

CONDITIONS OF CONSENT

DEVELOPMENT APPLICATION NO. DA209.1/2013
JOINT REGIONAL PLANNING PANEL NO. 2013SYW041

PROPERTY:

Lot 210 DP 13905, No. 217-233 Horsley Road, Horsley Park

DESCRIPTION OF DEVELOPMENT:

Construction of an educational establishment – High School

APPROVED PLANS

1. Compliance with Plans

The development shall take place in accordance with the following:

- Architectural plans prepared by PMDL Architecture & Design Pty Ltd, project number 2305;

Drawing Number	Date
SK 100a	26.02.2013
SK 101c	26.02.2013
SK 102c	26.02.2013
SK 103a	26.02.2013
SK 201a	31.03.2013
SK 202a	31.03.2013
SK 203a	31.03.2013
SK 301c	31.03.2013

- Landscaping plans prepared by Michael Siu Landscape Architecture; project number K17807,

Drawing Number	Date
LC01/2	30.01.2013
LC02/2	30.01.2013

- Engineering plans prepared by Martens & Associates; Project Number P1203604, Drawing ID: C100 Revision C, C130 Revision C, C150 Revision C, C160 Revision C, C170 Revision C, C171 Revision B, C172, Revision B, C173 Revision B, C174 Revision B, C175 Revision A, C120 Revision C, C125 Revision A, C155 Revision A, C230 Revision B, C231 Revision B, Dated 11 October 2013;

- Amended Statement of Environmental Effects; as prepared by Planning Workshop Australia titled 'Statement of Environmental Effects to Accompany a Development Application for a New High School at 217-233 Horsley Road, Horsley Park prepared for The Assyrian School Ltd', dated June 2008;
- Acoustic Assessment prepared by SLR; report number 610.12346-R1, dated 30 January 2013;

except as modified in red by Council and/or any conditions of this consent.

2. **Amendments**

The building footprint as shown on Architectural Plan SK100a dated 26 February 2013, shall be relocated to the north to be commensurate with the approved engineering plan C120 Revision C..

3. **Noise Attenuation Measures**

The following noise attenuation measures shall be implemented and complied with at all times:

- a) **Days of Use** – School activities are permitted on weekdays and on Saturdays and Sundays as per hours stated in Condition 105.
- b) **Northern Play Area** – A buffer zone 25m south of the northern boundary shall be maintained with no play area at any time in this area. The remainder of the northern play area shall only be used during recess and lunch. Before and after school activities shall be limited to the south of the swale or low bund level directing stormwater to the creek.
- c) A fence shall be erected at twenty-five (25) metres south of the northern boundary to prevent children from playing in this area for the purposes of noise attenuation.
- d) **Industrial Arts** – Use of power tools or activities such as hammering, shall be limited to the workshops.
- e) **Multi-Purpose Hall** – No public address (PA) system shall be used unless windows and louvres etc are fully closed. A report shall be prepared and submitted to and approved by Fairfield City Council prior to the issue a Construction Certificate demonstrating that all uses of the hall at all times will meet background + 0 in octave bands 31Hz-8kHz at any location within 30m of an adjoining residence. The use of the hall for school associated dance parties in the evening shall be restricted to 4 times per year (1 per term). Total use of the hall for evening activities shall be limited to 12 times per year (3 per term).

- f) **Workshop** – A report shall be prepared and submitted to and approved by Fairfield City Council prior to the issue of a Construction Certificate demonstrating that all uses of the workshops at all times will meet background + 0 in octave band 31Hz-8kHz at any location within 30m of an adjoining residence.
- g) The northern landscape area shall be densely planted with native endemic species as detailed on the submitted landscape plan.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate by a Certifying Authority. The Certifying Authority can be either Fairfield City Council or an Accredited Certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

4. Flood Study Validation

The Flood Study report prepared by Martens & Associates Pty Ltd including works proposed within Reedy Creek and tributary shall be submitted to and approved by Fairfield City Council prior to the issue of a Construction Certificate.

The information to be included in the flood report shall be provided in the following format:

- a. Suitable terrain surface for the Pre and Post developed site in a suitable GIS/CAD format able to be used with TUFLOW flood modeling.
- b. Hydrographs as used in TUFLOW flood modeling.
- c. Mannings roughness polygons and any 1 dimensional element properties.
- d. Result files and any other model files necessary to open and run the model.

5. Drainage Works

Prior to the issue of a Construction Certificate for drainage works, the applicant shall provide to Council for approval a report prepared by a suitably qualified engineer to demonstrate that the proposed pipe system beneath Horsley Road and all drainage systems conveying stormwater flows from upstream catchments running from west and parallel to the front boundary and towards the creek, have a minimum capacity to convey the overland flow from the local catchment up to the 100 year ARI storm event and that the creek is designed for re-vegetation consistent with the NOW (NSW Office of Water) Control Activity Approval, and is 'free draining', and is stable against scour for design flows up to and including the 5 Year ARI flow. All designs details of the inlet and outlet structures with calculations shall be submitted.

6. Schedule of Finishes

The schedule of finishes, colours and materials for the proposed development including sample boards shall be submitted to and approved by Fairfield City Council prior to the issue of a Construction Certificate.

7. Design Report for energy efficiency installations for buildings Class 2 - 9

Prior to the issue of a construction certificate, a design report shall be submitted to the Certifying Authority, demonstrating that the proposed building complies with the pertinent requirements of Section J – Energy Efficiency of the Building Code of Australia. The design report shall identify and detail the methods required to achieve compliance with the Building Code of Australia.

8. Outstanding Long Service Levy Fee

Prior to the issue of a construction certificate, a receipt for payment of the Long Service Levy (in accordance with the Building and Construction Industry Long Service Levy Payments Act 1986) shall be submitted to the Certifying Authority.

The Long Service Levy is calculated at 0.35% of the value of Building Works, as is in force at the date of this consent. The rate of calculation is subject to change and should be verified (and adjusted) at the date of payment.

Payment can be made to Fairfield City Council or direct to the Long Service Levy Corporation.

9. Landscape Bond

Prior to the issue of a construction certificate, a receipt for the payment to Fairfield City Council of a landscape bond in the sum of **\$25,000.00** shall be submitted to the Certifying Authority.

The bond will be released twelve (12) months after the issue of an occupation/final certificate provided the landscape works have been maintained in accordance with the approved landscape plan.

Should the applicant dispose of the property within the twelve (12) month period, it shall be their responsibility to include in the contract of sale a condition granting them access to the property to maintain the landscaping or alternatively make suitable arrangements with the purchaser to take over the responsibility for the bond for the maintenance of landscaping.

10. Service Provider Requirements

Prior to the issue of a construction certificate, the following service provider requirements shall be submitted to the Certifying Authority:

- a. **Sydney Water** – A Section 73 Compliance Certificate, under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section of the website www.sydneywater.com.au then refer to “Water Servicing Co-ordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

Following application a “Notice of Requirements” will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Notice must be submitted to the Certifying Authority prior to the issue of a construction certificate.

- b. **Integral Energy** – A letter of consent showing satisfactory arrangements have been made to service the proposed development.
- c. **Telecommunications** - A letter of consent showing satisfactory arrangements have been made with a telecommunications carrier to service the proposed development.

11. On-site Detention Design Certificate

Prior to the issue of a construction certificate, a certificate shall be submitted to the Certifying Authority certifying that the drainage system has been designed to comply with:

- a) Method 1 of Council’s On-Site Detention Guidelines for Rural Areas;

Note: Where Fairfield City Council is nominated to issue a construction certificate for on site detention, the following details will be required:

- a. Full details, as per Council's On Site Detention Handbook, of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels, etc.

- b. A plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regrading of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot levels.

12. Certificate of Building Design (Flooding)

Prior to the issue of a construction certificate, a certificate shall be submitted to the Certifying Authority certifying that the building design can withstand the forces of floodwaters including debris and buoyancy forces up to the Probable Maximum Flood level plus freeboard.

13. Works on Adjacent Roads – Approvals and Levels

All approvals and levels for works on adjacent roads (i.e. footway area) must be obtained prior to the release of the Construction Certificate.

14. Engineering Construction Certificate

Prior to the issue of a building construction certificate, an Engineering Construction Certificate' shall be submitted to the Certifying Authority for the construction of:

- a. Right turning bay, road pavement, road shoulder, footway formation, generally as per the Engineering Construction Certificate No. 1185.1/2008, issued by Fairfield City Council on 29 February 2012.
- b. Drainage works adjacent to the site in Horsley Road and drainage upgrade works in Horsley Road adjacent to the site including the extension of the existing culvert designed to cater for the 100 year ARI storm events.
- c. Drainage pipe system within the subject property from west running parallel to the front boundary and towards the creek designed to cater for the 100 year ARI storm events.
- d. All stormwater inlet and outlet structures.
- e. Footpath regrading in Horsley Road
- f. Detailed working drawings suitable for construction works relating to Reedy Creek and tributary along the site's eastern boundary. Details shall be consistent with the requirements and approvals issued by the NSW Office of Water and be submitted to Council prior to any works being undertaken.

For the issue of Engineering Construction Certificate, five (5) copies of plans and specifications giving full details of the design and construction shall be submitted with the application.

Prior to release of the Building Construction Certificate, the applicant shall lodge with Council, a bank guarantee or a cash bond to the cost of all works required under this consent to be carried out within the road reserve and under the Engineering Construction certificate. The value of the bank guarantee or cash bond will be determined by Council upon approval of the details engineering drawings.

15. Waste Management Plan

Prior to the issue of a construction certificate, a Waste Management Plan shall be submitted to and approved by Fairfield City Council. The Waste Management Plan shall be prepared in accordance with the requirements of the Fairfield City Council Waste Not DCP. The Waste Management Plan shall address the type of materials expected from demolition/construction; estimated volumes or tonnes of materials; proposed reuse or recycling methods; the contractors to be used; and the recycling outlet and/or landfill site.

16. Deemed-to-Satisfy

The proposal as submitted does not comply with the Deemed-to-Satisfy provisions of the Building Code of Australia. Compliance with the performance requirements, by formulating an alternative solution or otherwise, shall be demonstrated to the Certifying Authority prior to the issue of a construction certificate.

17. Vehicular Crossing Application

Prior to issue of a construction certificate a vehicular crossing application shall be submitted to and approved by Council. Access to the development shall be via a heavy duty crossing in accordance with Council's requirements. All vehicular crossings shall be located a minimum of one (1) metre from any utility pillar/pole.

18. Section 94A Levy Development Contributions

Prior to the issue of a construction certificate, a receipt for the payment to Fairfield City Council of Section 94A Levy Contributions shall be submitted to the Certifying Authority.

The Section 94A Levy is calculated at a maximum rate of:

- a) 0.5% where the proposed cost of carrying out the development is between 100,001 and \$200,000
- b) 1.0% where the proposed cost of carrying out the development exceeds \$200,000

as determined at the date of this consent. The total contribution to be paid has been calculated at **\$163,110.00**.

Note: This amount may change if there is a delay with payment of the levy, as the cost of works is to be indexed before payment to reflect quarterly variations in the Consumer Price Index (CPI) for Sydney between the date the development application was lodged and the date the levy is paid.

19. Construction Traffic Management Plan

A 'Construction Traffic Management Plan' detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval, prior to the issue of a Construction Certificate.

20. Protection from 100 Year ARI Flooding

Flooding on the site shall be managed generally as shown on plan numbers C160 Revision C, C170 Revision C, C171 Revision B, C172 Revision B, C173 Revision B, C174 Revision B, C175 Revision A, dated 11 October 2013, prepared by Martens & Associates Pty Ltd, Consulting Engineers.

Detailed plans and specifications suitable for construction, based on the above plans and prepared by a qualified Civil Engineer experienced in the field of stormwater analysis and flood modeling shall be submitted with the application for the Construction Certificate.

The site must be protected from inundation by all flooding (mainstream and overland) resulting from all storms up to and including the 100 year ARI storm events. Safety fencing shall be constructed above the 100 year ARI water surface levels and around the detention basin generally as shown on drawing number C155, revision A, dated 11 October 2013, prepared by Martens & Associates Pty Ltd Consulting engineers. The fencing shall be flood compatible and shall be provided to protect all areas of the site from flooding up to and including the 100 year ARI events.

Design plans for the fencing prepared by a qualified Civil Engineer and certified for compliance with these requirements shall form part of any Construction Certificate issued.

21. Floor Levels

The Floor Levels for the development be at least above the Probable Maximum Flood (PMF) levels.

22. Flood Risk Management Report

A revised Flood Risk Management Report prepared by a qualified civil engineer experienced in flood analysis and complying with the requirements in Chapter 11, "Flood Risk Management" of Fairfield City Wide DCP shall be submitted with the application for Construction Certificate. The revised report shall be based on the flooding information prepared for the site by Martens & Associates Pty Ltd Consulting Engineers. All measures contained in the report shall form part of any Construction Certificate issued.

23. Final Stormwater Drainage Plan

The Construction Certificate application shall include a final detailed stormwater drainage and on-site detention plan and specifications suitable for construction, prepared by a suitably qualified and experienced stormwater drainage consultant. The final plan shall be in accordance with the abovementioned stormwater concept plan and shall comply with Fairfield City Council's Stormwater Drainage Policy, Urban Area On-Site Detention Handbook, Rural Area On-Site Detention Guidelines, Basix requirements, AS 3500 and conditions of this consent. The final plan shall in particular provide the following:

- Sufficient design surface levels to ensure that the roof areas and external grounds from the site drain through the detention tank and detention basin through pipe flows and surface flow path routes up to the 100 year ARI storms, in accordance with the above Handbook.
- Details of the safety fencing around the detention basin.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. A Certifying Authority can either be Fairfield City Council or an accredited certifier. All of these conditions are to be complied with prior to the commencement of any works on site.

24. Construction Certificate Required

Prior to the commencement of any building and construction works, a construction certificate is required to be issued by a Certifying Authority.

Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 9725 0222.

25. Appointment of a Principal Certifying Authority

Prior to the commencement of any construction works, the person having benefit of a development consent, or complying development certificate must:

- a. appoint a Principal Certifying Authority; and
- b. notify Council of the appointment.

26. Notify Council of Intention to Commence Works

The applicant must notify Council, **in writing** of the intention to commence works at least two (2) days prior to the commencement of any construction works on site.

27. Sydney Water Consent

Prior to the commencement of any construction works on site, the approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

If the development complies with Sydney Water's requirements, the approved plans will be appropriately stamped and shall be submitted to the Certifying Authority prior to the commencement of any works on site.

For Quick Check agent details please refer to the website www.sydneywater.com.au, see Building Developing and Plumbing then Quick Check or telephone: 13 20 92.

28. Plan of Management

Prior to the commencement of any construction works on site, a Plan of Management shall be submitted to and approved by Council that addresses the following minimum requirements:

- a. The management of car-parking arrangements on the site, to ensure vehicles enter and leave the site in an orderly fashion to, among other things, minimise the impacts on the road system;
- b. The applicant shall engage a specialist consultant to assess the impacts (if any) on the proposed school site, of the use of chemical spraying on adjoining rural properties. The applicant, in consultation with adjoining owners, shall prepare a management plan which is to be submitted to and approved by Council. The management plan is to provide for appropriate mitigation measures to ensure that the amenity and health of the students at the school is protected. Any recommendations of the specialist report regarding equipment modification to local agricultural uses be carried out, with all costs to be borne by the applicant.

- c. The manner in which community consultation, both now and into the future, will be undertaken to ensure that the concerns of neighbours are addressed.

29. Road Dilapidation Survey

Prior to any truck movements occurring, the submission to Council of a road dilapidation survey between the subject premises and The Horsley Drive and/or Elizabeth Drive or as applicable. Prior to preparation of the dilapidation survey, the applicant shall discuss with Council of the possible delivery route to and from the development site and the extent of the survey. The survey shall be provided by suitable pavement consultant and shall cover the full width of the pavement and give details of areas of cracking, profile defects and the like. At the completion of works, the dilapidation survey for Council's surrounding road network shall be repeated and any deterioration shall be made good or paid for by the applicant. A damage deposit or Bank Guarantee of \$171,000.00 shall be lodged with Council as a security against compliance with this condition. This amount shall not be interpreted as being an upper limit of liability.

30. Compaction Requirements

Level one (1) testing shall be carried out for any filling operations carried out in accordance with this consent. Any filling shall be tested to establish the field dry density every 300mm rise in vertical height. The minimum compaction requirement is 95% standard compaction. Test sites shall be located randomly across the fill site with one (1) test per 500m² (min one (1) test per 300mm layer). A report from a suitably qualified Geotechnical Engineer shall be submitted to and approved by the Principal Certifying Authority prior to commencement of building works. Level one testing will require full time inspection by the Geotechnical Testing Authority.

31. Landscape Protection Works

Prior to the commencement of any construction works on site, the following works shall be undertaken to protect existing trees and other landscaping to be retained as part of the development. These works shall be consistent with any other requirements of the approved landscape plan:

- a. Isolate the root zone to the drip line (canopy line) of individual or groups of trees through the erection of a clearly marked fence, prior to land clearing or construction work.
- b. No dumping of materials, parking of vehicles, excavation or filling is to be permitted within the fenced root zone.
- c. Minimise soil disturbance in the surrounding area (to twice the canopy width).

- d. Where trenches for services cannot be laid outside the fenced zone, roots greater than 75mm wide in diameter are to be clean cut and treated with an approved hormone compound and sealed with bitumen.
- e. Tree guards, barriers or other measures as necessary are to be provided.

32. Erosion and Sedimentation Control

Prior to the commencement of any construction works on site, controls in accordance with Council's Erosion and Sedimentation Control Policy shall be implemented prior to clearing of any site vegetation, to ensure the maintenance of the environment and to contain soil erosion and sediment on the property. Erosion and sediment controls shall be maintained until all construction works are completed and all disturbed areas are restored by turfing, paving and revegetation.

The documented erosion and sediment control plan shall be available on-site for inspection by Council Officers and all contractors undertaking works on the site.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

33. Toilet Facility

Prior to the commencement of any construction works on site, a flushing toilet facility is to be provided on site. The toilet must be connected to either a public sewer, or an accredited sewage management facility, or to an alternative sewage management facility (chemical closet) approved by Fairfield City Council.

34. Sign During Construction

Prior to the commencement of construction works, a sign must be erected in a prominent position on site during construction:

- 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 a telephone number at which that person may be contacted outside working hours, and
- c. Showing the name, address and a telephone number of the Principal Certifying Authority for the development.

Note: A \$600 on the spot fine may be issued for non-compliance with this condition.

PRIOR TO OCCUPATION OF THE DEVELOPMENT

The following conditions of consent must be complied with prior to the issue of an Interim Occupation Certificate or Final Occupation Certificate by the Principal Certifying Authority.

35. Interim / Final Occupation Certificate Required

Prior to the commencement of any use and/or occupation of the subject development (whole or part), either an Interim Occupation Certificate or Final Occupation Certificate must be issued.

Prior to the issue of any Occupation Certificate the Principal Certifying Authority must be satisfied that the development (part or whole) is in accordance with the respective Development Consent, Construction Certificate or Complying Development Certificate.

36. Section 73 Certificate Required

Prior to the issue of the Final Occupation Certificate, a Section 73 certificate issued by Sydney Water shall be submitted to the Principal Certifying Authority.

37. Works-As-Executed Plans – Road and Civil Works

Following completion of the works and prior to the release of any Occupation Certificate, the applicant shall provide a detailed “work as executed” on a copy of the drawings stamped as approved with the Construction Certificate, for all external and internal road and drainage works signed by a registered surveyor showing the finished surface levels of the access, road works, driveway, school yard, riparian zone, buildings and any filling and drainage (including invert levels and pipe details) carried out under this consent.

NOTE: Council will not accept “work as executed” plans with coloured highlighter markings on the plans. All dimensions and levels are to be handwritten in blue or red pen only.

38. Certification for Road and Drainage Works

Prior to the issue of any Occupation Certificate, a certificate shall be submitted to the Principal Certifying Authority, certifying that all internal drainage works, filling works and road and drainage works have been completed in accordance with the approved engineering drawings/Works-As-Executed drawings.

39. Works on Adjacent Roads

Prior to the issue of the final occupation certificate, the following works are to be completed:

- a. Footpath in front of the property for the full frontage of Horsley Road shall be regraded, top soiled and turfed in accordance with the requirements of Chapter 14 of Fairfield City Wide DCP 2006 and as per the levels issued by Council. Any transition to the existing footway shall be carried out at no cost to Council.

All works to be carried out on adjacent lands under the control of Council, shall be in accordance with the standard requirements and specifications of Council.

40. On Site Detention – Works-As-Executed

On completion of the drainage works and prior to Occupation, Works-As-Executed plans certified by a Registered Surveyor are to be submitted to the Principal Certifying Authority to verify that the drainage works have been completed in accordance with the approved plans. The following details are to be on the Works-As-Executed plans and shall be marked in red on a copy of the original plan approved at the construction certificate stage.

- a. Sufficient levels and dimensions to verify the On-Site Detention storage volumes.
- b. Location and surface levels of all drainage pits, weir levels and dimensions.
- c. Invert levels of
 - the internal drainage lines.
 - orifice plates.
 - outlet control pit.
- d. Finished floor levels of structures such as units and garages.
- e. Verification that the orifice plates have been fitted and the diameter of the fitted plates.
- f. Verification that a trash screen is installed.
- g. Location and levels of any overland flow paths through the site.
- h. Details of any variations made from approved plans.

41. Registration of Restriction and Covenant over OSD System

Prior to the issue of the final occupation certificate, proof of the creation of a 'restriction on use of land' and 'positive covenant' over the on-site detention system in accordance with Council's On-Site Detention Guidelines for Rural Area (August 1995) shall be submitted to the Principal Certifying Authority.

42. On-Site Detention – Certification of Works

A Certificate shall be issued to the Principal Certifying Authority upon completion of the drainage works and prior to issue of the occupation certificate certifying the following:

- i. That the On-Site Detention system will function in accordance with the approved drainage design.
- ii. Any variations from the approved drainage design.
- iii. That these variations will not impair the performance of the On-Site Detention system, or alternatively provide details of the remedial works required to make the system function according to design control standards.

43. Easement for Stormwater Line

Prior to the issue of the final occupation certificate, proof of the creation of an Easement to Drain Water 4.5 metres wide in favour of Council over all Council stormwater lines shall be submitted to the Principal Certifying Authority, at no cost to Council.

44. Structural Certification

Prior to the issue of an occupation certificate (Interim or Final), a certificate from a practicing Structural Engineer shall be submitted to the Principal Certifying Authority certifying that the building has been erected in compliance with the approved structural drawings and relevant Australian Standards and is structurally adequate.

45. Certification of Approved Finished Floor Level and Ridge Height

Prior to the issue of an occupation certificate (Interim or Final), a certificate by a registered surveyor shall be submitted to the Principal Certifying Authority certifying that the finished floor level and ridge height of the building have been constructed in accordance with the approved plans.

46. Surveyor's Certificate of Location of Building upon Completion

Prior to the issue of the final occupation certificate, a registered surveyor's certificate shall be submitted to and approved by the Principal Certifying Authority certifying that the buildings have been positioned in accordance with the approved plans. It shall show the boundaries of the allotment and the distances of the building from the boundaries.

47. Ancillary Development Works Required

Prior to the issue of the final occupation certificate, the following work shall be undertaken to the satisfaction of the Principal Certifying Authority:

- a. All retaining walls and associated drainage shall be constructed;
- b. Grading of the external ground;
- c. Construction of the driveway; and
- d. Turfing, paving and dividing fencing.

48. Interim Fire Safety Certificate

Prior to the issue of a final/interim occupation certificate, a final/interim fire safety certificate shall be submitted to and approved by the Principal Certifying Authority.

Note: An Annual Fire Safety Statement for the building premises dealing with essential fire safety measures shall be submitted to Council in accordance with the requirements of Clauses 177 and 181 of the Environmental Planning and Assessment Regulation 2000.

49. Termite Protection Certification

Prior to the issue of the final occupation certificate, a certificate of treatment prepared by a suitably qualified pest control contractor shall be submitted to the Principal Certifying Authority. The certificate of treatment shall certify that the building has been protected from subterranean termites in accordance with AS 3660-2000.

50. Adjustments to Public Utilities

Prior to the issue of the final occupation certificate, adjustments to any public utilities necessitated by the development are to be completed in accordance with the requirements of the relevant Authority. Any utility costs are to be at no cost to Council.

51. Mailbox Required

Prior to the issue of the final occupation certificate, a mailbox shall be provided on site in accordance with the requirements of Australia Post.

52. Completion of External Finishes

Prior to the issue of the final occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes are to be completed to the satisfaction of the Principal Certifying Authority.

53. Building in Saline Environments

The whole of the Fairfield Local Government Area is potentially saline affected, and as such appropriate design features and building materials need to be incorporated into the construction of buildings, to minimize the risk of salt damage.

Prior to the issue of an Occupation Certificate, documentary evidence shall be submitted to the Principal Certifying Authority, certifying that the building has been constructed in accordance with Fairfield City Council's 'Building in Saline Environments Policy'.

54. Certification of energy efficiency installations for buildings Class 2 - 9

Prior to the issue of an Occupation Certificate (Interim or Final), a certificate(s) shall be submitted to the Principal Certifying Authority, certifying that the building has been constructed in compliance with the pertinent requirements of Section J – Energy Efficiency of the Building Code of Australia.

55. OSD – Marker Plate

Each On-Site Detention basin shall be indicated by fixing a standard marker plate, details of which are as follows:

Minimum size: 150mm x 100mm

Material: Non Corrosive metal or 4mm thick laminated plastic

Location: Fixed in a prominent position to the nearest concrete or permanent surface and be above the expected water level in the basin. If in doubt, contact Council on 9725-0222.

Wording: A minimum letter height of 5mm is required. The wording is to consist of:-

THIS IS AN ON-SITE DETENTION STRUCTURE
DO NOT TAMPER WITH
CONTACT FAIRFIELD CITY COUNCIL PRIOR
TO ANY PROPOSED WORKS IN THIS AREA

The marker plate is to be attached prior to occupation of the proposed development.

56. Restriction on Use and Positive Covenant

Prior to issue of an occupation certificate, a Restriction on Use and Positive Covenant shall be created over the location of the overland flow path in the following terms:

Restrictive Covenant

- 1) The proprietor of the burdened lot shall not:
 - (a) Erect, construct or place any building or other structure,
 - (b) Make alterations to the ground surface levels, kerbs, driveways or any other structure,

Within the land so burdened without the prior written consent of Fairfield City Council.

- 2) No fencing, including boundary fencing shall be erected within the land hereby burdened unless such fencing is of an open style which will not obstruct the flow of water across the land.

Positive Covenant

- 1) The proprietor of the burdened lot from time to time shall do all things necessary to maintain, repair and replace the stormwater overland flow path within the land so burdened to the satisfaction of Fairfield City Council and in this regard must comply with any written request of the Council with such reasonable time period as nominated in the said written request.
- 2) Where the proprietor of the burdened lot fails to comply with any written request of the Fairfield City Council referred to in (1) above the proprietor shall meet any reasonable cost incurred by the Council in completing the work requested.
- 3) Full and free right for the Fairfield City Council and every person authorised by it to enter upon the burdened lot in order to inspect, maintain, cleanse, replace, repair any pipeline, grate, pit, other structure or alter surface levels to ensure the maintenance of the overland flow path within the land so burdened.

Evidence of registration of the restriction shall be submitted to the Principal Certifying Authority, prior to occupation.

57. Restrictions on Use – Floor Levels

A Restriction on Use is to be created over Lot 210, DP 13905 pursuant to Section 88 of the Conveyancing Act, 1919, requiring the Floor Levels for the development be at least above the Probable Maximum Flood (PM) levels.

58. Easement to drain Water – 100 year flows

An Easement to Drain Water shall be created over the flowpath from Horsley Road. The width of the easement shall be sufficient to cater for the 100 year ARI stormwater flows.

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land. A Principal Certifying Authority can either be Fairfield City Council or an accredited certifier.

59. Compliance with Construction Certificate

All building works approved in this development consent must comply with the terms of the consent the plans, specifications and any other approved documents relevant to the approved Construction Certificate.

60. Compliance with the Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia. 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
 - ii. is shown to be at least equivalent to the deemed-to-satisfy provisions; or
- c. a combination of (a) and (b).

61. Compliance with Fire Safety Schedule

All fire safety measures listed in the fire safety schedule are to be installed and certified as achieving no less than their applicable performance standard as noted beside each fire safety measure on the fire safety schedule. The Fire Safety Schedule forms part of the Construction Certificate applicable to this subject development.

62. Compliance with approved Waste Management Plan

The Waste Management Plan submitted to and approved by Council must be adhered to throughout all stages of the demolition and/or construction process. Source separation of materials and maximum reuse and recycling of materials are requirements of Fairfield City Council's Waste Not DCP. The applicant is required to keep supporting documentation (receipts/dockets), of reuse/recycling/disposal methods carried out, which are to be produced upon request by Council.

Note: Any non-compliance with this requirement will result in penalties being issued.

In addition, the applicant is to supply Council with the name and address of the waste disposal facility where the fill materials will be disposed. The applicant must keep supporting documentation (dockets/receipts), which is to be produced upon request by Council.

Note: Any non-compliance with this requirement will result in penalties being issued.

63. Demolition Requirements

Demolition of the existing building(s) shall be carried out in accordance with the requirements of AS 2601 – 2001 and the following:

- a. The property being secured to prevent unauthorised entry.
- b. Asbestos sheeting shall only be removed by licensed operators in accordance with the requirements of the WorkCover Authority. Proper procedure shall be employed in the handling and removal of asbestos to minimise the risk to personnel and the escape of particles to the atmosphere.
- c. All other materials and debris is to be removed from the site and disposed of to approved outlets in accordance with the approved Waste Management Plan.
- d. Seven (7) days notification to commence demolition work shall be given to WorkCover NSW in accordance with Clause 3.4.5 of the Occupation Health and Safety Regulation 2001.

64. Excavation and Backfilling

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

65. Deep Excavation

If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- a. Must preserve and protect the building from damage; and
- b. If necessary, must underpin and support the building in an approved manner, and
- c. Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

66. No Imported Fill to Site

There shall be no imported fill to the site except for the filling of the dam. A log book shall be maintained to record the daily truck loads of fill brought to the site. This log book shall be made available for perusal to authorised Council Officers upon request.

67. Fill Validation Report

Prior to the importation of any landfill material onto the site, a validation report prepared in accordance with the Department of Environment and Climate Change (DECC) Guidelines for consultants reporting on contaminated sites, shall be submitted to Council for approval. The validation report shall state in an end statement that the fill material is suitable for the proposed use on the land.

68. Filling within a Building Envelope

Filling shall be sourced on-site and shall remain wholly within the confines of the external walls. Any fill imported into the site to fill within the building envelope must meet the criteria of "Virgin Excavated Natural Material" as defined in EPA Environmental Guidelines – Assessment Classification and Management of Liquid and Non-Liquid Wastes 1999 and written verification provided to the satisfaction of the Principal Certifying Authority.

69. Widening of Horsley Road

The following road works shall be provided along Horsley Road:

- i. The existing road pavement on northern and southern side of Horsley Road shall be widened to allow for the right turning bay and access to and from Horsley Road to the development. All necessary transition from widened pavement to the existing shall be provided as per AUSTRROADS Guidelines Part 5-Intersections at Grade and to a minimum length of 74.0metres.
- ii. The proposed road pavement on the northern side of Horsley Road at the exit from the site is to be extended in an easterly direction to allow for eastbound traffic to pass right turning traffic into Lincoln Road. All necessary transition from widened pavement to the existing shall be provided as per AUSTRROADS Guidelines Part 5-Intersections at Grade and to a minimum length of 74.0metres.

The Horsley Road and Lincoln Road intersection treatment shall be in accordance with AUSTRROADS Type C intersection for Rural Area and shall include a right turning bay into Lincoln Road and an eastbound passing lane and a westbound passing lane.

70. Right Turn Design

The design of the right turn bay (incorporating a passing lane for east and west traffic movements) shall be in accordance with the RTA's 'Road Design Guide' and other Australian Codes of Practice.

71. Signage and Line Marking

Appropriate signage and line marking should be provided, in conjunction with Council's Local Traffic Committee, to minimise conflict at the entrance and exit to the car park and bus bay. A "Give Way" sign for vehicles exiting car park be installed to provide priority for buses.

72. Parking Areas Signage

Appropriate signage is to be installed for the school bus, emergency service vehicles and bus bay parking areas.

73. Car Parking Layout

The layout of the car parking area and bus bay, including sight distances requirements, aisle widths, ramp grades, turning paths, driveway widths and parking bay dimensions are to be in accordance with AS 2890.1-2004 and AS 2890.2-2002.

74. Demolition and Construction Vehicles

All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.

75. Bus Manoeuvrability

A 12.5m bus must be able to turn into and out of the school without crossing the centre line of Horsley Road.

76. Existing Chevron on Horsley Road

The existing chevron on Horsley Road, opposite Lincoln Road shall be relocated in accordance with the requirements of Council. All works shall be at no cost to Council.

77. Sight Lines to Pedestrians

All landscaping, signage, fencing and parked buses are not impede sight lines to pedestrians.

78. Parking for Cyclists

Parking is to be provided for cyclists in accordance with Council's requirements.

79. Pedestrian Crossing within Car Parking Area

The proposed pedestrian crossing within the car parking area is to comply with RTA standards. This may require re-configuration of parking adjacent to the crossing to ensure sight distance to pedestrians entering the crossing and to prevent vehicles reversing onto the crossing from an adjacent car parking space.

80. School Zones

'School Zones' must be installed along all roads with a direct access point (either pedestrian or vehicular) to the school. The applicant is to liaise with the RTA regarding the requirements for installing a 'School Zone'. The 'School Zone' is to be installed to RTA requirements prior to the issue of an Occupation Certificate.

81. Front Fence Requirements

No part of the front fencing including the footings shall encroach upon Council's footpath. Entrance gates shall open within/onto the property. The fence shall at no place exceed 2.4 metres in height above ground level.

82. Boundary Fencing

The proposed boundary fencing shall have a height of 2.4m, be coloured black, be of palisade construction on the Horsley Road frontage and cyclone mesh on the side and rear boundaries.

83. Open Style Fence

All fences proposed along Reedy Creek shall be of open style to allow for passage of flood water. The fencing shall be located to prevent students entering land designated as having a flood hazard.

84. Public Utility Adjustment/Relocation Works

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. Access through the car park and school should cater for 10m heavy rigid vehicles.

85. Retaining Walls

Where retaining walls are required as a result of a cut and fill for the development, details of the retaining walls or other approved methods necessary to prevent soil movement, together with associated stormwater drainage measures shall be submitted to Council or Principal Certifying Authority. A separate development application shall be lodged with Council for any proposed retaining wall greater than 600mm in height above natural ground level.

86. Administration fee for the Lodgement of Certificates

Where a Principal Certifying Authority has been appointed other than Council, an administration fee is charged by Council for the lodgement of Construction Certificates, Interim Occupation Certificates, Occupation Certificates and Complying Development Certificates.

87. During Construction or Demolition

During the construction or demolition period the applicant must ensure that:

- a. There is provision of a trade waste service to ensure that all debris and waste material is removed from the site for the period of construction or demolition;
- b. All plant equipment, fencing or materials of any kind is not placed or stored upon any public footpath or roadway; and
- c. Any building work is to be carried out within the following hours.

1. Monday – Friday between the hours of 7:00am to 6:00pm and Saturday between 8:00am and 1:00pm in all zones. No work may be carried out on Sundays or public holidays.

Except that,

Building works in a 4(a) zone may be carried out within the following hours:

2. Monday – Friday between the hours of 7:00am to 6:00pm and Saturday between 8:00am and 5:00pm. No work may be carried out on Sundays or public holidays.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement.

88. Hoarding / Fencing

During construction, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place.

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

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

89. Method of Stormwater Drainage

The stormwater drainage generated from the development shall be directed to Reedy Creek as per approved plans.

90. Critical Stage Inspections

In accordance with Section 109E of the Environmental Planning and Assessment Act 1979 the Principal Certifying Authority for this development is to inform the applicant of the Critical Stage Inspections prescribed for the purposes of Section 109E (3) (d) Environmental Planning and Assessment Regulation 2000.

Note: A **\$600** on the spot fine will be issued for failing to request the Principal Certifying Authority to undertake the above inspections.

91. Tree Preservation Order

You are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you contravene Council's Tree Preservation Order.

92. Disabled Access

Access for disabled people shall be provided in the building or portion of the building in accordance with Clause D3.2, D3.3 and Table D3.2 of the BCA and to the standards set out in AS 1428.1.

93. Maintenance of Construction Site

During the construction and any dormant period, the applicant must ensure that the construction and/or development site is adequately maintained, as not to be prejudicial to the surrounding neighbourhood. In the event that the construction/development site remains dormant for a period in excess of three (3) months, permanent security fencing, hoarding or scaffolding, as defined in the relevant Australian Standard and incorporating visual shielding shall be provided and maintained to the satisfaction of Council until the completion of the development or as applicable.

Signage alerting to the presence of danger and prohibiting unauthorised entry to the site and any other signage, as required by a Development Consent, shall be displayed in a prominent position.

Note: On the spot penalties up to \$600 will be issued and/or legal action in the form of Notices/Orders for non-compliance with this requirement will be instigated.

94. Landscaping to be Completed

The provision and maintenance of landscaping in accordance with the approved landscape plan as prepared by Michael Siu Landscape Architecture project number K17807, drawing numbers LC01/2 and LC02/2, dated 30 January 2013.

95. Landscaping with Riparian Corridor

The proposed landscaping and/or planting within and along the Riparian Corridor of the site shall be in accordance with the requirements of the NSW Office of Water. Details of the proposed planting shall be submitted to Council once approval has been obtained from the NSW Office of Water.

96. Driveway Separation from Landscaping

All driveways shall be separated from the landscaped areas by the construction of a minimum 150mm high kerb, dwarf wall or barrier fencing.

97. Driveway Gradient

- (a) The internal driveways and parking areas are to be designed in accordance with AS 2890 part 1.
- (b) The circulation road through the car park shall be designed to allow for the passage of heavy rigid vehicles for garbage pick up.

98. Line Marking & Street Signage

All line marking and signage on Horsley Road associated with the subject development shall be provided at no cost to Council.

99. Maintenance of Council Roads

The applicant shall maintain Council's road systems during the period of construction. Any damage to Council roads by vehicles servicing the subject construction site shall be repaired and reinstated.

100. Water Tanks

Only roof water from the buildings shall be directed into the water tanks. The outlet pipes from water tanks shall be provided with non return valves where applicable.

101. Design of Buildings near Reedy Creek

Stability of the Reedy Creek embankment is to be considered with the design of buildings. Foundations of all buildings adjoining Reedy Creek embankment shall be designed in accordance with a geotechnical report prepared by a suitably qualified Geo-technical Engineer.

102. Carparking - General

The provision and maintenance of the following number of car parking spaces in accordance with Chapter 12 – Car parking, Vehicle and Access Management of Fairfield City Wide Development Control Plan 2006:

- a. Ninety-eight (98) off-street car parking spaces for staff and visitors; and
- b. Two (2) off-street car parking spaces for disabled persons provided in accordance with AS2890.6 (2009)

Each space shall be permanently line marked and maintained free from obstruction at all times. Staff, company and visitors vehicles shall be parked in the spaces provided on the subject premises and not on adjacent footway or landscaping areas.

103. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.
- b. No articulated vehicles shall be used for the servicing or operations of this development.
- c. All deliveries to the premises shall be made to the service lane/loading bay/s provided.
- d. All vehicles awaiting loading or unloading shall be parked on site and not on adjacent or nearby public roads.

104. Hours of Operation

The approved hours of operation for the high school are:

Monday to Friday: 7:00am – 5.00pm

Saturdays, Sundays and public holidays: 8:00am – 12 noon

105. School Capacity

The number of students shall be restricted to a maximum of 600 students, in accordance with the submitted Statement of Environmental Effects prepared by Planning Workshop Australia.

106. Advertising Signs

No advertising signs or structures associated with the use of the premises are to be erected or displayed without prior approval being obtained from Council.

This condition relates to all advertising matter, including any promotional material, displayed on the premises or in any public place.

107. Place of Public Entertainment

The premises shall not be used for the purpose of a dance hall, reception centre, discotheque, or the like without Council's prior written approval.

108. Monitoring of State of Roadways

The applicant shall monitor the state of roadways leading to and from the site and shall take all necessary steps to clean up any adversely impacted road pavements as directed by Council.

109. Control of Truck Traffic

The applicant shall be responsible for maintaining a daily log of trucks involved in the fill material process. The number of loads per day shall not exceed forty (40) vehicles.

110. Wheel Wash Facility

All trucks leaving the site, having had access to unpaved or contaminated areas, shall depart via a wheel wash facility in order to prevent mud, dust or debris from being deposited on Council roads. In order to achieve this, a wheel wash facility shall be constructed prior to any truck movements occurring. A plan and operational guidelines for the wheel wash facility shall be submitted for approval prior to the commencement of the removal of fill material from the site. Any direction of Council with regard to cleansing trucks or the clean up of road pavements adjoining the site shall be complied with immediately.

111. Existing Street Trees

Should the developer wish to remove a street tree, Council shall be compensated for the loss of any tree. A mature tree may have a value in excess of **\$2,000**. Prior to issue of the Construction Certificate, the applicant is to contact Council to organise a valuation and payment of the compensation. This money will be used for further street planting in the area.

112. Flood Affected Development

The development the subject of this consent is located within flood prone land. The following are to be complied with during the construction process:

- a. Only flood resistant materials shall be used below the designated floor level.
- b. All services and utilities connected to the property are required to be flood proofed.

113. NSW Office of Water Approval

The attached NSW Office of Water's General Terms of Approval shall be implemented and complied with at all times.

NB: The NSW Office of Water's General Terms of approval DO NOT constitute a Part 3A Permit under the Rivers and Foreshores Improvement Act (1984). To obtain a Part 3A Permit, the developer will need to lodge a separate application with the Department of Water and Energy. A Part 3A Permit shall be obtained prior to the issue of a Construction Certificate.

114. Street Lights

Adequate street lighting shall be provided on Horsley Road frontage, at the right turning bay and at Horsley Road and Lincoln Road intersection. The applicant shall engage a lighting consultant to prepare a road lighting design to Australian Standards AS 1158:2005 and submit to Council's City Services Department for approval. All works shall be at no cost to Council.

115. No Stopping Signs

No Stopping signs shall be installed on both sides of Horsley Road from Lincoln Road to the west of the subject site at no cost to Council. An application to Council's Manager Built Systems shall be submitted.

116. Relocation of Power Poles

The existing power poles on the northern and southern side of Horsley Road shall be relocated to allow for road widening and proposed driveways in accordance with relevant utility authority guidelines. All works shall be at no cost to Council.

117. Wastewater Management System

- i. The Wastewater Management Assessment report as prepared by Martens Consulting Engineers, being No. P0601364JR07-v3, dated May 2008 shall be implemented and complied with at all times.
- ii. Prior to the construction of the site sewage management system, an approval under Section 68 of the Local Government Act, 1993, will be required where final design specifications for the effluent treatment and re-use systems shall be submitted for approval to Council.
- iii. The wastewater management system shall be maintained by a suitably qualified person or organisation. A wastewater operation plan shall be provided to Council prior to approval under Section 68A of the Local Government Act.

118. Buried Waste

Should buried materials/wastes or the like be uncovered during the excavation of footings or trenches on site works, Council's Environmental Management Section is to be contacted immediately for advice on the treatment/removal methods required to be implemented.

119. RMS Requirements

A significant number of vehicles and pedestrians will access the site at the start and end of the school day. 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. Road Safety precautions and parking zones should be included into the neighbouring local road network in particular 40km/hr School Zones are to be installed in Horsley Drive in accordance with the following conditions.

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 the RMS to install the School Zone signs and associated pavement markings 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 the RMS:

- i. A copy of Council's development conditions of consent,
The proposed school commencement / opening date,
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.
- ii. School Zone signs and pavement marking patches must be installed in accordance with RMS's approval / authorisation, guidelines and specifications.
- iii. All School Zone signs and pavement markings must be installed prior to student occupation of the site.
- iv. All School Zone signs and pavement markings are to be installed at no expense to the RMS.
- v. The Developer must maintain records of all dates in relation to installing, altering, removing traffic control devices related to speed.
- vi. Following installation of all School Zone signs and pavement markings the Developer must arrange an inspection with the RMS for formal handover of the assets to the RMS. The installation date information must also be provided to the RMS at the same time.

Note: Until the assets are formally handed-over and accepted by RMS, RMS takes no responsibility of the School Zones I assets.

120. Surrender of Development Consent No. 1185.1/2008

Development Consent No. 1185.1/2008 issued on the 12th May 2009 for the construction of an educational establishment – high school shall be surrendered to Council. The following information shall be provided as part of the surrender of the consent:

- a. the name and address of the person by whom the notice is given,
- b. the address, and formal particulars of title, of the land to which the consent relates,
- c. a description of the development consent to be surrendered,
- d. if the person giving the notice is not the owner of the land, a statement signed by the owner of the land to the effect that the owner consents to the surrender of the consent.