

JRPP Ref. No.	2012SYE015
D/A No.	DA-625/2011
Property	57-63 Wangee Road, Lakemba (Lot A DP 312879, Lot 2 DP 177474, Lot 3 DP 311246 and Lot 4 DP 177385).
Proposal	Demolition of four dwellings and construction of a two storey building with basement car park and associated landscaping for use as a primary school
Zoning	Residential 2(c) under Canterbury Local Environmental Plan No. 178: Belmore-Lakemba Precinct
Applicant	Mr Ghazi Al Ali
Owner	The Lebanese Moslem Association
Report By	Kate Mirow – Senior Development Assessment Officer

EXECUTIVE SUMMARY

- Council has received a development application for the demolition of four dwellings and associated structures and the construction of a two storey building with basement parking for 47 vehicles and associated landscaping for use as a private school.
 - The development application has a capital investment value in excess of \$5 million and in accordance with Schedule 4A(6)(b) of the *Environmental Planning and Assessment Act 1979*, the development application is referred to the Joint Regional Planning Panel (Sydney East Region) for determination.
 - The subject site is zoned Residential 2(c) under Canterbury Local Environmental Plan No. 178: Belmore-Lakemba Precinct (CLEP 178). The proposed development is defined as an 'education establishment' under Clause 5 of the CLEP178, which is a permissible use in a Residential 2(c) zone subject to consent.
 - The development application has been assessed against the provisions contained in State Environmental Planning Policy No. 55, State Environmental Planning Policy (Infrastructure) 2007, Canterbury Local Environmental Plan No. 178: Belmore-Lakemba Precinct and relevant Canterbury Development Control Plans and policies. The proposed development complies with the relevant environmental planning instruments, and is found to be generally consistent with Council's development control plans and policies, with the exception of a non-compliance to the building plane requirements of Development Control Plan No. 9:Non-Residential Buildings Adjoining Residential Zones and the waste requirements of Development Control Plan No. 48 – Waste Management, which will be addressed by way of condition.
 - The development application was publicly exhibited and adjoining land owners notified in accordance with the provisions of Council's Development Control Plan No. 32 – Notification Policy on two separate occasions. The application
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was first notified on 23 January 2012 for 21 days. Nine submissions, including one petition with 59 signatures (from 48 households) were received in objection to the proposed development.

Following receipt of amended plans & documentation the application was renotified on 9 May 2012. During this period five submissions objecting to the development, including one petition with 18 signatures (from 13 households) were received. Matters raised in the submissions received related to parking, traffic, noise, pedestrian and driver safety and inadequate play areas.

- The development application is recommended for approval subject to conditions.

SITE DETAILS

The subject site consists of four lots identified as Lot A DP 312879, Lot 2 DP 177474, Lot 3 DP 311246 and Lot 4 DP 177385, and commonly known as 57-63 Wangee Road, Lakemba (refer to Figure 2). The site is located on the eastern side of Wangee Road between Punchbowl Road to the north and Yangoora Road to the south.

The subject site, which has a total area of 2298 square metres, contains four single storey brick dwellings and ancillary structures including detached garages, carports, outbuildings and front fences (refer to Figure 1). The site has south west orientation and a gradual fall of 2.35 metres from the south eastern corner of the property to the western corner of the property. A number of trees are located to the rear of the site.



Figure 1 Subject site and existing dwellings to be demolished

Adjoining the site to the north west is Lakemba Mosque, to the north east a battle-axe lot containing a two storey red brick multiple unit complex comprising twenty units and to the south east a driveway and a two storey red brick multiple unit complex comprising eight units.

Surrounding development in the immediate vicinity of the site includes single dwellings, townhouse development, two & three storey multiple unit developments, a place of worship, community facilities, a service station, light industry and two schools.



Figure 2 Aerial photograph showing the development site and surrounds

PROPOSAL

Council has received a development application for the demolition of four existing dwellings and ancillary structures and the construction of a two storey U-shaped building with basement car park, associated landscaping and fencing for use as a primary school. The proposed new school premises will comprise the following:

- Basement level** : Car parking for 47 spaces (10 spaces allocated for staff use, 2 spaces for bus parking and the remaining 35 spaces for use by visitors to the site [37 during school drop-off/pick-up periods]), two storage areas, a bicycle storage area, a waste area, a lift, an on-site detention tank and rainwater reuse tank. One entrance/exit is proposed for the basement car park, with provisions to be made to ensure that the car park has a left in/left out arrangement so as to

improve safety and minimise traffic impacts associated with vehicles entering and exiting the basement car park.

- Ground level: Reception/administration areas, including meeting room, multi-purpose hall and ancillary storage area, five class rooms, outdoor play area (turf square = 270 square metres & inclusive of adjacent paved walkways = 465 square metres), perimeter landscaping, canteen, amenities, waste storage facilities, lift & stairwell extending to buildings first floor, and a car set down area in the front setback of the development (gross floor area of 826.68 square metres).
- First floor: Five class rooms, staff room, Principal's office, library/computer lab, amenities, waste storage facilities and a lift (gross floor area of 887.36 square metres).
- Roof: Naturally vented tensile roof above the outdoor play area, solar panels and plant equipment.

Operation of site

The hours of operation proposed for the primary school are Monday to Friday 8:30am to 3:30pm. It is proposed that the primary school will accommodate a total of 300 students and twenty staff (including a School Principal, ten teaching staff, administrative and ancillary staff). It is proposed that Kindergarten, Years 1 & 2, will each be allocated two classrooms, while Year 3-6 will each be allocated one classroom.

Furthermore, it is proposed that the site be used after hours by the adjoining Mosque at 67-67 Wangee Road, Lakemba. Based on the Supplementary Statement prepared by ABC Planning Pty Ltd (dated May 2012), the after hours use of the premises will be restricted to the basement car park. It is proposed that the car park will be *"only used for Morning Payer between 3:30am and 5:30am and for evening prayer from 4:30pm onwards. Therefore there will be no overlap or dual usage of the school and mosque at the same time period"* (pp17). Furthermore it is proposed that the car park may be used during the remaining prayer times during the middle hours of the day when the school is closed during school holidays. The school PA system will not be used after hours.

STATUTORY CONSIDERATIONS

The development application has a capital investment value in excess of \$5 million and in accordance with Schedule 4A(6)(b) of the *Environmental Planning and Assessment Act 1979*, the development application is referred to the Joint Regional Planning Panel (Sydney East Region) for determination.

When determining this development application, the relevant matters listed in Section 79C of the Environmental Planning and Assessment Act, 1979, must be considered and in this regard, the following environmental planning instruments, development control plans, codes and policies are relevant:

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007
- Canterbury Local Environmental Plan No. 178: Belmore-Lakemba Precinct
- Draft Canterbury Local Environmental Plan 2012
- Canterbury Development Control Plan No. 9 – Non-Residential Buildings Adjoining Residential Zones
- Canterbury Development Control Plan No. 20 – Car Parking
- Canterbury Development Control Plan No. 29 – Crime Prevention Through Environmental Design
- Canterbury Development Control Plan No. 45 – Landscaping
- Canterbury Development Control Plan No. 48 – Waste Management

- Canterbury Development Control Plan No. 51 – Access and Mobility
- Stormwater Management Manual – Specification 9 ‘A Guide to Stormwater Drainage Design’

ASSESSMENT

The development application has been assessed under Sections 5A and 79C of the Environmental Planning and Assessment Act, 1979 and the following key issues emerge:

- **State Environmental Planning Policy No. 55 – Remediation of Land**
State Environmental Planning Policy No. 55 – Remediation of Land aims to promote the remediation of contaminated land for the purposes of reducing risk to human health or any other aspect of the environment. Clause 7 of SEPP 55 states that a consent authority must not consent to the carrying out of development unless it has considered whether the land is contaminated. If the land is contaminated, it must ascertain whether it is suitable in its contaminated state for the proposed use or whether remediation of the land is required.

The subject site has a long history of use as a residential land and there is no known history of previous use of the land for industrial activities. Having regard to the above, Council is satisfied that the land is suitable for proposed end use. Suitable conditions will be applied on any development consent issued to address any contamination finds during excavation/construction works at the site.

- **State Environmental Planning Policy (Infrastructure) 2007**
The provisions outlined in Part 3, Division 3 and Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) apply to the proposed development given in relates to the construction of a new ‘Educational Establishment’ and will involve more than 50 students attending the premises.

In accordance with Clause 32 of the Infrastructure SEPP, the application was reviewed against the relevant standards contained in the Schools Facilities Standards (Landscape Standard, Design Standard & Specification Standard). The proposal was found to be generally consistent with the provisions of the Schools Facilities Standards. Should the application be approved, conditions relating to compliance with the ‘Schools Facilities Standards’ will be recommended.

Furthermore, the application was referred to the NSW Roads and Maritime Services (RMS) for their consideration as required under Schedule 3 of the Infrastructure SEPP. The RMS’ Sydney Regional Development Advisory Committee (SRDAC) reviewed the original proposal at their meeting on 29 February 2012 and forwarded a formal response to Council on 2 April 2012. It is important to note that the proposal was initially seeking consent for the primary school to accommodate 410 students and 20 staff. The RMS raised concern regarding the proposal impacts on the Punchbowl Road & Wangee Road intersections and sought clarification/further information regarding the following matters:

- i. Parking arrangements proposed for the site, in particular the use of the car park by worshippers attending Lakemba Mosque;
- ii. Submission of an Operational Traffic Management Plan addressing traffic management measures proposed for the safe and efficient drop

- off/pick up of school children;
- iii. Submission of a Pedestrian Management Plan;
- iv. Potential impacts on pedestrian safety associated with the location of the driveway crossing; and
- v. Potential impacts on the existing pedestrian crossing located adjacent to the mosque.

Following receipt of the amended plans and documentation, the application was referred to the RMS for their review. The advice received from the RMS on 8 June 2012 regarding the amended proposal has been detailed below:

- (a) A Traffic Management Plan similar to that outlined in the supplementary information provided [by] Traffix Traffic and Transport Planners is to be established in consultation with Council and endorsed by the Canterbury Local Traffic Committee.
- (b) The driveway access to the basement car parking area should be restricted to left in and left out.
- (c) The car parking area is to be used exclusively for the school during school hours and at least one hour before and after school hours.
- (d) Car parking provision to Council's satisfaction.
- (e) The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004 and AS 2890.2-2002 for heavy vehicle usage.

It is noted that the Section Ramp Detail on the amended plans shows a ramp gradient of 1:8 or 12.5% between the road boundary and building line. Section 3.3(a) of AS 2890.1-2004, stipulates a maximum gradient of 1:20 or 5% between the road boundary and building line.

- (f) Disabled car parking spaces are to be provided in accordance with Council's requirement and are to conform to AS 2890.6:2009.
- (g) All new pedestrian accesses are to comply with AS 1428.1:2001 Design for Access and Mobility.
- (h) The swept path of the longest vehicle (including garbage trucks) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.
- (i) All vehicles are to enter and leave the site in a forward direction.
- (j) The proposed turning areas are to be kept clear of any obstacles, including parked cars, at all times.
- (k) A Construction Traffic Management Plan detailing construction routes, number of trucks, hours of operation, access arrangement and traffic control should be submitted to Council prior to the issue of a Construction Certificate.
- (l) All traffic control during construction must be carried out by accredited RMS approved traffic controllers.
- (m) The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.
- (n) All work/regulatory signposting associated with the proposed development are to be at no cost to RMS.
- (o) RMS is responsible for speed management along all public roads within the state of New South Wales. That is, RMS is the only authorised organisation that can approve speed zoning changes and authorise

installation of speed zoning traffic control devices on the road network within New South Wales.

Therefore, the Developer must obtain written authorisation from RMS to install the School Zone signs and associated pavement marking 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 RMS:

- i. A copy of Council's development conditions of consent.
 - ii. The proposed school commencement/opening dates.
 - iii. 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.
- (p) School Zone signs and pavement marking patches must be installed in accordance with RMS approval /authorisation, guidelines and specifications.
- (q) All School Zone signs and pavement markings must be installed prior to student occupation of the site.
- (r) All School Zone signs and pavement markings are to be installed at no expense to RMS.
- (s) The developer must maintain records of all dates in relation to installing, altering and removing traffic control devices relating to speed.
- (t) Following installation of all School Zone signs and pavement markings the developer must arrange an inspection with RMS for formal handover of the assets to RMS. The installation date information must also be provided to RMS at the same time.

Note: Until the assets are formally handed over and accepted by RMS it takes no responsibility for the School Zone / assets.

The above recommendations by the RMS will be included as conditions should the application be supported.

- **Canterbury Local Environmental Plan No. 178: Belmore – Lakemba Precinct**

The subject site is zoned Residential 2(c) under Canterbury Local Environmental Plan 178: Belmore-Lakemba Precinct (CLEP178). An extract of the zoning plan is provided below.

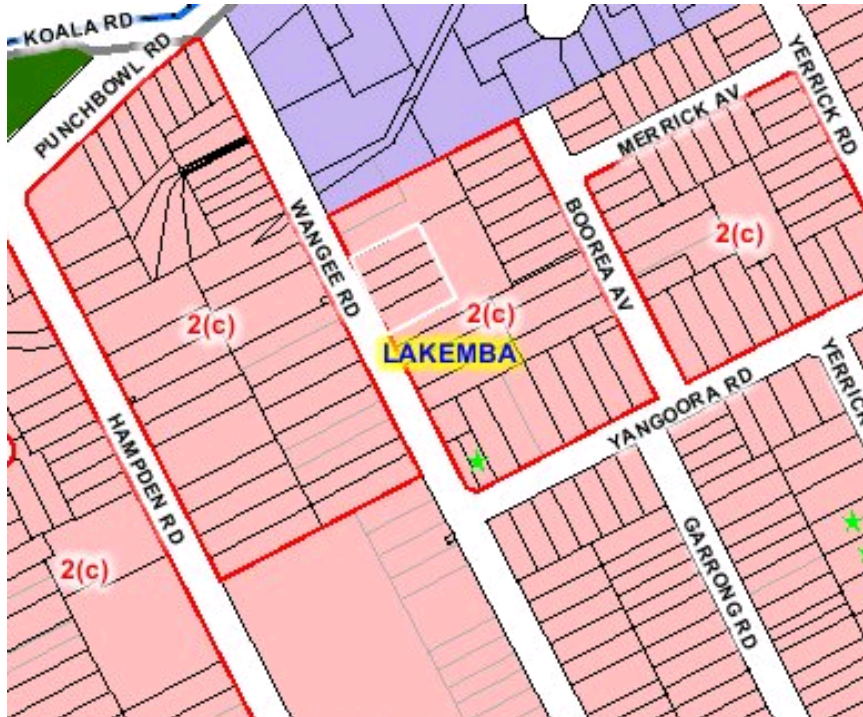


Figure 3 Extract of Zoning Plan from Canterbury Local Environmental Plan 178: Belmore-Lakemba Precinct

In accordance with Clause 5 of CLEP178, the proposed development is defined as an 'educational establishment' which means:

"a building or place used for education (including teaching) and includes:
(a) a school; and
(b) a tertiary institution, being a university, TAFE establishment, teachers' college, or
other tertiary college providing formal education which is constituted by or under an Act; and
(c) an art gallery or museum not used to sell the items displayed in it, whether or not accommodation for staff and students is provided and whether or not used for the purpose of gain."

'Educational establishments' are a permissible use in a Residential 2(c) zone under the provisions of CLEP178 with consent.

Clause 14(1) – Floor Space Ratio

This clause states that in a Residential 2(c) we shall not consent to a development application for the erection of a non-residential building in a residential zone that exceeds a floor space ratio (FSR) of 0.75:1. The plans forwarded with the development application indicate that the proposal has a gross floor area of 1714 square metres which represents an FSR of 0.75:1 and as such is consistent with the FSR requirements of CLEP 178. The proposed development therefore satisfies the provisions of Canterbury Local Environmental Plan 178: Belmore-Lakemba Precinct.

Clause 25 – Development in the vicinity of heritage item

This clause requires us to consider the extent to which the carrying out of development would have on the heritage significance of a heritage item and any

features of its setting. While the subject site does not contain a heritage item it is in the vicinity of a heritage item located at 123 Yangoora Road, Lakemba.

The development site at its nearest point is located approximately 90 metres from the above mentioned heritage building. The proposed development will not be visible from the heritage building at 123 Yangoora Road, Lakemba. Furthermore, given the extent of the excavation works proposed and the distance between the heritage item and the development site, it is considered unlikely that any impacts on the heritage item would result from the proposed development. In this regard, it is considered that the proposed development will not impact the heritage item at 123 Yangoora Road, Lakemba.

- **Draft Canterbury Local Environmental Plan 2012**

On 29 March Draft Canterbury Local Environmental Plan 2012 went on public exhibition and became an instrument for consideration under Section 79C(1)(a)(ii) of the *Environmental Planning and Assessment Act 1979*. The broad controls applicable to this application are as follows:

Standard	Requirement	Proposal	Complies
Zoning	R4 High Density Residential	Schools are permitted in the zone	Yes
Height	8.5m	11m	No
FSR	0.75:1	0.75:1	Yes

However, the draft LEP is not considered to be certain or imminent in its current form as public submissions are still being considered and the matter is yet to be reported to Council following the public exhibition process. Accordingly, at this stage, no determinative weighting can be afforded to its provisions in respect to this application.

- **Canterbury Development Control Plan No. 9 – Non-Residential Buildings Adjoining Residential Zones**

Development Control Plan No. 9 – Non-Residential Buildings Adjoining Residential Zones (DCP 9) applies to non-residential developments that adjoin residential zones and aims to minimise the impacts which non-residential buildings have on adjoining residential properties. The DCP sets out a number of design requirements which include:

- The non residential component of buildings that adjoin residential zones should comply with the Building Height Plane.
- Any area between the building and the property boundary should be landscaped.
- Shadow diagrams must accompany the application and indicate the effect of overshadowing.

Building Height Plane:

The amended plans received on 2 May 2012 indicate non-compliances with the height plane control of DCP 9. The applicant has argued that compliance with this requirement is unnecessary along the north western elevation of the development as this elevation adjoins the Mosque which is similarly a non-residential development. This argument is considered acceptable particularly given the development will still be consistent with surrounding development.

Similarly, the south eastern elevation of the development encroaches on the

required building envelope requirements of DCP 9. This encroachment is considered to be acceptable in so far that this section of the building adjoins the driveway of 55 Wangee Road, Lakemba. It is however noted that the development when measured at the north western boundary of 53 Wangee Road, Lakemba, which is the residence nearest to this elevation; the development does comply with the building height plane requirements of DCP 9.

Plan DA A1501 (prepared by Ghazi Al Ali Architect, dated 2 May 2012, Revision P) indicates an encroachment of the developments north eastern elevation into the required building height plane. Although this encroachment is non-habitable and appears to be an architectural feature, support of this encroachment is not warranted given this section of the development adjoins a multiple unit development. This elevation of the development is capable of being amended to comply with the provision of DCP 9 and as such it is recommended that should the application be supported a condition to this effect be imposed.

Landscaping:

The areas between the building and the property boundaries have been landscaped in accordance with the requirements of DCP 9.

Shadow impacts:

Shadow diagrams were submitted with the application on 22 December 2011. The shadow diagrams demonstrate compliance with the solar access controls contained within our DCP 37 which requires a minimum of two hours sunlight to the private open space, living room window and clothes drying areas of adjoining residential development. DCP 37 does not strictly apply, but is a useful guide in considering this proposal.

As demonstrated above, the proposed development although consistent with the controls relating to the amenity of adjoining developments, does not comply with the building height plane requirements of DCP 9. As outlined above, the variations sought in relation to the non-compliances along the north-western and south-eastern elevation of the proposed development are considered acceptable given the encroachments are not adjacent to residential development.

With regards to the non-compliance to the rear of the development, given this part of the development is located adjacent to a residential development, this variation cannot be supported. In this regard it is recommended that a condition be imposed requiring the blade walls/architectural elements protruding into the building height plane to be amended so as to achieve compliance with the building height plane controls of DCP 9.

- **Canterbury Development Control Plan No. 20 – Car Parking**
Development Control Plan No. 20 – Car Parking (DCP 20) aims to ensure that development provides adequate off-street car parking and access arrangements. The DCP provides specific parking rates for a range of development types. In this instance, we are required to consider the parking requirements for a primary school.

For a primary school, Table 3(a) of DCP 20 states that parking be provided at a rate of one space per two staff and that provision be made on-street for the pick-up and drop-off of children.

The proposal involves a maximum of twenty staff for the primary school and the plans submitted indicate ten off-street car spaces at basement level for staff parking, thereby satisfying the off-street parking requirements of DCP 20.

The proposed design incorporates parking at basement level capable of accommodating 37 vehicles for the drop off/pick up of children from the site. In addition a car set down area in the front setback will accommodate the two mini-buses proposed for the development.

Given the limited on-street parking available in Wangee Road, as documented in Section 3 of the Traffic Impact Assessment report prepared by Traffix (dated 2 May 2011), an on-site drop off/pick up arrangement is considered acceptable. It is furthermore noted that a similar type of arrangement was previously approved by Council in August 2009 for a primary school & Mosque located at 25-33 Matthews Street, Punchbowl.

The RMS and Councils' Team Leader Traffic raise no objection to the proposed on-site drop off/ pick up arrangement subject to conditions relating to a Traffic Management Plan being prepared in consultation with Council and endorsed by the Canterbury Local Traffic Committee, the basement access being restricted to left in and left out and the layout being amended to comply with AS 2890.1-2004 and AS 2890.2-2002.

In this regard, the proposed development satisfies the off-street parking and drop-off/pick-up requirements of DCP 20.

- **Canterbury Development Control Plan No. 29 – Crime Prevention Through Environmental Design**

The proposed development has also been assessed against the relevant provisions of Council's Development Control Plan No. 29 – Crime Prevention Through Environmental Design (DCP 29), which aims to promote design as a genuine crime prevention strategy through three main principles, namely natural surveillance, access control and ownership.

The development application has been assessed by our Crime Prevention Officer (in consultation with the NSW Police Campsie Local Area Command) who has advised that no objections are raised to the proposed development subject to a number of standard conditions being imposed on any consent issued. Conditions recommended relate to including natural surveillance, restricting access to the car park, use of security devices to restrict access to the school from the car park, cash handling procedures and provision of storage areas to accommodate items of value.

Further to the above mentioned conditions, given the car park is proposed to be used for the drop off/pick up of students and after hours by the Mosque, it is recommended that conditions be imposed requiring all rooms at basement level, with the exception of the bicycle storage area being secured at all times, and that access to the lift being restricted at all times except between 7:30am and 4:30pm Mondays to Fridays. It is also recommended that access to the car park be restricted to staff & waste contractors between 9:30am and 2:30pm on School days.

In relation to the after hours use of the basement car park by patrons of the Mosque, it is recommended that the car park only be used between 4:30pm and 7:00am, except on days when the school has an after hours function. On days

when there is an after hours school function at the site the car park must not be used by patrons of the Mosque until 30 minutes after the function is scheduled to finish. This requirement is to be enforced by the operator, in conjunction with the operators of the Mosque at 65-67 Wangee Road, Lakemba. Furthermore, given the basement car park would be open between these hours it is recommended that a duress facility be installed at basement level and that frequent security patrols be carried out after hours.

The use of the basement car park by the neighbouring Mosque after hours is to be limited to a 12-month period. This will allow the appropriateness of this after hours use to be better gauged. Any use of the basement car park after hours beyond this 12 month period will require approval from Council (refer to Condition 36).

It is considered that the above measures would significantly improve access control and surveillance of the site. In this regard, the proposed development, subject to compliance with conditions recommended, satisfies the CPTED requirements of DCP 29.

- **Canterbury Development Control Plan No. 45 – Landscaping**

The proposed development has been assessed against the provisions of Canterbury Development Control Plan No. 45 – Landscaping.

Council's Landscape Architect is satisfied with amended landscape proposal submitted to Council and has recommended that a number of landscape related conditions be imposed should the application be approved (refer to conditions 79-83).

- **Canterbury Development Control Plan No. 48 – Waste Management**

The proposed development has been assessed against the provisions of Canterbury Development Control Plan No. 48 – Waste Management (DCP 48). The DCP requires consideration of the design and location of waste management facilities on site, details being provided of the levels of waste likely to be generated by demolition and construction phases of development and the on-going use of the development.

The development application and associated documentation, including Waste Management Plan prepared by J D Macdonald (Lakemba Primary School, Revision 1, April 2012) were referred to Council's Waste Service Contracts Coordinator for comment. The proposed development in its current form fails to comply with the requirements of DCP 48. The following matters remain outstanding:

- (a) The Waste Management Plan indicates waste volumes and the number of bins that need to be provided. The proposed number of bins will not be able to be accommodated in the basement storage room. Bins are shown as being "stacked" in the storage room which is contrary to DCP 48 requirements.
- (b) Waste bins are to be stored as separate groups in the storage rooms ie: recycling bins together and rubbish bins as a separate group. The plans currently show this will not be achieved.
- (c) Being a school premises the waste collections will need to be provided by a private contractor. The waste management plan is to be amended to reflect this arrangement.
- (d) Once the frequency of service is determined then the number of bins that

will be used to store the waste materials can be finalised, according to the estimated volumes of waste that will be generated. A logical and practical servicing regime needs to be identified and explained.

- (e) The waste management plan states in section 5.0 that collections will occur from the waste room located in the basement; however a large waste bin collection area is indicated as part of the car set down area and driveway at the front of the site. Again, this is in conflict with other statements about the basement collection as well as the frequency of servicing the bins. The bin collection area indicates 38 bins out for collection at one time.
- (f) The bin presentation area in the driveway / car set down area is not considered to be practical due to potential conflict between service vehicles and private cars accessing the property. There may also be issues with the ability of large service vehicles being able to negotiate the driveway due to width and turning circles. Driveways to be used by heavy service vehicles will need to be constructed to an appropriate standard.

It is noted that the waste management plan submitted indicates that the waste equipment needs identified in the report are based on a weekly collection. Some of the matters raised above could be addressed by increasing the frequency of waste collection from the site. It is recommended that conditions be imposed addressing the above issues should the application be supported.

It is recommended that these areas of non-compliance be addressed at Construction Certificate stage (refer to condition 84).

- **Canterbury Development Control Plan No. 51 – Access and Mobility**
The proposed development has also been assessed against the provisions of Canterbury Development Control Plan No. 51 – Access and Mobility. The development application was accompanied by an Access for People with Disabilities Report, prepared by Access Solutions Disability Access Consultants which assesses the proposal against the requirements of the National Construction Code, Disability (Access to Premises – Buildings) Standard 2010, AS1428.1, and The Disability Discrimination Act 1992. The proposed development will provide sufficient facilities and provisions to ensure compliance with the requirements of the DCP.

The application was reviewed by Council's Disability Access Committee who raises no objection to the proposal subject to the inclusion of a number of conditions relating to the provision of disabled access facilities within the development. These conditions are listed in the recommendation below (refer to conditions 85-107).

- **Stormwater Management Manual – Specification 9 'A Guide to Stormwater Drainage Design'**
The proposed development and accompanying engineering drawings have been reviewed by Council's Development Engineer who has found that the proposal complies with the requirements of our Stormwater Management Manual. Conditions regarding stormwater management have been recommended (refer to conditions 61-74).

INTERNAL REFERRALS

The development application was referred to a number of internal sections of Council for comment and the advice received is summarised below. Please note that referral

comments from Council's Landscape Architect, Development Engineer, Disability Access Committee, Crime Prevention Committee and Waste Services were received in relation to this application. Comments received from these sections of Council have been addressed in the previous section of this report titled 'Assessment'.

- **Fire Safety and Building Related Comments**

The development application has been accompanied by a Building Code of Australia Assessment Report prepared by Steve Watson & Partners. The report concludes that the proposed development is capable of satisfying the provisions of the National Construction Code subject to the certain aspects being complied with at Construction Certificate stage. The development application and accompanying BCA report were referred to Council's Team Leader Building for comment who has raised no objections to the proposal in principle subject to certain conditions being included as part of any development consent issued.

- **Environmental Health and Compliance Comments**

The development application was referred to Council's Environmental Health and Compliance Section for comment. Specific advice was sought in relation to food surveillance issues and the acoustical impacts of the proposed development. It is noted that the development application was accompanied by an Acoustical Assessment prepared by Acoustic Logic Consultancy Pty Limited. No objections are raised to the proposed development subject to a number of conditions. Specific issues arising from the assessment of the acoustical aspects of the development will be discussed in greater detail in a later section of this report.

- **Traffic Engineer Comments**

The development application was referred to Council's Team Leader Traffic and Transportation for comment who has advised that no objections are raised to the proposed development on traffic generation or car parking grounds. The following concerns were however raised in relation to the development:

- (a) Driveway entrance: The driveway for the development is not designed as per the AS2890.1.2004, section 3.2.4 (sight distance of access driveway exits). The design should be amended to meet the sight distance requirements. This matter can be addressed by way of condition.
- (b) Pedestrians: A new wombat crossing (raised threshold with marked pedestrian crossing) needs to be installed in Wangee Road just north of Yangoora Road. This would require the approval of the Local Traffic Committee. The installation of such a facility could be conditioned as part of approval of the DA at this stage. The applicant needs to meet the cost of such a facility.
- (c) Drop Off and Pick Up Zone: The proposal involves providing an on-site facility for Drop Off and Pick Up of school children. The applicant's Traffic Consultant has submitted a pedestrian management plan and an Operational Management Plan which are satisfactory but these must be conditioned as part of the DA approval.

The entire length in front of the school in Wangee Road needs to be sign posted "No Parking" zone and would require Traffic Committee approval at a later stage. This is required to ensure that all children are dropped off and picked up in the basement carpark. The applicant needs to meet the costs of

installing the "No Parking" signs.

Should the application be supported standard conditions addressing the above mentioned matters will be imposed.

Council's Team Leader Traffic and Transportation also raised concern regarding the operation of the school when Wangee Road is closed for Special Event at the neighbouring Mosque. On 12 June 2012 the applicant advised the following in relation to this matter:

"There are 2 days that road closure is required the night of power and eid the night of power is closed from evening around 10pm and eid is closed from around 5.00am. Both these days school will be closed."

LIKELY IMPACTS ON THE ENVIRONMENT

The scale and built form of the proposed development are considered to be satisfactory. The proposal is not expected to have any detrimental impacts in terms of the natural or built environments, and the social and economic aspects, as discussed under the following headings below.

- **Excavation Works**

A Geotechnical Report prepared by SMEC Testing Services Pty Ltd was submitted in relation to the development. The report noted that the proposed excavations will be achievable at the site. In relation to groundwater, the report indicated that seepage is likely in the long term and a "sump and pump will be required to control this". It was further noted that "allowances must be made for seepage into the excavation during construction". Recommendations have been provided in relation to excavation structural footings and groundwater. A condition has been recommended requiring the works to be carried out in accordance with the recommendations of the Geotechnical report prepared by SMEC Testing Services Pty Ltd (refer to condition 39).

Given the proximity of the excavation works to adjoining properties, it has been recommended that an additional condition be imposed regarding the submission of a Dilapidation report of the adjoining properties prior to the issue of the Construction Certificate (refer to condition 40).

- **Privacy Considerations**

Privacy impacts have been adequately mitigated by off-setting windows, and through the use of high sill windows and screening. It is considered that the measures proposed are acceptable.

- **Consolidation of Allotments**

Given the subject development involves construction over four allotments of land, it is recommended that a condition be imposed requiring the consolidation of the sites into one allotment prior to the release of the Occupation Certificate or occupation of the building (refer to Condition 42).

- **Traffic and Car Parking Implications**

The development application has been accompanied by Traffic Impact Assessment (dated May 2011) and Addendum letter (dated 27 April 2012) prepared by Traffix Traffic and Transport Planners which addressed the traffic and parking conditions of the locality and the proposed development. The addendum to the report indicated that:

- (a) Based on a reduction to the total number of students to 300 students, the Punchbowl Road & Wangee Road intersection will operate satisfactorily with the Level of Service B retained.
- (b) The proposed development is expected to generate about 150 vehicle trips per hour during the peak drop off/pick up period (based on average occupancy rate of 1.6 students per vehicle and assumption that 80% of students will be driven to the site);
- (c) The basement car park will provide 37 short stay spaces for the drop off/pick up of students from the site. Based on an assumed stay time of 5 minutes, the basement is capable of accommodating 222 vehicles over a 30 minute period, which exceeds the likely demand for the parking area;
- (d) It is proposed to construct a new left-in, left-out access; and
- (e) The Operational Traffic Management Plan will ensure the safe and efficient drop off/pick up of students.

As noted previously, Council's Team Leader Traffic and Transportation & the RMS support the conclusions reached by the applicant's consultant. It is considered that the traffic and parking aspects of the proposed development will be satisfactory subject to conditions being imposed (refer to conditions 108-129).

- **Acoustic Considerations**

The development application has been accompanied by an Acoustical Assessment Report prepared by Acoustic Logic Consultancy Pty Ltd. The report concludes that noise emissions from the proposed operations comply with the appropriate Department of Environment and Climate Change guidelines provided that the acoustic treatments and controls are undertaken in relation to the mechanical plant to be installed at the site, as per the recommendations outlined in Clause 5.4.3 of the Acoustic report.

Furthermore, this report was reviewed by Council's Environmental Health Officer who raised no objection to the development on acoustic grounds provided that the development is constructed in accordance with the recommendations outlined in the Acoustic report. Conditions regarding acoustic measures have been recommended (refer to conditions 43-44).

- **Playground**

Amenity concerns were initially raised in relation to the adequacy of the proposed playground. There are no minimum play areas required for a primary school, rather it is based on a merit assessment. The amended design provides an unobstructed turf square with an area of 270 square metres. The applicant has advised that the "multi-purpose hall [that] opens onto the outdoor play area ... [will serve] as an extension of the play area" in order to improve the amenity of the play area. When including the walkways directly adjacent to the square and the multi-purpose hall the development will have an area of 704.3 square metres of play area, which equate to 2.34 square metres per child.

The applicant in the statement prepared by ABC Planning made reference to All Saints Grammar Greek Orthodox School, located in Cecilia Street Belmore which was approved by Council in 2006. This development related to the construction of a school on a site of comparable size (2656 square metres), and accommodated 450 students. The designated play area of this site is significantly lesser than that proposed under the subject application.

In light of the site constraints, the reduction in student numbers by 27% and the

improvements to the functionality of the proposed playground, the proposed play areas are considered acceptable.

SUITABILITY OF THE SITE

These matters have been considered in the assessment of the development application. The proposed redevelopment of the site is permissible and not expected to have any detrimental impacts on the amenity of the locality. The proposed development is considered to be a suitable development in the context of the locality.

NOTIFICATION

The development application was publicly exhibited and all adjoining owners & occupiers were notified of the proposed development in accordance with the provisions of Council's Development Control Plan No. 32 - Notification Policy on two separate occasions.

The application was first notified on 23 January 2012 for 21 days. During the notification period nine submissions objecting to the development, including one petition with 59 signatures (from 48 households) were received by Council. Matters raised related to traffic, parking, driver & pedestrian safety, noise, insufficient outdoor play areas, issues with existing uses & associated parking and traffic impacts surrounding site (Lakemba Mosque and existing schools).

Following receipt of amended plans & documentation the application was renotified on 9 May 2012. Five submissions, including one petition with 18 signatures (from 13 households) were received in objection to the proposed development. Matters raised related to parking, traffic, noise, pedestrian and driver safety, parking and traffic impacts associated with existing uses surrounding the site, failure to consider population growth and associated increased traffic flows and inadequate play areas.

The issues arising from the notification periods have been addressed below:

- **Insufficient off-street car parking to accommodate staff parking and student drop off/pick up**

Comment

Concerns have been raised that the proposed development provides insufficient car parking to meet the demands of the development. As previously outlined, the proposed development satisfies the staff parking rates required under Council's DCP 20 – Car Parking. With regards to the drop-off and pick-up of students from the site, this is being proposed at basement level rather than on-street. The proposed basement will provide 37 short stay spaces for the drop off/pick up of students from the site. Based on a capacity of 300 students attending the school and 80% of these students being driven to and from school it is expected that the proposed development would generate approximately 150 vehicle trips per hour during the peak morning and afternoon peak periods. Assuming a stay time of 5 minutes per vehicle it is considered that the proposed basement would be capable of accommodating 222 vehicles in a 30 minute period, which would exceed the likely parking demand.

As previously outlined in this report, the RMS & Council's Team Leader Traffic and Transportation agree with the off-street parking arrangements proposed for the site, subject to compliance with conditions. In this regard, it is considered that the proposed development will provide sufficient off-street parking for staff and for the drop off and pick up of students to the site.

- **Existing problems of users of Lakemba Mosque parking over the driveways of residential properties in locality**

Comment

Concerns were raised in relation to the development further exacerbating parking issues in the locality. It was noted in a number of submissions received that due to on-street parking constraint it is common to see vehicles parked over driveways of surrounding residential development, on footpaths in the immediate locality, parking in visitor spaces and in front of driveways in adjacent residential flat buildings and in contravention of existing 'No Parking' or 'No Stopping' signage during prayers at the neighbouring Mosque.

This issue is effectively a matter for Council's Compliance section and will be referred to them for appropriate action. As previously outlined the proposed development provides sufficient off-street parking to accommodate the proposed school. Furthermore, given the proposed school's basement car park will be used by the Mosque after hours for parking by worshippers, the proposed development should result in some improvements to on-street parking availability in Wangee Road and surrounding streets.

- **Reliance on on-street parking in Wangee Road**

Comment

As previously outlined, the proposed development provides sufficient off-street parking to accommodate staff parking and the drop-off & pick up of student from the site. In this regard the proposed development will not be reliant on on-street parking in Wangee Road or surrounding local streets.

- **Bus stop will affect on-street parking**

Comment

It is proposed that the school will provide two mini-buses for the drop-off and pick-up of students whom choose this service. The mini-buses will not affect on-street parking, rather the mini-buses will be parked in the basement car park when not in use and during the drop off/pick up of students they will use the on-site set down area located in the front setback of the development.

- **Traffic impacts**

Comment

As outlined in the documentation prepared by Traffix the proposed development is expected to generate approximately 150 vehicle movements. The proposed development has been reviewed by Council's Traffic Section and the RMS and it is considered that the proposed development and associated traffic demand is capable of being accommodated. To mitigate traffic congestion associated with vehicles entering and leaving the site the applicant will need to prepare a Traffic Management Plan, which is to incorporate the recommendations outlined in the Pedestrian & Operation Management Plan and be prepared in conjunction with Council to ensure the safe and efficient movement of vehicles to and from the school. The Traffic Management Plan will need to be endorsed by Council's Local Traffic Committee prior to the issue of the Construction Certificate.

- **On-going issues with excessive traffic on Hampden Road during school start and finish times**

Comment

As previously outlined the proposed development provides sufficient off-street parking to accommodate the drop-off and pick-up on site at basement level. In view of the traffic and parking impacts presently being experienced in Hampden

Road it has been recommended that the Traffic Management Plan be prepared in conjunction with Council's Traffic Section and NSW Police Local Area Command to ensure the safe and efficient drop off and pick up on students from the site.

- **Acoustic impacts**

Comment

As previously outlined, the proposed development was accompanied by an Acoustic Report prepared by Acoustic Logic Consultancy Pty Ltd. The report notes that noise impacts from speech amplification equipment used at the school will comply with the required noise levels at sensitive receivers. The report concludes that noise emissions from the proposed operations comply with the appropriate Department of Environment and Climate Change guidelines provided that the acoustic treatments and controls are undertaken in relation to the mechanical plant to be installed at the site, as per the recommendations outlined in Clause 5.4.3 of the Acoustic report. Council's Environmental Health Officer has reviewed the proposal and Acoustic report and concurs with this recommendation. Conditions relating to compliance with the Acoustic report are recommended.

- **Operating hours for school**

Comment

The school day will be from 8:30am – 3:30pm Mondays to Fridays. The hours proposed are considered acceptable and consistent with other schools in the area.

- **After hours use of school**

Comment

It is proposed that the school car park will be used after hours by worshippers attending Lakemba Mosque. The proposed development does not seek to use any other facilities within the school outside standard school operating hours.

- **Design concerns**

Comment

Concern was raised in relation to natural ventilation and sunlight received by the development & limited play areas proposed. The classrooms will receive sufficient cross flow ventilation and sunlight.

The proposed development has been reviewed by Council's Landscape Architect and found to be satisfactory. The Standards applicable to such development do not specify a minimum/maximum area required for school playgrounds.

- **Capacity for expansion of school**

Comment

The development proposed is at the maximum density permitted at the site under Canterbury Local Environmental Plan 178: Belmore-Lakemba Precinct and the Draft Local Environmental Plan 2012.

In this regard there is no capacity under Council's current and proposed Environmental Planning Instruments for the site to expand without the acquisition of adjoining properties.

- **Sufficient number of schools in the locality**

Comment

Concerns have been raised during the notification period that there is a sufficient number of schools in the immediate locality and therefore, development of the subject site as a school is not warranted. This issue is not a matter of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, and as such is not a valid reason to refuse the development application. Nevertheless, the proposed facility will cater for a growing Islamic community within the locality and the proposal will provide this community with a needed facility.

- **Pedestrian safety**

Comment

The Council's Traffic section have recommended that a new wombat crossing (raised threshold with marked pedestrian crossing) be installed in Wangee Road just north of Yangoora Road subject to approval by the Local Traffic Committee, with all associated costs to be borne by the developer.

- **Traffic modelling based on morning peak only**

Comment

As outlined in the addendum to the Traffic Report prepared by Traffix (dated 27 April 2012), the traffic modelling was based on the morning peak given this is when the school and commuter peak periods coincide.

- **Was an Independent traffic study conducted to measure the traffic flow in Wangee road at all times of the day during a school week in order to accurately calculate how the new school will impact on the current traffic problems?**

Comment

Council did not commission an Independent Traffic Study to be conducted as it was not considered necessary. The Traffic Assessment, and addendum (dated 27 April 2012) prepared by Traffix was assessed by the RMS & Council's Traffic Section and found to be satisfactory. The traffic modelling relied on the morning peak as this best represents the worst case scenario given it involves both the school and commuter peak periods coinciding.

- **Projected population growth over the next twenty years and associated future through traffic impacts of the development should be considered**

Comment

As previously outlined, The Traffic Assessment undertaken was reviewed by the RMS and Council's Traffic Section and found to be satisfactory. The modelling does not need to take into consideration the future traffic impacts of proposed development in the context of projected population growth over the next 20 years.

- **Impacts on performance of Punchbowl Road & Wangee Road Intersection**
Comment

As outlined in the addendum statement prepared by Traffix (dated 27 April 2012), this intersection will continue to operate satisfactorily with the Level of Service B retained. The RMS have raised no objection to the Intersection performance since the proposal was amended.

- **Detrimental impacts on residential amenity & character**
Comment

The proposed development is permissible in the zone with consent. Satisfactory measures have been proposed in order to minimise privacy, solar access and acoustic impacts on surrounding residences. The proposed developments streetscape impact is considered satisfactory given its context.

- **No parking zone & implications on on-street parking**
Comment

The proposed development will require the provision of a no parking zone in Wangee Road, adjacent to the proposed school. It is acknowledged that this will impact on-street parking availability.

It is considered that the after hours use of the schools basement car park by Mosque patrons will improve the on-street parking issues currently affecting Wangee Road and surrounding local streets.

- **Given the proximity of the development to the Yangoora Road roundabout it was request that the performance of this traffic control measure be analysed as any issues with this roundabout will have significant impacts on traffic flows**

Comment

Council's Team Leader Traffic has reviewed the proposed development during which consideration was given to the existing traffic control measures in Wangee Road, including the roundabout at the intersection with Yangoora Road. To effectively manage traffic associated with the proposed development, it was recommended by the RMS that a Traffic Management Plan be prepared in relation to this development. This plan is to be prepared in consultation with Council and endorsed by Council's Local Traffic Committee prior to the issue of the Construction Certificate.

- **Traffic implications associated with a new pedestrian crossing in Wangee Road**

Comment:

Council's Traffic section have reviewed the proposed development and associated Traffic reports and have recommended that a new wombat crossing be installed in Wangee Road to the north of Yangoora Road to improve pedestrian safety.

- **Traffic Assessment is erroneous in relation to reporting of impacts associated with current traffic flows in Wangee Road, the calculations used to derive the basement car parking demand, and the traffic impacts associated with the existing pedestrian crossing located to the north of the site**

Comment:

The application was reviewed by Council's Traffic Section and the RMS and was found to be satisfactory.

PUBLIC INTEREST

The proposed development satisfies the relevant requirements contained within the Canterbury Local Environmental Plan 178: Belmore-Lakemba Precinct, and is generally consistent with the relevant Development Control Plans applicable to the proposal as discussed in earlier sections of this report. The proposed development promotes the coordinated, orderly and economic use of the land and is not expected to have any unreasonable impacts on adjoining residential development. Approval of the application is therefore considered to be in the public interest.

CONCLUSION

The development application has been assessed pursuant to the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979 and all relevant development control plans, codes and policies.

The proposed development is permissible in the zone subject to consent under the provisions of Canterbury Local Environmental Plan 178: Belmore/Lakemba Precinct (CLEP178). As demonstrated, the proposed development is consistent with the provisions of the relevant State Environmental Planning Policies and Councils development control plans, with the exception of Council's waste and building height plane requirements, which will be addressed by way of condition.

As outlined throughout this report, the site is capable of accommodating the proposed primary school and is not expected to have any detrimental impacts on the amenity of the locality, in this regard the proposal is considered to be a suitable development for the site. It is recommended that the development application be approved, subject to conditions.

RECOMMENDATION:

THAT the Joint Regional Planning Panel approve Development Application 625/2011 for the demolition of the four existing dwellings and construction of a two storey building with basement carpark and associated landscaping, for use as a Primary School, subject to the following conditions:

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

1. The following must be submitted to either Council or an Accredited Certifier prior to the issuing of a Construction Certificate:

- 1.1. Details of:

- Structural Engineering Plan including method of shoring during excavation
- Building Specifications
- Fire Safety Schedule
- Landscape Plan
- Hydraulic Plan
- Sydney Water Notice of Requirements
- Fire separation

- Soil and Waste Management Plan
- Ventilation of basement in accordance with AS1668.2
- Discharge from the exit between the multi-purpose hall and the ramp to comply with D1.10, Volume 1 of the National Construction Code.
- Mechanical Ventilation
- Compliance with Conditions 5.1, 5.2, 5.3, 14, 18, 37, 40, 84, 111, 114 and 116.

- 1.2. Payment to Council of:
- | | |
|--------------------------------|-----------|
| Kerb and Gutter Damage Deposit | \$2928.00 |
| Certificate Registration Fee | \$30.00 |
- 1.3. If you appoint Council as your Principal Certifying Authority, the following fees are payable:
- | | |
|--|------------|
| Construction Certificate Application Fee | \$11957.50 |
| Inspection Fee | \$3460.00 |
| Occupation Certificate Fee | \$1155.50 |
| Long Service Levy | \$19862.15 |

Note 1: Long Service Leave is payable where the value is \$25,000 or more under Part 5 Section 36 of the Building and Construction Industry Long Service Payments Act 1986.

Note 2: When the items in this condition are provided and have been assessed as satisfactory, your Construction Certificate will be posted to you.

Note 3: If you appoint a Principal Certifying Authority other than Council, the fees shown in this item do not apply, however other fees will apply.

Note 4: All fees referred to above are subject to change. You need to refer to our website or contact our Customer Service Centre for a current schedule of fees prior to payment.

BEFORE COMMENCING THE DEVELOPMENT

2. Before the erection of any building in accordance with this Development Consent;
- 2.1. detailed plans and specifications of the building must be endorsed with a Construction Certificate by the Council or an Accredited Certifier, and
 - 2.2. you must appoint a Principal Certifying Authority (either Canterbury City Council, or an Accredited Certifier) and notify the Council of the appointment (see Attachment – Notice of Commencement copy), and
 - 2.3. You must give the Council at least 2 days notice of your intention to commence erection of the building (see Attachment – Notice of Commencement copy).
 - 2.4. In the case of work which includes residential development, you must inform us in writing before the commencement of work of the following:
 - 2.4.1. The name and contractor or licence number of the licensee who has contracted to do or intends to do the work; or
 - 2.4.2. The name and permit number of the owner-builder who intends to do the work.

SITE SIGNAGE

3. A sign shall be erected at all times on your building site in a prominent position stating the following:
- 3.1. The name, address and telephone number(s) of the principal certifying authority for the work, and
 - 3.2. The name of the person in charge of the work site and a telephone number at which that person may be contacted during and outside working hours, and
 - 3.3. That unauthorised entry to the work site is prohibited.

DEMOLITION

4. Demolition must be carried out in accordance with the following:
 - (a) Demolition of the building is to be carried out in accordance with applicable provisions of Australian Standard AS 2601-2001: The Demolition of Structures and the Construction Safety Act Regulations.
 - (b) The demolition of a structure or building involving the removal of dangerous or hazardous materials, including asbestos or materials containing asbestos must be carried out in accordance with the requirements of the Workcover Authority of New South Wales (Ph. 9370 5099 – Asbestos Hotline).
 - (c) Demolition being carried out in accordance with the requirements of the Occupational Health and Safety Regulation 2001.
 - (d) A hoarding or fence must be erected between the building or site of the building and the public place, if the public place or pedestrian or vehicular traffic is likely to be obstructed or rendered inconvenient because of the carrying out of the demolition work.
 - (e) Demolition of buildings is only permitted during the following hours:
7.00 a.m. – 5.00 p.m. Mondays to Fridays
7.00 a.m. – 12.00 noon Saturdays
No demolition is to be carried out on Sundays or Public Holidays.
 - (f) Burning of demolished building materials is prohibited.
 - (g) Adequate care is to be taken during demolition to ensure that no damage is caused to adjoining properties.
 - (h) Soil and water management facilities must be installed and maintained during demolition in accordance with Council's Stormwater Management Manual. If you do not provide adequate erosion and sediment control measures and/or soil or other debris from the site enters Council's street gutter or road you may receive a \$1500 on-the-spot fine.
 - (i) Council's Soil and Water Management warning sign must be displayed on the most prominent point on the demolition site, visible to both the street and site workers. The sign must be displayed throughout demolition.
 - (j) The capacity and effectiveness of soil and water management devices must be maintained at all times.
 - (k) During the demolition or erection of a building, a sign must be provided in a prominent position stating that unauthorised entry to the premises is prohibited and contain all relevant details of the responsible person/company including a contact number outside working hours.
 - (l) A sign is not required where work is being carried out inside, or where the premises are occupied during the works (both during and outside working hours).
 - (m) Toilet facilities must be provided to the work site in accordance with WorkCover's NSW "CODE OF PRACTICE" for Amenities for construction work and any relevant requirements of the BCA.
 - (n) Removal, cleaning and disposal of lead-based paint conforming to the current NSW Environment Protection Authority's guidelines. Demolition of materials incorporating lead being conducted in strict accordance with sections 1.5, 1.6, 1.7, 3.1 and 3.9 of Australian Standard AS2601-2001: Demolition of Structure. Note: For further advice you may wish to contact the NSW Community LEAD Advisory Service on 9716 0132 or 1800 626086 (freecall).
 - (o) Hazardous dust not being allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended.
 - (p) Any existing accumulations of dust (eg. ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high

efficiency particulate air (HEPA) filter. All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during adverse winds, which may cause dust to spread beyond the site boundaries.

GENERAL

5. The development being carried out in accordance with plans, specifications and details set out in the table below except where amended by the conditions specified in this Notice and the following specific conditions:

Plan Number	Plan Title	Dated	Prepared By	Received by Council
DA A1010 (Issue P)	Survey Plan	2 May 2012	Ghazi Al Ali Architect	2 May 2012
DA A1200 (Issue P)	Demolition Plan	2 May 2012	Ghazi Al Ali Architect	2 May 2012
DA A1200 (Issue P)	Basement Plan	2 May 2012	Ghazi Al Ali Architect	2 May 2012
DA A1201 (Issue P)	Ground Floor Plan	2 May 2012	Ghazi Al Ali Architect	2 May 2012
DA A1202 (Issue P)	First Floor Plan	2 May 2012	Ghazi Al Ali Architect	2 May 2012
DA A1203 (Issue P)	Roof Plan	2 May 2012	Ghazi Al Ali Architect	2 May 2012
DA A1500 (Issue P)	West Elevation, East Elevation	2 May 2012	Ghazi Al Ali Architect	2 May 2012
DA A1501 (Issue P)	South Elevation, North Elevation	2 May 2012	Ghazi Al Ali Architect	2 May 2012
L-01 (Issue A)	Landscape Plan	24 April 2012	Ray Fuggle Associates Landscape Architects	4 May 2012
5031-C01 (Issue B)	Stormwater Drainage Concept Plan Ground Floor Plan	24 March 2011	Global Project Engineers Pty Ltd	4 May 2012
5031-C02 (Issue B)	Stormwater Drainage Concept Plan Basement Layout	24 March 2011	Global Project Engineers Pty Ltd	4 May 2012
5031-C03 (Issue B)	Stormwater Drainage Concept Plan First Floor Layout	24 March 2011	Global Project Engineers Pty Ltd	4 May 2012
5031-C04 (Issue B)	Stormwater Drainage Concept Plan Roof Layout	24 March 2011	Global Project Engineers Pty Ltd	4 May 2012
5031-C05 (Issue B)	Stormwater Drainage	24 March 2011	Global Project Engineers Pty Ltd	4 May 2012

Plan Number	Plan Title	Dated	Prepared By	Received by Council
	Concept Plan Section & Details Sheet 01			
5031-C06 (Issue B)	Stormwater Drainage Concept Plan Section & Details Sheet 02	24 March 2011	Global Project Engineers Pty Ltd	4 May 2012

- 5.1. The Construction Certificate Plans must show the north eastern elevation of the building being amended so as to comply with the building height plane requirements outlined in Development Control Plan 9: Non-Residential Buildings Adjoining Residential Zones.
- 5.2. The Construction Certificate Plans must show the bicycle storage area being relocated to the area labelled 'waste' located at basement level.
- 5.3. In accordance with Clause 32 of State Environmental Planning Policy (Infrastructure) 2007 the development shall be constructed in accordance with the relevant standards contained in the following State government publications:
 - 5.3.1. *School Facilities Standards—Landscape Standard—Version 22* (March 2002),
 - 5.3.2. *Schools Facilities Standards—Design Standard* (Version 1/09/2006), and
 - 5.3.3. *Schools Facilities Standards—Specification Standard* (Version 01/11/2008).

Compliance with the above mentioned Standards must be clearly demonstrated prior to the issue of the Construction Certificate.
6. The registration of the Private School in accordance with the *Education Act 1990* prior to occupation.
7. All licensing requirements of NSW Department of Community Services, Department of Education and any other relevant authorities are to be fully satisfied prior to the occupation.
8. A minimum of 47 off-street parking spaces being provided for the development. Such spaces to be sealed, line marked and made freely available at all times during operating hours to the satisfaction of Council.
 - 8.1. Ten off-street car spaces at basement level must be sign posted and marked 'STAFF PARKING'.
9. The development shall be limited to a maximum of three hundred (300) children and twenty (20) staff for the primary school as nominated in the details forwarded with DA-625/2011.
10. The school operating hours are to be 8:30am – 3:30 Mondays to Fridays as nominated in the details forwarded with DA-625/2011 with the exception of staff who are permitted to be at the site between 7:30am and 6:00pm daily.
 - 10.1. Notwithstanding this condition school functions after standard hours are permitted provided that they cease by 8.30pm.
11. The basement car park is to be used solely for parking associated with the primary school between the hours of 7:30am and 4:30pm Mondays to Friday, except during School Holidays.
12. All building construction work must comply with the National Construction Code.

13. All building operations for the erection or alteration of new buildings must be restricted to the hours of 7.00a.m.-5.00p.m. Monday to Saturday, except that on Saturday no mechanical building equipment can be used after 12.00 noon. No work is allowed on Sundays or Public Holidays.
14. Prior to the issue of the Construction Certificate, a detailed Construction Noise Management Plan shall be prepared by a suitably qualified consultant outlining all practical noise control measures set out in AS2436-1981 to be employed during the construction phase of the development to ensure compliance with relevant noise control guidelines.
15. All materials must be stored wholly within the property boundaries and must not be placed on the footway or roadway.
16. The applicant must take care during the works period that no damage occurs to any adjoining property during the works period. The cost of repair work required as a result from any damage to an adjoining property is to be borne by the applicant.
17. Renewal or provision of fencing, attributable to the proposed development being the responsibility of the applicant.
18. Submission of a Soil and Water Management Plan, including details of:
 - (a) property details (location, applicant, drawn by, date, scale)
 - (b) accurate property description (property boundary)
 - (c) contours
 - (d) access point and access control measures
 - (e) location and type of all sediment control measures
 - (f) location of existing vegetation to be retained and undisturbed ground
 - (g) any existing watercourse or drainage
 - (h) material stockpile areas and storage and control methods
 - (i) location of new drainage features (stormwater inlet pits)
 - (j) revegetation proposals, including specifications on materials used and methods of application

(NOTE: For guidance on the preparation of the Plan refer to the Soil and Water Management for Urban Development guidelines produced by the Southern Sydney Regional Organisation of Councils.)
19. Council's warning sign for Soil and Water Management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction.
20. The capacity and effectiveness of erosion and sediment control devices must be maintained at all times.
21. A copy of the Soil and Water Management Plan must be kept on site at all times and made available to Council Officers on request.
22. The construction site must have soil and water management controls implemented as described in Specifications S1 and S2 of Council's Stormwater Management Manual.
23. Concrete pumping contractors must not allow the discharge of waste concrete to the stormwater system. Waste concrete must be collected and disposed of on-site.
24. Materials must not be deposited on Council's roadways as a result of vehicles leaving the building site.
25. Drains, gutters, roadways and accessways must be maintained free of soil, clay and sediment. Where required, gutters and roadways must be swept regularly to maintain them free from sediment. Do not hose down.
26. The site must be provided with a vehicle washdown area at the exit point of the site. The area must drain to an approved silt trap prior to disposal to the stormwater drainage system in accordance with the requirements of Specification S2 of Council's Stormwater Management Manual. Vehicle tyres must be clean before leaving the site.

27. A single entry/exit point must be provided to the site which will be constructed of a minimum of 40mm aggregate of blue metal or recycled concrete. The depth of the entry/exit point must be 150mm. The length will be no less than 15m and the width no less than 3m. Water from the area above the entry/exit point shall be diverted to an approved sediment filter or trap by a bund or drain located above.
28. All disturbed areas must be stabilised against erosion within 14 days of completion, and prior to removal of sediment controls.
29. Erection of a hoarding/fence or other measure to restrict public access to the site and to building works, materials or equipment when building work is not in progress or the site is otherwise unoccupied.
30. Where erection or demolition of a building involves the closure of a public place, or where pedestrian or vehicular access is to be obstructed or rendered inconvenient, the premises is to be provided with a hoarding and or sufficient awning to be erected to prevent any substance from, or in connection with the work falling onto the public place. The site is also to be kept illuminated between sunset and sunrise where it is likely to be dangerous for people using the public place.
31. During the demolition or erection of a building, a sign must be provided in a prominent position stating that unauthorised entry to the premises is prohibited and contain all relevant details of the responsible person/company including a contact number outside working hours. A sign is not required where work is being carried out inside, or where the premises are occupied during the works (both during and outside working hours).
32. Structural Engineer's details being approved by the Principal Certifying Authority for all concrete footings, slabs, retaining walls and structural steel prior to building work reaching each respective stage. The details must be prepared by a suitably qualified (eg. Bachelor of Engineering) practising structural engineer who has/is eligible for membership of the Institution of Engineers Australia, and be accompanied by a completed Structural Design Certificate (SC1101a copy attached).
33. Provide a Surveyor's Certificate to the Principal Certifying Authority prior to walls being erected more than 300mm above adjacent ground surfaces to indicate the exact location of all external walls in relation to allotment boundaries.
34. Provide a Surveyor's Certificate to the Principal Certifying Authority prior to the pouring of concrete at **basement, ground and first floor** slab level indicating the finished floor level to a referenced benchmark. These levels must relate to the levels indicated on the approved architectural plans and/or the hydraulic details.

AFTER HOURS USE OF BASEMENT CAR PARK

35. The after hours operation of the site, other than use by the school for school functions is restricted to the basement car park only.
36. For a trial period of twelve (12) months from the date of commencement, the basement car park may be used by patrons of the Mosque between 4:30pm and 7:00am, except on days when the school has an after hours function. On days when there is a function at the school after hours the car park must not be used by patrons of the Mosque until 30 minutes after the function is scheduled to finish. This must be enforced by the operator, in conjunction with the operators of the Mosque at 65-67 Wangee Road, Lakemba.
 - 36.1. In the event that you wish to continue the after hours use of the site beyond the 12 month trial period, you are advised to make an Application to Modify the Consent under Section 96(1A) of the Environmental Planning and Assessment Act 1979 within four (4) months of the date of the end of the 12 month period.

37. A duress facility is to be installed in the basement car park adjacent to the lift to enable patrons to activate the system manually in the event of an emergency. The system should be tested regularly and all patrons trained in its correct use.
38. Frequent security patrols of the basement car park are to be conducted between 6:00pm and 7:00am daily.

EXCAVATION

39. The excavation works to be carried out in accordance with the recommendations of the Geotechnical Report prepared by SMEC Testing Services Pty Ltd, Report No. 10/1463, dated December 2010, as received by Council on 22 December 2011.
40. A photographic survey of properties at 53 Wangee Road, Lakemba; 55 Wangee Road, Lakemba and 65-67 Wangee Road, Lakemba detailing the physical condition of those properties, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items shall be submitted to the PCA prior to the issue of a Construction Certificate. On completion of excavation and building works and prior to the issue of an Occupation Certificate, a certificate stating that no damage has resulted to adjoining premises is to be provided to the PCA. If damage is identified which requires rectification, the damage shall be rectified or a satisfactory agreement for rectification work reached between the parties as soon as possible and prior to occupation of the development.
41. Any soils requiring removal from the site as part of the excavation works for the basement construction shall be classified in accordance with the 'Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes', NSW Environment Protection Authority (EPA) 1999.

CONSOLIDATION

42. The site being consolidated into one allotment. The plan of consolidation being lodged and registered with the Land and Property Information NSW prior to the release of the Occupation Certificate or occupation of the building.

ENVIRONMENTAL HEALTH

43. The proposed use of the premises and/or machinery equipment installed, must not create noise so as to interfere with the amenity of the neighbourhood. If a noise nuisance occurs, the person in control of the premises must arrange for an acoustic investigation to be carried out (by an accredited Acoustic Engineer), obtain Principal Certifying Authority concurrence for the recommendations of the Consultant, and implement those recommendations so as to reduce the noise levels to the ambient noise level.
44. All recommendations set out in sections 5.4 and 6.1 of the Acoustic Assessment report prepared by Acoustic Logic (received on 4 May 2012, document number: 20110153.3/2704A/R0/HP) shall be implemented during the construction and on commencement and operation of the development.
45. Prominent notices shall be placed on entry and exit to the carpark informing people to enter and leave the carpark quietly. In addition it is recommended that this also apply to the school generally to remind parents and visitors to minimise noise.
46. Provide a rigid smooth faced impervious ceiling over the food preparation, cooking and serving areas. The surface finish shall be free of open joints, cracks, crevices or openings with the intersection of the walls and ceiling being tight jointed, sealed and dustproof.
47. Coving to a radius of not less than 25mm is to be provided between all walls and the floor and between the floor and all fittings. This can be achieved by coving tiles, cement render, or by turning vinyl flooring up the walls. In this case a fillet or backing piece is required to support the cove.
48. The floor shall be constructed of a material which is impervious to water, non slip and graded and drained to the floor waste.

49. The butting together of fittings such as refrigerator cabinets, counters, sinks, stoves, where inaccessible crevices are created is not permitted. Such crevices including those between fittings and walls are to be provided with a cover flashing, or sealed with a non-setting caulking compound. Where a space is provided between fittings, such space must be at least 75mm for fittings up to 750mm in width and at least 150mm for fittings wider than 750mm.
50. All plinths being coved to a minimum radius of 25mm at the intersection with the walls and floor.
51. All goods in the bulk storage area being supported at least 150mm clear of the floor on an open metal frame rack constructed to the approval of the Manager of Compliance.
52. The stainless steel bench being located not less than 100mm clear of the wall or, alternatively sealed into the wall in such a manner as to be vermin-proof.
53. Approved washing facilities in the form of sinks and tubs with an adequate supply of hot and cold water (the hot water to be at a temperature of not less than 45°C) are to be provided in the sinks and tubs in the Canteen facility for the purpose of cleaning all receptacles, implements, articles, utensils, tools of trade, benches, fittings, machinery and appliances.
54. An appliance used for the storage of hot or cold food, which is being stored for sale, shall be provided with numerically scaled indicating thermometer or recording thermometer, accurate to the nearest degree Celsius, the sensing element of which is located:
 55. (i) in the case of an appliance used for the storage of hot food - so as to measure the air temperature in the coolest part of the appliance; or
 56. (ii) in the case of an appliance used for the storage of cold food - so as to measure the temperature in the warmest part of the appliance, and so as to be able to read easily from outside the appliance.
57. A sufficient number of approved garbage receptacles must be provided on the premises for the storage of garbage and trade waste. Such receptacles are to be fitted with close fitting and flyproof lids.
58. A system of filtered mechanical exhaust ventilation being provided to the kitchen with hoods over all cooking and heating appliances.
59. The premises are to be constructed and fitted out strictly in accordance with by the Australian New Zealand Food Standards Code, Council's Code for Construction of Food Premises and the conditions of any Council consent.
60. All food items and equipment to be stored in appropriate designed and constructed areas.

ENGINEERING

61. That the stormwater system be constructed in general, in accordance with the plans, specifications and details received by Council on 4th May 2012; drawing numbers 5031-C01 B, 5031-C02 B, 5031-C03 B, 5031-C04 B, 5031-C05 B, 5031-C06 B prepared by Global Project Engineers and as amended by the following conditions.
62. Certification from a suitably accredited engineer must be provided to certify that all works have been carried out in accordance with the approved plan(s), relevant codes and standards.
63. All downpipes, pits and drainage pipes shall be installed to ensure that stormwater is conveyed from the site and into Council's stormwater system in accordance with AUS-SPEC Specification D5 "Stormwater Drainage Design", AS/NZS3500.3 and Council's Stormwater Management Manual - Specification 9 "A Guide for Stormwater Drainage Design".
64. All stormwater must pass through a silt arrestor pit prior to discharge to kerb and gutter. Silt arrestor pit is to be sized in accordance with clause 3.3.2 of Councils stormwater management manual ~ specification 9. Sump depth is to be a minimum of 300mm deep.

65. Stormwater being disposed to Council's drainage system is to be constructed in accordance with Clause 4.8 of Council's Stormwater Management Manual - Specification 9, "A Guide for Stormwater Drainage Design".
66. Full width grated drains being provided across the vehicular entrance/exit to the site where internal areas drain towards the street, and be connected to the drainage system upstream of the silt arrestor pit and in accordance with Clause 4 of Council's Stormwater Management Manual - Specification 9 "A Guide for Stormwater Drainage Design".
67. An on-site stormwater detention system OSD must be provided if the post-development impervious area is greater than or equal to 70% of the total site area.
68. Where OSD is required; three (3) copies of plans and calculations must be submitted prior to the issue of Construction Certificate to the Principal Certifying Authority PCA and Canterbury City Council, if Council is not the PCA. The plans must be prepared by a practicing Civil Engineer and include levels reduced to Australian Height Datum (AHD) and full details of the hydraulic evaluation of the entire stormwater drainage system. The details shall be prepared in accordance with Council's Stormwater Management Manual – Specification 9.
69. A Works-as-Executed plan must be submitted to Canterbury City Council at the completion of the works, the plan must clearly illustrated dimensions and details of the site drainage and the OSD system. The plan shall be prepared by a registered surveyor or an engineer. A construction compliance certification must be provided prior to the issuing of the Occupation Certificate to verify, that the constructed stormwater system and associate works has been carried out in accordance with the approved plan(s), relevant codes and standards. The required certification must be issued by an accredited professional in accordance with the accreditation scheme of the Building Professional Board issued 1st March 2010. An appropriate instrument must be registered on the title of the property, concerning the presence and ongoing operation of the OSD system as specified in appendix 7.5 of Council's Stormwater Management Manual – Specification 9.
70. A full width [light](#) duty vehicular crossing shall be provided at the vehicular entrances to the site, with a maximum width of 6 & 4 metres at the boundary line on Wangee Road. This work to be carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
71. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.
72. The levels of the street alignment are to be obtained by payment of the appropriate fee to Council. These levels are to be incorporated into the designs of the internal pavements, car parks, landscaping and stormwater drainage. Evidence must be provided that these levels have been adopted in the design. As a site inspection and survey by Council is required to obtain the necessary information, payment is required at least 14 days prior to the levels being required.
73. Driveways, parking and service areas are to be constructed or repaired in accordance with the appropriate AUS-SPEC #1 Specifications: C242-Flexible Pavements; C245-Asphaltic Concrete; C247-Mass Concrete Subbase; C248-Plain or Reinforced Concrete Base; C254-Segmental Paving; C255-Bituminous Microsurfacing.
74. The driveway grades shall be in accordance with Australian Standard AS 2890.1"Off-street Parking Part 1 - Carparking Facilities".

PUBLIC IMPROVEMENTS

75. All redundant vehicular crossings shall be replaced with kerb and the footpath reserve made good by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
76. The reconstruction of the kerb and gutter along all areas of the site fronting [Wangee Street](#) is required. Work to be carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
77. The reconstruction of concrete footpath paving and associated works along all areas of the site fronting [Wangee Street](#) is required. Work being carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".
78. The granting of service easements within the properties to the satisfaction of Council or private certifier. Costs associated with preparation and registration of easements to be borne by the developer.

LANDSCAPING

79. Landscape works must be completed according to the submitted Landscape Plan (Project No.3172a , Drawing No. L-01, prepared by RFA Landscape Architects and dated 24th April 2012), except where amended by the conditions of consent.
80. One existing street tree, *Callistemon viminalis* (common name: Weeping Bottlebrush), and associated garden bed to the North is to be removed to accommodate the new driveway as proposed on the approved Landscape Plan. The other three existing street trees (same species) must be retained and protected during the construction. Trunk protection measures are required to be implemented in accordance with Section 4.5.2, *AS 4970-2009 Protection of trees on development site*, prior to the commencement of any site works including demolition. Lengths of timber (100mm×50mm×2000mm) must be used to protect the tree's trunk during construction works. The lengths of timber should be laid over geo-textile, underfelt or layers of Hessian and fastened around the trunk at 200mm centres with hoop iron strapping or similar. The new driveway crossings shall not be constructed within 2 meters from these existing street trees.
81. All the tree supply stocks shall comply with the guidance given in the publication *Specifying Trees: a guide to assessment of tree quality* by Ross Clark (NATSPEC, 2003). The requirements for height, calliper and branch clearance for 45L street trees are as below table:

Container Size	Height (above container)	Caliper (at 300mm)	Clear Trunk Height
45 litre	1.9 – 2.3 metres	30 – 35mm	1.2 metres

82. All the shrubs proposed on the approved Landscape Plan shall be installed at minimum 15 litre pot size.
83. The landscaping of the site is to be maintained at all times to the Council's satisfaction.

WASTE

84. Prior to the issue of the Construction Certificate the following waste related issues must be addressed:
 - 84.1. The designated waste room at basement level is to be relocated to the area identified as 'Bicycle' as the waste area is not of sufficient size to accommodate the number of bins required for the development. The

relocation of the waste area will enable compliance with the requirements of Council's Development Control Plan No. 48 – Waste Management.

- 84.2. All waste areas must be amended so as to comply with Appendix 4 of Council's Development Control Plan No. 48 – Waste Management.
- 84.3. The Waste Management Plan (prepared by JD Macdonald, titled: 'Lakemba Primary School', Revision 1, April 2012) is to be amended as follows:
 - 84.3.1. Being a school premises all waste collection must be provided by a private contractor.
 - 84.3.2. The frequency of waste collection be increased to at least twice a week so as to minimise the number of bins required at the site.
 - 84.3.3. All waste collection must occur on site. Under no circumstances are bins must no be presented to the kerb.
 - 84.3.4. The waste collection point is to be made consistent throughout the document. It is recommended that waste collection occur at basement level or in the front setback of the development (provided that it does not cause conflict with the car set down area).
 - 84.3.5. Waste collection at the site must not occur between 8:00am-9:30am and 2:30pm-4:00pm on School days.
 - 84.3.6. Waste collection must not occur before 7:00am or after 5:30pm daily so as to minimise noise impacts on nearby residences.

DISABILITY ACCESS

- 85. Compliance with the Disability (Access to Premises – Buildings) Standards 2010.
- 86. Access is required to and within all areas normally used by occupants in the School and Basement car park.
- 87. The entry gate at Wangee Road is to be at grade. The footway in front of the gate is to have a maximum crossfall of 1:40. Any Security Card Reader is to be placed at a height between 900mm and 1100mm above the pavement level, at least 500mm from an internal corner.
- 88. The two ramps are to comply with AS1428.1 (2009), Section 10, and have the following features:
 - 88.1. A maximum gradient of 1:14.
 - 88.2. Handrails either side to comply with AS1428.1(2009), Section 10.
 - 88.3. A minimum width of 1000mm between handrails.
 - 88.4. A central landing at least 1200mm in length, in the direction of travel.
 - 88.5. Non-slip surface in wet and dry conditions, with the gradient of the ramp taken into calculation.
 - 88.6. Tactile Ground Surface (TGSIs) are not required on the intermediate landing if the handrails are continuous, however they are required at the top of the upper ramp and at the base of the lower ramp.
- 89. The main stairway is to comply with AS1428.1 (2009), Section 11, and have the following features:
 - 89.1. Upper and lower landings are to be level.
 - 89.2. Treads of equal depth
 - 89.3. Risers of equal height
 - 89.4. The risers are to be opaque.
 - 89.5. Tactile Ground Surface Indicators (TGSIs) are to be placed at the top and base of the stairs, for the full width of the stairs, to comply with AS 1428.4. The TGSIs must have a luminance contrast of at least 30% with the surrounding surfaces.

- 89.6. Handrails either side to comply with AS 1428.1(2009), with an upper handrail at a height of 1000mm above the stair nosing, and a lower rail for the benefit of small children, at a height of 865mm above the stair nosing.
90. All doors to classrooms and offices, and along all continuous accessible paths of travel, are to provide a clear opening of at least 850mm when the door is fully open. Latch –side clearance are to comply with AS1428.1(2009), clause 13.3.
91. Door handles must be D-shaped so as to allow for one-handed operation.
92. Any glazed doors must have a contrast strip for the full width of the door, and any adjacent glazed panels. The strip is to be at least 75mm thick, and must provide a luminance contrast of at least 30% to its surroundings when viewed from the inside and outside.
93. Doors are to provide a clear opening of 900mm, when the doors are fully open. The Disability (Access to Premises – Buildings) Standards require the provision of a fully accessible lift (AS1735.12). Consideration should be given to the installation of a lift that provides space for a paramedic stretcher measuring 2100mm x 600mm.
94. One accessible toilet is shown adjacent to the lift on the ground floor, and another adjacent to the lift on the first floor. These accessible toilets are to be identified as “Unisex”, and are to comply with AS1428.1(2009). One should be the mirror reverse of the other to provide a choice of facility by people who may be either left or right hand proficient and their carers.
95. Door signage must indicate if the grab rails are located on the left-hand or right-hand side of the pan.
96. Doors to all toilets are to be hung so that they can be removed from the outside in the event of an emergency.
97. Flooring in all wet areas must be non-slip in wet and dry conditions.
98. The bed in the sick bay must be adjustable for the benefit of use of both students and attending staff.
99. All common areas are to be fully accessible, with some seating to provide armrests and backrests.
100. For the benefit of small children and people who use a wheelchair, the counter is to have a 900mm long section, at a height of 850 +/- 20mm, with a vertical clearance below of 820 +/- 20mm, and a horizontal clearance of 800mm.
101. Hearing augmentation is required by Clause D3.7 of the BCA Access Code in the Multi-purpose Hall and the Meeting Room. It should also be included in all classrooms.
102. Paving is to be non-slip in wet and dry conditions.
103. The footway between the entry to the basement car park and the set-down area is to be at least 1500mm long in the direction of travel to allow a person who uses a wheelchair to stand safely between the two driveways.
104. A step ramp is required from the roadway level of the set-down area to the footway between the pedestrian gates and the stairway. The step ramp is to comply with AS1428.1(2009) with a maximum gradient of 1:8, and a maximum length of 1900mm.
105. To provide maximum visibility for pedestrians and drivers, there should be no vegetation between the entry to the underground parking and the set-down area, or between the set-down area and the main pedestrian gate.
106. Vegetation between the entry and exit driveways to the set-down area is not to be higher than 1000mm above the footway level.
107. All trees in and around the School must have a vertical clearance of at least 2000mm below their canopies. Vegetation is to be non-bee attractive, non-allergenic and not have stiff or needle-like leaves.

TRAFFIC

108. The applicant is required to construct wombat crossing (raised threshold with marked pedestrian crossing) in Wangee Road just north of the intersection with Yangoora Road in accordance with our specifications, subject to future approval by the Canterbury Local Traffic Committee. All costs involved with the design and construction of the wombat crossing, together with associated signage and line marking shall be borne by the developer.
109. The area of Wangee Road adjacent to the proposed school must be sign posted "No Parking" zone subject to approval by the Traffic Committee. This is required to ensure that all children are dropped off and picked up in the basement carpark. The applicant is to meet all costs associated with the installation of the required "No Parking" signs.
110. Parking spaces are to be provided as per Council's Parking Code DCP 20 and to the Australian Standards of AS 2890.1.2004 (off street parking), AS 2890.2.2002 (off street commercial vehicles) and AS 2890.6.2009 (off street parking for people with disabilities).
111. Prior to the issue of the Construction Certificate the driveway for the development is to be amended so as to comply with sight distance requirements of AS2890.1.2004, section 3.2.4. (sight distance of access driveway exits).
112. A parent's drop-off/pick up zone is to be provided in the basement car parking area and implemented in accordance with the Traffic Management Plan that must be endorsed by the Canterbury Local Traffic Committee. In this regard, no drop-off or pick-up activities associated with the development are to be carried out within Wangee Road.
113. The school must be closed on days when Wangee Road is affected by road closures associated with the night of power, Eid the night of power and Eid events at the neighbouring Mosque.

NSW ROADS AND MARITIME SERVICES (RMS)

114. Prior to the issue of a Construction Certificate a Traffic Management Plan be established in consultation with Council and NSW Police Local Area Command and endorsed by the Canterbury Local Traffic Committee.
 - 114.1. The Traffic Management Plan must incorporate the 'Operation Management Plan' and 'Pedestrian Management Plan' prepared by Traffix (dated 27 April 2012).
115. The driveway access to the basement car parking area must be left in and left out, this arrangement must be reflected in the Traffic Management Plan.
116. Prior to the issue of a Construction Certificate the plans must be amended to address the following requirements:
 - 116.1. The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) must be in accordance with AS 2890.1-2004 and AS 2890.2-2002 for heavy vehicle usage.
 - 116.2. The ramp grade between the road boundary is shown as being 1:8 or 12.5%, which is not consistent with the requirements outlined in Section 3.3(a) of AS 2890.1-2004. In this regard you are required to amend your ramp design in accordance with Section 3.3(a) of AS 2890.1-2004 so that the gradient does not exceed 1:20 or 5% between the road boundary and building line.
 - 116.3. The swept path of the longest vehicle (including garbage trucks) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.

- 116.4. A Construction Traffic Management Plan detailing construction routes, number of trucks, hours of operation, access arrangement and traffic control must be submitted to Council.
117. Disabled car parking spaces are to be provided in accordance with Council's requirement and are to conform to AS 2890.6:2009.
118. All new pedestrian accesses are to comply with AS 1428.1:2001 *Design for Access and Mobility*.
119. All vehicles are to enter and leave the site in a forward direction.
120. The proposed turning areas are to be kept clear of any obstacles, including parked cars, at all times.
121. All traffic control during construction must be carried out by accredited RMS approved traffic controllers.
122. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.
123. All work/regulatory signposting associated with the proposed development are to be at no cost to RMS.
124. RMS is responsible for speed management along all public roads within the state of New South Wales. That is, RMS is the only authorised organisation that can approve speed zoning changes and authorise installation of speed zoning traffic control devices on the road network within New South Wales. Therefore, the Developer must obtain written authorisation from RMS to install the School Zone signs and associated pavement marking 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 RMS:
- 124.1. A copy of Council's development conditions of consent.
- 124.2. The proposed school commencement/opening dates.
- 124.3. Two (2) sets of detailed design plans showing the following:
- 124.3.1. School property boundaries
- 124.3.2. All adjacent road carriageways to the school property.
- 124.3.3. All proposed school access points to the public road network and any conditions imposed/proposed on their use.
- 124.3.4. All existing and proposed pedestrian crossing facilities on the adjacent road network.
- 124.3.5. All existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings).
- 124.3.6. All existing and proposed street furniture and street trees.
125. School Zone signs and pavement marking patches must be installed in accordance with RMS approval /authorisation, guidelines and specifications.
126. All School Zone signs and pavement markings must be installed prior to student occupation of the site.
127. All School Zone signs and pavement markings are to be installed at no expense to RMS.
128. The developer must maintain records of all dates in relation to installing, altering and removing traffic control devices relating to speed.
129. Following installation of all School Zone signs and pavement markings the developer must arrange an inspection with RMS for formal handover of the assets to RMS. The installation date information must also be provided to RMS at the same time. Note: Until the assets are formally handed over and accepted by RMS it takes no responsibility for the School Zone / assets.

CRIME PREVENTION

130. Lighting similar to Category P1 of Australian Standard 1158.3.1:1999 for road lighting for all pedestrian areas to ensure that these areas are adequately lit after dark for increased surveillance.
131. Appropriate signage being provided to direct people to the designated access points throughout the site to reduce loitering opportunities for potential crime offenders.
132. A convex mirror must be installed at the car park entry/exit to ensure pedestrian safety.
133. Access to the car park must be restricted to staff & waste contractors only between 9:30am and 2:30pm Mondays to Fridays, except during school holidays.
134. A security gate/door must be installed to restrict access to the car park.
135. Additional security devices are to be installed in the car park stairways to prevent unauthorised access to the school premises from the car park stairways.
136. A cash handling procedure is to be developed to ensure that a limited amount of cash is kept at the school premises at any time.
137. An equipment storage / access procedure is to be formulated to ensure that all valuable equipment such as computers are secure.
138. All rooms within the basement, with the exception of the bicycle storage area must be secured at all time.
139. The bicycle storage area must be open between the hours of 7:30am and 4:30pm Mondays to Fridays on school days only. The bicycle storage area must be locked outside the hours specified above.
140. Lift access from the basement car park must be restricted at all times except between 7:30am and 4:30pm Mondays to Fridays on school days, and on days when school functions are to be held at the site after hours.

SYDNEY WATER REQUIREMENTS

141. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to "Your Business" section of Sydney Water's web site at www.sydneywater.com.au then the "e-developer" icon or telephone 13 20 92. Following application, a "Notice of Requirements" will be forwarded detailing water and sewage extensions 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 or landscape design.
The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the final plan of subdivision.

CRITICAL INSPECTIONS

142. Class 5, 6, 7, 8 or 9 Buildings
 - 142.1. at the commencement of the building work, and
 - 142.2. prior to covering any stormwater drainage connections, and
 - 142.3. after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

ADDITIONAL INSPECTIONS

143. Section 81(A) of the EP&A Act 1979 requires that a person having the benefit of a development consent, if not carrying out the work as an owner-builder, **must notify the principal contractor for the building work of any critical stage inspections and other inspections that are to be carried out in respect of the building work**, as nominated in this development consent.
To arrange an inspection by Council please phone 9789-9300 during normal office hours.

COMPLETION OF DEVELOPMENT

144. Obtain an Occupation Certificate/Interim Occupation Certificate from the Principal Certifying Authority before partial/entire occupation of the development.

WE ALSO ADVISE:

145. This application has been assessed in accordance with the National Construction Code.
146. Any other use not ancillary to the primary school or after hours use of the car park will require further approval by Council unless permitted under a State Environmental Planning Policy or other state legislation.
147. Where Council is appointed as the Principal Certifying Authority, you will be required to submit Compliance Certificates in respect of the following:
- Structural engineering work
 - Air handling systems
 - Protection from termites
 - Smoke alarms
 - Final Fire Safety Certificate
 - Sound transmission details
 - Waterproofing of wet areas
148. Any works to be carried out by Council at the applicant's cost need to be applied for in advance.
149. The relevant Council Manual and AUS –SPEC specifications referred to are available from Council for a fee.
150. Private contractors shall submit an application and pay an inspection fee to Council seven days prior to commencement of any works on the footpath or roadway. No works shall be carried out without Council approval.
151. Upon notification from you that drainage works have been completed in accordance with the previously approved plans, an inspection will be carried out by Council free of charge. If the work is not satisfactory and results in the need for Council to revisit the site this will be subject to a fee which is required to be prepaid.
152. The applicant is to ensure that architectural and hydraulic plans are co-ordinated. Hydraulic details such as pits, stormwater lines, detention tanks and retaining walls are to be shown on the architectural plans as these can affect building works.
153. Before you dig, call "Dial before you Dig" on 1100 (listen to the prompts) or facsimile 1300 652 077 (with your street no./name, side of street and distance from the nearest cross street) for underground utility services information for any excavation areas.
154. In granting this approval, we have considered the statutory requirements, design, materials and architectural features of the building. No variation to the approved design and external appearance of the building (including colour of materials) will be permitted without our approval.
155. Compliance with the National Construction Code does not guarantee protection from prosecution under "The Disability Discrimination Act". Further information is available from the Human Rights and Equal Opportunity Commission on 1800 021 199.
156. If you are not satisfied with this determination, you may:
- 156.1. Apply for a review of a determination under Section 82A of the Environmental Planning and Assessment Act 1979. A request for review must be made within 6 months of the date of this Notice of Determination and be accompanied by the relevant fee; or
- 156.2. Appeal to the Land and Environment Court within 6 months after the date on which you receive this Notice of Determination, under Section 97 of the Environmental Planning and Assessment Act 1979.

If you need more information, please contact Kate Mirow in City Planning on 9789-9512.