

1 ADVISORY NOTES**1.1 Terminology**

- 1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.

1.2 Scope of Consent

- 1.2.1 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

1.3 Other Approvals

- 1.3.1 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.
- 1.3.2 Should the conduct of public entertainment be proposed in the multipurpose hall, the applicant shall provide Council with an Acoustic Report prepared by a qualified acoustic consultant for the proposed use of the hall for functions, entertainment and the like. This will enable Council to ensure the surrounding neighbourhood is not adversely affected by any potential adverse noise emitted from the hall.

1.4 Services

- 1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Endeavour Energy
- (c) Natural Gas Company
- (d) The relevant local telecommunications carrier

regarding any requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

All approved building construction plans should be submitted to and stamped by a Sydney Water Corporation Limited Customer Centre or a Sydney Water Quick Check Agent as an indication that the proposal complies with the Sydney Water requirements. Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

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- 1.4.2 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- 1.4.3 Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number: 1800 810 443.

1.5 **Identification Survey**

- 1.5.1 The applicant is advised to obtain an identification survey from a registered surveyor to ascertain the correct location of the property boundaries, and to ensure the development does not encroach upon adjoining properties.

1.6 **Other Matters**

- 1.6.1 After 1 March 2013, the *Public Health Act* (NSW) 2010 requires that pool operators must notify local council of the existence of any swimming pool installations. Pools may only be disinfected with chlorine or bromine using automated or continuously metered dosing systems. Testing requirements and record storage requirements are to be kept in accordance with *Public Health Regulation* (NSW) 2012.
- 1.6.2 The hydrotherapy pool is to be registered on the NSW Government's Swimming Pool Register in accordance with Swimming Pools Amendment Act 2012.

2 **GENERAL**

2.1 **Scope of Consent**

- 2.1.1 This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:

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Drawing No.	Dated	Council's File Enclosure No.
Site Plan/Roof Plan Sheet No. DA01 Rev A	04.02.2013	1B
Block A & G Admin/Library Pool Sheet No. DA02 Rev A	04.02.2013	1C
Block B Multipurpose Space Sheet No. DA03 Rev A	04.02.2013	1D
Block C & D Sheet No. DA04 Rev A	04.02.2013	1E
Block A Admin/ Library Elevations Sheet No. DA05 Rev A	04.02.2013	1F
Block G Pool Elevations Sheet No. DA06 Rev A	04.02.2013	1G
Block B Multipurpose Elevations Sheet No. DA07 Rev A	04.02.2013	1H
Block C & E Homebase Elevations (Block D & F Mirrored) Sheet No. DA08 Rev A	04.02.2013	1I
Landscape Plan Sheet No. DA_L01	15.03.2013	36B

*Unless modified by any condition(s) of this consent.

2.2 Services

- 2.2.1 Low voltage electricity and telecommunications services for the approved development shall be reticulated underground.

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2.3 Suburb Name

- 2.3.1 The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

Suburb: The Ponds

2.4 Engineering Matters

2.4.1 Design and Works Specification

- 2.4.1.1 All engineering works required by Scope of Engineering Works and other sections of this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

- (a) Blacktown City Council's Works Specification - Civil (Current Version)
- (b) Blacktown City Council's Engineering Guide for Development (Current Version)
- (c) Blacktown City Council Development Control Plan (Current Version)
- (d) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version)
- (e) Roads and Maritime Services (RMS) School Zone Guidelines

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements **MUST** be submitted to Council with any application for Construction Certificate, Road Act 1993 or Local Government Act 1993 Approval.

NOTE: Any variations from these design requirements must be separately approved by Council.

2.4.2 Other Necessary Approvals

- 2.4.2.1 A separate application or details (as necessary) shall be submitted for the separate approval of Council under the provisions of the Local Government Act 1993 and/or the Roads Act 1993 for any of the following (a) The installation of a vehicular footway crossing servicing the development as required by "Scope of Engineering Works and other sections of this consent" (b) Works on or occupation of existing public roads - that are not covered by a Roads Act Approval - which may require a Road Occupancy Licence or Work Zone Permit.

- 2.4.2.2 The Developer must obtain written authorisation from RMS in relation to any School Zone signs and associated pavement markings and/or remove/relocate any existing Speed Limit signs.

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2.5 Other Matters

- 2.5.1 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) are to be in accordance with AS 2890.1-2004 and AS 2890.2-2002 for heavy vehicle usage.
- 2.5.2 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 – Guide to Road Design.

2.6 Road Deposit/Bond

- 2.6.1 The following current fee and bond (which is subject to periodic review and may vary at time of payment) shall be lodged with Council:

- (a) Road inspection fee of \$169.00, and
- (b) Road maintenance bond of \$5000.00.

The bond is required to cover the cost of any damage to Council's public assets (eg: road, guttering, footpaths, drainage systems) arising from development works. The bond (less an administration fee) will be refunded upon the completion of the development should there be no damage to Council's assets as a result of the development works.

The road inspection fee covers Council's costs to inspect public assets adjacent to the development site before and after development work.

2.7 Services/Utilities

- 2.7.1 The following documentary evidence shall be obtained prior to commencement of development:
- (a) A "Notification of Arrangement" Certificate from Endeavour Energy, stating that electrical services, including the provision of street lighting, have been made available to the development.

2.8 Building Code of Australia Compliance

- 2.8.1 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by :
- (a) Complying with the deemed to satisfy provisions, or
 - (b) Formulating an alternative solution which :
 - (i) complies with the performance requirements, or

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- (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
- (iii) A combination of (a) and (b).

2.8.2 A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed to ensure compliance with the Building Code of Australia:

- (a) Section C, D, E, F and J

2.9 Road-works

2.9.1 A Traffic Management / Control Plan shall be included as part of any Roads Act Approval for road and drainage works to be carried out within public road reserves in strict compliance with the requirements of current Australian Standard 1742.3 (Traffic Control Devices for Works on Roads) and current RMS Traffic Control at Work Sites manual. Any persons preparing such traffic control layout plans shall be RMS accredited.

2.10 Erosion and Sediment Control

2.10.1 Soil erosion and sediment control measures for works shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development.

2.11 Scope of Engineering Works

The following scope of works shall be included in the design documentation for engineering works:

2.11.1 Road and Drainage works

2.11.1.1 Drainage from the site must be connected into Council's existing drainage system via the existing stormwater drainage pits within the subject site. The stormwater concept plans DAH01 to 04 dated 4/02/13 are acknowledged, and stormwater drainage and stormwater quality improvement is to be provided generally in accordance with these plans.

2.11.1.2 School Zones must be installed along all roads with a direct access point (either pedestrian or vehicular) from the school. School Zones must not be provided along roads adjacent to the school without a direct access point.

2.11.2 Vehicular Crossings

2.11.2.1 Construction of Council's standard commercial and industrial vehicular footway crossings in Greenview Parade and The Ponds boulevard in accordance with Council plan A(BS)103S.

2.11.3 Footpaths

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- 2.11.3.1 The footway area being fully turfed in an appropriate manner to be free draining to the street and of neat appearance.

2.11.4 Finished Boundary Levels

- 2.11.4.1 Finished levels of all internal works at the road boundary of the property must be 4% above the top of the kerb.

2.11.5 Stormwater Quality Control

- 2.11.5.1 Stormwater Treatment Measures are not specifically required for this development, however stormwater must be designed in accordance with Water Sensitive Urban Design principles. Any measures provided should be designed, implemented and constructed in accordance with Council's DCP Part R

- 2.11.5.2 A Maintenance Schedule should be provided for the stormwater treatment measures in accordance with the requirements of Council's DCP Part R. The designer of the stormwater treatment measures must prepare the Maintenance Schedule and this schedule must show the designer's name, signature and date on it.

3 PRIOR TO DEVELOPMENT WORKS

3.1 Safety/Health/Amenity

- 3.1.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, or
- (b) a temporary on-site toilet which is regularly maintained and the waste disposed to an approved sewerage management facility.

- 3.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:

- (a) the name, address and telephone number of the principal certifying authority for the work, and
- (b) the name of the principal contractor (if any) for the 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.

This condition does not apply to:

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- (a) building work carried out inside an existing building, or
- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

3.1.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

3.1.4 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.

3.1.5 All soil erosion and sedimentation control measures indicated in the documentation shall be installed prior to the commencement of development works.

3.2 Notification to Council

3.2.1 The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice under Clauses 135 and 136 of the Environmental Planning and Assessment Regulation 2000, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.

4 DURING CONSTRUCTION (BUILDING AND PLANNING)

4.1 Aesthetics/Landscaping

4.1.1 The reflectivity index of glass used in the external facade of the building is not to exceed 20 percent.

4.1.2 Any bathroom, w.c. or laundry window in the external wall of the building shall be fitted with translucent glazing.

4.1.3 The development approved by Council is to be constructed in accordance with the

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schedule of materials, finishes and colours identified on the submitted Colour Board (Sheet No. DA09 Revision A dated 04.02.2013) and held at Enclosure 1J on Council File JRPP-13-126.

4.2 Access/Parking

4.2.1 The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1.

4.2.2 The 45 car parking spaces are to be designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1 as follows:

Car Space: 2.6m x 5.4m

4.2.3 All internal roads and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.

4.2.4 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6.

4.2.5 Appropriate signposting and line-marking of the proposed bus bay is to be provided to ensure parents do not pick-up or drop-off from this location.

4.2.6 The area designated for waste removal and service delivery is to be securely fenced from the adjacent areas to separate students from the reversing manoeuvres of heavy vehicles. The design of the service area is to allow vehicles to enter and leave the school grounds in a forward direction.

4.3 Bush Fire Prone Land

4.3.1 At the commencement of building works and in perpetuity the entire property shall be managed 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'.

4.3.2 Water, electricity and gas are to comply with section 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

4.3.3 Landscaping to the site is to comply with the principles of Appendix 5 'Planning for Bush Fire Protection 2006'.

4.4 Safety/Health/Amenity

4.4.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

4.4.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment

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Regulations 2000 indicating:

- (c) the name, address and telephone number of the principal certifying authority for the work, and
- (d) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
- (e) stating that unauthorised entry to the work site is prohibited.

4.4.3 Should the development work:

- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (b) involves the enclosure of a public place,

the required hoarding, awning or protective barrier shall be maintained between the land and the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.

4.4.4 Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.

4.4.5 All measures to control soil erosion and sedimentation shall be maintained throughout development works.

4.4.6 A single vehicle/plant access to the land shall be maintained to minimise ground disturbance and transport of soil onto any public place. Such access shall be maintained in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. As a minimum, single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided.

4.5 Building Code of Australia Compliance

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

4.6 Surveys

4.6.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifying Authority to verify the approved position of each structure in relation to the property boundaries.

4.6.2 A registered surveyor's report indicating that the required minimum Australian

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Height Datum floor level has been achieved, shall be lodged with the Principal Certifying Authority prior to work proceeding above floor level.

4.7 Nuisance Control

- 4.7.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 4.7.2 The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays: 8.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.
- 4.7.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

4.8 Waste Control

- 4.8.1 The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works.

4.9 Site Contamination

- 4.9.1 During construction, the recommendations of the Contamination Investigation prepared by the NSW Public Works dated March 2013 and held at Enclosure 36C on Council File JRPP-13-126 shall be implemented.

4.10 Salinity

- 4.10.1 During construction, the recommendations of the Salinity Assessment prepared by SESL Australia dated 22 April 2013 and held at Enclosure 44B on Council File JRPP-13-126 are to be implemented.

4.11 Acoustic Measures

- 4.11.1 In accordance with the Acoustic Assessment prepared by *Norman, Disney and Young*, the "in principle" recommendations made for mitigating potential noise sources are to be incorporated into the detailed design, including assessment and recommendations for the mechanical plant equipment. Written evidence is to be provided to Council from an appropriately qualified acoustic consultant which states that the proposed measures will adequately achieve the required noise attenuation.

5 DURING CONSTRUCTION (ENGINEERING)

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5.1 Maintenance of Soil Erosion Measures

- 5.1.1 All required soil erosion and sediment control measures are to be maintained during the entire construction period until disturbed areas are restored by turfing paving or revegetation. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is inadequate.

5.2 Filling of Land & Compaction

- 5.2.1 Roads adjoining the site must be kept clean and free of all excavated /transportable spoil materials.

5.3 Public Safety

- 5.3.1 The applicant is advised that all works undertaken in a public place are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe and recover all reasonable costs incurred from the applicant.
- 5.3.2 The Developer must maintain records of all dates in relation to installing/altering/removing traffic control devices related to speed.

6 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)

6.1 Food Premises

- 6.1.1 The food preparation areas shall be constructed so as to comply with the requirements of;
- (a) The Food Act 2003 and Regulations there under.
 - (b) Australian Standard 4674-2004 *Design, construction and fit-out of food premises.*
 - (c) Australian Standard 1668.2-2002 *The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control.*

7 PRIOR TO OCCUPATION

7.1 Road Damage

- 7.1.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

Note: Should the cost of damage repair work not exceed the road maintenance bond Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued.

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7.2 Compliance with Conditions

- 7.2.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.
- 7.2.2 Prior to occupation/use of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of Section 109H of the Environmental Planning & Assessment Act 1979.

7.3 Service Authorities

- 7.3.1 A final written clearance shall be obtained from Sydney Water Corporation, Endeavour Energy and Telstra (or any other recognised communication carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc) has not previously been issued.

7.4 Temporary Facilities Removal

- 7.4.1 Any temporary site access provided for the purpose of development works shall be removed and the kerb and gutter and/or previous roadworks reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.

7.5 Fire Safety Certificate

- 7.5.1 A final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

7.6 Landscaping/Car Parking

- 7.6.1 All landscaping shall be completed in accordance with approved landscaping design plan. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.
- 7.6.2 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.
- 7.6.3 All common areas and internal driveways shall be appropriately illuminated by the use of bollard lighting or the like to provide for the safety and convenience of

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occupants and other people resorting to the land at night.

- 7.6.4 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 7.6.5 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.
- 7.6.6 All required internal roads and car parking spaces shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.
- 7.6.7 A 2.1m "school fence" is to be provided on all property boundaries adjoining public roads as identified by the approved plans. In addition a 2.1m solid fence is to be provided adjoining residential properties.

7.7 Bush Fire Prone Land

- 7.7.1 The various construction standards and features required to protect the building from bush fire shall be provided in accordance with Australian Standard 3959-1999 - Construction of Buildings in Bushfire-Prone Areas.

7.8 Engineering Matters

7.8.1 Easements/Restrictions/Positive Covenants

- 7.8.1.1 It is noted that stormwater quality requirements have been provided on a regional basis and therefore restrictions and positive covenants are not required over the Stormwater Quality Control devices and outlet works. However, a copy of the works as executed plan and a maintenance schedule for the stormwater drainage works should be lodged with Council prior to use of the development.
- 7.8.2 All School Zone signs and associated pavement markings must be installed prior to student occupation of the site. To obtain authorisation, the Developer must submit the following for review and approval by RMS, at least six (6) weeks prior to student occupation of the site:

- a) A copy of Council's development Conditions of Consent,
- b) The proposed school commencement/opening date.
- c) Two (2) sets of detailed design plans showing the following:
 - School property boundaries
 - All adjacent road carriageways to the school property
 - All proposed school access points to the public road network and any conditions imposed/proposed on their use
 - All existing and proposed pedestrian crossing facilities on the adjacent road network

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
- (c) It is in the public interest that they be imposed.

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- 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.

School Zone signs and associated pavement markings must be in accordance with RMS School Zone Guidelines.

All School Zone signs and associated pavement markings are to be assessed and installed by RMS.

7.9 Other Matters

- 7.9.1 Final validation prepared by a Suitably Qualified person is to be submitted to Council identifying that the recommendations of the Contamination Investigation prepared by NSW Public Works dated March 2013 and held at Enclosure 36C on Council File JRPP-13-126 have been implemented and that the site is suitable for the use as an Educational Establishment, including consideration of any imported fill pursuant to Council's Contaminated Lands Policy.
- 7.9.2 Written confirmation prepared by a Suitably qualified person is to be submitted to Council identifying that the recommendations of the Salinity Assessment prepared by SESL Australia dated 22 April 2013 and held at Enclosure 44B on Council File JRPP-13-126 have been implemented.
- 7.9.3 Written confirmation prepared by a suitable qualified acoustic consultant is to be submitted to Council identifying that the recommendations of the Acoustic Assessment have been implemented.

8 OPERATIONAL

8.1 Access/Parking

- 8.1.1 All required car parking spaces and internal roads and driveways shall be maintained to a standard suitable for the intended purpose.
- 8.1.2 All loading and unloading operations shall take place at all times wholly within the confines of the land.
- 8.1.3 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

8.2 General

- 8.2.1 No goods, materials, or trade waste shall be stored at any time outside the building other than in approved garbage receptacles.

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- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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- 8.2.2 No goods or materials shall be stored, displayed for sale or manufactured at any time outside the building.
- 8.2.3 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 8.2.4 If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.
- 8.2.5 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 8.2.6 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 8.2.7 The hours of operation of the development shall not be outside of the following nominated times.

Any alteration to these hours will require the separate approval of Council.

Approved hours of operation:

Monday to Friday – 7.00am to 10.00pm
Saturdays and Sundays – 7.00am to 6.00pm

In this regard, School Operational Hours are between 7.30am and 6.00pm. Out of School Hour Activities are limited to the use of the Hydrotherapy School unless otherwise approved by a separate Development Application or considered 'exempt development' under an Environmental Planning Instrument.

- 8.2.8 The approved development is to be operate in accordance with the submitted Waste Management Plan. In this regard, arrangements shall be made for an effective commercial refuse removal service.

8.3 Landscaping

- 8.3.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.

8.4 Emergency Procedures

- 8.4.1 Instructions concerning procedures to be adopted in the event of an emergency shall be clearly displayed on the premises for both public and staff information at all times to the satisfaction of Council.

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

These conditions are imposed for the following reasons:

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- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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8.5 Other Matters

- 8.5.1 The stormwater drainage system, including the water sensitive urban design features, are to be maintained for the life of the development, in accordance with the maintenance schedule to be provided as part of this consent.
- 8.5.2 School Zone signs and associated pavement markings are the responsibility of RMS. Once installed, no changes/relocation/removal of the school zone signs and associated pavement markings can be made without prior approval from RMS.

9 OPERATIONAL (ENVIRONMENTAL HEALTH)

9.1 Environmental Management

- 9.1.1 Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the Department of Environment and Conservation's Environmental Noise Management - NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants and shall be submitted to Council for consideration.
- 9.1.2 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 9.1.3 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 9.1.4 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

9.2 Food Premises

- 9.2.1 The food premises shall be maintained in accordance with the requirements of;
- Food Act 2003 and Regulations there under.
 - Australian Standard 4674-2004 *Design, construction and fit-out of food premises*.
- 9.2.2 The premises is to be registered with Council as a food business.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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9.3 Other Matters

9.3.1 The operation and maintenance of the swimming pool shall be carried out in accordance with:

- APVMA Guide for Demonstrating Efficacy of Pool and Spa Sanitisers, Australian Pesticides & Veterinary Medicines Authority, 29 June 2007.
- Public Swimming Pool and Spa Pool Advisory Document, NSW Ministry of Health, December 2012.

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments and/or the Building Code of Australia and/or Council's codes, policies and specifications.
- (b) To ensure that no injury is caused to the amenity of the area, to other persons or to private and public property.
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