

## **SCHEDULE 1**

### **TERMS OF CONSENT**

#### **General**

1. The development being undertaken strictly in accordance with the details set out on the application form, the following plans:

Drawing list, location and site plan prepared by Peter Poulet, Drawing No. DAA01, dated 8 April 2013

Site plan prepared by Peter Poulet, Drawing No. DAA03, dated 8 April 2013

Block Q ground floor plan prepared by Peter Poulet, Drawing No. DAA04, dated 8 April 2013

Block Q first floor plan prepared by Peter Poulet, Drawing No. DAA05, dated 8 April 2013

Block Q roof plan prepared by Peter Poulet, Drawing No. DAA06, dated 8 April 2013

Block Q elevations plan prepared by Peter Poulet, Drawing No. DAA07, dated 8 April 2013

Block Q elevations and section plan prepared by Peter Poulet, Drawing No. DAA08, dated 8 April 2013

Block Q sections plan prepared by Peter Poulet, Drawing No. DAA09, dated 8 April 2013

Block O floor and roof plan prepared by Peter Poulet, Drawing No. DAA10, dated 8 April 2013

Block O elevations and section plan prepared by Peter Poulet, Drawing No. DAA11, dated 8 April 2013

Block P and PP floor and roof plan prepared by Peter Poulet, Drawing No. DAA12, dated 8 April 2013

Block P and PP elevations and section plan prepared by Peter Poulet, Drawing No. DAA13, dated 8 April 2013

Sunshading diagrams plan prepared by Peter Poulet, Drawing No. DAA14, dated 8 April 2013

Gabion retaining wall plan prepared by Peter Poulet, Drawing No. DAA15, dated 8 April 2013

Landscaping plan prepared by Peter Poulet, Drawing No. DAL01, dated 8 April 2013

Stormwater management plan titled 'Appendix 1 and 2' prepared by NSW Public Works dated 17 September 2013

and any information submitted with the application and the plans submitted, as amended in red by Council, or as modified by these further conditions.

**Note:** Any proposal to modify the terms or conditions of this consent, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application under Section 96 of the Environmental Planning and Assessment Act 1979 for Council's consideration. If amendments to the design result in the development not remaining substantially the same as that approved by this consent, a new development Application will have to be submitted to Council.

Reason

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

2. All building work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

Reason

*This is a prescribed condition under Section 80A(11) of the Environmental Planning and Assessment Act, 1979.*

### **Fire Safety**

3. Pursuant to Clause 94 of the Environmental Planning & Assessment Regulation 2000, the existing buildings identified as Block O, Block P and Block PP shall be upgraded as follows to comply with the provisions of the Building Code of Australia (BCA): -

- (i) Part D1 Provision for Escape;
- (ii) Part D2.19 Doorways and doors;
- (iii) Part D2.20 Swinging Doors;
- (iv) Part D2.21 Operation of Latch;
- (v) Part E4.5 Exit Signs.

Compliance with the abovementioned provisions are to be implemented/installed and certified prior to use of the building for the purposes approved by this consent and prior to issue of an Occupation Certificate.

Reason

*To protect persons using the building and facilitate their egress in the event of fire.*

4. Pursuant to Clause 94 of the Environmental Planning and Assessment Regulation 2000, all existing essential fire safety measures/services, not affected by the proposed works, within Block O, Block P and Block PP shall be assessed and certified by a suitably qualified person as operational and complying with no less than the standards applicable to the essential fire safety measure/service at the time of installation.

Reason

*To protect persons using the building and facilitate their egress in the event of fire.*

### **Bushfire Protection**

5. The following bushfire protection measures are to be implemented at the commencement of building works and maintained for the life of the development:

- (i) Asset Protection Zones:

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

- a. At the commencement of building works and in perpetuity the property around the buildings to a distance of 30 metres, shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'. On the western elevation of each building an additional 20 metres shall be maintained as an outer protection area, (OPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

(ii) Water and Utilities:

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

- b. Electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

(iii) Evacuation and Emergency Management:

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

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

(iv) Design and Construction:

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bushfire attack. To achieve this, the following conditions shall apply:

- d. New construction shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

(v) Landscaping:

- e. Landscaping within the APZ shall comply with the principles of Appendix 5 of 'Planning for Bushfire Protection 2006'.

Reason

*To protect both life and property in the event of a bushfire.*

## **DURING CONSTRUCTION**

### **General**

6. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the person qualified to conduct a certification of Crown Building works and
  - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - (c) stating that unauthorised entry to the work site is prohibited.

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

#### **Reason**

*This is a prescribed condition under Section 80A(11) of the Environmental Planning and Assessment Act, 1979.*

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

Each toilet provided:

- (a) must be a standard flushing toilet, and
- (b) must be connected:
  - (i) to a public sewer, or
  - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
  - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

#### **Reason**

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

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

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

#### **Reason**

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

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

Reason

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

10. The generation and disposal of waste shall be carried out in accordance with the waste management procedures (Section C5) as outlined in the submitted Statement of Environmental Effects prepared by the Department of Education and Communities dated May 2013.

Reason

*To ensure that suitable waste management practices are adhered to.*

### **Building construction**

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

Reason

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

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

Reason

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

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

Reason

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

### **Site Works**

14. The control of erosion and the prevention of silt discharge into drainage systems and waterways will be necessary in accordance with Council's "Engineering Requirements for Development", Department of Conservation and Land Management's 'Urban Erosion and Sediment Control' requirements and the Department of Housing 'Soil and Water Management for Urban Developments'. Erosion control measures are to be implemented prior to the commencement of any earthworks and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas.

Reason

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

## **PRIOR TO OCCUPATION**

### **General**

15. The requirements of the Energy Supplier, Hunter Water Corporation and telecommunications authorities shall be met in regard to the provision of services provided by those authorities to the development.

#### **Reason**

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

16. The registered proprietors of the land on whose behalf the application was made shall comply with the requirements of Section 50 of the Hunter Water Board (Corporation) Act 1991.

#### **Reason**

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

### **Building Construction**

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

#### **Reason**

*To reduce the risk of environmental and building damage.*

18. All retaining walls and associated drainage shall be installed and completed prior to use or occupation of the building.

#### **Reason**

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

### **Fire Safety**

19. The buildings must comply with the fire safety provisions applicable to the approved use. The applicant shall provide the Fire Commissioner with a copy of the Final Fire Safety Certificate and the Fire Safety Schedule relating to the required fire safety measures in accordance with Part 9 Division 4 of the Environmental Planning and Assessment Regulation 2000 prior to occupation/use of the building. The Final Fire Safety Certificate and the Fire Safety Schedule are to be prominently displayed in the building.

#### **Reason**

*To ensure the required fire safety measures have been installed in the building and are operable prior to occupation/use of the building.*

### **Advice**

1. Given the recent construction of the Hunter Expressway, it is recommended that the landowner initially contact Hunter Water, to establish the current condition of the private line for the purposes of waste water treatment, prior to an application for a Section 50 Certificate.

2. Appropriate measures should be undertaken during the construction phase in order to maintain pedestrian access and parking facilities for student and staff members attending the campus.
3. Any alterations to existing surface levels on the site shall be undertaken in such a manner as to ensure that no additional surface water is drained onto or impounded on adjoining properties.