STANDARD CONDITIONS

SCHEDULE 1

TERMS OF CONSENT

APPROVED CONCEPT PROPOSAL CONDITIONS

1. The proposed staged development is to be carried out in accordance with the details set out on the application form, and the following documents: -

   The statement of environmental effects for the Proposed St Phillips College Campus Wine Country Drive, Nulkaba prepared by AECOM dated 23 October 2009;

   Plans Numbered Revised Master Plan 323-S07R5, Project Number 323, Dated September 2009, 1 Sheet, Drawn by Ian Easton Architect;

   Plans Numbered Aerial View Showing Master Plan for Site 323-S09R1, Project Number 323, Dated September 2009, 1 Sheet, Drawn by Ian Easton Architect;

   Aboriginal Heritage Assessment, Dated 26 February 2010, Written by AECOM;

   Acoustic Report, Dated 29 September 2009, Written by AECOM;

   Bushfire Assessment, Dated 22 September 2009, Written by AECOM;

   Crime Prevention Report, Undated, Written by Security Design Solutions;

   Energy Sub Plan, Undated, Written by Don Robertson;

   Fauna and Threatened Species Assessment, Dated July 2009, Written by Ecobiological Survey & Assessment;

   Flood Impact Assessment, Dated 12-Oct-09 , Written by Worley Parsons;

   Flora Survey and Assessment, Dated September 2009, Written by Eastcoast Flora Survey;

   Lomas Lane Bridge Structural Investigation, Dated 6 September 2010, Written by Worley Parsons;

   Phase 1 Contamination Assessment, Dated 26 May 2009, Written by AECOM;

   Preliminary Geotechnical Investigation, Dated August 2009, Project 49376, Written by Douglas Partners;

   Preliminary Water and Wastewater Servicing Study, Dated 15 September 2009, Written by Worley Parsons;

   Stormwater Management Plan, Dated 12-Oct-09, Written by Worley Parsons;

   Traffic Impact Study, Dated June 2010, Written by Northern Transport Planning and Engineering Pty Ltd;

   Traffic Safety Review, Dated October 2010, Written by Mark Waugh Pty Limited;

as amended in red or where modified by any conditions of this consent.

Note: Section 83D(2) of the Environmental Planning & Assessment Act 1979 provides that while any consent granted on the determination of a staged development application for a site remains in force, the determination of any further development application in respect of that site cannot be inconsistent with that consent. This provision does not prevent this development consent from being modified (see section 83D(3) of the Act). You are advised that any proposal to modify the terms or conditions of this consent, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application under Section 96 of the Environmental Planning and Assessment Act 1979 for Council's consideration. If amendments to the design result in the development not remaining substantially the same as that approved by this consent, a new development Application will have to be submitted to Council.

Reason
To confirm and clarify the terms of Council's approval

2. This consent does not authorise the carrying out of development other than the Stage 1 buildings and associated works as indicated on the approved plans. Further development consent is required for the carrying out of the other stages of the concept proposal the subject of this consent.

Reason
To confirm and clarify the terms of Council's approval.

3. Any further development application for the carrying out of the other stages of the concept proposal the subject of this consent (other than the Stage 1 buildings and associated works the subject of this consent) must be accompanied by the following: -

(a) A review of the trip generation rates adopted in the Traffic Impact Study, Dated June 2010, Written by Northern Transport Planning and Engineering Pty Ltd shall be undertaken at the subsequent stages of the proposed development to determine the need for an upgrade of the intersection of Wine Country Drive/Lomas Lane. A revised traffic study shall be prepared for the subsequent stages of the development and submitted to the RTA along with the development application for review.

(b) Investigation of the requirement for a landscaped berm on the southern side of the emergency access on Wine Country Drive. Details are to include species (type, numbers, heights), materials, height, width, distance from the centreline of Wine Country Drive and fencing. A photomontage is to be provided of the landscaped berm.

Reason
To ensure the intersection is upgraded accordingly.

4. Demountable General Learning Areas, canteen and toilets are to be removed from site prior to construction of new buildings when approved by Council for the subsequent stages.

Reason
To ensure demountable buildings to not remain on site for an unacceptable duration.

STAGE 1

General

5. This development consent authorises the carrying out of Stage 1 of the approved concept proposal, being the: -

Information Resource Centre;

Senior School Specialist Facilities Building;
Demountable Administration Building;
Demountable General Learning Spaces;
Open Shelter Structures (including demountable canteen and toilets);
48 car parking spaces;
12 car set down space;
7 bus set down spaces;
Filling of 4.75ha to create a building platform of approximately 220m x 240m above the 1:100 year flood level; and
Access to the site off Lomas Lane.

Stage 1 is to be constructed in accordance with the details set out on the application form, and the following documents: -

The statement of environmental effects for the Proposed St Phillips College Campus Wine Country Drive, Nulkaba prepared by AECOM dated 23 October 2009;

Plans Numbered Site Plan Stage 1 323-S12R7, Project Number 323, Dated Nov.2010, R7 Additional Berm Details & Levels 12/11/10, 1 Sheet, Drawn by Ian Easton Architect;

Plans Numbered Signage Details 375-S12R1, Dated Oct 10, R1 Additional Signs 14/10/10, 1 Sheet, Drawn by Ian Easton Architect;

Plans Numbered Berm Details 323-S21, Project Number 323, Dated Nov.2010, 1 Sheet, Drawn by Ian Easton Architect;

Plans Numbered Car Park & Site Entry Layout 232-S19R3, Project Number 323, Dated Nov.2010, R3 Changes to Landscaping 12/11/10, 1 Sheet, Drawn by Ian Easton Architect;

Plans Numbered External Views of Site 323-S08R3, Project Number 323, Dated September 2009, 1 Sheet, Drawn by Ian Easton Architect;

Plans Numbered Site Elevations 323-S12R3, Project Number 323, Dated September 2009, 1 Sheet, Drawn by Ian Easton Architect;

Plans Numbered IRC Centre Developed Design 323-S10R6, Project Number 323, Dated September 2009, 1 Sheet, Drawn by Ian Easton Architect;

Plans Numbered Specialist Facilities Developed Design 323-S11R6, Project Number 323, Dated September 2009, 1 Sheet, Drawn by Ian Easton Architect;

Plans Numbered Demountable Administration Block 323-S14R2, Project Number 323, Dated September 2009, 1 Sheet, Drawn by Ian Easton Architect;

Plans Numbered Demountable GLA Block 323-S15R2, Project Number 323, Dated September 2009, 1 Sheet, Drawn by Ian Easton Architect;

Plans Numbered Drawing No. 10/103-1.3, Project Wine Country Drive Nulkaba, Landscape Plan Stage 1, Dated November 2010, 1 Sheet, Drawn by BLC Environmental Landscape Consultants;

Plans Numbered Drawing No. 10/103-2.2, Project Wine Country Drive Nulkaba, Stage 1 Planting Details, Dated November 2010, 1 Sheet, Drawn by BLC Environmental Landscape Consultants

Photomontages, Undated, 2 Sheets, Submitted by Ian Easton Architect,

Aboriginal Heritage Assessment, Dated 26 February 2010, Written by AECOM;

Acoustic Report, Dated 29 September 2009, Written by AECOM;

Bushfire Assessment, Dated 22 September 2009, Written by AECOM;

Crime Prevention Report, Undated, Written by Security Design Solutions;

Energy Sub Plan, Undated, Written by Don Robertson;

Fauna and Threatened Species Assessment, Dated July 2009, Written by Ecobiological Survey & Assessment;

Flood Impact Assessment, Dated 12-Oct-09 , Written by Worley Parsons;

Flora Survey and Assessment, Dated September 2009, Written by Eastcoast Flora Survey;

Lomas Lane Bridge Structural Investigation, Dated 6 September 2010, Written by Worley Parsons;

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Preliminary Water and Wastewater Servicing Study, Dated 15 September 2009, Written by Worley Parsons;

Stormwater Management Plan, Dated 12-Oct-09, Written by Worley Parsons;

Traffic Impact Study, Dated June 2010, Written by Northern Transport Planning and Engineering Pty Ltd;

Traffic Safety Review, Dated October 2010, Written by Mark Waugh Pty Limited;

NSW Roads and Traffic Authority letter, Dated 29 October 2010;

NSW Office of Water letter, Dated 11 December 2009;

Reason
To confirm and clarify the terms of Council's approval.

6. The erection of a building in accordance with a development consent shall ***not*** be commenced until:-

(a) detailed plans and specifications of the building have been endorsed with a ***construction certificate*** by:-

(i) the consent authority; or
(ii) an accredited certifier, and

(b) the person having the benefit of the development consent:-

(i) has ***appointed a principal certifying authority***, and
(ii) has notified Council of the appointment, and

(c) the person having the benefit of the development consent has given at least

days notice to the Council of the persons intention to commence erection of the building.

Reason
To ensure the applicant complies with the provision of the Environmental Planning and Assessment Act 1979 (as amended).

7. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Reason
To ensure that the development, when constructed, will comply with the Environmental Planning and Assessment Act, 1979.

Design Considerations

8. The colours of all building materials and painting or other external finishes shall be of natural tones with low reflective quality or such treatment as may be appropriate to ensure that the building blends into the surrounding natural environment and is not intrusive in the existing rural setting.

Reason
To minimise the visual impact of the building in the existing landscape.

Building Construction

9. Excavations or filling against boundaries are to be adequately retained by retaining walls.

Reason
To reduce the risk of damage to adjoining properties

10. The excavated and/or filled areas of the site are to be stabilised and drained to prevent scouring onto adjacent private or public property. The finished ground around the perimeter of the civil works is to be graded to prevent ponding of water and to ensure the free flow of water away from the adjoining properties.

Reason
To reduce the risk of environmental and building damage.

Access, Car Parking and Loading Arrangements

11. All access crossings and driveways shall be maintained in good order for the life of the development.

Reason
To ensure that a safe adequate all-weather access is available to the development

Site Works

12. This consent allows the removal of trees and other vegetation from the site of approved buildings, structures, permanent access ways and car parks. It also allows for the removal or lopping of trees within three (3) metres of approved buildings. No other trees or vegetation shall be removed or lopped except with prior written consent of Council.

Reason
To ensure that only trees and vegetation directly affected by the development are removed from the site, and to grant approval for such removal.

Health

13. The canteen which is used for the sale, storage and preparation for sale of food for human consumption shall comply fully with the provisions of the "Food Act, 2003", the "Regulations" thereunder, the Food Standards Code and Australian Standard 4674-2004, "Design, construction and fit-out of food premises"

    Reason

    Any premises in which food is handled for sale must be constructed so that food, equipment, appliances, fittings and packaging materials on the premises are protected from likely contamination and so as to permit the premises to be easily cleaned.

14. All walls of the food premises shall be of solid construction.

    Reason
    To prevent access and harbourage of vermin in voids or cavities within the wall frame.

15. Hand washing facilities - Hand washing basins shall be provided in sufficient number in close proximity to where food is prepared; with a permanent supply of warm running potable delivered through a single outlet provided to each, together with a sufficient supply of soap and hand drying facilities.

    Reason
    To ensure adequate handwashing facilities are available for food handlers to wash hands.

16. Provide a waste storage facility in proximity to the canteen, with hard impervious surface, graded and drained to a waste system in accordance to Hunter Water requirements and provided with a hose tap connected to the water supply .

    Reason
    To allow adequate storage for the disposal of all waste generated at the site.

17. Any refrigerated or cooling chamber which is of sufficient size for a person to enter, is required to meet the requirements of the Building Code of Australia and must have: -

    i. a door which is capable of being opened by hand from inside without a key; and
    ii. internal lighting controlled only by a switch which is located adjacent to the entrance doorway inside the chamber; and
    iii. an indicator lamp positioned outside the chamber which is illuminated when the interior light is switched on; and
    iv. an alarm that is –
        a) located outside but controllable only from within the chamber; and
        b) able to achieve a sound pressure level outside the chamber of 90 dB(A) when measured 3m from the sounding device.

    The door required by (I) above must have a doorway with a clear width of not less than 600mm and a clear height not less than 1.5m

    Reason
    To protect the safety of persons and to ensure the chamber complies with the requirements of the Building Code of Australia.

18. Where any proposed cooking or heating equipment being considered for installation has a combined capacity exceeding 8 kilowatts or 29 megajoules/hour, then an approved mechanical exhaust ventilation (M.E.V.) system will be required to comply with Australian Standard AS1668.

Reason
To ensure cooking or heating equipment are insulation and have the required mechanical exhaust ventilation.

Lighting

19. Any proposed lighting in and around the proposed buildings and car parking areas of the educational establishment shall be so positioned, directed and shielded so as not to interfere with traffic safety or detract from the amenity or project glare onto the adjacent premises.

Reason
To ensure that the proposal does not interfere with traffic safety and to protect the existing amenity of the neighbourhood.

Signage

20. The proposed school and entry signage shall be undertaken in accordance with the approved plans submitted with the application.

Reason
To confirm and clarify the terms of Council's approval.

21. No advertising structures, other than those approved by this consent, shall be erected and no advertising material shall be affixed or displayed on any building or land without the prior approval of Council. A separate application is to be made on the prescribed form.

Reason
To protect the scenic quality and character of the locality by controlling the erection of advertising material.

22. The advertising structures shall be finished in natural tones, or other such treatment as may be appropriate to ensure the signs are not intrusive in the rural setting.

Reason
To minimise the visual impact of structures in the landscape.

23. The signs are to be maintained and kept in good order. If the signs fall into disrepair or become visually unacceptable, Council may order the signs be removed.

Reason
To ensure the amenity of the area is not compromised.

24. The signs are not to be illuminated by any form of lighting other than for the provision of uplighting to highlight the name of the school.

Reason
To ensure the amenity of the area is not compromised.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

General

25. The applicant shall submit to the P.C.A. evidence that the requirements of Energy Supplier, the Hunter Water Corporation and telecommunications authorities have been met in regard to the provision of services provided by those authorities to the development. Such evidence shall be submitted to and approved by the P.C.A. prior to release of the Occupation Certificate.

Reason
To ensure that adequate services are provided to each new lot created.

26. Evidence shall be submitted to the P.C.A. that the registered proprietors of the land on whose behalf the application was made have complied with the requirements of Section 50 of the Hunter Water Board (Corporation) Act 1991. Such evidence shall be submitted the P.C.A. prior to the release of the Occupation Certificate.

Reason
To ensure compliance with the Hunter Water Corporation requirements for the supply of water and sewerage to the new lots created.

Access, Car Parking and Loading Arrangements

27. The Registered Proprietors shall construct two (2) reinforced concrete access crossings in Lomas Lane from the kerb and gutter to the property boundary, including a layback in the kerb, in accordance with Council's Engineering Requirements for Development and Australian Standard 2890.1 & 2 with respect to location, size and type of driveway. Full details shall be submitted to and approved by Council prior to release of the s138 Roads Act approval for the works within the road reserve.

Reason
To ensure the provision of safe, adequately defined and properly constructed means of vehicular access from the road to the development.

28. The registered proprietors of the land shall construct the following within Lomas Lane from the intersection of Wine Country Drive for a distance of 300m in accordance with Council's 'Engineering Requirements for Development' and set out on a set of plans, four (4) copies of which are to be submitted to and approved by Council prior to release of the s138 Roads Act approval for the works within the road reserve.

(a) Construct kerb and gutter on both sides of the Lomas Lane to provide a carriageway width of 11 metres
(b) Construct and gravel the full width of Lomas Lane
(c) Place a primer seal and 40mm of asphaltic concrete on Lomas Lane
(d) Topdress and turf the full width of the footways in Lomas Lane
(e) Construct shared concrete cycle path/footpath 2 metres wide and 100 millimetres thick from Wine Country Drive to the eastern vehicle entry
(f) Construct drainage works as required to the satisfaction of Council

Reason
To ensure that adequate and safe all-weather access is available to the development.

29. A full and conclusive structural investigation and report of the existing bridge in Lomas Lane is required to be undertaken by a suitably qualified and experienced Structural Engineer.

The report is to determine the impact of increased water velocity and depth of flows on the bridge directly associated with the development of the site and is to make associated recommendations with respect to the structural adequacy of the bridge to withstand the force of floodwaters and the impact of debris and any requirements for works to strengthen or replace the bridge resulting from the development of the site.

The report is to identify the pre-development flood-free frequency (i.e frequency at which the bridge is flooded) and ensure that this frequency is maintained post development

Provided that Council is satisfied with the detail and accuracy of the Structural Engineer's

Report, the existing Lomas Lane Bridge is to be upgraded consistent with the Structural Engineer's Report recommendations (those recommendations with direct nexus to the development of the site) to the satisfaction of and at no cost to Council. Full details shall be submitted to and approved by Council prior to issue of the Construction Certificate.

Prior to commencement of any works, four (4) copies of the plans are to be submitted to and approved by Council prior to release of the s138 Roads Act approval for the works.

Reason
To ensure public safety for road users.

30. The registered proprietor of the land shall provide structural and hydraulic design details of the proposed road crossings of the watercourses in the development. Such crossings shall be designed and constructed in accordance with Council's 'Engineering Requirements for Development'. The detailed plans, specifications, and copies of the calculations, including existing and proposed surface levels, catchments and conduit sizing appropriate for the development prepared by an engineer suitably qualified and experienced, shall be submitted to and approved by the P.C.A. prior to release of the Construction Certificate for the civil works.

Reason
To ensure public safety for road users.

31. The registered proprietor of the land shall construct the following within Lomas Lane and Wine Country Drive in accordance with Council's 'Engineering Requirements for Development', RTA's *"Road Design Guide"*, Austroads Guidelines and other relevant standards/guidelines to Council's and the RTA requirements, at full cost to the developer.

- Advance intersection warning signs shall be installed to advise drivers of the presence of the intersection of Wine Country Drive/Lomas Lane in accordance with the RTA/Council requirements.

- "Give Way" signs shall be installed on Lomas Lane at the intersection of Wine Country Drive/Lomas Lane.

- Lomas Lane shall be widened/upgraded to Council requirements in accordance with Condition 31, to ensure safe and efficient traffic flow is maintained between Wine Country Drive and the eastern school boundary.

- Road infrastructure associated with the Stage 1 of the proposed development, including school zone signage and pavement markings shall be in accordance with the RTA and Council's requirements.

- A signage and line marking plan shall be prepared and submitted to Council by the applicant for the approval of Council's Local Traffic Committee.

- If an emergency vehicular access is required, to/from Wine Country Drive, it shall be a gravel pavement and gated/locked so that it is used for this purpose only.

- The school boundary shall be fenced and landscaped to prohibit direct pedestrian access to Wine Country Drive.

- All of the above work shall be in accordance with Council requirements and completed under Council supervision.

- All works shall be completed at no cost to the RTA and Council and at full cost to the applicant.

The designs are to be submitted on a set of plans, four (4) copies of which are to be submitted to and approved by the roads authority in accordance with s138 of the Roads Act prior to the commencement of works associated with the intersection within the existing road reserve.

Reason
To ensure the public road facilities are upgraded to an appropriate standard in accordance with the requirements of the Roads and Traffic Authority as a result of additional requirements of the development.

32. On-site car parking shall be provided for a minimum of forty eight (48) vehicles and such being set out generally in accordance with Council's Development Control Plan 2006. Twelve (12) car set down spaces and seven (7) bus set down spaces are also to be provided. Full details shall be submitted to and approved by the P.C.A. prior to release of the Construction Certificate for the buildings.

Reason
To ensure that adequate provision has been made for manoeuvring and parking of vehicles within the development or on the land, to meet the expected demand generated by the development.

33. A minimum of one (1) car parking space shall be designated and signposted for use by disabled persons for the life of the development. Full details shall be submitted to and approved by the P.C.A. prior to release of the Construction Certificate for the buildings.

Reason
To ensure the provision of adequate on-site parking for the disabled.

34. All driveways, bus bays, car set down area, access corridors and car parking areas are to be designed in accordance with AS2890.1 & 2 - Parking Facilities. The bus bays are to have minimum dimensions of 14m x 3.5m. The pedestrian crossings within the internal car parking area are to be raised so as to act as traffic calming devices. The car parking areas shall be constructed as a minimum with a base course of adequate depth to suit design traffic loadings with a sealed surface treatment, graded and drained in accordance with Council's 'Engineering Requirements for Development'.

Reason
To ensure the orderly and efficient use of on-site parking facilities and ensure that adequate provision is made on-site for the loading and unloading of goods.

35. A separate off-street loading/unloading facility with capacity to accommodate the largest delivery vehicle likely to deliver goods to and from the premises shall be provided for all loading and unloading of vehicles wholly within the property. Such facility shall be constructed clear of the car parking area and driveways. Full details shall be submitted to and approved by the P.C.A. prior to release of the Construction Certificate for the buildings.

Reason
To ensure the orderly and efficient use of on-site parking facilities and that loading and unloading of vehicles does not interfere with the use of public footpaths and roadways.

Drainage and Flooding

36. A detailed drainage design for the disposal of surface water from the site, including any natural runoff currently entering the property and connection to the existing drainage system in accordance with Council's 'Engineering Requirements for Development' (available at Council's offices). Such layout shall include existing and proposed surface levels, sub-

catchments and conduit sizing appropriate for the development.

Overland flowpaths are to be provided where necessary through the development. Suitable water quality control devices, bioswales and energy dissipaters are to be implemented in the drainage works.

Full details shall be submitted to and approved by the P.C.A. prior to release of the Construction Certificate for the civil works.

Reason
To ensure that on site stormwater runoff is properly collected and conveyed to an appropriate drainage facility.

37. Any alterations to existing surface levels on the site shall be undertaken in such a manner as to ensure that no additional surface water is drained onto or impounded on adjoining properties. Full details of existing and proposed surface levels shall be submitted to and approved by the P.C.A. prior to release of the Construction Certificate for the civil works.

Reason
To ensure that such alterations to surface levels do not disrupt existing stormwater flows in the vicinity.

38. Prior to the issue of a Construction Certificate, a complete water quality management plan is to be submitted to the PCA. This water quality management plan shall include details of the water sensitive urban design elements; water quality predevelopment, during construction and post development testing and monitoring; and address the relevant items and parameters outlined in the following documents: -

- National Water Quality Management Strategy (NWQMS 1992) prepared by the Australian Government Department of the Environment, Water, Heritage and the Arts and the relevant guidelines in managing key elements of the water cycle.
- Water Quality targets on line prepared by the Australian Government Department of the Environment, Water, Heritage and the Arts.
- Wetlands prepared by the Australian Government Department of the Environment, Water, Heritage and the Arts.
- The NSW Wetlands Management Policy (2000) prepared by the NSW Department of Land and Water Conservation
- The NSW Groundwater Quality Protection Policy (1998) prepared by the NSW Department of Land and Water Conservation
- NSW Water Conservation Strategy (2000) prepared by the NSW Department of Land and Water Conservation
- The Australian and New Zealand water quality guidelines for fresh and marine waters (ANZECC 1992)
- The NSW State Rivers and Estuaries Policy (1993) prepared by NSW Water Resources Council

Reason
To ensure that the development improves the water quality in vicinity of Black Creek.

39. The registered proprietor of the land is to provide stormwater management facilities within the boundaries of the site. A detailed drainage design shall be prepared for the disposal of roof and surface water from the site, including any natural runoff currently entering the property. Details of on-site storage and the method of controlled release from the site and connection to an approved drainage system in accordance with Council's 'Engineering Requirements for Development' and the *"Stormwater Management Plan",* Project No. 301017-00203 dated 12 October 2009 prepared by Worley Parsons.

The stormwater basins shall be constructed using sufficiently impervious material. The upstream batter shall be no steeper than 1:6 (v:h) for safety purposes. The downstream batter shall be no steeper than 1:3 (v:h). The spillway shall be located and sized to handle overflows from major storm events and designed such that the depth of water over the embankment is no more than half the freeboard depth. The spillway shall be suitably design and constructed to prevent scouring and erosion.

The storage basin is to be designed to meet the requirements of the Dams Safety Committee requirements.

The detailed plans, specifications and copies of the calculations, including existing and proposed surface levels, sub-catchments and conduit sizing appropriate for the development are to be prepared by an engineer suitably qualified and experienced in the field of hydrology and hydraulics. Full details shall be submitted to and approved by the P.C.A. prior to release of the Construction Certificate

Note: Construction shall be completed prior to the release of the Occupation Certificate.

Reason
To ensure that the development is adequately drained and will not increase the flood hazard or flood damage to other properties or adversely affect flood behaviour.

40. The applicant shall ensure that the floor level of the proposed buildings are at least 500mm above the level of inundation of the 1 in 100 year flood event and that proposed flood refuge areas are at or above the level of inundation of the PMF event . Evidence to support the determination of the flood level shall be supplied by a suitably qualified professional. Details shall be submitted to and approved by the P.C.A. prior to the release of the Construction Certificate for the building/s.

Reason
To ensure that risk to life and property from inundation by flooding is minimised.

41. The applicant shall prepare a flood emergency and evacuation plan for the proposed development. The plan should advise occupants of flood evacuation procedures and emergency contact telephone numbers. The applicant should contact Council and the Emergency Services for advice in the preparation of the flood emergency and evacuation plan.

The flood emergency and evacuation plan shall be undertaken in accordance with Section 6 of the Worley Parsons Flood Impact Assessment Dated 12-Oct-09 and the Floodplain Development Manual.

The evacuation procedures should be permanently fixed to the building in a prominent location and kept up to date at all times.

The flood emergency and evacuation plan shall be submitted to and approved by the P.C.A. prior to issue of the Construction Certificate.

Reason
To ensure temporary occupants of the accommodation units are aware of the flood hazard and emergency procedures in the event of flood.

Site Works

42. An Earthworks Environmental Management Plan is to be submitted to the P.C.A. prior to the issue of a Construction Certificate for the civil works. The plan is to outline details of any staging of the works to better manage environmental impacts; the type of material to be

used; the compaction testing methods; the type of geotechnical supervision required; and an outline of the landfill and construction procedures to be adhered to minimise any potential environmental impacts. The plan is to make provision for the following engineering work plans:

(a) Site management plan
(b) Construction management plan, including stockpiles, provision of facilities for workers, truck and machinery wash down areas, location and phone number of site office,
(c) Traffic management plan
(d) Waste management plan, including the location of where the waste is to be stored, separated or treated on site and on going management of the plan.
(e) Water management plan, including water quality monitoring before, during and after construction and soil erosion and sediment control management.
(f) Noise and vibration management plan
(g) Soil related impacts
(h) Dust and odour management plan
(i) Acid sulphate soils and salinity management plan
(j) Site rehabilitation and landscaping plan (Landscaping must not exacerbate flooding conditions at the site)

Reason
To reduce the environmental impact on the site during the construction period.

Fencing

43. Prior to the issue of the Construction Certificate, a fully detailed safety and security fencing plan prepared by a suitably qualified person shall be submitted for approval to Council. The safety and security fencing plan shall include the following where relevant: -

a. The plan shall indicate the location, height, setbacks, materials and design of the fence;
b. Existing perimeter fencing of the existing rural land adjoining the proposed school is to be retained;
c. Any fencing proposed across any required floodway or overland flow path shall be of an open mesh with an open area of not less than 80%.
d. Any proposed fencing shall be black in colour, to minimise visual impact.

The fencing must be designed and certified by a structural engineer for structural sufficiency to ensure stability in the site, ground, winds etc.

Reason
To ensure appropriate security fencing is installed.

Vegetation Management Plans

44. Prior to the issue of the Construction Certificate a revegetation and wetland management plan shall be submitted to and approved by the P.C.A. prior to release of the Construction Certificate in accordance with the provisions of the Flora Survey and Assessment, Dated September 2009, written by Eastcoast Flora Survey.

Reason
To ensure the site is revegetated and that wetlands are managed appropriately.

45. Prior to the issue of the Construction Certificate a weed management plan shall be submitted to and approved by the P.C.A. prior to release of the Construction Certificate in accordance with the provisions of the Fauna and Threatened Species Assessment, Dated July 2009, Written by Ecobiological Survey & Assessment.

Reason
To ensure weeds are appropriately managed on-site.

PRIOR TO COMMENCEMENT OF WORKS

Site Works

46. Detailed Bulk Earthworks plans, showing the extent of excavation and/or filling (Contour depth of fill plans) together with details of the method of retaining, draining and stabilising the disturbed areas, construction details, the location of stockpiles, general notes, earthworks notes and geotechnical notes in accordance with the requirements of Council's Engineering Requirements for Development to the satisfaction of the Council

Reason
To determine that satisfactory arrangements have been made to reduce environmental damage.

47. Where the excavation/fill is to be retained by retaining walls, the walls are to be designed by a Practising Structural Engineer. The structural engineer's design shall be submitted to and approved by the P.C.A. prior to issue of the Construction Certificate.

Reason
To ensure adequate provision is made to retain excavations and fill.

48. Topsoil shall only be stripped from approved areas and shall be stockpiled for re-use during site rehabilitation and landscaping. Details shall be submitted to and approved by the P.C.A. prior to release of the Construction Certificate.

Reason
To minimise erosion and silt discharge and ensure valuable topsoil resources are protected.

49. All civil engineering design plans are to be prepared in accordance and meet the requirements of Council's Engineering Requirements for Development and the recommendations in the "Report on Preliminary Geotechnical Investigation, Project No. 493767 dated August 2009 prepared by Douglas Partners and "phase 1 Contamination Assessment" Doc. No. N6052107_RPT_26May09.doc prepared by AECOM.

Reason
To ensure that the site is appropriately filled and the site does not represent an environmental hazard or a danger to public safety and that the remediation works have been completed in a satisfactory manner.

DURING CONSTRUCTION

General

50. If the soil conditions require it:-

(a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided, and

(b) adequate provision must be made for drainage.

Reason
To ensure that the development, when constructed, will comply with the Environmental Planning and Assessment Act, 1979.

51. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:-

(a) stating that unauthorised entry to the work site is prohibited, and

(b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Any such sign is to be removed when the work has been completed.

This clause does not apply to:

(a) building work carried out inside an existing building, or

(b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

Reason
To ensure that the development, when constructed, will comply with the Environmental Planning and Assessment Act, 1979.

52. Toilet facilities are to be provided prior to works commencing, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be a sewage management facility approved by the NSW Department of Health and/or Council and operate in an environmentally responsible manner, free of nuisance or offence, and be appropriately serviced.

Reasons
To ensure that suitable and environmentally sustainable toilet facilities are provided for all persons employed or visiting the site. To ensure that the development, when constructed, will comply with the Environmental Planning and Assessment Act, 1979.

53. Construction, demolition and associated work shall be carried out only between the times stated as follows:-

Mondays to Fridays	7.00a.m. to 6.00p.m.
Saturdays	8.00a.m. to 1.00p.m.
Sundays & Public Holidays	No construction work to take place.

Reason
To ensure that the environmental quality of adjoining land is not adversely affected, such as by the generation of excessive noise levels.

54. A container of at least one (1) cubic metre capacity shall be provided and maintained from the commencement of operations until the completion of the building for the reception and storage of waste generated by the construction of the building and associated waste.

Reason
To ensure that waste generated by the building works is contained and does not pollute the surrounding environment.

55. All building materials, plant and equipment is to be placed on the building site. Building materials, plant and equipment (including water closets), are not to be placed on footpaths, roadways, public reserves etc.

Reason
To ensure pedestrian and vehicular access is not restricted in public places.

56. The registered proprietor of the land shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. Council and other service authorities should be contacted for specific requirements prior to commencement of any works.

Reason
To ensure that any required alterations to utility infrastructure are undertaken to acceptable standards at the developer's cost.

Building Construction

57. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards.

Reason
To ensure that all excavations on the site are maintained in a safe condition.

58. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

Reason
To ensure that all excavations on the site are maintained in a safe condition.

Site Works

59. All filling and construction works are to be undertaken in accordance with the requirements outlined in the Earthworks Environmental Management Plan.

The Earthworks Environmental Management Plan outlines the site management plan, construction management plan, traffic management plan, waste management plan, water management plan, noise and vibration management plan, soil related impacts, dust and odour management plan, acid sulphate soils and salinity management plan and site rehabilitation and landscaping plan that are to be implemented and adhered to during the works.

The principal contractor is to familiarise themselves with the Earthworks Environmental Management Plan and a copy of the document is to remain on site at all times.

Reason
To reduce the environmental impact on the site during the construction period.

60. All reasonable measures shall be taken to protect all vegetation on the site from damage during construction. All useable trees and shrubs shall be salvaged for re-use, either in log form, or as woodchip mulch for erosion control or site rehabilitation.

Reason
To protect the landscape and scenic quality of the locality, to maintain ground surface stability and to ensure sensitive management of vegetation and other natural resources.

61. The control of erosion and the prevention of silt discharge into drainage systems and waterways will be necessary in accordance with Council's "Engineering Requirements for Development", Department of Conservation and Land Management's 'Urban Erosion and Sediment Control' requirements and the Department of Housing 'Soil and Water

Management for Urban Developments'. Erosion control measures are to be implemented prior to the commencement of any earthworks and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas.

Reason
To ensure protection of the environment by minimising erosion and sediment.

62. No obstruction is to be caused to Council's or RTA's footpaths, roads and/or other public area during construction of the development.

No spoil, building materials, excavated or demolition material from the site shall be stored or deposited on the public road, footpath, public place or Council owned property, without prior approval of Council.

Reason
To ensure that construction activity does not interfere with the orderly use of public footpaths, roads or places, or Council owned property.

63. All engineered fill shall be placed in accordance with Council's 'Engineering Requirements for Development' and Australian Standard AS 3798 'Guidelines on Earthworks for Commercial and Residential Developments' and as follows:-

The minimum gradient on the fill shall be 1.5% and shall be graded away from adjoining lots and to ensure no ponding. The fill shall be contained wholly within the subject site and shall be battered at a maximum grade of 1 in 4 to match existing ground levels.

The fill is to be controlled by compaction testing which is to be carried out in accordance with AS 1289 for controlled filling. Testing is to be carried out by a NATA registered laboratory and copies of the test certificate clearly indicating the location of each test and the laboratory's certificate, shall be forwarded for approval prior to Compliance Certificate.

Approved fill beneath roads should be placed in layers not exceeding 200mm loose thickness and compacted to a minimum density ratio of 95% Standard Compaction (AS1289-5.1.1 or equivalent), within a range of $\pm$2% of standard Optimum Moisture Content.

The fill shall be certified by a Geotechnical Engineer as being in compliance with AS 3798 and site levels shall be certified by a Registered Surveyor prior to the issue of a Occupation Certificate.

Reason
To ensure that the lots are filled to a level as approved by this consent and to minimise flood damage on adjoining lots.

64. Earthworks and filling shall not be placed in such a manner that natural drainage from adjoining land will be obstructed.

Reason
To ensure that filling placed on land does not affect natural drainage.

65. Filling shall not be placed on land in such a manner that surface water will be diverted to adjoining land.

Reason
To ensure that site works do not result in water being diverted onto adjoining land.

66. Prior to the commencement of the bulk earthworks, the proposed development areas should be stripped to remove all vegetation approved for clearing, topsoil and root affected or other

potentially deleterious material. Following stripping the exposed subgrade soils should be proof rolled to highlight wet, cohesive or excessively deflecting material. All such areas should be over-excavated and backfilled with approved clean site fill.

Reason
To ensure that fill is placed in accordance with relevant standards.

Scheduling Of Inspections

67. The applicant is to advise Council at least 48 hours prior to commencement of any construction works within the Lomas Lane road reserve, together with the approved contractor's name and address.

Reason
To enable orderly scheduling of inspections

PRIOR TO OCCUPATION

General

68. Prior to the issue of an Occupation Certificate the applicant shall provide Council with appropriate certification to confirm that all of the building, other works and associated development have been constructed strictly in accordance with the provisions of the Development Consent and Construction Certificate.

Reason
To ensure that the building and other works have been constructed in accordance with the Development consent and Construction Certificate prior to the issue of the Occupation Certificate and use of the building.

69. Occupation or use of premises for the purposes approved by this consent shall not commence until all conditions of this consent have been complied with and the Occupation Certificate has been issued.

Reason
To ensure compliance with the provisions of the Environmental Planning and Assessment Act, 1979, and Council's terms of consent

70. The applicant shall provide the P.C.A. with an Engineering Certificate from a suitably qualified and experienced geotechnical and civil engineer, which confirms that the civil engineering works and associated development have been constructed strictly in accordance with the provisions of the Development Consent and Construction Certificate.

Reason
To ensure that the civil engineering works have been constructed in accordance with the Development Consent and Construction Certificate.

71. The excavated and/or filled areas of the site are to stabilised and drained to prevent scouring onto adjacent private or public property. The finished ground around the perimeter of the earthworks and filling is to be graded to prevent ponding of water and to ensure the free flow of water away from adjoining properties.

Reason
To reduce the risk of environmental and building damage.

72. The registered proprietor of the land shall construct the works within Lomas Lane and erect all required signage on Wine Country Drive in accordance with Council’s ‘Engineering

Requirements for Development' and the Roads and Traffic Authority requirements. The works are to be completed and accepted by the Roads authority prior to the issue of an Occupation Certificate.

Reason
To ensure the public road facilities are upgraded to an appropriate standard prior to operation of the School.

Access, Car Parking and Loading Arrangements

73. All parking and loading bays shall be permanently marked out on the pavement surface, with loading bays and visitor parking facilities shall be clearly indicated by signs prior to occupation of the building and for the life of the development.

Reason
To encourage the use of the proposed on-site car parking facilities and thereby minimise kerbside parking in the adjacent public road as a result of the proposed development.

Drainage and Flooding

74. The registered proprietor of the land shall submit a report and a works-as-executed (WAE) drawing of the stormwater basin(s) and stormwater drainage system. The WAE drawings shall be prepared by a registered surveyor and shall indicate the following as applicable:

* invert levels of tanks, pits and pipes
* surface levels of pits and surrounding ground and road levels
* levels of spillways, embankments, crest width, freeboard, top water level for permanent and temporary water storage
* dimensions of stormwater basins and extent of inundation
* calculation of actual storage volume provided

The plan shall be accompanied by a report from the designer stating the conformance or otherwise of the as constructed basins in relation to the approved design.

The WAE plan and report shall be submitted to and approved by the P.C.A. prior to the issue of a Occupation Certificate.

Reason
To ensure the stormwater detention system has been constructed in accordance with the design plans.

75. A flood marker sign of durable material indicating the level of the 1 in 100 year ARI flood event, shall be permanently installed such that it is visible to students, staff and visitors. The level indicated by the sign shall be certified by a Registered Surveyor. Evidence of such certification shall be submitted to the P.C.A. prior to the issue of Occupation Certificate.

Reason
To ensure the community are aware of the potential flood hazard.

76. The registered proprietor of the land shall prepare a Plan of Management for the stormwater facilities within the development. The Plan of Management shall set out all design and operational parameters for the stormwater facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements and time intervals for such inspection and maintenance. The plan shall be submitted to and approved by the P.C.A. for approval prior to the issue of an Occupation Certificate.

Reason

To ensure the on-going maintenance and operation of the on-site stormwater detention facilities in accordance with the approved design.

77. The registered proprietors of the whole of the land shall, prior to endorsement and release of the Occupation Certificate at their costs and expense, enter a positive covenant over all of the land comprised in the development providing as follows:-

a) Covenanting with the Council (the prescribed Authority) to at all times at their costs maintain, repair and keep the stormwater facilities in a good and safe condition and state of repair in accordance with the approved design to the reasonable satisfaction at all times of the said Council having due regard to the Plan of Management for the operation and maintenance of the stormwater facilities in accordance with Condition No 76, and

b) Providing that the liability under the said Covenant will jointly and severally bind the registered proprietors of the proposed buildings, and

c) Providing that the Cessnock City Council (the prescribed Authority) will be the person entitled to release or modify the Covenant.

All costs associated with the Covenant, including any legal costs payable by Council, are to be paid by the owner on whose behalf the applicant has lodged the application.

Reason
To ensure that on-site stormwater detention facilities are maintained to an appropriate standard.

78. A plan of consolidation of Lot 1 DP 126765 & Lot 1 DP 744377 shall be submitted to Council prior to release of the Construction Certificate. The final plan of consolidation shall be approved by Council prior to the issue of a Subdivision Certificate, and shall be registered at the Land Titles office, Sydney, prior to issue of the Occupation Certificate.

Reason
To ensure that the proposed development is managed as a single entity by the owner or owners.

Fencing

79. Prior to the issue of the Occupation Certificate and use of the educational establishment, the proposed fencing is to be installed in accordance with the safety and security fencing plan detailed in Condition 47 issued as part of the Construction Certificate.

Reason
To ensure appropriate security fencing is installed around the educational establishment.

POST OCCUPATION OPERATIONAL REQUIREMENTS

Health

80. Upon commencement of trading, as part of Council's Regulated Premises audit program, all business involved in the sale of food at this site are required to be listed on Council's Regulated Premises Register and will be subject to an annual registration/renewal fee each financial year and inspections fees when inspections are conducted by Council's Environmental Health Officers.

Reason
To ensure compliance with the provisions of the Public Health Act of 1991, Food Act 2003

and Food Regulation 2004, Food Standards Code and broadly that all public health, food handling and safety practices, and environmental issues are being addressed.

81. A designated cupboard or locker is to be provided for the storage of staff clothing and personal belongings.

Reason
To prevent the risk of cross contamination of food products and food preparation areas.

Fauna Management

82. The use of insecticides and herbicides on-site is to be avoided to retain the integrity of the surrounding habitat for insectivorous Microchiropteran bats, Large Forest Owls and amphibian species.

Reason
To ensure the impact upon native fauna is minimised.

ADVICE

General

1. If Council is appointed as the P.C.A., the applicant is advised that an engineering plan checking and site supervision fee for the driveways, bus bays and car parking area of $1,552.00 is payable prior to release of the Construction Certificate for the civil works.

Reason
To meet costs associated with the approval of engineering plans and inspection of construction works.

2. The applicant shall lodge payment of fees and contributions as follows:-

Based on a road length of approximately 300 metres in Lomas Lane. Final bond amounts will be levied on accurate dimensions contained within the engineering plans.

(i) Road fees - engineering plan checking and supervision of $10,288.00.
(ii) A performance bond of a minimum of $1000 or 5% of the contract construction costs, whichever is greater (transferable).
(iii) A road maintenance bond of a minimum of $1000 or 5% of the contract construction costs, whichever is greater (refundable).

It will be necessary for the applicant to submit evidence of the contract price of all construction works in order for Council to assess accurate bond amounts. If no contract price is submitted, Council will estimate the value of construction works.

The fees and bonds shall be payable prior to release of the s138 Roads Act approval for the works within the road reserve and shall be in accordance with Council's adopted fees and charges current at the time of payment.

Reason
To meet costs associated with the approval of engineering plans and inspection of construction works.

SCHEDULE 2 – FOR STAGE 1

Integrated Approvals

NSW Rural Fire Service
Section 100B of the Rural Fires Act 1997

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building.

1. At the commencement of building works and in perpetuity the property around any building used for administration purposes only to a distance of 30 metres, shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

2. At the commencement of building works and in perpetuity the property around any building in grassland areas to a distance of 10 metres, shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants.

3. At the commencement of building works and in perpetuity the property around the school buildings (other than administration buildings, and class 10 structures) to a distance of 40 metres, shall be maintained as an inner protection area (IPA) and a further 20 metres as an outer protection area (OPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

4. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area.

5. Internal roads shall comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments.

6. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack.

7. Structure and shade materials in the inner protection area shall be non-combustible or have a Flammability Index of no greater than 5 when tested in accordance with Australian Standard AS1530.2-1993 'Methods for Fire Tests on Building Materials, Components and Structures - Test for Flammability of Materials'.

8. Any New construction for SFPP buildings between 60 and 100 metres from Category 1 vegetation shall comply with Australian Standard AS3959-1999 'Construction of buildings in bush fire-prone areas' Level 1.

9. Any New construction for administration buildings shall be built to the appropriate building level depending on its distance from Category 1 vegetation in accordance with Table A3.3 in ''Planning for Bush Fire Protection 2006' and comply with Australian Standard AS3959-1999 'Construction of buildings in bush fire-prone areas'.

10. All proposed Class 10 structures as defined per the 'Building Code of Australia' 2006 attached to or within 10 metres of the habitable building shall comply with Australian Standard AS3959-1999 'Construction of buildings in bush fire-prone areas' for the same level as that building.

Department of Environment, Climate Change and Water
Section 90 of the National Parks and Wildlife Act 1974

1. The applicant must apply for an Aboriginal Heritage Impact Permit in accordance with the National Parks & Wildlife Act 1974 (NPW Act), prior to disturbing, damaging or destroying Aboriginal objects that occur on the land which is the subject of the development application.

2. An application for an AHIMS Care & Control Permit must be lodged along with any application for an Aboriginal Heritage Impact Permit (issued under NPW Act). The applicant must provide evidence of the support or otherwise of all registered Aboriginal stakeholder groups with any application for a care and control agreement.

3. If human remains are located during the project, all works must halt in the immediate area to prevent any further impacts to the find or finds. The NSW Police, the Aboriginal community and DECCW are to be notified. If the remains are found to of Aboriginal origin and the police consider the site not an investigation site for criminal activities, DECCW should be contacted and notified of the situation and works are not to resume in the designated area until approval in writing is provided by DECCW. In the event that a criminal investigation ensues works are not to resume in the designated area until approval in writing from the NSW Police and DECCW.

4. If Aboriginal cultural objects are uncovered due to the development activities, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified

archaeologist and Aboriginal community representatives must be contacted to determine the significance of the object(s). The site is to be registered in the AHIMS (managed by DECCW) and the management outcome for the site included in the information provided to the AHIMS. It is recommended that the Aboriginal community representatives are consulted in developing and implementing management strategies for all sites, with all information required for informed consent being given to the representatives for this purpose.

5. The applicant must continue to consult with and involve Aboriginal representatives for the project, in the ongoing management of the Aboriginal cultural heritage values.

6. An Aboriginal Heritage Awareness Training Program must be developed for the induction of personnel and contractors involved in the construction activities on site. The program should be developed in collaboration with the Aboriginal community.