owner must provide Council with a certificate in relation to each fire safety measure implemented in the building.</p> <p><i>Reason: To ensure all fire safety measures are implemented to protect life and property.</i></p>
52. Replacement Tree Requirements	<ol style="list-style-type: none"> The trees approved for removal under this consent, being trees numbered T8, T9, T10 must be offset through replacement planting of a minimum of 3 trees. All replacement plantings must be species selected from the 'Trees Indigenous to Hornsby Shire (as of 1 September 2011)' document available for viewing on the Hornsby Council's website http://www.hornsby.nsw.gov.au/environment/flora-and-fauna/tree-management/indigenous-trees The location and size of tree replacement planting must comply with the following: <ol style="list-style-type: none"> 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. The pot size of the replacement trees must be a minimum 45 litres. All replacement trees must be a minimum of 3 metres in height. All replacement trees must have the potential to reach a mature height greater than 10 metres. <p><i>Reason: To ensure replacement planting to maintain tree canopy.</i></p>

53. Final Certification

The AQF 5 Project arborist must submit to the Principal Certifier a certificate that includes the following:

1. All tree protection requirements complied with the as approved tree protection plan for the duration of demolition and/or construction works; and
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.

54. Certification of Heritage Interpretation Plan Implementation

A Certificate prepared by a suitably qualified and experienced heritage practitioner is to be provided to the Principal Certifier (PC) certifying that the approved Interpretation Plan has been implemented prior to the issue of the Occupation Certificate.

Reason: To ensure information to the public regarding the heritage values of the site are implemented.

55. Waste Management Details

The following waste management requirements must be complied with:

1. Prior to an Occupation Certificate being issued or the use commencing, whichever is earlier, the Principal Certifier must ensure arrangements are in place for delivery of bins for the on-going use of the site and for regular scheduled commercial waste collection services to commence within 7 days of occupation.
2. A report must be prepared by an appropriately qualified person, certifying the following:
 - a. A comparison of the estimated quantities of each demolition and construction waste type against the actual quantities of each waste type.

Note: Explanations of any deviations to the approved Waste Management Plan is required to be included in this report

- b. That at least 80% of the waste generated during the demolition and construction phase of the development was reused or recycled.

Note: If the 80% diversion from landfill cannot be achieved in the Construction Stage, the Report is to include the reasons why this occurred and certify that appropriate work practices were employed to implement the approved Waste Management Plan. The Report must be based on documentary evidence such as tipping dockets/receipts from recycling depots, transfer stations and landfills, audits of procedures etc. which are to be attached to the report.

- c. All demolition and construction waste has been taken to site(s) that were lawfully permitted to accept that waste.

3. The bin carting routes must be devoid of any steps, lips, wheel stops or any other obstruction.
Note: Ramps between different levels are acceptable.
4. The bin carting routes must be smooth hard surface, no less than 1.5m wide (including through any gates or doors) and have a gradient no steeper than 1:14.
5. The additional bin storage bay must provide screening of the bins to a height of no less than 1.5m. The bins placed there must not be visible from the public domain.
6. The floor of the additional bin storage bay must have a smooth and even surface that is finished so it is non-slip, sealed and impervious, and coved at all intersections. The walls must be finished with smooth faced non-absorbent material capable of being cleaned. The bin storage bay must include artificial lighting and adequate ventilation. The bin storage bay must be provided with a nearby tap with adequate supply of water and hose for cleaning.
7. The club room kitchenette must be provided with an indoor waste/recycling cupboard for the interim storage of waste with two separate containers installed, one each for general waste and recyclable materials with sufficient volume for one day.

Reason: to ensure all necessary infrastructure is provided for the efficient and effective management of waste for the full operational life of the development.

OCCUPATION AND ONGOING USE

Condition	
56. Hours of Operation	<p>The hours of operation of the premise are restricted to those times listed below:</p> <ol style="list-style-type: none"> 1. Monday to Friday 7 am to 8 pm 2. Saturday and Sunday 7 am to 10 pm 3. All persons including patrons and contractors must have left the premises by 10.30pm on days when an event occurs. <p><i>Reason: To protect the amenity of the local area.</i></p>
57. Number of patrons	<p>The premises is restricted to a maximum of 50 patrons on the premises at any time.</p> <p><i>Reason: To ensure the operational measures implemented protect the amenity of the local area</i></p>
58. Compliance with Plan of Management	<ol style="list-style-type: none"> a) All control measures and procedures nominated in the Operation Management Plan, prepared by Northern Districts Cricket Club, dated April 2024, must be implemented. b) Any amendments to the Operation Management Plan must be submitted to Council's Compliance Team via Council's Online Services Portal for review and written approval. <p><i>Note: The Plan of Management must be lodged via Council's Online Services Portal at: https://hornsbyprd-pwy-epw.cloud.infor.com/ePathway/Production/Web/Default.aspx and by</i></p>

selecting the following menu options: Applications > New Applications > Under 'Application Types': Management Plans.

Reason: To ensure the operational measures implemented protect the amenity of the local area.

59. Operational noise

1. The LA10(15minute) patron and music noise emitted from the use of the clubhouse must not exceed the background noise level (L90, 15minute) in any octave band frequency (31.5Hz to 8 kHz inclusive) by more than 5dB between 7am and 10pm, when assessed at the boundary of any residential accommodation or tourist and visitor accommodation.
2. The LAeq(15minute) noise emitted from mechanical plant must not exceed the background noise level (L90) by more than 5 dB, when assessed at the boundary of any residential accommodation or tourist and visitor accommodation.

Reason: To protect the amenity of the local area.

60. Deliveries Collection Hours

During ongoing use, all deliveries must only occur during the approved hours of operation.

Reason: To protect the amenity of the local area.

61. Storage and Disposal of Waste Materials During Ongoing Use

During ongoing use of the premises:

1. An adequate number and size of bins must be put on the premises for the storage of any waste that is generated (including for recycling),
2. All garbage and recyclable materials generated from the premises must be stored wholly within any approved storage area and must not be stored outside the premises (including any public place) at any time.
3. Arrangements must be implemented for the separation of recyclable materials from garbage.
4. Any approved waste storage area must be appropriately maintained to prevent litter and the entry of pests.
5. Where council does not provide commercial garbage and recyclable materials collection services:
 - a. A contract must be entered into with a licensed contractor to provide these services for the premises; and
 - b. A copy of the contract must be kept on premises and provided to relevant authorities including council officers on request.
6. Where the collection of garbage and recyclable materials from the premises is undertaken by a licensed contractor, it must only occur between 7am and 6pm.

Reason: To ensure proper handling of waste, garbage and recyclable materials generated during operation of the premises.

62. Fire Safety Statement - Annual

On at least one occasion in every 12 month period following the date of the first 'Fire Safety Certificate' issued for the property, the owner must provide Council with an annual 'Fire Safety Certificate' to each essential service installed in the building.

Reason: To ensure fire safety measures are maintained to protect life and property.

63. Landscape Establishment

The landscape works must be maintained into the future to ensure the establishment and successful growth of plant material to meet the intent of the landscape design. This must include but not be limited to watering, weeding, replacement of failed plant material and promoting the growth of plants through standard industry practices.

Reason: To ensure the approved landscaping is established correctly for future viability.

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