



BLACKETT
MAGUIRE+
GOLDSMITH

10 April 2018

NSW Department of Education
Level 4, 35 Bridge Street
SYDNEY NSW 2000

Attention: Sam Werner

Dear Sam,

**REFERENCE: 3B SMALLS ROAD RYDE NSW 2112
COMPLYING DEVELOPMENT CERTIFICATE**

Your recent application for a Complying Development Certificate dated 10 April 2018 has now been approved. We hereby enclose a copy of the Complying Development Certificate No. CDC-18032 and associated documentation for the proposed demolition of nine (9) existing buildings on site.

We have forwarded a copy of the Complying Development Certificate together with the approved documentation to Council for its record.

Please also find attached an inspection and certification schedule relevant to this development. The inspection schedule identifies the necessary Statutory Mandatory Critical Stage Inspections that must be undertaken together with other inspections of the progress building works that we will require to be undertaken by our office.

It is the client's responsibility to ensure that our office is contacted with not less than 48 hours' notice for our attendance to each of these inspections.

If we have provided the approved documentation back to you electronically on a USB storage device, we would like to advise you that this device is for transmittal purposes only and is not designed for long term storage, please transfer all documentation to a purpose designed form of storage media.

We thank you for your assistance in this matter and should you have any enquiries please do not hesitate to contact me on 9211 7777.

Yours sincerely,

Patrick Cameron
Building Surveyor
Blackett Maguire + Goldsmith Pty Ltd

Address Suite 2.01,
22-36 Mountain St
Ultimo NSW 2007

Postal PO Box 167
Broadway NSW 2007
ABN 18 408 985 851

Contact Ph: 02 9211 7777
Fax: 02 9211 7774
Email: admin@bmplusg.com.au




COMPLYING DEVELOPMENT CERTIFICATE

Pursuant to Part 4A of the Environmental Planning & Assessment Act 1979

CERTIFICATE No.:	CDC-18032
TYPE:	<input checked="" type="checkbox"/> Building Work
DETERMINATION:	Approved
DATE OF DETERMINATION:	10 April 2018
LAPSE DATE:	10 April 2023
SUBJECT LAND:	
Lot & DP Address	Lot 1 DP 830420 3B Smalls Road RYDE NSW 2122
LAND USE ZONE:	SP2
LOCAL GOVERNMENT AREA:	City of Ryde Council
APPLICANT:	
Name Company Address	Sam Werner NSW Department of Education Level 4, 35 Bridge Street SYDNEY NSW 2000
Phone / Fax / Email	Phone: 8275 2234 Mobile: 0417 506 280 Email: sam.werner1@det.nsw.edu.au
OWNER:	
Name Address	NSW Department of Education Level 4, 35 Bridge Street SYDNEY NSW 2000
Phone / Fax / Email	Phone: 8275 2234 Mobile: 0417 506 280 Email: sam.werner1@det.nsw.edu.au
DESCRIPTION OF DEVELOPMENT:	Demolition of nine (9) existing buildings on site.
BCA CLASSIFICATION:	Class 5 & 9b
COST OF WORKS:	\$935,000.00
RELEVANT PLANNING INSTRUMENT:	SEPP (Educational Establishments and Child Care Facilities) 2017

STATUTORY CERTIFICATION:

Blackett Maguire + Goldsmith certify that the development is complying development and (if carried out as specified in the certificate) will comply with all development standards applicable to the development and with such other requirements prescribed by the Environmental Planning & Assessment Regulation 2000 concerning the issue of this certificate.

APPROVED PLANS:	Refer to Schedule 1	
CONDITIONS:	Refer to Schedule 2	
FIRE SAFETY SCHEDULE:	Refer to Schedule 3	
DETAILS OF CERTIFYING AUTHORITY:		
Certifying Authority Accreditation No.	Blackett Maguire + Goldsmith Pty Ltd ABC 4	
SIGNATURE:		Date: 10/04/2018
SIGNED ON BEHALF OF BM+G:	Brian Maguire	Accreditation No. BPB 0241



SCHEDULE 1

SCHEDULE OF DOCUMENTATION

APPROVED PLANS

- + Site Demolition Plans prepared by Conrad Gargett:

DRAWING NUMBER	REV	DATE
1100	A	10 January 2018

DOCUMENTATION RELIED UPON

In conjunction with the approved plans and specifications the following documentation was relied upon in issuing the Complying Development Certificate:

- + Documentation:

ITEM	DOCUMENTATION	PREPARED BY	DATE
1.	CDC Application Form	NSW Department of Education	7 March 2018
2.	Section 149 Certificate	City of Ryde Council	31 October 2016
3.	Survey Plan	RPS Australia East Pty Ltd	17 October 2016
4.	Architectural Specification	Conrad Gargett	5 March 2018
5.	Demolition Planning Pathway Letter	RPS group	20 March 2018



SCHEDULE 2

CONDITIONS OF COMPLYING DEVELOPMENT CERTIFICATE

1. Conditions prescribed by the Environmental Planning & Assessment Regulation 2000

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

- (1) A complying development certificate for development that involves any building work must be issued subject to the following conditions:
 - (a) that the work must be carried out in accordance with the requirements of the Building Code of Australia,
 - (b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.
- (1A) Where the Complying Development Certificate is for a temporary structure that is used as an entertainment venue, the temporary structure must comply with Part B1 and NSW Part H102 of Volume One of the Building Code of Australia (as in force on the date the application for the relevant complying development certificate is made)
- (2) This condition does not limit any other conditions to which a Complying Development Certificate may be subject, as referred to in section 85A (6) (a) of the Act.
- (3) This condition does not apply:
 - (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
 - (b) to the erection of a temporary building, other than a temporary structure that is used as an entertainment venue.
- (4) In this condition, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant complying development certificate is made.

Note: There are no relevant provisions in the Building Code of Australia in respect of temporary structures that are not entertainment venues.

Clause 136AB - Notice to Neighbours

The person having the benefit of the complying development certificate must give at least 7 days' notice in writing of the person's intention to commence the work authorised by the certificate to the occupier of each dwelling that is located on a lot that has a boundary within 20 metres of the boundary of the lot on which the work is to be carried out.

Erection of signs

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

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

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

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



Development involving bonded asbestos material and friable asbestos material

- (1) The following applies to Complying Development Certificate for development that involves building work or demolition work:
 - (a) work involving asbestos containing material removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the Work Health and Safety Regulation 2017,
 - (b) the person having the benefit of the complying development certificate must provide the principal certifying authority with a copy of a signed contract with such a person before any development pursuant to the complying development certificate commences,
 - (c) any such contract must indicate whether any asbestos containing material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the asbestos containing material or friable asbestos material is to be delivered,
 - (d) if the contract indicates that asbestos containing material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the complying development certificate must give the principal certifying authority a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.
- (2) This condition applies only to a complying development certificate issued after the commencement of this clause.
- (3) In this condition, asbestos containing material (ACM), friable asbestos material and asbestos removal work have the same meanings as in clause 5 of the Work Health and Safety Regulation 2017.

Note 1: Under clause 5, asbestos removal work means work involving the removal of asbestos or ACM or, in Part 8.10, Class A asbestos removal work or Class B asbestos removal work.

Note 2: The effect of clause 419 is that the development will be a workplace to which the Work Health and Safety Regulation 2017 applies while removal work involving ACM or friable asbestos material is being undertaken.

Note 3: Information on the removal and disposal of asbestos to landfill sites licensed to accept this waste is available from the Office of Environment and Heritage.

Note 4: Demolition undertaken in relation to complying development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 must be carried out in accordance with Australian Standard AS 2601—2001, Demolition of structures.

Condition relating to shoring and adequacy of adjoining property

- (1) If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the certificate must at the person's own expense:
 - (a) protect and support the building, structure or work from possible damage from the excavation, and
 - (b) where necessary, underpin the building, structure or work to prevent any such damage.
- (2) The condition referred to in subclause (1) does not apply if the person having the benefit of the complying development certificate owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

Traffic generating development

Where a Complying Development Certificate is required to be accompanied by a certificate of Roads and Maritime Services as referred to in clause 4 (1) (k) of Schedule 1, any requirements specified in the certificate of Roads and Maritime Services must be complied with.

Development on contaminated land

- (1) If an application for a Complying Development Certificate is required to be accompanied by a statement of a qualified person as referred to in clause 4 (1) (l) of Schedule 1, any requirements specified in the statement must be complied with.
- (2) Subclause (1) does not apply to complying development carried out under the complying development provisions of State Environmental Planning Policy (Three Ports) 2013 in the Lease Area within the meaning of clause 4 of that Policy.



Condition relating to payment of security

- (1) This condition applies to a complying development certificate authorising the carrying out of development if:
 - (a) the development is demolition of a work or building, erection of a new building or an addition to an existing building and the estimated cost of the development (as specified in the application for the certificate) is \$25,000 or more, and
 - (b) the development is to be carried out on land adjacent to a public road, and
 - (c) at the time the application for the certificate is made, there is specified on the website of the council for the area in which the development is to be carried out an amount of security determined by the council that must be paid in relation to:
 - (i) development of the same type or description, or
 - (ii) development carried out in the same circumstances, or
 - (iii) development carried out on land of the same size or description.
- (2) The amount of security referred to in subclause (1) is to be provided, in accordance with this clause, to the council before any building work or subdivision work authorised by the certificate commences.
- (3) The security may be provided, at the applicant's choice, by way of:
 - (a) deposit with the council, or
 - (b) a guarantee satisfactory to the council.
- (4) The funds realised from a security may be paid out to meet the cost of making good any damage caused to any property of the council as a consequence of doing anything (or not doing anything) authorised or required by the complying development certificate, including the cost of any inspection to determine whether damage has been caused.
- (5) Any balance of the funds realised from a security remaining after meeting the costs referred to in subclause (4) is to be refunded to, or at the direction of, the person who provided the security.

2. SEPP (Educational Establishments and Child Care Facilities) 2017

General conditions of complying development certificates

Note: The Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Noise Control) Regulation 2008 contain provisions relating to noise.

- (1) General: A complying development certificate for complying development under this Policy is subject to the conditions specified in this clause.

The regulations made under the Act contain additional conditions of a complying development certificate, including conditions relating to the Building Code of Australia, requirements under the Home Building Act 1989, BASIX and asbestos removal.

- (2) Conditions applying before works commence

A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining land before the works begin and must be kept in place until after the completion of works if the works:

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining land by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

Note. See the entry for hoardings in Schedule 1. See also the entry for scaffolding, hoardings and temporary construction site fences in the General Exempt Development Code in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

- (3) Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.



- (4) Each toilet must:
 - (a) be a standard flushing toilet connected to a public sewer, or
 - (b) have an on-site effluent disposal system approved under the [Local Government Act 1993](#), or
 - (c) be a temporary chemical closet approved under the [Local Government Act 1993](#).
- (5) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed.
- (6) Conditions applying during works Construction or demolition may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no construction or demolition is to be carried out at any time on a Sunday or a public holiday.
- (7) Works must be carried out in accordance with the plans and specifications to which the complying development certificate relates.
- (8) Run-off and erosion controls must be effectively maintained until the site has been stabilised and landscaped.
- (9) If any object having interest due to its age or association with the past is uncovered during the course of the work:
 - (a) all work must stop immediately in that area, and
 - (b) the Office of Environment and Heritage must be advised of the discovery.

Note: Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the [Heritage Act 1977](#) may be required before further the work can continue.

- (10) If any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:
 - (a) all excavation or disturbance of the area must stop immediately in that area, and
 - (b) the Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the National Parks and Wildlife Act 1974.

Note: If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the [National Parks and Wildlife Act 1974](#).

- (11) Dirt, sand and other materials relating to the construction or other work comprised in the development and loaded on to any vehicles entering or leaving the site must be covered.
- (12) All vehicles, before leaving the site, must be cleaned of dirt, sand or other materials that have adhered during that construction or other work and could be tracked onto public roads.
- (13) Building, or demolition, materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- (14) Demolition materials and waste materials must be sorted, and must be disposed of at a waste or resource management facility.

Note: The [Protection of the Environment Operations Act 1997](#) and the [Protection of the Environment Operations \(Waste\) Regulation 2014](#) contain provisions relating to waste.

- (15) The work site must be left clear of waste and debris at the completion of the works.
- (16) Utility services If the complying development requires alteration to, or the relocation of, utility services on the lot on which the complying development is carried out, the complying development is not complete until all such works are carried out.
- (17) Post-works requirements If:
 - (a) the development involves the erection or change of use of a building within a water supply authority's area of operations, and
 - (b) the water supply authority requires a certificate of compliance to be obtained with respect to the erection or change of use of the building, the building cannot be occupied before such a certificate has been obtained.

- (18) In this clause:

Certificate of compliance, in relation to a water supply authority, means a certificate of compliance issued by the water supply authority under the Act under which the water supply authority is constituted.



Water supply authority means:

- (a) the Sydney Water Corporation, the Hunter Water Corporation or a water supply authority within the meaning of the Water Management Act 2000, or
- (b) a council or county council exercising water supply, sewerage or stormwater drainage functions under Division 2 of Part 3 of Chapter 6 of the Local Government Act 1993.

Complying development certificates—additional conditions

A complying development certificate for development that is complying development under this Part is subject to the following conditions (in addition to the conditions set out in clause 19):

- (a) any demolition work must be carried out in accordance with AS 2601—2001 The demolition of structures, published by Standards Australia on 13 September 2001,
- (b) any removal or pruning of vegetation must be carried out in accordance with AS 4970—2009 Protection of trees on development sites,
- (c) development must be carried out in accordance with all relevant requirement of the Blue Book,
- (d) the person having the benefit of the complying development certificate must give at least 2 days' notice in writing of the intention to commence the works to the owner or occupier of any dwelling that is situated within 20 metres of the lot on which the works will be carried out.



SCHEDULE 3

FIRE SAFETY SCHEDULE

Issued under Clause 168 of the Environmental Planning & Assessment Regulation 2000

OWNER:	NSW Department of Education
SUBJECT PROPERTY:	3B Smalls Road Ryde NSW 2112
COMPLYING DEVELOPMENT CERTIFICATE No.:	CDC-18032

The following essential fire safety measures shall be implemented in the whole of the building premises and each of the fire safety measures must satisfy the standard of performance listed in the schedule, which, for the purposes of Clause 168 of the Environmental Planning and Assessment Regulation 2000, is deemed to be the current fire safety schedule for the building.

SCHEDULE

N/A



INSPECTION AND CERTIFICATION SCHEDULE

STATUTORY MANDATORY CRITICAL STAGE INSPECTIONS

The following statutory mandatory critical stage inspections must be undertaken during the construction program.

- + After demolition works have been completed.

COMPLIANCE WITH THE BUILDING CODE OF AUSTRALIA

All building works must be carried out strictly in accordance with the Building Code of Australia 2016 (BCA). Any departure from the deemed-to-satisfy (DTS) requirements of the BCA must have the prior approval of Blackett Maguire + Goldsmith Pty Ltd