

PROPOSED CONDITIONS

- The development is to be undertaken in accordance with the approved development plans and specifications listed below except as modified by any conditions of consent and any amendments in red made to the approved plans:

Title	Drawing No.	Revision	Date	Drawn By
Project No DBB 2301 Site Master Plan	A001	G	9/4/2013	MK
Project No DBB 2301 Staging Plan	A004	F	15/4/2013	MK
Project No DBB 2301 Stage 1 – Site Plan	A005	G	15/4/2013	MK
Project No DBB 2301 Stage 1 Ground Floor	A140	B	1/11/2012	Author
Project No DBB 2301 Building Floor Plan	A141	B	1/11/2012	MK
Project No DBB 2301 Building B Floor Plan	A142	B	1/11/2012	MK
Project No DBB 2301 Building C Floor Plan	A143	B	1/11/2012	MK
Project No DBB 2301 Elevations	A200	B	1/11/2012	MK
Project No DBB 2301 Sections	A300	B	1/11/2012	MK
Tree Protection and Removal Plan	T-02	C	29/05/13	Arterra Landscape Architects
Landscape Master Plan	L-MP-01	C	29/04/13	Arterra Landscape Architects
Stage 1 Landscape Concept Plan	L1-SD-01	C	29/04/13	Arterra Landscape Architects
Stage 1 Landscape Planting Plan	L1-SD-02	B	29/04/13	Arterra Landscape Architects

Note: The site Master Plan and landscape Master Plan is for concept approval only for all stages.

Compliance with the Integrated Approvals issued by the following Authorities:

Bushfire Safety Authority – NSW Rural Fire Service	10 December 2012
General Terms of Approval – Mine Subsidence Board	5 March 2013
General Terms of Approval – NSW Office of Water	4 April 2013

Development Application for subsequent stages

- Consent is given for the concept development and Stage 1 only in accordance with Section 83B of the *Environmental Planning and Assessment Act* 1979. In accordance with Section 80(5) of the Act, the following stages must be the subject of subsequent development applications:

- Stage 2 Buildings D, E, F, R

- Stage 3 Buildings G, H, J
- Stage 4 Buildings K, L, M
- Stage 5 Buildings N, P, Q

All applications for development under Section 80(5) of the Act (listed above) must be consistent with the Site Master plan, Project No DBB 2301, plan number A001, Revision G dated 9 April 2013.

Certificates – Application and Approval

- 3 A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any construction works. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.
- 4 Prior to the occupation or use of the building/structure, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifying Authority.

General

- 5 The proposed development shall comply with the requirements of Ausgrid as outlined in their letter dated 13 May 2013 and the recommendations for hazard mitigation as specified in the report titled *Proposed Secondary High School, 48-54 Carters Road, Munmorah, Adjacent to Ausgrid Powerlines*, NET 130-022-001, dated April 2013, prepared by Ausgrid.
- 6 The proposed development shall comply with the requirements of NSW Road and Maritime Services as outlined in their letter dated 19 February 2013.
- 7 Compliance with the requirements of the Crime Prevention Report, dated November 2012, prepared by Harris Crime Prevention Services.
- 8 Tree removal and tree protection zones are to be carried out in accordance with the report prepared by Arterra Consulting Arboriculture (AIA – 01 Revision C, - dated 29 April 2013).
- 9 The planting of the “Carters Road Buffer” as identified on the Stage 1 Landscape Planting Plan, L1-SD-02, Revision B, dated 29 April 2013, is to be undertaken before all other landscape works in Stage 1.
- 10 All landscape stock supplied must comply with NATSPEC Specifications.
- 11 The developer is to engage a qualified bush regenerator to collect seed (provenance stock) from the indigenous species that are growing on site in order to grow the required native species from local provenance.
- 12 Car parking for Stage 2 shall be commensurate with the parking requirements for education establishments outlined in Development Control Plan 2005, Chapter 61-*Parking and Access* having regard for anticipated numbers of students and staff under that stage.

- 13 Thirty (30) days notice shall be given to the four (4) Aboriginal groups, Awabakal Descendants Traditional Owners Aboriginal Corporation, Awabakal Traditional Owners Aboriginal Corporation, Darkinjung Local Aboriginal Land Council and Guringai Tribal Link Aboriginal Corporation who were involved in the Aboriginal Heritage Impact Assessment, prior to demolition of all structures on site.
- 14 All recommendations specified in the "Operational Noise Emission Assessment by Acoustic Dynamics dated 30 October 2012 project ref: 3159 are to be implemented at the relevant stages of the development consent.

STAGE 1

Prior to Release of Construction Certificate:

The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.

Dust Control Requirements

- 15 Prior to the issue of a Construction Certificate, suitable details must be provided for the approval of the Accredited Certifier of an appropriate system to control dust emissions from the site during construction works. The approved method of controlling dust emissions from the site is to be implemented and be maintained for the duration of construction works on the site.

Ecology/Tree Requirements

- 16 Prior to the issue of any Construction Certificate, trees and native vegetation proposed for retention and those approved for removal must be clearly identified on all the final engineering and landscaping plans. All fenced tree protection areas must be clearly marked as "No Go Area" on all plans. The location of any threatened species, endangered populations or ecological communities must also be marked on all plans.
- 17 Prior to the issue of any Construction Certificate/Commencement of Works (which ever occurs first) the applicant is to prepare and submit to the Principal Certifying Authority for approval a Vegetation Management Plan (VMP) for the protection and rehabilitation of the EEC and riparian corridor, and protection and enhancement of retained trees. The VMP is to be prepared by a suitably qualified and experienced ecologist and/or bush regenerator. The VMP must integrate with the Landscape Plan and the Sediment and Erosion Control Plan. Implementation of the VMP must commence immediately following issue of the Construction Certificate or Commencement of Works, which ever occurs first. In preparing the VMP the applicant is to have due regard to the following specific and required components of the VMP:

- a) A suitably qualified and experienced professional bush regeneration contractor is to be engaged to carry out any revegetation planting, restoration and maintenance weed control specified in the Vegetation Management Plan. The minimum qualifications and experience required for the bush regeneration contractor are a TAFE Certificate 2 in Bushland Regeneration and two years demonstrated experience (for site supervisor) and a TAFE Certificate 2 in Bushland Regeneration and one year demonstrated experience (for other personnel). In addition the site supervisor is to be eligible for full professional membership of the Australian Association of Bush Regenerators (AABR).
 - b) A site plan clearly showing the area to which the VMP applies, existing vegetation, management zones and extent of dominant weed infestations.
 - c) A schedule of works detailing the sequence and duration of works necessary for the protection, rehabilitation, revegetation and maintenance for each management zone. All primary weed control must be undertaken in the first year following commencement of the VMP, with follow-up weed control undertaken in the second and third year following commencement of the VMP.
 - d) The location and type of fencing to restrict unauthorised access or encroachment into the areas to which the VMP applies.
 - e) The mulch/tubgrindings generated from the removal and thinning of native trees associated with the development is/are to be re-used in restoring the habitat protection areas as required.
 - f) Clearing of native vegetation or trees is to be carried out in accordance with the clearing protocol outlined in the Squirrel Glider Conservation Management Plan (Smith 2002).
 - g) Any natural hollows removed by the development are to be placed wherever possible as ground hollows within retained bushland under the supervision of the consulting Ecologist.
 - h) Restoration areas are to be maintained for a minimum of three (3) years. Reports are to be submitted to the Principal Certifying Authority detailing the progress of the bush regeneration works twice per year, with a final report certifying the completion of the VMP works at the end of the three year period.
 - i) Any plant stock used in revegetation will be supplied from provenance specific seed/material collected from within the Tuggerah Lakes catchment area. Non-provenance specific material is prohibited.
- 18 The Principal Certifying Authority should not issue a Construction Certificate over any part of the site requiring a Controlled Activity Approval until a copy of the Approval from NOW has been provided to the Principal Certifying Authority.

Erosion and Sediment Control – Design Requirements

- 19 Prior to the issue of a Construction Certificate, design drawings for the control of soil erosion on the site and the prevention of silt discharge into drainage systems and waterways must be provided for the approval of the Accredited Certifier. Required design drawings must include all major stages of construction and sequences of work together with treatments necessary at each of these stages. The design drawings must be prepared in accordance with the Landcom publication '*Soils and Construction – Managing Urban Stormwater*' (*Blue Book*).

Liquid Trade Waste Requirements

- 20 Prior to the issue of the Construction Certificate, the developer must submit a trade waste application for approval to Council as the Water and Sewer Authority in order to discharge liquid trade waste into the sewerage system.

Roadworks - Design Requirements

- 21 Where conditions of this consent require approval from Council as the Roads Authority, a Subdivision Construction Certificate application must be lodged with Council and be accompanied by detailed design drawings and supporting information. Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.
- 22 All internal access roads shall be in accordance with the requirements for access by fire fighting vehicles in section 4.2.7 of "Planning for Bushfire Protection 2006" guidelines. Design details to be submitted to Council prior to the issue of the Construction Certificate.
- 23 The submission to Council of Civil Works design drawings and specifications for Stage 1 works detailing the following design requirements:
 - Kerb and guttering for the full street frontage of the development.
 - Full half road pavement construction adjoining the proposed kerb and guttering.
 - Street stormwater drainage systems including the upgrade of the existing 275mm diameter pipe and outlet under Carters Road.
 - Concrete shared footpath 2.5 metres wide for the full street frontage of the development.
 - Street lighting in accordance with AS/NZS 1158.
 - Pavement marking & signage.
 - Pavement design catering for 3.3×10^6 equivalent standard axles for a local street with buses.

- Vehicle access crossing(s).
- The restoration of any vehicle access rendered redundant by the development, to standard kerb and footpath formation.
- Any associated works to ensure satisfactory transitions to existing infrastructure
- Appropriate pedestrian facilities are to provide connectivity between St Brendan's Primary School and the proposed development.
- Provision is to be made for a new U-turn facility on Carters Road immediately west of the proposed development site.

Required design drawings are to be prepared in accordance with Council's Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development* and must be approved by Council as the Roads Authority prior to the issue of a Construction Certificate.

- 24 The submission of a comprehensive road signage and pavement marking design drawings for Stage 1 works identifying parking restrictions, accesses and traffic management facilities to Council for approval by the Local Traffic Committee prior to issue of the Construction Certificate.
- 25 Prior to the commencement of detailed design works within any public road, contact should be made with the National Community Service "*Dial before you Dig*" on 1100 regarding the location of underground services in order to prevent injury, personal liability and even death. Enquiries should provide the property details and the nearest cross street/road.
- 26 The submission to the Council as the Roads Authority of a 'Stage 3' Road Safety Audit for Stage 1 road works prepared by a Level 3 Road Safety Auditor recognised on the NSW Register of Road Safety Auditors. Any deficiencies identified within the audit must be resolved in consultation with Council prior to the approval of design drawings. .

Stormwater Drainage - Design Requirements

- 27 The submission to the Accredited Certifier of a detailed stormwater management plan generally in accordance with the preliminary stormwater management plans prepared by Demlakian Engineering (Project No. 212145, Drawing SW1, Revision D) featuring:
 - Stormwater disposal to the existing storage dam servicing the allotment for all building roof water and tank overflows for Stage 1 works. Stormwater disposal from all carpark areas are to be directed to Carters road frontage.
 - Suitably sized galvanised box section across the footpath area to connect to the existing kerb and guttering.
 - Drainage pit at the boundary line for all discharge points from the development fronting Carters Road.

- The provision of stormwater quality control facilities to treat stormwater in accordance with the Engineers Australia publication *Australian Runoff Quality – A Guide to Water Sensitive Urban Design* prior to entering Council's stormwater drainage system. The proposed Ecosol GPT is to be installed during Stage 1 works as indicated on the plans and certification provided by the manufacturer or suitably qualified consultant for the installation and operation
- An emergency overland flow path catering for the 100 year ARI design flows.
- Outlets to Bio-Retention areas and existing dams are to be designed to disperse flows and prevent scouring.

The plans must be prepared in accordance with *AS/NZS3500.3:2004* and Council's Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development*, and be approved by the Accredited Certifier prior to issue of the Construction Certificate.

- 28 Stormwater drainage works external to the site and discharging into a public system or public land requires approval from Council under Section 68 of the Local Government Act 1993. Detailed design drawings prepared in accordance with Council's Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development* must be approved by Council prior to the issue of a Construction Certificate. All other stormwater management works must be approved by the Accredited Certifier.
- 29 Prior to the issue of a Construction Certificate, suitable detailed design drawings for all retaining wall structures on the site are to be provided for the approval of the Accredited Certifier. Such design drawings are to be prepared by a suitably qualified Registered Structural Engineer in accordance with the requirements of AS 4678-2002 - *Earth Retaining Structures*. All retaining walls must be contained wholly within the property and designed so as to accommodate possible surcharge loading from vehicles or structural improvements within the adjoining property.

Vehicle Access and Parking - Design Requirements

- 30 The submission to the Accredited Certifier of a detailed car parking design for Stage 1 works. The design shall include:
 - Pavement marking, appropriate signage and physical controls detailed for the carpark, access driveway and circulation roads.
 - Pavement design able to withstand anticipated vehicle loading.
 - Wheel stops for all parking spaces fronting designated Bio-Retention Areas 2 and 3.
 - Amendment to parking spaces to achieve geometric compliance with the parking for people with disabilities.

- Unsealed hardstand pavement area design catering for anticipated vehicle loading and containing at least 2% cement (by volume) stabilisation to limit scouring and siltation runoff.

The design drawings shall be prepared in accordance with the requirements of AS/NZS 2890 – Parts 1, 2 and 6, and be approved by the Accredited Certifier prior to the issue of a Construction Certificate.

- 31 The submission to the Accredited Certifier of lighting design drawings for the carpark and public places. The design shall be prepared in accordance with the requirements of AS/NZS 1158 and AS 4282-1997, including the provision of current best practice energy efficient lighting and be approved by the Accredited Certifier prior to issue of a Construction Certificate.

Water and Sewer Services - Design Requirements

- 32 All water and sewer works or works impacting on water and sewer assets must be designed and constructed to the requirements of Council as the Water Supply Authority. The requirements are detailed in the Section 306 Notice of Requirements letter attached to this consent. **Note:** The Section 306 Notice contains requirements associated with the development that must be completed prior to the issue of the Construction Certificate.

Remediation

- 33 An appropriately qualified consultant shall be engaged to carry out remediation and validation of all areas that contain asbestos prior to construction of the proposed development. The Accredited Certifier is to certify that this requirement has been complied with prior to a Construction Certificate being issued.

Prior to Commencement of Works:

The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.

Demolition Requirements

- 34 Prior to the demolition of existing structures on site, all existing site services are to be disconnected, sealed and made safe. The sewer and water service is to be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector certifying that the works have been undertaken to the satisfaction of Council as the Water and Sewer Authority. Thiess Service's Customer Service Centre are also to be contacted on telephone number 1300 126 278 to arrange for the collection of the garbage bins.

35 Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work, must be undertaken by a person who carries on a business of such removal work in accordance with a licence issued under the provisions of Clause 318 of the *Occupational Health and Safety Regulation 2001*.

- The person having the benefit of the consent must provide the Principal Certifying Authority with a copy of a signed contract before any development pursuant to the consent commences.
- Any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed and if so, must specify the landfill site (that may lawfully receive asbestos) to which the material is to be delivered for disposal.

Aboriginal Heritage

36 Cultural heritage awareness training shall be incorporated into the induction process for all staff involved on-site, including contractors and sub-contractors.

Ecology/Trees Requirements

37 Prior to works associated with the development commencing, the applicant is to engage a qualified and experienced Ecologist, AQF5 Arborist and Soil Erosion Professional to supervise the vegetation clearing and construction of each stage of the development and to ensure and certify to Council's Development Ecologist that the trees and vegetation proposed for retention are adequately protected during construction. Evidence of this engagement is to be forwarded to Council prior to the commencement of works. The Ecologist and Arborist are to provide reports to Council's Development Ecologist for review, certifying how the proposal is meeting tree retention and protection requirements, within 10 working days following completion of the following stages of the development:

- Erection of tree protection measures
- Following the marking of all habitat trees, marking of trees to be retained and erection of required tree protection fencing (prior to the commencement of works)
- Following induction of each civil contractor and subcontractor (prior to the commencement of works)
- Following initial clearing, removal of habitat trees and excavation/filling of the site
- Following provision of roads and services
- Following completion of each construction phase (and prior to the issue of a Subdivision Certificate/Occupation Certificate/Final Certificate/Practical Completion).

- 38 According to the Bulk Earthworks Plan, the dams on Lot 433 (No. 48) will be drained prior to construction to confirm levels. A qualified and licensed consulting Ecologist must be present to rescue and relocate fauna during the draining process.
- 39 To compensate for the loss of four hollow-bearing trees, nest boxes are to be installed at a 1:1 ratio within retained trees under the direct supervision of the consulting Ecologist. Nest boxes are to be installed (and certified to the Principal Certifying Authority) prior to any vegetation removal.
- 40 The 76 trees nominated for retention in the Arboricultural Impact Assessment Report undertaken by Arterra Consulting Arboriculture (AIA – 01 Revision C, - dated 29 April 2013) shall be protected. It is recommended that all setbacks be implemented as per the tree protection plan implemented by Arterra (Drawing No T-02 – Revision C). All trees on site shall be retained and protected by the erection of 1.8 metre-high chain wire interlocking fencing as per the engaged Arborist's direction, AS 4970-2009 - *Protection of Trees on Development Sites* and Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development*. It is recommended that all tree protection measures be put in place for the duration of the works and remain until the release of the Occupation Certificate.
- 41 All fenced tree protection areas are to be clearly marked as "No Go Area" on the fencing itself.
- 42 No clearing of vegetation or storage of vehicles or machinery, waste, fill or materials or unauthorised access is to occur within the fenced tree protection areas/zones.
- 43 The management protocols and requirements within these conditions relating to tree and vegetation retention, protection and rehabilitation are to be included in all contract documentation, plans and specifications used by each civil contractor and sub-contractors.
- 44 All pruning works if necessary are to be established before commencement of construction works. The extent and the amount of pruning works for all trees on site are to be nominated and submitted back to the consent authority for determination. All pruning works that may be required are to be undertaken in accordance with AS 4373 – 2007.

Erosion and Sediment Control Requirements

- 45 Prior to works associated with the development commencing, soil erosion and sediment control measures are to be provided on the development site in accordance with Council's Policy E1 - Erosion and Sediment Control from Building Sites and Development Control Plan 2005, Chapter 67 – *Engineering Requirements for Development* and the approved development plans.
- 46 Prior to works associated with the development commencing, a single all-weather hardstand access, extending from the kerb and gutter/edge of bitumen to the building under construction, is to be installed in order to provide appropriate access to the site during periods of inclement weather.

- 47 Prior to works associated with the development commencing, suitable sediment control kerb inlet trap devices are to be provided downstream of the development site adjoining locations such as kerb inlet drainage pits, in order to prevent any silt that may have left the site from entering the drainage system. The build up of silt and debris behind the required kerb inlet trap devices is to be removed from the site on a daily basis.
- 48 Prior to works associated with the development commencing, an appropriate sign to promote the awareness and importance of the maintenance of on-site sediment control techniques is to be provided on the most prominent sediment fence or erosion control device within the development site, for the duration of the project.

Roads - Preconstruction Requirements

- 49 Prior to works associated with development commencing, a dilapidation report must be prepared and submitted to Council as the Roads Authority. The required dilapidation report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, water supply, sewer works, street trees, street signs or any other Council assets in the vicinity of the development. **Note:** The report will be used by Council to determine the extent of damage arising from site and construction works.

Filling and Haulage Requirements

- 50 Prior to works associated with the development commencing, details for the disposal of any spoil gained from the site and/or details of the source of fill materials to be imported to the site, are to be provided and approved by the Principal Certifying Authority.

Roads - Preconstruction Requirements

- 51 Prior to commencing any works upon public roads the developer and their contractor will be required to:
- Obtain a copy of the Council approved Civil Works plans and pavement design (if applicable).
 - Obtain a copy of Development Control Plan 2005, Chapter 67 – *Engineering Requirements for Development*. This is Council's Specification for Civil Works and is available on Council's web site.
 - Arrange a meeting on-site with Council's Principal Development Construction Engineer on (02) 4350 5479.
- 52 Prior to works associated with Stage 1 of the development commencing, a Plan of Management is to be submitted to and approved by Council as the Roads Authority for any works or deliveries that impact on any public roads or public land as a result of the construction of the development. The plan must include a Traffic Control Plan prepared by a person holding Roads and Maritime Services (RMS) accreditation for selecting and modifying traffic control plans. Fees and charges are applicable to the review and approval of the required management plan in accordance with Council's Plan of Management.

Site Requirements

- 53 Prior to works associated with the development commencing, the Principal Contractor (or Owner/Builder) is to erect a suitable sign in a prominent position on the development site (not attached to any tree) identifying the name, address and telephone number of the Principal Certifying Authority (PCA) for the work, the name, address and telephone number (including a number for outside of business hours) of the Principal Contractor for the work (or Owner/Builder) and stating that unauthorised entry to the site is prohibited. The required sign is to be maintained for the duration of works associated with the development. Appropriate signs can be collected from Council's Customer Service Centre, where Council is the nominated Principal Certifying Authority with respect to the development.
- 54 Prior to works associated with the development commencing, suitable toilet facilities must be available or be provided upon the development site, with the required toilet facility(s) maintained until development works are completed at a ratio of one (1) toilet plus one (1) additional toilet for every twenty (20) persons employed at the site. Each toilet must:
- be a standard flushing toilet connected to a public sewer system; or
 - have an on-site effluent disposal system approved under the Local Government Act 1993, or be a temporary chemical closet approved under the Local Government Act 1993, supplied by a suitably licensed contractor.
- 55 Prior to works associated with the development commencing, a suitable metal waste skip (with self-closing lid or secure covering) or lined mesh steel cage(s) is to be provided upon the development site for the duration of the construction phase of the development. The required waste receptacle is to be suitably emptied at appropriate times during the construction phase of the development.
- 56 Prior to works associated with the development commencing, fencing is to be installed in accordance with AS 4970-2009 to include 1.8 metre chain wire interlocking fencing between the work site, vegetated areas and the public place. The fencing shall also comply with Work Cover Authority requirements. This shall include appropriate fencing along the southern boundary adjacent to Lake Munmorah High School. The required hoarding/fencing is to remain in place during the construction phase of the development. Should the hoarding/fencing be required to be provided within the road reserve area, approval from Council under the Roads Act as the Roads Authority is required to be obtained prior to its erection.
- 57 Prior to works associated with the development commencing, it is the builder's responsibility to confirm the location and depth of the sewer main and connection point in relation to the floor level, to ensure that appropriate connection to the sewer can be achieved.
- 58 Prior to works associated with the development commencing, where any excavation is proposed in proximity to existing gas and/or electricity networks, the developer is advised to notify '*Dial Before You Dig*' of the time and place of work no more than thirty (30) days before the work commences. The developer must satisfy any requirements as set by the network operators in carrying out excavation works.

- 59 The disposal of any asbestos materials in accordance with the requirements of Workcover NSW and AS 2601 - 2001 - The Demolition of Structures.

During Construction Works:

The following conditions must be satisfied during construction works.

Approved Plans

- 60 A copy of the stamped approved plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

Aboriginal Heritage

- 61 If archaeological/cultural materials are unearthed/ disturbed during construction, all work is to cease immediately and the Office of Environment and Heritage must be notified. An Aboriginal Heritage Impact Permit will be required prior to the recommencement of any works on site.
- 62 All topsoil removed during initial vegetation removal/clear-and-grade earthworks is to be kept within the confines of the development footprint and not taken off-site due to the potential for archaeological/cultural material to be contained within the spoil.

Demolition - Compliance Requirements

- 63 Any demolition work carried out with respect to the development is to be carried out in accordance with the requirements of AS 2601-2001 – *The Demolition of Structures*.
- 64 The disposal of any asbestos materials must be in accordance with the requirements of WorkCover NSW and AS 2601-2001 – *The Demolition of Structures*. The asbestos materials are to be disposed of at an approved waste management facility in accordance with the procedures the facility has for the disposal of asbestos. Upon completion of these works, the Principal Certifying Authority is to be supplied with disposal receipts within seven (7) days to verify that this requirement has been complied with.

Dust Control Requirements

- 65 Suitable dust suppression measures shall be implemented and maintained by the developer during demolition, excavation and construction works associated with the development. Such measures are required to minimise the emission of dust and other impurities into the surrounding environment.

Ecology/Trees - Construction Requirements

- 66 No tree (or other vegetation) other than those specifically identified on the approved plan(s) 'to be removed' shall be felled, lopped, topped, ring-barked, uprooted, or otherwise wilfully destroyed or removed, without the further written consent of the Consent Authority.

- 67 To maintain genetic diversity, any plant stock used in landscaping must be supplied from provenance specific seed/material collected from within the Tuggerah Lakes catchment area. Non-provenance specific material is prohibited. The Landscape Plan is to integrate with the required Vegetation Management Plan.
- 68 Any approved excavation or filling within a retained tree's canopy perimeter shall be in accordance with AS/NZS 4970-2009 - *Protection of Trees on Development Sites* and Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development*, as excavation or filling can lead to tree instability or death.
- 69 Native fauna must be appropriately managed during clearing and construction phases of the approved works. In this regard, an appropriately licensed Fauna Ecologist is to be engaged to advise and supervise the clearing of trees. Where, in spite of precautions, wildlife is injured, the Fauna Ecologist is to take the necessary action to treat the animal, which may include veterinary treatment or transfer of the animal to a volunteer wildlife carer group such as WIRES or Wildlife Arc.
- 70 Clearing of native vegetation or trees is to be carried out in accordance with the clearing protocol outlined in the Squirrel Glider Conservation Management Plan (Smith, 2002).
- 71 Clearing must commence with the most distance vegetation from secure habitat and progressively work towards the retained EEC vegetation.
- 72 No clearing of vegetation or storage of vehicles or machinery, waste, fill or materials or unauthorised access is to occur within the fenced tree protection areas/zones.
- 73 Works are to be conducted in accordance with the Vegetation Management Plan and Landscape Plan.
- 74 If canopy thinning is required to achieve Bushfire Asset Protection Zone then it shall be conducted selectively. Those trees with poor health shall be removed prior to those of with good health. Selective removal shall also consider maintenance of species diversity. No hollow-bearing trees may be removed to achieve Bushfire Asset Protection Zones. An appropriately qualified Arborist or Ecologist and Bushfire Manager are to be engaged to flag and clearly identify those trees best removed to achieve bushfire asset protection requirements. Trees must be removed in such a manner so as to prevent damage to surrounding trees to be retained.
- 75 Prior to the dams being in-filled, they are to be drained in the presence of a qualified and licensed consulting Ecologist to rescue and relocate fauna as required.
- 76 Native vegetation approved for removal should be wood chipped (except tree hollows) and re-used on site in the final landscape works for soil stabilisation, improvements and rehabilitation (except in the EEC unless specified in the VMP).

Erosion and Sediment Control - Construction Requirements

- 77 Sand and other materials associated with the construction of the development that could potentially be washed off the site during rain periods, are to be stored behind a suitable sediment control barrier.
- 78 All sediment and erosion control devices provided with respect to the development are to be periodically cleaned and maintained in an effective state for the duration of works. On the spot fines for non-compliance with this requirement may be issued under the provisions of the *Protection of Environment Operations Act, 2000*.

Plumbing and Drainage - Construction Requirements

- 79 Council as the Water Supply Authority, under the provisions of the Water Management Act, or in unsewered areas where an onsite sewage management facility is to be installed, is to be notified to undertake inspections of the internal drainage lines, (prior to the pouring of the concrete slab), and external drainage lines inclusive of sewer junction connection, prior to the backfilling of the trenches. These inspections can be arranged by telephoning Council's Customer Contact Centre on (02) 4350 5555 a minimum of twenty-four (24) hours prior to the required time for the inspection. Please note that all drainage inspection fees are to be paid to Council prior to plumbing and drainage works associated with the development commencing.

Services/Utility Requirements

- 80 The developer is solely responsible for any costs relating to alterations and extensions of existing roads, drainage, water and sewer infrastructure and other utilities for the proposed development.

Site Requirements

- 81 Construction or demolition works involved with the development may only be carried out between the hours of 7.00 am and 5.00 pm Monday to Saturday with no construction or demolition works associated with the development permitted to be carried out at any time on a Sunday or a public holiday.
- 82 During the construction phase of the development, all building materials, plant and equipment must be placed on the site of the development in order to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure.
- 83 During the construction phase of the development, downpipes and the associated stormwater disposal system is to be suitably connected to the site stormwater connection point immediately after the roof materials are positioned in order to prevent erosion of the site from roof water run off. The Principal Certifying Authority for the development will not issue a compliance certificate for framing unless connection of the site stormwater (or temporary system) has occurred.

Prior to Release of Occupation Certificate:

The following conditions must be satisfied prior to the release of an Occupation Certificate.

Trees

- 84 Prior to the issue of an Occupation Certificate, to ensure landscaping works are properly completed, the landscape designer must provide certification to the Principal Certifying Authority certifying that landscaping has been implemented in accordance with the approved landscape plan as amended by any conditions of this consent.
- 85 Prior to the issue of an Occupation Certificate, a detailed maintenance schedule for all landscaping areas associated with the development is to be provided to and approved by the Principal Certifying Authority.

Building Code of Australia – Compliance Requirements

- 86 Prior to the issue of the Occupation Certificate, the building shall be completed in accordance with the relevant provisions and requirements of the Building Code of Australia.

Dilapidation Rectification Requirements

- 87 Prior to the issue of an Occupation Certificate, any damage not shown in the Dilapidation Report submitted to and approved by the Principal Certifying Authority prior to site works commencing, will be assumed to have been caused as a result of the site works undertaken with respect to the development and must be rectified at the applicant's expense.

Ecology/Tree Requirements

- 88 The outer edge of the retained EEC/riparian vegetation is to be permanently delineated (as per the NSW Office of Water requirements) to restrict unauthorised access or accidental encroachment during APZ maintenance works.
- 89 All external lighting is to be of a type that minimises overspill into retained vegetated areas.

Filling and Haulage- Completion Requirements

- 90 All filled areas are to be compacted in accordance with the requirements of AS 3798-1996. The submission of test results and appropriate documentation attesting to this requirement having been achieved is to be provided for the approval of the Accredited Certifier prior to issue of the Occupation Certificate.

Liquid Trade Waste – Requirements

- 91 Where the proposed use of the development discharges waste other than domestic sewage, then the submission of a liquid trade waste application and subsequent approval by Council as the Water and Sewer Authority, to discharge liquid trade waste into the sewerage system is required prior to issue of the Occupation Certificate.
- 92 After the trade waste facility has been constructed, an *“Application for final inspection of a new Liquid Trade Waste Facility”* must be submitted to Council as the Water and Sewer Authority. Council’s final approval for the liquid trade waste facility is required prior to the issue of the Occupation Certificate.

Plumbing and Drainage - Compliance Requirements

- 93 Prior to the issue of an Occupation Certificate, the provision of rainwater tanks, of at least 10,000 litre capacity, in accordance with the requirements the National Plumbing and Drainage Code AS/NZS 3500. The rainwater tanks must be located in such a position as to maximise rainwater collection and shall include, but not be limited to, the retention of water on-site incorporating first flow diversion devices fixed to all inflows, provided with a functioning pressure pump, and plumbed to service all toilets and at least one outdoor tap for each stage of the development. The tank must be controlled such that supplemental flows from domestic mains do not take place until the tank is at least 80% empty.
- 94 Prior to the issue of an Occupation Certificate, the required On Site Sewage Management Facility associated with the development, is to be inspected and finalised by Council as the Water and Sewer Authority under the provisions of the Water Management Act.

Roads – Compliance Requirements

- 95 All road signage and pavement marking works must be completed in accordance with the plans approved by the Local Traffic Committee and approved by Council as the Roads Authority prior to the issue of any Occupation Certificate.
- 96 The provision of any additional civil works required to ensure satisfactory transitions to existing work as a result of work conditioned for the development works are to be approved by Council as the Roads Authority prior to issue of the Occupation Certificate.
- 97 All works within the public road must be completed in accordance with the approved Civil Works design drawings and Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development* and be approved by Council as the Roads Authority prior to the issue of any Occupation Certificate.
- 98 Any road works and or traffic control facilities within a state road must be completed in accordance with the approved Civil Works design drawings and RMS Works Authorisation Deed, and be jointly approved by Council as the Roads Authority and the RMS prior to the issue of any Occupation Certificate.

- 99 All works relating to bus servicing facilities throughout the development must be completed in accordance with the approved Civil Works design drawings and approved by Council as the Roads Authority prior to issue of the Occupation Certificate.
- 100 The submission to the Council as the Roads Authority of a 'pre-opening stage' Road Safety Audit for 'Stage 3' prepared by a Level 3 Road Safety Auditor recognised on the NSW Register of Road Safety Auditors. Any deficiencies identified within the audit must be resolved in consultation with Council prior to the approval of the works.

Statutory Certificate Requirements

- 101 Prior to the Issue of an Occupation Certificate, a Final Fire Safety Certificate, as required by Clause 153 of the Environmental Planning and Assessment Regulation, 2000, certifying that all the Fire Safety Measures within the building have been designed and installed in accordance with the relevant standard of performance as nominated by the Fire Safety Schedule issued with the Construction Certificate, is to be supplied for the approval of the Principal Certifying Authority. Such Final Fire Safety Certificate is also to be displayed within a prominent location within the building such as the main entry.

Stormwater – Compliance Requirements

- 102 The construction of the stormwater management system in accordance with the approved Stormwater Management Plan and AS/NZS 3500.3-2004. Certification of the construction by a suitably qualified consultant shall be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.
- 103 The construction of stormwater drainage works external to the site and discharging into a public system or public land in accordance with the approved Stormwater Management Plan and Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development*. All works must be approved by Council under Section 68 of the Local Government Act 1993 prior to issue of the Occupation Certificate. All other stormwater management works must be approved by the Principal Certifying Authority.
- 104 Prior to the issue of an Occupation Certificate, stormwater generated from roof areas of the building and any overflows from rain water tanks installed in conjunction with Stage 1 of the development, is to be disposed of to the existing storage dam servicing the allotment.
- 105 Prior to the issue of the final Occupation Certificate, a 'Restriction on the Use of Land' shall be created on the title of the land restricting any alteration to the on-site stormwater detention system. The terms of the Restriction are to be prepared to Council's standard requirements. Wyong Shire Council shall be nominated as the party to release, vary or modify the restriction.
- 106 Prior to the issue of the final Occupation Certificate, a 'Positive Covenant' shall be created on the title of the land requiring the registered proprietor to ensure the continued maintenance and performance of the on-site stormwater detention structure. The terms of the positive covenant are to be prepared to Council's standard requirements. Wyong Shire Council shall be nominated as the party to release, vary or modify the restriction.

Subdivision– Compliance Requirements

- 107 The consolidation of Lot 433 DP 755266 and Lot 499 DP 755266 into one lot by registered subdivision prior to the issue of an Occupation Certificate. Documentary evidence of the Consolidation Plan registration with the Land and Property Management Authority must be submitted to the Accredited Certifier prior to the issue of the Construction Certificate.

Vehicle Access and Parking – Compliance Requirements

- 108 The construction of the carpark and accesses in accordance with AS/NZS 2890 - Parts 1 and 6. Certification of the construction of the carpark and associated accesses by a suitably qualified consultant shall be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Water and Sewer Services/Infrastructure – Compliance Requirements

- 109 The obtaining of a Section 307 Certificate of Compliance under the Water Management Act 2000 for water and sewer requirements for the development from Wyong Shire Council as the Water Supply Authority prior to issue of the Subdivision/Occupation Certificate. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.

Work as Executed Requirements

- 110 Prior to the issue of an Occupation Certificate, Works as Executed information for the development as identified in Council's Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development* is to be submitted to and approved by Council. The required Works as Executed information is to be submitted in hard copy and in electronic format in accordance with Council's 'CADCHECK' requirements.

Ongoing Operation:

The following conditions must be satisfied during use / occupation of the development.

Noise Control Requirements

- 111 To ensure reasonable acoustic amenity for surrounding properties is maintained, all recommendations made in the acoustic report prepared by Acoustic Dynamics Pty Ltd dated 30/10/2012 accompanying the application must be complied with.

Site Appearance, Maintenance and Security Requirements

- 112 All security/front/perimeter fencing is to be maintained for the life of the development in its approved location.

- 113 The owner/operator(s) of the site must maintain the external finishes of the building(s), structures, walls and fences for the life of the development and any graffiti must be removed in a timely manner. **Note:** amend “owner/operator(s)” and “building(s), structures, walls and fences” to suit the application to which you are applying the condition.
- 114 The owner/operator(s) of the site must maintain the required CCTV for the life of the development so that at all times the CCTV provides high-quality images of all public areas within the site.
- 115 Any security alarm installed on the premises must be fitted with a ‘cut-off’ device limiting any sounding of the alarm to a maximum duration of ten (10) minutes, with no repeat sounding until manually reset; and or ‘silently wired’ to a security firm.
- 116 Maintenance of all buildings, surrounds and parking areas within the site shall be carried out in such a manner to render the site to be neat, tidy and clean at all times.
- 117 The provision of surveillance equipment in the Administration and TAS buildings, the hall/gym and carparks. This equipment should be vandal resistant.
- 118 Lighting should comply with ASNZ1158 and be designed as overhead or down light luminaries that allow 15 metres facial recognition test.
- 119 Directional signage is to be provided around the school.
- 120 The development of a maintenance policy which includes rapid removal of graffiti, rapid repair of vandalism, maintenance of landscaping and fencing and the removal of rubbish and the like from school grounds.

Stormwater – Ongoing Maintenance Requirements

- 121 All stormwater treatment devices (including drainage systems, sumps and traps) must be regularly maintained in order to remain effective.

Vehicle Access and Parking – Ongoing Requirements

- 122 All on-site vehicle parking areas, markings, driveways and manoeuvring areas are to be maintained for the life of the development.

Food Act Requirements

- 123 No food handling, (as defined by the NSW Food Act 2003), is permitted in the food premises prior to the issue of the Occupation Certificate.
- 124 All liquid trade waste is required to pass through a basket arrestor with fixed screens, fitted to all floor wastes and sinks, before being discharged into the sewerage system.

- 125 Compliance with the requirements of the New South Wales Food Act 2003, the Food Regulation 2004, and AS4674–2004 – Design, Construction and Fitout of Food Premises, and AS1668, Part 11 – Mechanical Ventilation, for all food preparation and food storage areas, including liquor areas.
- 126 The installation of hand wash facilities with a minimum dimension of 500mm x 400mm providing warm running water through a common mixing spout with hands-free tap operation (consisting of elbow or wrist operated tap levers, foot or hip operated tap levers, or electronic sensor tap operation).

Ecology/Tree Requirements

- 127 Completion of VMP works including restoration areas to be maintained for a minimum of three (3) years. Reports are to be submitted to the Principal Certifying Authority detailing the progress of the bush regeneration works twice per year, with a final report certifying the completion of the VMP works at the end of the three year period.
- 128 Following completion of Stage 1 works, the installed nest boxes are to be monitored at least annually by a qualified consulting Ecologist for a period of three (3) years. Nest box monitoring is to include a visual inspection inside of each nest box. Any required maintenance should also be carried out within this period. An annual monitoring report is to be submitted to the Principal Certifying Authority.
- 129 No works other than habitat/vegetation restoration and enhancement as outlined within the required VMP and approved Landscape Plan, general weed maintenance, and low-impact educational initiatives (e.g. educational signage), are permitted within the retained EEC/riparian vegetation.
- 130 All external lighting is to be of a type that minimises overspill into retained vegetated areas.
- 131 All site landscaping is to be maintained for the life of the development in accordance with the approved Landscape Plan.
- 132 The consultant will submit a report 6 months after the satisfactory completion of the landscape works to assess the maintenance and recommend any remedial work required.

SCHEDULE OF CONTRIBUTIONS

Section 94A Levy

\$180,975.65