

Proposed Conditions of Consent – Development Application 178-2013

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE (BUILDING)

1. **Prior to the issue of any Construction Certificate (Building) a revised landscape plan and statement of design intent prepared by a Category 2 Queanbeyan City Council accredited landscape contractor must be submitted to Council for approval.**

The plan and statement of design intent must specifically address the NSW Government publication *School Facilities Standards – Landscape Standard- Version 22 (March 2002)*.

REASON: To ensure compliance with clause 32 of State Environmental Planning Policy (Infrastructure) 2007. **(46.14)**

2. **Prior to any construction certificate being granted with respect to the development, the developer shall submit to Council their written declaration, or certification from either the NSW Department of Education and Training or the NSW Department of Commerce, that the development, if completed in accordance with details, drawings and the like the subject of this development consent, will generally meet the relevant standards prescribed by the State government document, *School Facilities Standards—Design Standard (Version 1/09/2006)*.**

REASON: To ensure consistency of the development with the relevant provisions of the State government document, *School Facilities Standards—Design Standard (Version 1/09/2006)*, having regard to the requirement of clause 32 of State Environmental Planning Policy (Infrastructure) 2007 for Council to consider the standards in that publication. **(46.14)**

PRIOR TO COMMENCEMENT

3. **Building work in accordance with the development consent must not be commenced on site until a Construction Certificate (building) has been issued by Council or an Accredited Certifier.**

REASON: To satisfy the relevant statutory requirements. **(47.02)**

4. **A Notice to Commence Building Works must be submitted to Council two (2) days prior to commencing work and must include details of the nominated Principal Certifying Authority.**

REASON: To ensure the provisions of the *Environmental Planning and Assessment Act 1979* are satisfied. **(47.03)**

5. **A sign must be erected in a prominent position on the work site prior to the commencement of works:**
 - a) **stating that unauthorised entry to the work site is prohibited,**
 - b) **showing the name of the person in charge of the work site, and**
 - c) **advising telephone numbers at which that person may be contacted during work hours and outside work hours**

- d) showing the name of the principal certifying authority and contact details.

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

REASON: To provide notification of the work site and site supervisor to the general public in emergency situations. (47.10)

6. **Toilet facilities must be provided at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work 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 treatment facility approved by 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 Council.**

The provision of toilet facilities in accordance with this clause must be completed prior to commencement of any work on the site.

REASON: To provide adequate and hygienic amenities for people working on the site. (47.11)

GENERAL CONDITIONS

7. **The development must be carried out generally in accordance with the application and supporting documents lodged with Council and the Development Plan bearing the Queanbeyan City Council approval stamp, drawn by Munns Sly Moore Architects Pty Ltd dated 20/9/2013, 2/10/2013 and 4/2/2014, plan drawn by Taylor Thomson Whitting dated 3/10/2013 and 20/1/2014 and any amendments shown as notations in red or by conditions of consent.**

REASON: To ensure the development is completed in accordance with the approved plans. (22.01)

8. **Building materials and equipment must be stored wholly within the work site.**

REASON: To ensure materials and equipment associated with the completion of the development are contained within the development site. (22.10)

9. **Signage must be provided at entry and exit points and throughout the development to assist users and keep them away from restricted areas and to warn intruders that they will be prosecuted if trespassing.**

REASON: To provide guidance to visitor/customers and to control movements and restrict unauthorised person on site. (22.10)

10. **Following the commencement of operations, the applicant will establish and maintain a complaints register detailing the nature of any complaint received or concerns relating to noise (in any form of communication), the time and date of**

the complaint, the person making the complaint (if this information is provided by the complainant) and the actions taken by the organisation to address the nature of the complaints. This complaints register will be retained on-site and will be available for inspection by officers of the Queanbeyan City Council.

REASON: To ensure any complaints received are recorded properly. (22.10)

- 11. The use of any outdoor speakers should be limited to between 9am and 8pm.**

REASON: To minimise the impact of noise generated by the development on surrounding residential areas. (22.10)

- 12. Any Specification prepared in relation to the development must meet the relevant standards of the State government document, *Schools Facilities Standards—Specification Standard (Version 01/11/2008)*.**

REASON: To ensure consistency with applicable State government standards. (22.10)

SITE MANAGEMENT

- 13. An enclosure or covered skip bin must be placed wholly within the boundaries of the site into which unused and waste materials must be placed.**

REASON: To prevent contamination of the surrounding areas by wind born debris. (26.01)

- 14. Run-off and erosion and sediment controls must be installed onsite to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land by:-**

- (a) diverting uncontaminated run-off around cleared or disturbed areas;**
- (b) erecting a silt fence in accordance with the requirements of DCP 2012 – Part 2 Clause 2.7 Soil, Water and Vegetation Management Plan;**
- (c) preventing tracking of sediment by vehicles onto roads;**
- (d) stockpiling topsoil, excavated material, construction and landscaping supplies and debris within the site;**
- (e) where any material is stockpiled onsite erosion control and siltation fencing must be installed adjacent to the toe of the mound;**
- (f) removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area; and**
- (g) the erosion and sediment control measures must be maintained in a good order until the excess excavation materials have been removed from the site.**

REASON: To prevent soil erosion and water pollution. (26.03)

- 15. Any works associated with the construction and/or establishment of this development must ONLY be carried out between the following hours:**

Weekdays:	7.00am to 6.00pm
Saturday	8.00am to 4.00pm
Sunday/Public Holidays	No Work permitted

Note: To undertake works involving the use of equipment which creates an offensive noise is a breach of the provisions of the Protection of the Environment Operations Act 1997 and Regulations thereunder.

REASON: To ensure a noise problem does not result from the development and the impact on the local amenity is minimised. (26.07)

16. **The footway or nature strip must not be used for storage of materials or disturbed by construction activities except for:**

- (a) **providing a temporary footway crossing;**
- (b) **access to the site via a stabilised construction access only;**
- (c) **installation of services;**
- (d) **essential formation and regrading of the site associated with works; and**
- (e) **the storage or disposal of any materials is prohibited.**

REASON: To prevent unnecessary disturbance to the footway and minimise trafficking of soil onto the roadway. (26.09)

17. **In the event of any damage being caused to any existing kerb, guttering, stormwater pit, footpath trees and/or footpath during building operation, the applicant must repair or reimburse Council for the full cost of restoration.**

REASON: To prevent damage to Council's public footway area and require payment to Council where damage occurs. (26.10)

18. **The temporary construction access from Googong Road shall be provided with temporary traffic management signposting. A Traffic Control Plan shall be submitted to Council for approval prior to use of the access.**

NOTE: A Traffic Control Plan (TCP) Design Transmittal application form can be obtained from Council's office or website.

REASON: To provide traffic safety at the construction access. (26.20)

BUILDING

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

REASON: To ensure all building work is carried out in accordance with legislative requirements. (24.01)

20. **All excavations, backfilling and other activities associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.**

REASON: To ensure that all construction activity associated with the development does not pose a hazard to life or property. (24.04)

21. The building must be set out by a Registered Surveyor referring to the datum shown on the approved plans. A survey plan that identifies the location of the building in relation to the allotment boundaries must be prepared upon completion of the base course brickwork and then be submitted to the Principal Certifying Authority (PCA). Where Council is not the PCA, a copy of the survey plan must be forwarded to Council.

REASON: To ensure building has been sited in accordance with the approved plans. (24.21)

FIRE SAFETY MEASURES

22. At the completion of works, a Final Fire Safety Certificate is to be issued by the owner detailing each essential fire safety measure provided in the building. A copy of such certificate is to be forwarded to the Fire Commissioner and a further copy is to be prominently displayed in the building.

REASON: To ensure compliance with the Environmental Planning and Assessment Regulation 2000. (29.30)

23. Each year, the owner of the building must furnish to Council an annual fire safety statement for the building. The annual fire safety statement is to address each essential fire safety measure in the building.

REASON: To ensure compliance with the Environmental Planning and Assessment Regulation 2000. (29.31)

CARPARKING AND ACCESS

24. The development must include the construction of commercial type driveways over Council's footway at the locations shown on the approved plans. The driveways must be:
- (a) constructed by Council or its approved contractors only, at no cost to the Council, and
 - (b) constructed using 150mm thick reinforced concrete with a layer of F72 mesh with 50mm top cover or clay sediment pavers; and
 - (c) constructed with a 2% grade falling to the gutter; and
 - (d) a minimum distance of one metre away from any electrical, Telstra, post box installation, other service or tree within the footway area.

The primary school entry and exit driveways shall have a nominal width of 6 metres each.

NOTE: The driveway widths to future stages (Stages 2-5) shall be determined upon lodgement of the future detailed plans for these stages.

REASON: To ensure the construction of the driveways on public lands meets Council's requirements. (27.02)

25. A driveway application form must be submitted to and approved by Council prior to commencement of driveway works and construction of the driveways

across Council's footway area must be undertaken by Council or contractors approved by Council, at no cost to the Council.

REASON: To ensure the construction of the driveways on public land meets Council's requirements. (27.03)

26. **All parking spaces, driveways and turning aisles must be concrete or bitumen sealed, with all parking spaces line marked prior to the occupation of the building.**

REASON: To provide adequate off street carparking and access, to ensure carparking spaces are functional prior to use of the premises and to ensure that driveways and manoeuvring areas contribute positively to the appearance of the development. (27.05)

27. **The development must be provided with a minimum of 51 parking spaces of dimensions complying with the requirements of Queanbeyan Development Control Plan 2012.**

This must include a minimum of 2 Parking spaces for people with disabilities complying with the requirements of AS 2890.6 – 2009 – *Off-street parking for people with disabilities*.

REASON: To provide adequate off-street carparking, including parking for people with disabilities for the development. (27.08)

28. **The driveway gradients within the property and across Council's footway must be constructed in accordance with Council's *Development Design Specification - Vehicular Access Design - Googong - D13 – Version 1 (June 2011)*.**

REASON: To provide an adequate standard of vehicle access. (27.09)

29. **All loading and unloading activities in connection with the use must be carried out wholly within the property.**

REASON: To ensure free flow of vehicular and pedestrian traffic on public road reserves. (27.10)

30. **All parking spaces, loading and unloading areas, vehicle manoeuvring and driveway areas must be left free of goods and be available at all times.**

REASON: To ensure such areas are available for occupants and visitors of the site. (27.11)

31. **The developer will be required to pay an upfront fee to Roads and Maritime Services (RMS) for the installation of a 40 km/h School Zone on Gorman Drive for the development. Such fee should be paid at least two (2) months prior to the commencement of student attendance at the school.**

NOTE: The applicant should liaise with the RMS Southern Regional Office in regard to this matter. Further information can be obtained from the RMS Safety Around Schools Project Officer.

NOTE: The school will need to operate during normal school hours to allow for the provision of the standard school zone from 8:00-9:30 a.m and 2:30-4:00 p.m.

NOTE: Extension of the school zone will be assessed in conjunction with future stages of the school.

REASON: To provide pedestrian safety around the school site. (27.14)

32. **The developer shall review the warrant for installation of school childrens' crossings as part of the Statement of Environmental Effects for each subsequent development stage. Where the warrant is met, the developer will be required to lodge a signposting and linemarking plan for any crossing for approval by the Local Traffic Committee prior to its installation. All costs associated with the design and installation of any crossing shall be borne by the developer.**

REASON: To provide for pedestrian safety. (27.14)

LANDSCAPING

33. **All landscaping must be completed by a Council accredited Category 2 landscape contractor in accordance with *Part 2.6 – Landscaping* of the Queanbeyan Development Control Plan 2012 and the approved landscape plan designed by Red Box Design Group and bearing the Queanbeyan City Council approval stamp.**

A “Statement of Completed Landscaped Works” form signed by the accredited designer and contractor must be submitted to Council’s Sustainability and Better Living Department prior to the issue of the Final Occupation Certificate.

REASON: To help ensure that good and sustainable landscaping is achieved. (28.01A)

34. **All trees, shrubs and plants in the landscape areas must be provided with a drip irrigation system.**

REASON: To provide the most water efficient mechanism for landscaping on site to survive. (28.02)

35. **All disturbed areas must be established with grass seeded hydro mulching, turfing or other approved surface treatments.**

REASON: To limit the impact of development and provide an attractive urban landscape. (28.04)

ENVIRONMENTAL

36. **The applicant must implement all practical measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the development.**

REASON: To prevent nuisance to neighbours and adjoining property. (30.02)

37. **The applicant must ensure that noise generated by the development does not exceed the criteria set by the New South Wales Department of Environment**

Conservation and Climate Change (DECC). This is generally a level of 5dB above background noise level.

This is measured by monitoring the level of noise from any activity within the development represent by the L_{aeq} descriptor, measured over a 15 minute period. This measurement must not exceed the background level at that time of day by more than 5dB.

REASON: To minimise the impact of noise generated by the development on surrounding residential areas. **(30.05)**

FOOD

- 38. Food preparation and storage areas must be constructed and fitted out to comply with the requirements of the Food Act 2003 and Regulations 2010, Standard 3.2.3 of the Australian and New Zealand Food Standards Code and AS 4674:2004 Design, Construction And Fit-Out of Food Premises; with particular attention given to the following points:**

Floors

Floors must be—

- a) appropriate for the area;**
- b) able to be effectively cleaned;**
- c) coved at the intersection with walls(food preparation and storage areas);**
- d) non-absorbent; and**
- e) laid according to the relevant Standards (see AS 3958.1 for ceramic tiles) so that there is no ponding of water and harbouring of pests.**

Walls

Walls of all food premises must be of solid construction and finished in a manner suitable for the activities conducted in the area. They must be able to be easily and effectively cleaned and to the extent that is practicable not provide harbourage for pests.

Walls in areas where food must be protected (including all food preparation areas) must be unable to absorb grease, food particles or water and be able to be easily and effectively cleaned.

Suitable finishes include coolroom panels, vinyl sheeting or stainless steel.

Ceilings

Ceilings are to be constructed of rigid smooth faced, non absorbent material and painted with a washable gloss paint of a light colour.

Ceilings must be non-perforated and finished free of open joints, cracks, crevices. The intersection of the walls and ceiling must be tight jointed, sealed and dustproof.

Hand wash basins

Hand wash basin/s must be provided:

- a) within 5m of all areas where open food is handled;**
- b) in toilet cubicles or immediately adjacent to toilet cubicles; and**
- c) in utensil equipment washing areas.**

Note: This includes customer service areas and bars.

Hand wash basins in food areas must be:

- a) able to be operated hands free [this can be achieved by fitting a disabled mixer];
- b) minimum 11L capacity;
- c) supplied with warm running water through a single mixer spout; and
- d) provided with liquid soap and paper towels.

Storage

Food storage areas must be:

- a) Constructed from non-absorbent materials that are able to be effectively cleaned;
- b) Adequate in size for storage of all dry store goods and equipment;
- c) Separate to chemical and personal effects storage areas; and
- d) Constructed in accordance with Table 4.4 of AS 4674-2004.

Clothing lockers or change rooms for male and female staff must be located in a separate location to the food handling and storage areas.

Water Supply

A supply of potable water must be provided to the food premises for use in all food preparation, personal hygiene, cleaning and sanitizing activities.

Waste

Provision must be made for storage of garbage containers, containers for recyclable material and compactors in an external area of the premises or in a room specifically for that purpose.

Hot and cold water supplies

All equipment in Tables 4.1 and 4.2 of AS4674:2004 must be connected to a continuous supply of hot and cold, or warm (if appropriate) supply of potable water.

Requirements for disposal of waste water

Premises must be provided with facilities for disposing of mop water and similar liquid waste. These facilities must be—

- a) a cleaner's or sluice sink;
- b) floor waste; or
- c) other similar facility connected to drainage that is not intended for use to prepare food, wash any equipment or for hand/face/arms washing, and located outside of areas where open food is handled.

Installation

All service pipes, electrical conduits, refrigeration condensate pipes and the like must be chased into walls, floors, plinths or ceilings. Where this is not possible the pipes should be fixed on non corrosive brackets so as to provide at least 25mm clearance between the pipe and any vertical surface and 100mm between the pipe and any horizontal surface.

All openings in walls, floors and ceilings, through which service pipes pass must be pest proof.

Adequate provision is to be made for the disposal of condensate from refrigeration equipment by installing a tundish

Clearances and supports

All stoves, refrigerators, cupboards and similar fittings must have:

- a) **non corrosive metal or moulded plastic legs providing a minimum clearance above the floor of 150mm. OR**
- b) **If placed flush on solid plinths the solid plinth is to be a minimum height of 75mm. OR**
- c) **Placed on wheels to enable access for cleaning.**

Equipment must be—

- a) **built into walls with the enclosure completely vermin proofed;**
- b) **butted against walls or other equipment and the joints sealed;**
- c) **installed at the clearance specified in Figure 4.4; or**
- d) **if installed on a plinth, installed such that it overhangs the plinth.**

Where equipment cannot be moved easily, clearance space must be provided (see Figure 4.4 in AS4674:2004) so that the area surrounding the equipment and that beneath can be cleaned without moving it.

REASON: To ensure safe hygienic food preparation/storage and compliance with Food Act 2003 and Regulations 2010, Food Safety Standards and AS 4674:2004 Design, Construction and Fit-Out of Food Premises. **(32.02)**

ADVERTISING AND BUSINESS/BUILDING IDENTIFICATION SIGNAGE

39. **The sign allowed by this consent must be continuously maintained in a structurally sound and tidy manner.**

REASON: To ensure that the signs do not become derelict. **(33.01)**

40. **The sign must not contain flashing or moving lights.**

REASON: To ensure the signs do not interfere with public safety. **(33.04)**

41. **The sign allowed by this consent must be removed if the signage becomes obsolete or is in a state of disrepair.**

REASON: To ensure that obsolete signs and signs in poor condition are not left on building/property. **(33.06)**

SAFER BY DESIGN

42. **Lighting throughout the car park is to conform to Australian Standard AS2890.1 and AS1158.1.**

REASON: To ensure the location and type of lighting promotes user safety. **(40.01)**

43. **All external lighting must be vandal resistant and must comply with the Australian Standards Specifications, Australian Standard AS1158 – Public Lighting Code.**

REASON: To ensure the location and type of lighting promotes user safety and does not produce areas of glare and/or dark shadows. **(40.02)**

44. **Adequate lighting is to be provided for the entrances of the development. Any lighting provided in the development must not produce areas of dark shadow or glare. The following design suggestions are to be incorporated in the provision of lighting for the site.**

- **Use diffused lights and/or movement sensitive lights.**
- **Direct these lights towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points.**
- **Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed.**
- **Avoid lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance.**
- **As a guide areas should be lit to enable users to identify a face 15 metres away.**
- **Illuminate possible places for intruders to hide.**
- **Use energy efficient lamps/fittings/switches to save energy.**

REASON: To ensure that the entries to the development are clearly visible during night-time hours and to promote the safety of the development. **(40.05)**

ENVIRONMENTAL RISKS

45. **Dust emissions must be confined within the site boundary. The following dust control procedures may be employed to comply with this requirement:**

- **erection of dust screens around the perimeter of the site;**
- **securely covering all loads entering or exiting the site;**
- **use of water sprays across the site to suppress dust;**
- **covering of all stockpiles of contaminated soil remaining more than 24 hours; and**
- **keeping excavation surfaces moist.**

REASON: To minimise air pollution and impacts on adjoining properties. **(49.07)**

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

46. **All waste materials generated in the construction and use of the development must be appropriately stored and disposed of to an appropriately authorised waste processing or disposal facility.**

REASON: To ensure the proper disposal of waste materials. **(30.08)**

47. **An Occupation Certificate must be obtained from a Principal Certifying Authority before occupation or use of the building. The final Occupation Certificate will not be issued until the development has been completed in accordance with this consent.**

REASON: To comply with Section 109M of the Environmental Planning and Assessment Act 1979. **(42.01)**

48. **The Principal Certifying Authority must provide a copy of the Occupation Certificate to Council within two (2) days of the Certificate being determined.**

REASON: To comply with clause 151(2) of the Environmental Planning and Assessment Regulation 2000. (42.02)

49. **The landscaping of the site shall be completed prior to occupation or use of the premises in accordance with the approved plan, and be maintained at all times to Council's satisfaction to ensure it does not aid in blocking natural surveillance to the site in the future.**

A number of proposed trees which are close to courtyard areas and fence lines should be maintained to ensure they do not provide a natural ladder for criminals to gain access to courtyard and windows. The lower limbs of larger trees should be cut to ensure they do not create concealment opportunities and to increase natural surveillance of the area.

REASON: To ensure adequate landscaping is maintained. (42.03)

PLUMBING AND DRAINAGE

50. **The development must be carried out in such a manner as to satisfy the requirements of the Plumbing and Drainage Act 2011, The Plumbing Code of Australia and AS 3500 National Plumbing and Drainage Code, with such works performed by a person licensed by the NSW Department of Fair Trading.**

REASON: To ensure compliance with the Plumbing and Drainage Act 2011. (35.01)

51. **Plumbing and Drainage must be inspected by Queanbeyan City Council at the relevant stages of construction in accordance with Council's inspection schedule.**

REASON: To ensure compliance with AS 3500 Plumbing and Drainage and Council's inspection schedule. (35.02)

52. **The floor level of areas with fixtures connected to sewer must be at least 150mm above overflow level of yard gully.**

Note: Surface water must be prevented from gaining access to yard gully.

REASON: To ensure any sewer surcharge occurs outside the building. (35.08)

53. **All new hot water installations for disabled and childcare facilities must deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 45° Celsius.**

REASON: To prevent scalding. (35.12)

54. **All stormwater generated within the property from the development must be trapped and piped to the stormwater tie for the site near the Gorman Drive / Beltana Avenue intersection. Discharge from the site shall be limited to the predevelopment flow rate for a 1 in 5 year recurrence interval storm event.**

REASON: To provide a satisfactory standard of stormwater disposal. (35.14)

55. **Due to local climatic conditions, hot and cold water supply piping installed in the following areas of the building must be surrounded by an appropriate thickness of insulation, as prescribed by AS 3500, Plumbing and Drainage:**
- (a) **unheated roof spaces;**
 - (b) **locations near windows, ventilators or external doors where cold draughts are likely to occur;**
 - (c) **locations in contact with cold surfaces such as external metal cladding materials.**

REASON: To prevent the water service being damaged by water freezing within the pipes. (35.21)

56. **Where it is proposed to use water from the tank within the building, it must only be supplied by a separate plumbing system and fixtures. Under no circumstances is it to be cross connected to the potable water supply.**

REASON: To prevent the possibility of cross contamination with Council's reticulated water supply. (35.23)

57. **The developer is to submit a hydraulic plan to the Water and Sewer Authority for approval prior to commencement of hydraulic works. The plan shall specify the required water meter size required for the drinking water and non-drinking water supply for the overall development. The water meters shall be installed by the (Queanbeyan City Council) at no cost to the Council.**

REASON: To provide an adequate metered water supply (35.24)