

Conditions 629/2012/JP

GENERAL MATTERS

1. Development in Accordance with Submitted Plans

The development being carried out in accordance with the following approved plans and details, stamped and returned with this consent except where amended by other conditions of consent.

REFERENCED PLANS AND DOCUMENTS

DRAWING NO.	DESCRIPTION	SHEET	DATE
DA01	Cover Sheet	1 of 8, Amendment A	02.12.11
DA02	Overall Site Plan and Staging Plan	2 of 8, Amendment D	02.12.11
DA03	Part Site Plan and Roof Plan	3 of 8, Amendment A	02.12.11
DA04	School – Ground Floor Plan	4 of 8, Amendment A	02.12.11
DA05	School – First Floor Plan	5 of 8, Amendment A	02.12.11
DA06	School – Elevations and Sections	6 of 8, Amendment A	02.12.11
DA07	Kindergarten – Plans, Elevations and Sections	7 of 8, Amendment A	02.12.11
DA08	Shadow Diagrams	8 of 8, Amendment A	02.12.11
34382DT	Plan of Detail and Level	Sheet 1 of 2 Sheets	10-10-11
34382DT	Plan of Detail and Level	Sheet 2 of 2 Sheets	10-10-11
LD.01	DA Landscape Plan	Issue B	Dec 2011

No work (including excavation, land fill or earth reshaping) shall be undertaken prior to the issue of the Construction Certificate, where a Construction Certificate is required.

2. Staff and Student Numbers

The staff and student numbers are limited to a maximum of 630 students and 37 staff. Any increase to the staff and student numbers will require the further consent of Council.

3. Concurrent Use of the Church and School

- Funerals held within the church are to be limited to between 10am to 2pm on weekdays, where possible.
- Should a funeral be held before 10am and after 2pm or overlap these times, carparking may occur on the school oval.
- Should any activity be held at the church during school hours that exceeds 200 persons, carparking may occur on the school oval. During these activities a traffic control person must be in attendance to ensure that carparking is carried out in a safe manner.

4. Provision of Parking Spaces

The development is required to be provided with 100 off-street car parking spaces. These car parking spaces shall be available for off street parking at all times.

5. Bicycle Racks

The provision and maintenance thereafter of a rack to hold minimum of 35 bicycles.

6. External Finishes

External finishes and colours shall be in accordance with the details submitted with the development application and approved with this consent.

7. Roads and Maritime Services Requirements

The following conditions are required by the Roads and Maritime Service or as otherwise agreed by the Roads and Maritime Service and Council in writing:

- (a) A significant number of vehicles and pedestrians will access the site at the start and end of the school day. School Zones accompanied by flashing lights must be installed along all roads with a direct access point (either pedestrian or vehicular) from the school. School Zones must not be provided along roads adjacent to the school without a direct access point.

Roads and Maritime Services (RMS) is responsible for speed management along all public roads within the state of New South Wales. Therefore, the applicant must obtain written authorisation from RMS to install the School Zone signs and associated pavement markings and/or remove/relocate any existing Speed Limit signs.

To obtain authorisation the Developer must submit the following, at least six (6) weeks prior to student occupation of the site, for review and approval by the RMS:

- a) A copy of Council's development conditions of consent,
- b) The proposed school commencement / opening date,
- c) Two (2) sets of detailed design plans showing the following:
 - School property boundaries.
 - All adjacent road carriageways to the school property.
 - All proposed school access points to the public road network and any conditions imposed/proposed on their use.
 - All existing and proposed pedestrian crossing facilities on the adjacent road Network.
 - All existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings).
 - All existing and proposed street furniture and street trees.
- (b) School Zone signs, flashing lights and pavement marking patches must be installed in accordance with RMS's approval / authorisation, guidelines and specifications.
- (c) All School Zone signs and pavement markings must be installed prior to student occupation of the site.
- (d) All School Zone signs, flashing lights and pavement markings are to be installed at no expense to the RMS.
- (e) The Developer must maintain records of all dates in relation to installing, altering, removing traffic control devices related to speed.
- (f) Following installation of all School Zone signs and pavement markings the Developer must arrange an inspection with the RMS for formal handover of the assets to the RMS. The installation date information must also be provided to the RMS at the same time.

Note: Until the assets are formally handed -over and accepted by the RMS, the RMS takes no responsibility of the School Zones / assets.

- (g) A Demolition and Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council, for approval, prior to the issue of a construction certificate.
- (h) All works associated with the proposed development are to be at no cost to the RMS.

8. Police Requirements

The following conditions are required by the NSW Police Service or as otherwise agreed by the NSW Police and Council in writing:

- (a) Lighting is required to meet the meet minimum Australian standards. Effective lighting contributes to safety by improving visibility, increasing the chance that offenders can be detected and decreasing fear.
- (b) Landscape works are to be maintained at all times to ensure that adequate sight lines are available to reduce opportunity for concealment and entrapment.
- (c) Many graffiti vandals favour porous building surfaces, as 'tags' are difficult to remove and often a ghost image will remain even after cleaning. Easily damaged building materials may be less expensive to purchase initially, but their susceptibility to vandalism can make them a costly proposition in the long term, particularly in at-risk areas. These matters should be considered when selecting materials for construction of the school buildings.
- (d) The site is to be maintained at all times, including repair of vandalism and graffiti, the replacement of lighting and general site cleanliness.
- (e) Security cameras are to be used within the school. The cameras are to particularly monitor the atrium, entry and exit points and the centre paved areas.
Police also suggest the use of motion sensor back-to-base alarms.
- (f) Public entry and exit points to the school are to be clearly marked. All areas of the school not open to the public are to be clearly signposted.
- (g) Security sensor lights and monitoring by a security company are to be utilised while construction is occurring.

9. Compliance with NSW Rural Fire Service Requirements

Compliance with the requirements of the NSW Rural Fire Service attached as Appendix 1 to this consent.

10. Separate application for signs

A separate application is to be submitted to, and approved by, Council prior to the erection of any advertisements or advertising structures.

11. Planting Requirements

All trees planted as part of the approved landscape plan are to be minimum 75 litre pot size. All shrubs planted as part of the approved landscape plan are to be minimum 200mm pot size. Groundcovers are to be planted at 5/m².

Casuarina glauca (Swamp She Oak) is to be replaced with Eucalyptus mollucana (Grey Box)

12. Tree/s to be retained

To maintain the treed environment of the Shire, all trees shown with solid outline on Landscape Plan prepared by Lorna Harrison Pty Ltd amendment B dated 10/02/12 are to be retained and protected during all works.

13. Tree Removal

Approval is granted for the removal of two (2) 'Callistemon species' trees as shown with broken outline on Landscape Plan prepared by Lorna Harrison Pty Ltd amendment B dated 10/02/12.

14. Protection of Public Infrastructure

Council must be notified of any damage to public infrastructure caused by the development. Adequate protection must be provided prior to work commencing and maintained during building operations. Any damage caused must be made good, to the satisfaction of Council, before an Occupation Certificate can be issued. Public infrastructure includes the road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the site.

15. Vehicular Access and Parking

The formation, surfacing and drainage of all driveways, parking modules, circulation roadways and ramps is required, with their design and construction complying with:

- a) AS/ NZS 2890.1:2004
- b) AS/ NZS 2890.6:2009
- c) AS 2890.2:2002
- d) DCP Part D Section 1 – Parking
- e) Council's Driveway Specifications

Where conflict exists the Australian Standard must be used.

The following must be provided:

- i. All driveways and car parking areas must be prominently and permanently line marked, signposted and maintained to ensure entry and exit is in a forward direction at all times and that parking and traffic circulation is appropriately controlled.
- ii. All driveways and car parking areas must be separated from landscaped areas by a low level concrete kerb or wall.
- iii. In urban areas, all driveways and car parking areas must be concrete or bitumen. The pavement design must consider the largest design service vehicle expected to enter the site.
- iv. All driveways and car parking areas must be graded, collected and drained by pits and pipes to a suitable point of legal discharge.

16. Minor Engineering Works

The design and construction of the engineering works listed below must be provided for in accordance with the following documents and requirements:

- a) Council's Design Guidelines Subdivisions/ Developments
- b) Council's Works Specifications Subdivisions/ Developments

Any variance from these documents requires separate approval from Council.

Works on existing public roads or any other land under the care and control of Council must be approved and inspected by Council in accordance with the Roads Act 1993 or the Local Government Act 1993.

i. Developed Site Stormwater Drainage

The entire developed site area must be graded, collected and drained by pits and pipes to a suitable point of legal discharge based on a 1 in 10 year ARI storm event.

17. Upgrading of Existing Water and Sewerage Services

Should the development necessitate the installation or upgrade of water or sewerage services within an area that is either heavily vegetated or traversed by a natural watercourse, services must be located in a route that causes the least amount of impact on the natural environment. Excavation by hand or small machinery is required where the ecological impact would otherwise be considered excessive.

18. Construction Certificate

Prior to construction of the approved development, it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or an Accredited Certifier. Plans submitted with the Construction Certificate are to be amended if necessary to incorporate the conditions of the Development Consent.

19. Building Work to be in Accordance with BCA

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

20. Construction and Fit-out of Food Premises

To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, all work involving construction or fitting out of the premises shall comply with the requirements of Australian Standard AS 4674-2004 – Design, construction and fit-out of food premises and the provisions of the Food Safety Standards Code (Australia).

Note: Copies of AS 4674-2004 may be obtained from SAI Global on telephone 1300 654 646 or by visiting the website: www.saiglobal.com

Copies of the Food Safety Standards Code (Australia) may be obtained by contacting the Food Standards Australia New Zealand Authority on Telephone: (02) 6271-2222, or by visiting the website: www.foodstandards.gov.au.

21. Adherence to Approved Waste Management Plan

The Waste Management Plan submitted to and approved by Council must be adhered to at all stages in the demolition/construction/design of facilities and on-going use phases. All waste material nominated for recycling must be reused or recycled. Any material moved offsite is to be transported in accordance with the requirements of the Protection of the Environment Operations Act (1997) and only to a place that can lawfully be used as a waste facility. Dockets/receipts verifying recycling/disposal must be kept and presented to Council when required.

22. Waste Storage and Separation - Construction and Demolition

The reuse and recycling of waste materials must be maximised during construction and demolition. The separation and recycling of the following waste materials is required:

- 1) masonry products (bricks, concrete, concrete roof tiles) to be sent for crushing/recycling;
- 2) timber waste to be separated and sent for recycling;
- 3) metals to be separated and sent for recycling;
- 4) clean waste plasterboard to be returned to the supplier for recycling (excluding plasterboard from demolition); and
- 5) mixed waste (plastic wrapping, cardboard etc) to be sent to a licenced recycling or disposal facility

This can be achieved by constructing a minimum of five trade waste compounds on-site. Each waste compound must be adequately sized to enclose the waste. Alternatively, mixed waste may be stored in one or more adequately sized waste compounds and sent to a waste contractor/waste facility that will sort the waste on their site for recycling. Waste must be adequately secured and contained within designated waste areas and must not leave the site onto neighbouring public or private properties. Personal waste must not litter the site. Copies of actual weighbridge receipts verifying recycling/disposal must be kept and presented to Council when required.

23. Garbage Collection

Collection of waste and recycling material, generated by the premises, must not cause nuisance or interference with the amenity of the surrounding area.

PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE

24. Landscape Bond

To ensure the public amenity of the streetscape a landscape bond in the amount of \$30,000.00 is to be lodged with Council prior to the issue of the Construction Certificate. It shall be refunded 6 months following the issue of the Final Occupation Certificate and the submission to Council of certification from a qualified Landscape Architect or Council's Tree Management Team that the works have been carried out in accordance with the approved landscape plan.

25. Notice of Requirements

The submission of documentary evidence to the Certifying Authority, including a Notice of Requirements, from Sydney Water Corporation confirming that satisfactory arrangements have been made for the provision of water and sewerage facilities.

[Following an application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water / sewer extensions can be time consuming and may impact on other services and building, driveway and landscape design.]

26. Security Bond – Pavement and Public Asset Protection

In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, a security bond of \$62,400 is required to be submitted to Council to guarantee the protection of the adjacent road pavement and public assets during construction works. The above amount is calculated at the rate of \$30.00 per square metre based on the public road frontage of the subject site (130m) and the width of the road measured from face of kerb on both sides (16m). The minimum bond amount is \$10,000.00.

The bond must be lodged with Council prior to the issue of a Construction Certificate.

The value of this bond shall be confirmed with Council prior to submission and may be in the form of cash or an unconditional bank guarantee. The bond is refundable upon written application to Council along with payment of the applicable bond release fee, and is subject to all work being restored to Council's satisfaction. Should the cost of restoring any damage exceed the value of the bond, Council will undertake the works and issue an invoice for the recovery of these remaining costs.

27. Bank Guarantee Requirements (Development)

Should a bank guarantee be the proposed method of submitting a security bond it must:

- a) Have no expiry date;
- b) Be forwarded direct from the issuing bank with a cover letter that refers to Development Consent DA 629/2012/JP;
- c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen days prior to such action being taken. No bank guarantee will be accepted that has been issued directly by the applicant.

PRIOR TO WORK COMMENCING ON THE SITE

28. Protection of Existing Trees

The trees that are to be retained are to be protected during all works strictly in accordance with AS4970-2009 Protection of Trees on Development Sites. At a minimum a 1.8m high chainwire fencing is to be erected at least three (3) metres from the base of each tree or group of trees and is to be in place prior to works commencing to restrict the following occurring:

- Stockpiling of materials within the root protection zone,
- Placement of fill within the root protection zone,
- Parking of vehicles within the root protection zone,
- Compaction of soil within the root protection zone.

All areas within the root protection zone are to be mulched with composted leaf mulch to a depth of not less than 100mm.

The installation of services within the root protection zone is not to be undertaken without consultation with Council's Tree Management Officer.

29. Pre-Construction Public Infrastructure Dilapidation Report

A public infrastructure inventory report must be prepared and submitted to Council recording the condition of all public assets in the direct vicinity of the development site. The report shall include:

- a) Designated construction access and delivery routes; and
- b) Photographic evidence of the condition of all public assets. The report shall clearly identify the date of recording.

30. Notification

Two days before work commences, Council shall be notified of the Principal Certifying Authority in accordance with Form 7 of the Environmental Planning and Assessment Regulations 2000.

31. Principal Certifying Authority

A sign is to be erected in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000.

32. Erosion and Sedimentation Controls

Erosion and sedimentation controls shall be in place prior to the commencement of site works; and maintained throughout construction activities until the site is landscaped and/or suitably revegetated. The controls shall be in accordance with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (Blue Book).

33. Stabilised Access Point

A stabilised all weather access point is to be provided prior to commencement of site works, and maintained throughout construction activities until the site is stabilised. The controls shall be in accordance with the requirements with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with Managing Urban Stormwater – Soils and Construction produced by the NSW Department of Housing (Blue Book).

34. Stormwater Management

All existing stormwater pits to the site will be covered with geofabric sediment fencing to prevent sediment runoff into the stormwater system. To prevent sediment contamination the filters will be regularly inspected and replaced during the duration of the works.

DURING CONSTRUCTION

35. National Parks and Wildlife Act 1974

Should any artefacts be uncovered in the course of any works, all works should cease and comply with Part 6 of the National Parks and Wildlife Act 1974, in particular section 90 regarding permits to destroy.

36. European Sites or Relics

If, during the earthworks, any evidence of a European archaeological site or relic is found, all works on the site are to cease and the Office of Environment and Heritage be contacted immediately. All relics are to be retained in situ unless otherwise directed by the Office of Environment and Heritage.

37. Aboriginal Archaeological Sites or Relics

~~If, during activities involving earthworks and soil disturbance, any evidence of an Aboriginal archaeological site or relic is found, all works on the site are to cease and the Office of Environment and Heritage must be notified immediately.~~

37. Hours of Work

Work on the project to be limited to the following hours: -

Monday to Saturday - 7.00am to 5.00pm;

No work to be carried out on Sunday or Public Holidays.

The builder/contractor shall be responsible to instruct and control sub-contractors regarding the hours of work. Council will exercise its powers under the Protection of the Environment Operations Act, in the event that the building operations cause offensive noise. ~~to emanate from the property on Sunday or Public Holidays or otherwise than between the hours detailed above.~~

38. Compliance with Critical Stage Inspections and Other Inspections Nominated by the Principal Certifying Authority

Section 109E(d) of the Environmental Planning and Assessment Act 1979 requires certain specific inspections (prescribed by Clause 162A of the Regulations) and known as "Critical Stage Inspections" to be carried out for building work. Prior to permitting commencement of the work, your Principal Certifying Authority is required to give notice of these inspections pursuant to Clause 103A of the Environmental Planning and Assessment Regulation 2000.

N.B. An Occupation Certificate cannot be issued and the building may not be able to be used or occupied where any mandatory critical stage inspections or other inspections required by the Principal Certifying Authority are not carried out.

Where Council is nominated as Principal Certifying Authority, notification of all inspections required is provided with the Construction Certificate approval.

NOTE: You are advised that inspections may only be carried out by the PCA unless by prior agreement of the PCA and subject to that person being an accredited certifier.

39. Stockpiles

Stockpiles of topsoil, sand, aggregate or other material capable of being moved by water shall be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

40. Coving in Food Premises

The intersection of floors with walls and exposed plinths in food preparation, storage and serving areas are to be coved.

Coving is defined as a concave curve at the junction of two surfaces with the radius of the curve to be no less than 25mm.

Coving to all vertical junctions shall be an impervious material such as epoxy resin or ceramic tiles.

41. Walls and Partitions in Food Premises

All walls are to be solid construction.

Solid construction is defined as brick, concrete blocks, structural fibrous cement or performed panels that are filled with suitable material.

42. Hand Wash Basin/s in Food Premises

Taps that only operate hands free shall be provided to all hand wash basins. Hand wash basins must be located within five (5) metres of where food handlers are handling open food.

Hand wash basins shall be located at staff entrance to areas where open food is handled and shall be at bench height either permanently fixed to wall to a supporting frame or set in a bench top.

43. Pipes and Conduits in Food Premises

Pipes and conduits adjacent to walls are to be set 25mm minimum off wall face with brackets.

Pipes and conduits entering floors, walls or ceilings are to be fitted with a flange and all gaps fully sealed.

44. Mechanical ventilation in Food Premises

Exhaust hoods are to be of a stainless steel construction with an internal 50mm x 50mm gutter and unscrewable drainage plug at one corner.

Exhaust hoods are to have removable grease filters for cleaning.

Documentation shall be submitted to the certifying authority that the ventilation system has been installed and is operating in accordance with

AS/NZS 1668.1:1998 – The use of ventilation and air conditioning in buildings – Fire and smoke control in multi-compartment buildings; and

AS/NZS 1668.2:2002 – The use of ventilation and air conditioning in buildings – ventilation design for indoor air contaminant control.

PRIOR TO ISSUE OF A OCCUPATION CERTIFICATE

45. Compliance with Requirements of Development Consent

Compliance with all conditions of approval of the Development Consent on the subject property.

46. Landscaping Prior to Issue of Occupation Certificate

The landscaping of the site shall be carried out prior to issue of the Final Occupation Certificate in accordance with the approved plan. All landscaping is to be maintained at all times in accordance with BHDGP Part D, Section 3 – Landscaping and the approved plan.

47. Section 73 Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Development and Plumbing section of the web site www.sydneywater.com.au and then refer to Water Servicing Co-ordinator under "Developing Your Land" or telephone 13 20 92 for assistance.

48. Completion of Engineering Works

An Occupation Certificate must not be issued prior to the completion of all engineering works covered by this consent, in accordance with this consent.

49. Post Construction Public Infrastructure Dilapidation Report

Before an Occupation Certificate is issued, an updated public infrastructure inventory report must be prepared and submitted to Council. The updated report must identify any damage to public assets in the direct vicinity of the development site and the means of rectification for the approval of Council.

50. Interim Fire Safety Certificate

An Interim Fire Safety Certificate must be issued prior to the issue of an Interim Occupation Certificate to use or change the use of a building, except in the case of a Class 1a or Class 10 building(s).

51. Food Shop Registration requirements

Occupation of the premises shall not occur until:

- a) The food business is registered with Council by completing and submitting the Registration of Food Business form available from Council's website; and
- b) Notification to the NSW Food Authority under Food Safety Standard 3.2.2 Division 2 Section 4 Notification is completed. This requirement is to be met by notifying through the following website www.foodnotify.nsw.gov.au

Evidence of notification is to be submitted to Council prior to commencement of business.

52. Food Premises Final Inspection

Prior to the issuing of an Occupation Certificate, the food premises shall be inspected by an authorised officer of The Hills Shire Council under the Food Act 2003, to determine compliance with the *Food Act 2003, Food Safety Standards and Australian Standard 4674:2004: Design Construction and Fit-out of Food Premises*.

THE USE OF THE SITE

53. Security Screens/Locking Devices (Fire Safety)

All required fire exits or paths of travel to an exit shall not be fitted with security screens and/or locking devices that will impede safe egress of the building occupants and visitors without prior consent from Council.

54. No Obstruction to Path of Travel

The placement of storage racks, cabinets, floor stock, pallets or the like, shall not obstruct any path of travel to an exit nor the efficient operation and effective coverage of any fire hose reel, fire hydrant, fire extinguisher or other essential fire safety measures.

55. Offensive Noise

The use of the premises, building services, equipment, machinery and ancillary fittings shall not give rise to "offensive noise" as defined under the provisions of the *Protection of the Environment Operation Act 1997*.

56. Noise to Surrounding Area

There shall be no amplified music or speakers external to the building.

57. Soap and Towels Adjacent to Hand Wash Basins – Food Preparation Areas

The hand wash basin shall be supplied with liquid anti-bacterial soap and single use paper towels, single use towelling or a hand drier.

58. Final Acoustic Report

Within three months from the issue of an Occupation Certificate, an acoustical compliance assessment is to be carried out by an appropriately qualified person, in accordance with the EPA's (DECCW) - *Industrial Noise Policy* and submitted to Council for consideration.

This report should include but not be limited to, details verifying that the noise control measures as recommended in the acoustic report submitted with the application are effective in attenuating noise to an acceptable noise level and that activity does not give rise to "offensive noise" as defined under the *Protection of the Environment Operation Act 1997*.

59. Offensive Noise - Acoustic Report

The proposed use of the premises and/or machinery equipment installed must not create offensive noise so as to interfere with the amenity of the neighbouring properties.

Should an offensive noise complaint be received and verified by Council an acoustic assessment is to be undertaken (by an appropriately qualified consultant), and an acoustic report is to be submitted to Council for review. Any noise attenuation recommendations recommended and approved by Council must be implemented.

60. Waste Storage and Collection

To ensure the adequate storage and collection of waste from the occupation or use of the premises, all garbage and recyclables emanating from the premises must be stored in the designated waste storage area. Arrangement must be in place in all areas of the development for the separation of recyclable materials from general waste.