

**REVISED CONDITIONS**Determination No: **13-634**

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**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.

1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 109C of 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 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.

1.3.2 The applicant's attention is drawn to the need to obtain Council's separate approval for any ancillary development not approved by this consent, including:

- (a) the removal of any tree(s) not indicated on the approved plans and any tree(s) located greater than 3 metres from the building perimeter, and
- (b) any fence, retaining wall, land excavation or filling, and
- (c) demolition of any existing buildings and associated structures, and
- (d) the installation of a vehicular footway crossing servicing the development.

1.3.3 This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.

1.3.4 The demolition or removal of the existing building(s) or structure(s) is not approved by this consent. A separate Development Application must be lodged with Council and Development Consent granted prior to the demolition or removal of the existing building(s) or structure(s).

**1.4 Services**

1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited

These conditions are imposed for the following reasons:

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- (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 attached to the Construction Certificate 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.

- 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](http://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 All works/regulatory signposting associated with the proposed development are to be at no cost to RMS.

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- 1.6.2 If it is the applicant's intention to engage Council to undertake the checking of the engineering design plans and the issue of the Construction Certificate, or the inspections and issue of a Compliance Certificate, for the engineering works nominated in the "Prior to Construction Certificate (Engineering)" section, it will be necessary to submit the relevant engineering plans to obtain a quote for this service.

A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.

- 1.6.3 Where Council is not the Certifying Authority, an independent engineering consultant is to assess the final drainage plans and certify that the pipe/pit systems and water quality requirements meet Council's Engineering Guide for Development 2005 (and as amended) design standard and the consent conditions. A copy of the certification is to be provided to Council.

- 1.6.4 Inspection Compliance Certificates issued by a Registered Engineer (NPER) or Registered Surveyor or Compliance Certificates issued by an accredited certifier, under Part A of Environmental Planning and Assessment Act 1979 as amended, are to be issued for works covered by the Construction Certificate for engineering works at the completion of the following mandatory inspection stages: -

(i) Soil Erosion and Sediment Control

- (a) Implementation of erosion and sediment control
- (b) Revegetation of disturbed areas
- (c) Construction of major controls (i.e gabions mattresses shotcreting etc)
- (d) Removal of sediment basins/ fencing etc.
- (e) Internal sediment/ pollution control devices
- (f) Final Inspection

(ii) Traffic Control

- (a) Implementation of traffic control
- (b) Maintenance of traffic control during works
- (c) Removal of traffic control

(iii) Construction of Drainage works (including inter-allotment)

- (a) Pipes before backfilling including trench excavation and bedding
- (b) Sand Backfilling
- (c) Final pipe inspection
- (d) Pit bases and headwall aprons
- (e) Pit Walls/ wingwalls/ headwalls
- (f) Concrete pit tops
- (g) Connection to existing system
- (h) Tailout works
- (i) Final Inspection

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## (iv) Construction of Road Pavement

- (a) Boxing out
- (b) Sub-grade roller test
- (c) Subsoil drainage
- (d) Sandstone roller test layer 1
- (e) Sandstone roller test layer 2
- (f) Kerb pre-laying
- (g) Kerb during laying including provision of roof-water outlets
- (h) Sandstone depth
- (i) Pavement profiles
- (j) DGB depths and roller tests
- (k) Wearing Course
- (l) Kerb final
- (m) Concrete tests
- (n) Formwork concrete pavements
- (o) Final inspection

## (v) Provision of Street Furniture

- (a) Street Furniture (including street signs guideposts guardrail etc)
- (b) Erection of fencing adjoining public/ drainage reserves

## (vi) Footpath Works

- (a) Footpath Trimming and/or turfing (to ensure 4% fall)
- (b) Pathway construction (cycle/ link pathways)
- (c) Path-paving construction
- (d) Service Adjustments
- (e) Final Inspection

## (vii) Construction of on-site detention system

- (a) Steel and Formwork for tank/ HED control pit
- (b) Completion of HED control pit
- (c) Pit formwork
- (d) Pipes upstream/ downstream of HED control pit before backfilling
- (e) Completion of OSD system

## (viii) Stormwater Quality Control

- (a) Installation of Stormwater Quality Control devices
- (b) Final Inspection

## (ix) CCTV Inspection of Drainage Structures (pipelines and pits)

- (a) All road drainage

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(x) Final overall Inspections

(a) Preliminary overall final inspection

(b) Overall final inspection

ALTERNATIVELY, one comprehensive Inspection Certificate or Compliance certificate may be issued to include all of the above-mentioned stages of construction.

Where Council is appointed as the Principal Certifying Authority for the development (e.g. all Torrens Title subdivisions), only Compliance Certificates issued by accredited certifiers will be accepted at the completion of the above-mentioned stages. Any Compliance Certificate must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction certificate.

## 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:

Drawing No.	Dated	Council's File Enclosure No.
Site Plan* DA-000 Rev. P6	19/04/2013	1A
Site Plan and Roof Plan* DA-001 Rev. P4	10/04/2013	1B
Ground Floor Plan DA-002 Rev. P5	15/05/2013	21F
First Floor Plan DA-003 Rev. P5	15/05/2013	21G
Sections 1 & 2 DA-006 Rev. P4	13/05/2013	21H
North & South Elevations* DA-004 Rev. P3	10/04/2013	1E
East & West Elevations* DA-005 Rev. P3	10/04/2013	1F
Cut and Fill Drawing	10/05/2013	21J

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DA-120 Rev. P1

DA Landscape Plan\*      11/04/2013      1Q  
3105-01 Issue B

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

## 2.2 Suburb Name

- 2.2.1 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: RIVERSTONE

## 2.3 Engineering Matters

### 2.3.1 Definitions

- 2.3.1.1 Where this consent requires both engineering and building works to be undertaken, a separate Construction Certificate may be issued for each category of works i.e. a separate construction Certificate for the Engineering works nominated in "Prior to Construction Certificate (Engineering)" and a separate Construction Certificate (for all building works relating to the erection and fit-out of a structure). This excludes all works on existing public roads significant enough to warrant separate engineering approval pursuant to the Road Act 1993. In relation to this consent, an engineering approval pursuant to the Road Act, 1993 or Section 68 of the Local Government Act must be issued for half road reconstruction prior to the issue of the Construction Certificate.

In lieu of issuing a separate Construction Certificate, the above-mentioned engineering works can be included on an overall Construction Certificate provided that SPECIFIC REFERENCE is made to the relevant Engineering works. In such instances, the certifier shall provide evidence that they are accredited to do so. This is not applicable where Roads Act or Local Government Act Approvals are required.

Council does not permit the private certification of works on existing public roads or reserves, or any land under the care and control of Council. In this regard Council will not accept a Construction or Compliance Certificate from a Private Certifier for any works on Farm Road.

- 2.3.1.2 The Construction Certificate for Engineering works may be issued by Council or by an appropriately qualified certifier. For Council to issue the Construction Certificate a separate application must be made on the prescribed form complete with detailed plans and specifications.

### 2.3.2 Design and Works Specification

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2.3.2.1 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) Blacktown City Council On Site Detention General Guidelines and Checklist
- (f) Upper Parramatta River Catchment Trust on Site Stormwater Detention Handbook Third Edition December 1999.
- (g) Blacktown City Council Stormwater Quality Control Policy

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.

Any Construction Certificates issued by Private Certifiers must also be accompanied by the above documentations.

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

## 2.3.3 Payment of Engineering Fees

~~2.3.3.1 2.3.3.1 If it is the applicant's intention to engage Council to undertake the checking of the engineering design plans and the issue of the Construction Certificate for the engineering works nominated in the "Prior to Construction Certificate (Engineering)" section, it will be necessary to submit the relevant engineering plans to obtain a quote for this service.~~

~~A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.~~

~~2.3.3.2 If it is the applicant's intention to engage Council to undertake Construction inspections and the issue of the Compliance Certificate for engineering works, it will be necessary to contact Council's Development Services Engineer for a quote.~~

~~A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.~~

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2.3.3.3 Fees are required to be paid to Council's Development Services Unit pursuant to Section 223 of the Roads Act 1993 for;

(a) The checking of engineering drawings for reconstruction of Farm Road and the issue of an Engineering Approval pursuant to the Roads Act 1993.

(b) All construction inspections for the works approved by (a) above. The required fee will be determined upon submission of the relevant plans to Council. This fee is subject to periodic review and may vary at the actual time of payment.

## 2.3.4 Other Fee and Bond/Securities

2.3.4.1 In conjunction with the civil engineering works required to be constructed as part of this development you will be required to submit to Council security bond(s) for maintenance and/or path paving works as well as a contribution for the final asphaltic concrete (AC) surfacing of the roadwork. These matters are individually addressed within the Consent conditions.

## 2.3.5 Other Necessary Approvals

2.3.5.1 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 Other Matters

2.4.1 No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works.

2.4.2 Any future substation or other utility installation required to service the approved development shall not under any circumstances be sited on future or existing Council land, including road reservations and/or public reserves.

2.4.3 In relation to matters concerning Aboriginal archaeology, should any archaeological material be uncovered during construction activities on any location within the proposed development, then all works are to cease immediately and representatives of the Department of Environment and Climate Change (National Parks and Wildlife Service) and a member of each of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

2.4.4 In accordance with Clause 32 of the State Environmental Planning Policy (Infrastructure) 2007, the following School Standards are to be complied with:

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- (a) *School Facilities Standards—Landscape Standard—Version 22 (March 2002),*
- (b) *Schools Facilities Standards—Design Standard (Version 1/09/2006),*
- (c) *Schools Facilities Standards—Specification Standard (Version 01/11/2008).*

## 3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

### 3.1 DA Plan Consistency

- 3.1.1 A Construction Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.

### 3.2 Road Deposit/Bond

- 3.2.1 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 \$5860.00, and
- (c) Administration fee of \$45.00.

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.

### 3.3 DCP 2006

- 3.3.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in Council's Development Control Plan 2006.

### 3.4 Services/Utilities

- 3.4.1 The following documentary evidence shall accompany any Construction Certificate:

- (a) A "Notification of Arrangement" Certificate from Integral Energy, stating that electrical services, including the provision of street lighting, have been made available to the development.

### 3.5 Other Matters

- 3.5.1 A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should

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be submitted to Council for separate approval by Council's Traffic Management Section prior to the issue of the Construction Certificate.

- 3.5.2 The recommendations of the Salinity Assessment prepared by GeoEnviro Consultancy Pty Ltd dated 13 June 2013 are to be implemented.
- 3.5.3 Prior to the commencement of works, an appropriately qualified person is to submit to Council a comprehensive Environmental Management Plan (EMP) for review and subsequent approval.

The operational measures should include but not be limited to:

- proposed schedule of works
- proposed hours of work
- noise and vibration controls
  - location of noise sensitive receivers nearest to the site
  - the predicted level of noise likely to affect the nearest noise sensitive receivers
  - list plant and equipment to be used on site including the level of sound mitigation to be undertaken in each case
  - where resultant site noise levels are likely to exceed the noise criteria, a proposal is to be submitted outlining the duration and frequency of respite periods afforded to the occupiers of neighbouring property
  - community complaints response and management procedure outlining the course of action to be undertaken following receipt of a complaint concerning offensive noise
- Erosion and Sedimentation Control Strategy in line with *Landcom's Managing Urban Stormwater Soils and Construction, 4<sup>th</sup> Edition*

## 3.5.4 Bus-bay construction

Prior to the issue of ANY Construction Certificate for the construction of a building to be used as part of the school, the proposed bus bay and drop off zone as amended by condition 4.1.1(b) **MUST BE CONSTRUCTED** and be fully operational. Reconstruction of the full road width of Farm Rd as required elsewhere in the consent must also be constructed and fully operational in conjunction with the bus bay works. The bus bay and drop-off zone are to be constructed in accordance with the approved plans by Lippman Architects DA-001 Revision P4 enclosure 1B on Council File JRPP-13-634. Council may consider part construction only of the bus bay where it can be clearly demonstrated that the extent of works is sufficient to cater for the expected traffic flows and bus movements for the duration of the works, with full construction required prior to the release of a final Occupation Certificate. A Compliance Certificate for the bus bay and drop-off zone (or part thereof if approved by Council), and a letter of satisfactory completion from Council for the Roads Act Approval for the full road reconstruction, **MUST** be issued prior to the release of a Construction Certificate for any building works involving the proposed school buildings.

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## 4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)

### 4.1 Necessary Plan Amendments

4.1.1 The following plan amendments shall be included on or addressed by any Construction Certificate relating to the approved development and separately approved by Council prior to the release of a Construction Certificate:

- (a) Privacy louvers are to be provided at the eastern end of the first floor terrace at the north end of the administration building as well as the first floor windows on the eastern elevation of the building **where window sill heights are less than 1.5m above floor level.**
- (b) The bus bay and drop off zone is to be amended to provide for an additional double row of queuing area for a minimum of 14 cars. In this regard, the building is to move south to cater for the additional queuing area. It should be noted that appropriate turning circles are to be provided to Council for separate approval of the revised bus bay and drop off zone.

### 4.2 Aesthetics/Landscaping

4.2.1 Council is particularly concerned about the appearance of the development. Accordingly, the following additional information is required to be submitted for Council's separate approval prior to the issue of any Construction Certificate for the approved development:

- (a) Details of the proposed external building materials and finishes, including colour samples from brochures or the like.
- (b) Details of any retaining walls to be constructed on site as part of the development. Please note that Council requires the construction of masonry retaining walls (i.e. no timber walls) where such walls are proposed to be located within a publicly visible area (such as future front building setbacks) or proposed to have a height in excess of 900mm.

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

4.2.3 **A 2.1m solid lapped and capped timber fence is to be provided on the eastern property boundary from the front property boundary to the end of the existing Multi-purpose hall. In addition, a 2.1m solid lapped and capped timber fence is to be provided on the western property boundary for the extent of the existing playing field. All fencing is to be erected on top of any retaining walls at full cost to the developer.**

### 4.3 Access/Parking

4.3.1 The internal driveway and parking areas are to be designed in accordance with

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Australian Standard 2890.1.

- 4.3.2 On-site resident and visitor 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

- 4.3.3 All internal roads and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.
- 4.3.4 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6.

## 5 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

### 5.1 Building Code of Australia Compliance

- 5.1.1 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
  - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
  - (iii) A combination of (a) and (b).

- 5.1.2 A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to the issue of any Construction Certificate to ensure compliance with the Building Code of Australia:

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

### 5.2 Hazardous Materials and Waste

- 5.2.1 A clearance certificate prepared in accordance with the National Code of Practice for the Safe Removal of Asbestos shall be issued by the demolition contractor who holds a Demolition Licence and Class 2 Bonded Asbestos Licence issued by the NSW WorkCover Authority under the provisions of the Occupational Health and Safety Act 2000 (and any relevant Regulation there under) shall be obtained. The report must state that the pre-existing building/s was/were demolished in accordance with the conditions and terms of that licence. A copy of the clearance certificate is to be lodged with Council.

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- 5.2.2 Submit the receipt from the trade waste depot for disposal of the asbestos from the removal/demolition of the existing structures.

## 6 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

### 6.1 Compliance with Conditions

- 6.1.1 All conditions in the "Prior to Construction Certificate (Engineering)" Section and the relevant conditions in the "General" Section of this consent, must be complied with prior to the issue of any Construction certificates.

- 6.1.2 All fees for Construction and Compliance Certificates, Roads Act 1993 and Local government Act 1993 approvals must be paid to Council prior to the issue of any of the above certificates or approvals.

### 6.2 Road-works

- 6.2.1 Road pavements are to be designed by a Professional Civil Engineer in accordance with the current version of Council's Engineering Guide for Developments and based upon soil tests performed by a registered NATA soils Laboratory and the traffic loadings listed in "Scope of Engineering Works" of this consent. The pavement designs must be lodged with Council for approval prior to issue of the Construction Certificate for Engineering works.

- 6.2.2 A Traffic Management / Control Plan shall be included as part of the 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 RTA Traffic Control at Work Sites manual. Any persons preparing such traffic control layout plans shall be RTA accredited.

### 6.3 Erosion and Sediment Control

- 6.3.1 Soil erosion and sediment control measures for road, drainage, On Site Stormwater Detention and earth works shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development. Details are to be included with the plans and specifications to accompany any Construction Certificate.

### 6.4 On-Site Detention

- 6.4.1 A certificate from a Registered Engineer (NPER) to be submitted to Council certifying that the structures associated with the on-site detention system have been designed to withstand all loads likely to be imposed on them during their lifetime.
- 6.4.2 A certificate from a Professional Civil Engineer/Registered Surveyor must be obtained verifying that the On Site Detention system will function hydraulically in

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accordance with the requirements of Upper Parramatta River Catchment Trust and Council's current development guide.

- 6.4.3 Any Construction Certificate issued for or including an On-site Stormwater Detention (OSD) System must be accompanied by;
- a. A Drainage Design Summary Sheet per Appendix B1 of the Upper Parramatta River Catchment Trust Handbook, current version.
  - b. Full drainage calculations and details for all weirs overland flow-paths and diversion/catch drains - including catchment plans and areas, times of concentration and estimated peak run-off volumes.
  - c. A completed OSD Detailed Design Submission and Checklist per Appendix B9 of the above-mentioned Handbook.
  - d. A complete address of Council's OSD General Guidelines and Checklist requirements.
  - e. A Maintenance Schedule is to be presented with the designer's name, his signature and date on it in accordance with the Upper Parramatta River Catchment Trust handbook guideline. (If an underground tank is involved this must include reference to WorkCover Authority of NSW Occupational Health & Safety Act 1983 and Confined Spaces Regulation.)

## 6.5 Compaction Requirements

- 6.5.1 Special attention is drawn to the following requirements of Council's current Works Specification – Civil.
- (i) Submission of compaction certificates for fill within road reserves.
  - (ii) Submission of compaction certificates for road subgrade.
  - (iii) Submission of compaction certificates for road pavement materials.
  - (iv) The submission of 2 contour lot fill diagrams and lot fill compaction certificates. A Restriction as to User with Council's standard wording must be placed on filled lots.
  - (v) Certificates from road material suppliers.

## 6.6 Asset Management

- 6.6.1 A detailed estimate of the cost of civil engineering work must be submitted to Council prior to the issue of the Construction Certificate for engineering works. If engineering works are of a value greater than \$25,000; documentary proof of payment of the levy required by the Building and Construction Industry Long Service Payments Act must be provided to Council prior to any approval of engineering plans either by Council or an appropriately accredited certifier.

## 6.7 Tree Preservation

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.
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6.7.1 A tree retention plan shall be included with any Construction Certificate indicating:

- (a) the trees to be retained.
- (b) all areas left undisturbed and to be cordoned off from construction works.

## 6.8 Flood Protection

6.8.1 The floor level of the building shall be 300 mm at or above the calculated 100year ARI Flood Level.

## 6.9 Ancillary Works

6.9.1 Ancillary works shall be undertaken at no cost to Council to make the engineering works required by this consent effective. Such works shall include but are not limited to the following:

- (a) the relocation of underground services where required by the positioning of new drainage and road infrastructure.
- (b) the relocation of above ground power and telephone services.
- (c) the matching of new infrastructure into existing or future designed infrastructure.

## 6.10 Scope of Engineering Works

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

### 6.10.1 Road and Drainage works

6.10.1.1 Full width road reconstruction over the full frontage of the lot including the provision of drainage, kerb and gutter, concrete path paving and service adjustments, with the remaining footway area being turfed, and any other ancillary work necessary to make this construction effective. The pavement width must be at least 9 metres.

NOTE: The pavement shall be designed to carry a load of  $5 \times 10^5$  N(E.S.A) and to the satisfaction of Council's Coordinator of Engineering Approvals.

6.10.1.2 Full carriageway width construction of a two coat seal over the gravel component of Park Road between Walker Parade and Garfield Road West.

Distance: Approximately 600 metres  
Full Carriageway Width: 7 metres

NOTE: The construction standard of the two coat seal shall be to the satisfaction of Council's Coordinator of Engineering Approvals.

**Council may consider the payment of a contribution to works in lieu of construction. As a minimum, the contribution would be the Council's contract rate for the supply and construction of a two coat hot bitumen seal. Timing of the works would be**

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dependent on scheduling of similar works in Council's Works Improvement Programme and routine maintenance grading works on Park Road.

## 6.10.2 Stormwater Drainage, On Site Stormwater Detention and Stormwater Quality System

### 6.10.2.1 On Site Detention and Stormwater

- a. On-site detention of stormwater runoff from the site must be provided to achieve the following nominated permissible site discharge and site storage capacity for the following percentages of site area draining to the system. (Absolute minimum site draining area is 80%)
  - i. Nominated Discharge PSD: 147l/s/ha for 100%; 101l/s/ha for 90%; 56l/s/ha for 80%.
  - ii. Nominated Storage SSR: 264cu.m/ha for 100%; 301cu.m/ha for 90%; 473cu.m/ha for 80%.
  - iii. Intermediate values can be interpolated linearly for PSD and a fair curve through the 3 values for SSR.
  - iv. Council electronic OSD calculation spreadsheet is available for calculating the above parameters. This electronic spreadsheet can be obtained upon request from Council Development Services Unit.
- b. Council acknowledges the submission of the Stormwater concept plan by Demalkian Engineering Reference No. 213025 drawing SW00 to 06 Revision D (Council File No. JRPP-13-634 enclosure No. 44A). The Construction Certificate issued in this regard must generally be in accordance with this concept.
- c. Any variation to the following design parameters of the above mentioned concept plan will require a lodgement of a Section 96 application to Council for amendment of the consent;
  - i. location of storage area
  - ii. alteration of the type of storage - i.e changing from above ground to below ground storage
  - iii. location of discharge outlet from the system.
- d. Overland flows up to the 1% A.E.P. (100 year Average Recurrence Interval) event must be intercepted at the boundary of the site and conveyed through the site in a piped or channelled discharge system and discharged in a satisfactory manner.
- e. Professional accreditation of stormwater designers and certifiers must be in accordance with the requirements of Council's Policy.

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- f. The concept plan referred to above is for Development Application purposes only and is not to be used for construction.
- g. Comprehensive design plans showing full construction details must be prepared by an accredited stormwater designer to be issued with a Construction Certificate under the Environmental Planning and Assessment Act 1979 prior to the commencement of works.
- h. This plan is considered sufficient in detail for the purpose of issuing Consent the final plan however will need to vary from this concept as follows;
- i. Delete the subsoil lines at regular intervals. A total of three (3) individual parallel subsoil lines must be laid draining into pit 25 from north to south.
  - ii. On drawing SW4(D) the Bioretention basin detail section 7 the subsoil riser is incorrect. The connection between the subsoil riser and the collector pipe must have a 45° degree bend not a 90° bend.
  - iii. On drawing SW4(D) the Bioretention basin detail section 7 amend the note "... HAVE A HYDRAULIC CONDUCTIVITY OF 180mm/hr..." to say "... HAVE A HYDRAULIC CONDUCTIVITY OF 125mm/hr..."
  - iv. Maximum batter slopes permitted for swales are 1V:4H amend drawing SW3(D) section 3.
  - v. Where the channel is fully concreted on drawing SW3(D) section 6 delete the rock scour protection in the concrete channel and delete the HDPE liner along the base and side of the channel. Provide a minimum 100mm freeboard for the channel above the 1 in 100 year flow.
  - vi. Provide a section detail for pit 24 showing the 400mm silt trap (with seepage holes) and Weldlok F40/203 screen to protect the bioretention basin. Include a 90 degree down bend on the 225mm pipe (with 3mm hole in top to prevent syphoning) to contain floatables including oil within the pit.
  - vii. The finished ground levels in drawing SW3(D) section 1 does not match the finished ground levels in drawing SW02(D). Amend the ground levels on SW02(D) to match the levels provided on SW03(D).
  - viii. Drawing SW02(D) amend "EX GPT 13" to say "EXISTING CDS 0506 GPT".
  - ix. The minimum habitable floor levels must be above the 100 year ARI plus 300mm freeboard. The 100 year flow level must be indicated on the plans.
  - i. Landscape plans are required that include appropriate species for the bioretention system in accordance with the BCC Handbook Part 5 - Vegetation Selection Guide (October 2012 or as revised) for the 600mm deep filter media. Planting within the filter area should incorporate several growth forms, including

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shrubs and tufted plants and be densely planted (tufted plants at a minimum of 8 plants per square metre) to ensure plant roots occupy all parts of the media. Groundcover species must not be used. To ensure diversity and disease resistance a minimum of 6 different species to be planted as a matrix is required. All plants within the filter area are to be planted from tubestock and not pots.

- j. Provide Floodway Warning Signs for the overland flow path and bioretention system in accordance with Plan A(BS)114S from Council's Engineering Guide for Development 2005 (and as amended).
- k. Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the rainwater tank and OSD tank in accordance with Council's Engineering Guide for Development 2005 (and as amended).

~~Where Council is not the Certifying Authority, an independent engineering consultant is to assess the final drainage plans and certify that the pipe/pit systems and water quality requirements meet Council's Engineering Guide for Development 2005 (and as amended) design standard and the consent conditions. A copy of the certification is to be provided to Council.~~

- l. An experienced hydraulic engineer is to prepare and have approved a detailed Rainwater Reuse Supply, Pipe and Fixture Plan for non-potable water uses on the site. The plan is to show the rainwater pipe arrangement including first flush or pre-treatment system, pump, mains water direct tank top up, isolation valves, flow meters for the pump outflow and mains water top up, a timer for landscape watering, an inline filter and indicate that all Sydney Water requirements have been satisfied. No solenoid controlled mains bypass is permitted. Instead in the event of pump failure provide a manually operated mains diversion pipe for connection to the toilets only, and for no other use. Rainwater warning signs are to be fitted to all external taps where rainwater is used as a source.
- m. A detailed Landscape Watering Plan is to be provided showing the layout of taps and pipes and the use of sprinklers or drip irrigation. The drip irrigation is to be designed to meet a minimum usage rate of 1 kL/ year/ m<sup>2</sup> of bioretention filter area.
- n. Details are to be provided for permanent interpretive signage minimum A1 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the major water quality device. The wording and detail is to be approved by Council.
- o. Maintenance schedule requirements are to be provided for each of the Stormwater Quality Improvement Devices including the rainwater tank and silt traps. For Bioretention systems these are to include the temporary bio-retention system and ultimate Bioretention system replacement. Where these devices are located in roadway/parking areas these are to include traffic management requirements. The designer of the stormwater treatment system must prepare the Maintenance schedule and this schedule must show the designer's name, signature and date on it.

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- p. Amended architectural plans are required for buildings, or parts of buildings that are not affected by BASIX, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
- i. 4 star dual-flush toilets;
  - ii. 3 star showerheads;
  - iii. 4 star taps (for all taps other than bath outlets and garden taps);
  - iv. 3 star urinals; and
  - v. Water efficient washing machines and dishwashers are to be specified.

## 6.10.3 Vehicular Crossings

- 6.10.3.1 Construction of Council's standard commercial and industrial vehicular footway crossings in accordance with Council plan A(BS)103S.

## 6.10.4 Finished Boundary Levels

- 6.10.4.1 Finished levels of all internal works at the road boundary of the property must be:
- (a) 4% above the top of the proposed kerb.

## 6.10.5 Stormwater Quality Control

- 6.10.5.1 Stormwater Treatment Measures are required for this development. These measures must be designed, implemented and constructed in accordance with Council's Stormwater Quality Control Policy.
- 6.10.5.2 A Maintenance Schedule must be provided for the stormwater treatment measures in accordance with the requirements of Council's Stormwater Quality Control Policy. 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.

## 7 PRIOR TO DEVELOPMENT WORKS

### 7.1 Safety/Health/Amenity

- 7.1.1 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.

- 7.1.2 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

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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:

- (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.

7.1.3 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.

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

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

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

7.1.7 Any excavation and/or backfilling associated with the development shall be executed safely and in accordance with appropriate professional standards, with

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any excavation properly guarded and protected to prevent such work being dangerous to life or property.

## 7.2 Notification to Council

- 7.2.1 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.
- 7.2.2 At least five (5) full working days written notice must be given for the commencement of engineering works. Such notice must be accompanied by evidence of the contractors Public Liability and Workers Compensation Insurances. For Public Liability Insurance this should be a minimum amount of \$10,000,000.

## 7.3 Construction Details

- 7.3.1 Structural details of the nominated building component(s), prepared and/or certified by a professional engineer or other appropriately qualified person, shall be lodged with Council prior to commencing or erecting that portion of the approved development.

### Nominated Component

- (a) Footing piers
- (b) Footing system
- (c) Floor slab
- (d) Structural concrete
- (g) Structural steelwork

## 8 DURING CONSTRUCTION (BUILDING)

### 8.1 Safety/Health/Amenity

- 8.1.1 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.
- 8.1.2 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:
- (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.

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8.1.3 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) 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.

8.1.4 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.

8.1.5 All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.

8.1.6 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.

## 8.2 Building Code of Australia Compliance

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

## 8.3 Surveys

8.3.1 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.

8.3.2 A registered surveyor's report confirming the approved design ground and/or floor levels, shall be lodged with the Principal Certifying Authority prior to work proceeding above floor level.

## 8.4 Nuisance Control

8.4.1 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.

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8.4.2 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.

8.4.3 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.

## 8.5 Waste Control

8.5.1 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.

## 8.6 Construction Inspections

8.6.1 The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):

- (a) At the commencement of the building work; and
- (b) After excavation for, and prior to placement of, any footings; and
- (c) Prior to pouring any in-situ reinforced concrete building element; and
- (d) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and
- (e) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2,3 or 4 building); and
- (f) Prior to covering any stormwater drainage connections; and
- (g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection "(g)" must be carried out by the Principal Certifying Authority.

Any inspection conducted by an accredited other than the nominated PCA for the project must be verified by way of a Compliance Certificate issued for the relevant works.

Note: Failure to ensure the relevant inspections are conducted will preclude the issue of an Occupation Certificate.

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## 8.7 Site Contamination

- 8.7.1 The recommendations of the Phase 1 Preliminary Site Contamination Investigations Report prepared by Environment and Natural Resource Solutions dated 20 May 2013 and held at Enclosure 21F on Council File JRPP-13-634, are to be implemented.
- 8.7.2 Should any contaminated material be unearthed during the construction works, all works are to cease immediately and a suitably qualified environmental site contamination consultant is to investigate and report on the findings. Any recommended remediation and validation works are to be undertaken pursuant to Council's Contamination Lands Policy.
- 8.7.3 Any importation of fill material is to be validated at the source in accordance with EPA requirements.

## 8.8 Other Matters

- 8.8.1 All wastes generated during the project must be assessed, classified and managed in accordance with the "*Waste Classification Guidelines Part 1: Classifying Waste*" (Department of Environment, Climate Change and Water, December 2009).

## 9 DURING CONSTRUCTION (ENGINEERING)

### 9.1 Compaction Requirements

- 9.1.1 Special attention is drawn to the following requirements of Council's Works Specification - Civil (Current Version):
- (a) Submission of compaction certificates for fill within road reserves.
  - (b) Submission of compaction certificates for road sub-grade.
  - (c) Submission of compaction certificates for road pavement materials (sub-base and base courses).
  - (d) The submission of 2 contour lot fill diagrams and lot fill compaction certificates. A restriction as to User with Council's standard wording must be placed on filled lots.
  - (e) Compliance Certificates from road material suppliers.

### 9.2 Maintenance of Soil Erosion Measures

- 9.2.1 Re-vegetation must be applied to disturbed areas as soon as practical after completion of earthworks and must be established prior to release of the maintenance security. All open drains must be turfed.

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- 9.2.2 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.

## 9.3 Filling of Land & Compaction

- 9.3.1 Regular wetting down of the site must be undertaken during the course of works being carried out in order to control wind blown dust from the site.
- 9.3.2 Roads adjoining the site must be kept clean and free of all excavated /transportable spoil materials.

## 9.4 Inspections of Works

~~9.4.1 Inspection Compliance Certificates issued by a Registered Engineer (NPER) or Registered Surveyor or Compliance Certificates issued by an accredited certifier, under Part A of Environmental Planning and Assessment Act 1979 as amended, are to be issued for works covered by the Construction Certificate for engineering works at the completion of the following mandatory inspection stages:-~~

### ~~(i) Soil Erosion and Sediment Control~~

- ~~(a) Implementation of erosion and sediment control~~
- ~~(b) Revegetation of disturbed areas~~
- ~~(c) Construction of major controls (i.e gabions mattresses shotcreting etc)~~
- ~~(d) Removal of sediment basins/ fencing etc.~~
- ~~(e) Internal sediment/ pollution control devices~~
- ~~(f) Final Inspection~~

### ~~(ii) Traffic Control~~

- ~~(a) Implementation of traffic control~~
- ~~(b) Maintenance of traffic control during works~~
- ~~(c) Removal of traffic control~~

### ~~(iii) Construction of Drainage works (including inter-allotment)~~

- ~~(a) Pipes before backfilling including trench excavation and bedding~~
- ~~(b) Sand Backfilling~~
- ~~(c) Final pipe inspection~~
- ~~(d) Pit bases and headwall aprons~~
- ~~(e) Pit Walls/ wingwalls/ headwalls~~
- ~~(f) Concrete pit tops~~
- ~~(g) Connection to existing system~~
- ~~(h) Tailout works~~
- ~~(i) Final Inspection~~

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## ~~(iv) Construction of Road Pavement~~

- ~~(a) Boxing out~~
- ~~(b) Sub-grade roller test~~
- ~~(c) Subsoil drainage~~
- ~~(d) Sandstone roller test layer 1~~
- ~~(e) Sandstone roller test layer 2~~
- ~~(f) Kerb pre-laying~~
- ~~(g) Kerb during laying including provision of roof water outlets~~
- ~~(h) Sandstone depth~~
- ~~(i) Pavement profiles~~
- ~~(j) DGB depths and roller tests~~
- ~~(k) Wearing Course~~
- ~~(l) Kerb final~~
- ~~(m) Concrete tests~~
- ~~(n) Formwork concrete pavements~~
- ~~(o) Final inspection~~

## ~~(v) Provision of Street Furniture~~

- ~~(a) Street Furniture (including street signs guideposts guardrail etc)~~
- ~~(b) Erection of fencing adjoining public/ drainage reserves~~

## ~~(vi) Footpath Works~~

- ~~(a) Footpath Trimming and/or turfing (to ensure 4% fall)~~
- ~~(b) Pathway construction (cycle/ link pathways)~~
- ~~(c) Path paving construction~~
- ~~(d) Service Adjustments~~
- ~~(e) Final Inspection~~

## ~~(vii) Construction of on-site detention system~~

- ~~(a) Steel and Formwork for tank/ HED control pit~~
- ~~(b) Completion of HED control pit~~
- ~~(c) Pit formwork~~
- ~~(d) Pipes upstream/ downstream of HED control pit before backfilling~~
- ~~(e) Completion of OSD system~~

## ~~(viii) Stormwater Quality Control~~

- ~~(a) Installation of Stormwater Quality Control devices~~
- ~~(b) Final Inspection~~

## ~~(ix) CCTV Inspection of Drainage Structures (pipelines and pits)~~

- ~~(a) All road drainage~~

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~~(x) Final overall Inspections~~

~~(a) Preliminary overall final inspection~~

~~(b) Overall final inspection~~

~~ALTERNATIVELY, one comprehensive Inspection Certificate or Compliance certificate may be issued to include all of the above-mentioned stages of construction.~~

~~Where Council is appointed as the Principal Certifying Authority for the development (e.g. all Torrens Title subdivisions), only Compliance Certificates issued by accredited certifiers will be accepted at the completion of the above-mentioned stages. Any Compliance Certificate must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction certificate.~~

- 9.4.2 Inspection of the works required pursuant to the engineering approval issued under the Roads Act 1993 must be made by Council's Development Overseers who can be contacted on 9839 6586 between 7am - 8am and 12.30pm - 1.30pm. A site inspection is required prior to commencement of work. A minimum twenty-four (24) hours notice must be given prior to any required inspection. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).
- 9.4.3 Prior to placement, certification is to be provided that the bioretention filter media has:
- i. A minimum hydraulic conductivity as defined by ASTM F1815-06 of 250 mm/hr (actual, not predicted).
  - ii. A maximum hydraulic conductivity as defined by ASTM F1815-06 of 400 mm/hr (actual, not predicted).
  - iii. An Orthophosphate content < 40 mg/kg,
  - iv. A Total Nitrogen content between 700 mg/kg to 1000 mg/kg, and
  - v. Is not hydrophobic.
- 9.4.4 The filter media in the bioretention area is not to be installed (unless protected by a temporary geotextile covering), or plants installed until all the building works, landscaping and driveways have been completed.
- 9.4.5 Prior to planting, the top 100 mm of the bioretention filter medium is to be ameliorated with appropriate organic matter, fertiliser and trace elements to aid plant establishment as per the table below.

**Table: Recipe for ameliorating the top 100 mm of bioretention filter media.**

Constituent	Quantity (kg/100 m2 of filter area)
Granulated poultry manure fines	50
Superphosphate	2
Magnesium sulphate	3
Potassium sulphate	2
Trace Element Mix	1
Fertilizer NPK (16.4.14)	4
Lime	20

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## 9.5 Public Safety

- 9.5.1 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.

## 10 PRIOR TO OCCUPATION CERTIFICATE

### 10.1 Road Damage

- 10.1.1 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.

### 10.2 Compliance with Conditions

- 10.2.1 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.
- 10.2.2 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.

### 10.3 Service Authorities

- 10.3.1 The following documentary evidence shall accompany any Occupation Certificate:
- (a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Applications must be made through an authorised Water Servicing Coordinator. Please refer to the "Building Plumbing and Developing" Section of the website [www.sydneywater.com.au](http://www.sydneywater.com.au), then follow the "Developing Your Land" link or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of 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 Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the occupation of the development.

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- 10.3.2 A final written clearance shall be obtained from Sydney Water Corporation, Integral 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.

## 10.4 Temporary Facilities Removal

- 10.4.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
- 10.4.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.
- 10.4.3 Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.
- 10.4.4 Any temporary builder's sign or other site information sign shall be removed from the land.
- 10.4.5 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.

## 10.5 Fire Safety Certificate

- 10.5.1 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).

## 10.6 Landscaping/Car Parking

- 10.6.1 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.
- 10.6.2 Off-street car parking and use of the drop-off and pick-up zone and queueing area shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.
- 10.6.3 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.

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10.6.4 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.

10.6.5 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.

## 10.7 Fee Payment

10.7.1 Any fee payable to Council as part of a Construction, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

## 10.8 Engineering Matters

### 10.8.1 Surveys/Certificates/Works As Executed plans

10.8.1.1 A works-as-executed plan (to a standard suitable for microfilming) under the hand of a Chartered Professional Engineer or a Registered Surveyor must be lodged with Blacktown City Council when the engineering works are completed. The works as executed plan must confirm that the On Site Detention system identification plate has been installed in accordance with the Upper Parramatta River Catchment Trust Guidelines. The On Site Detention system identification plate can be purchased from Council.

10.8.1.2 A certificate from a Chartered Professional Engineer/Registered Surveyor must be obtained and submitted to Council verifying that the on-site detention system as constructed will function hydraulically in accordance with the approved design plans.

10.8.1.3 A certificate from a Registered Engineer (NPER) must be lodged with Council verifying that the structures associated with the on-site detention systems have been constructed to withstand all loads likely to be imposed on them during their lifetime.

10.8.1.4 A certificate from a Chartered Professional Civil Engineer must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system will function effectively in accordance with Council's Stormwater Quality Control Policy.

10.8.1.5 Special attention is drawn to the following requirements of Council's Works Specification - Civil (Current Version):

(a) Submission of compaction certificates for fill within road reserves.

(b) Submission of compaction certificates for road sub-grade.

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- (c) Submission of compaction certificates for road pavement materials (sub base and base courses).
  - (d) The submission of two (2) contour lot fill diagrams and lot fill compaction certificates. A restriction as to User with Council's standard wording must be placed on filled lots.
  - (e) Compliance Certificates from road material suppliers.
- 10.8.1.6 The submission to Council of all Inspection/Compliance Certificates required by the "During Construction (Engineering)" Section of this consent.
- 10.8.1.7 A Geotechnical Engineer is to undertake insitu Saturated Hydraulic Conductivity Testing of each of the Bioretention systems in accordance with Practise Note 1 of the FAWB guidelines. For Bioretention systems with a filter area less than 50 m<sup>2</sup>, *in situ* hydraulic conductivity testing should be conducted at three points. For systems with a filter area greater than 50 m<sup>2</sup>, an extra test point should be added for every additional 100 m<sup>2</sup> or part thereof. Points are to be spatially distributed. Where the hydraulic conductivity of the soil differs from the rate specified in MUSIC of 125mm/hr (tolerance -15% to +200%), remediation works will be required over the whole filter area to restore the conductivity and the test repeated until the hydraulic conductivity is achieved. A Geotechnical Engineer is to then certify that in accordance with Practise Note 1 of the FAWB guidelines, the Saturated Hydraulic Conductivity is within tolerance to the rate specified in MUSIC for each of the Bioretention systems.
- 10.8.1.8 Written evidence is to be provided that the owner/developer has entered into a minimum five (5) year signed and endorsed maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the Bioretention systems, silt trap and rainwater tanks. Details of the maintenance contractor(s) is to be forwarded to Council's WSUD Compliance Officer.
- 10.8.1.9 The Hydraulic Engineer is to certify that all the requirements of the approved drainage plan have been undertaken including the installation of the Bioretention systems, rainwater tanks, overland flow culverts and minimum pipe and pit sizes, that all the signage and warning notices have been installed and that any proprietary water quality devices have been installed for the site as per the manufacturer's recommendations.
- 10.8.1.10 A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
- i. 4 star dual-flush toilets;
  - ii. 3 star showerheads;
  - iii. 4 star taps (for all taps other than bath outlets and garden taps);
  - iv. 3 star urinals; and
  - v. Water efficient washing machines and dishwashers have been used.

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10.8.1.11 A plumber licensed with NSW Fair Trading or experienced hydraulic engineer is to certify that all the non-potable water uses are being supplied by rainwater and that all the requirements of the detailed Rainwater Supply, Pipe and Fixture Plan and Landscape Watering Plan have been installed and are working correctly. A signed, work-as-executed Rainwater Supply, Pipe and Fixture Plan and Landscape Watering Plan is to be supplied to Council.

10.8.1.12 After the hydraulic conductivity has been certified by the Geotechnical Engineer, the landscape designer is to certify that the planting within the bioretention area including bank areas, is of the same quality in type and quantity as per the construction certificate approved landscape plans, that any plants lost have been replaced and that any areas of scour or disrepair have been restored.

## 10.8.2 Easements/Restrictions/Positive Covenants

10.8.2.1 Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:

(a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).

(b) The standard format for easements and restrictions as accepted by the Lands Title Office.

10.8.2.2 Restrictions and positive covenants must be provided over the on-site detention storage areas and outlet works.

10.8.2.3 Restrictions and/ or positive covenant must be provided over the overland flow-path.

10.8.2.4 Restrictions and positive covenants must be provided over the Stormwater Quality Control devices and outlet works.

10.8.2.5 All Section 88B restrictions and covenants created, as part of this consent shall contain a provision that they cannot be extinguished or altered except with the consent of Blacktown City Council.

## 10.8.3 Bonds/Securities/Payments in Lieu of Works

10.8.3.1 The payment to Blacktown City Council of a monetary contribution in lieu of works for the placement of the final layer of asphaltic concrete (a.c.) on the new road works. The amount will be calculated at Council's approved rate upon request and following issue of a Construction Certificate for the work.

10.8.3.2 A maintenance security of 5% of the value of the required engineering works must be lodged with Council prior to the practical completion of the works. Council will hold this security for a period of at least twelve months.

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- a) In the case of subdivision - This period commences at the release of the final plan of subdivision. (Issue of Subdivision Certificate)
- b) In the case where no subdivision occurs - This period commences at the date of practical completion of the development.

This maintenance period may be extended in the following situations to allow for the completion of i) necessary maintenance and or ii) all outstanding minor works.

## 10.8.4 Inspections

- 10.8.4.1 Any **additional** Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

## 10.8.5 Inspection of Work

- 10.8.5.1 Any road stormwater drainage structures (pipelines and pits) must be inspected by a CCTV in accordance with Council's current Works Specification Civil. CCTV reports must be submitted to council in the form of VHS video tape or DVD of the inspection video, a hard copy printout of the SEWRAT (or equivalent) report, and a CCTV certified statement in accordance with section 6.8 of Council's Works Specification Civil and that any defects identified by this inspection have been rectified.

## 10.9 Other Matters

- 10.9.1 The applicant must submit details to Council verifying that the On-Site Sewage Management Facility can support the increased load. Approval granted under the WIC Act must be obtained prior to occupation.
- 10.9.2 Written confirmation prepared by a suitably qualified person is to be submitted to Council identifying that the recommendations of the Salinity Assessment prepared by GeoEnviro Consultancy Pty Ltd dated 13 June 2013 have been implemented.

## 11 OPERATIONAL (PLANNING)

### 11.1 Access/Parking

- 11.1.1 All required off-street car parking spaces and internal roads shall be maintained to a standard suitable for the intended purpose. In this regard, a total of 62 car parking spaces are to be provided on site at all times.
- 11.1.2 All loading and unloading operations shall take place at all times wholly within the confines of the land.

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- 11.1.3 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

## 11.2 General

- 11.2.1 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 11.2.2 If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.
- 11.2.3 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.
- 11.2.4 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 11.2.5 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: 8.00am to 4.00pm

In addition, the school is permitted to have a maximum of 4 after hour evening events a year.

- 11.2.6 The use of outdoor play areas are limited to a maximum 2 hours per day, excluding use for **Physical Education** classes, which must be supervised at all times.
- ~~11.2.7 The use of the land is not to interfere with the amenity of the residential area and shall remain incidental to the principal use of the premises as a dwelling.~~

- 11.2.8 Arrangements shall be made for an effective commercial refuse removal service.

## 11.3 Landscaping

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

## 11.4 Use of Premises

- 11.4.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.

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## 11.5 Other Matters

11.5.1 This consent grants approval for the use of the site for a primary school and high school (Kindergarten to Year 12) with a maximum of 600 students and 48 staff members. Any alteration to the student numbers or staffing numbers will require the further consent of Council.

~~11.5.2 The consent does not grant approval for after hours use of the school including use on weekends, during school holidays with the exception of a maximum 4 evening events a year.~~

11.5.3 Any further expansion and or modification to the school including additional classrooms, increase in student or staffing will require the further approval of Council.

~~11.5.4 The recess / lunch times shall be staggered to ensure a maximum of 60 children at any one time are within the outdoor playground.~~

11.5.5 A Plan of Management is to be prepared and used for the ongoing supervision of the bus bay and drop off and pick-up zones during afternoon peak periods (i.e. 1 hour past school finishing times). In addition, the Plan of Management is to address the marshalling of pedestrians during morning and afternoon peak periods.

11.5.6 The flood evacuation plan is to be implemented. Furthermore, emergency evacuation routes are to be clearly displayed within the site at all times.

11.5.7 A maximum of 50 children are permitted on the first floor terrace on the northern elevation of the building at any one time. The terrace is to be used for classroom activities only.

## 11.6 Emergency Procedures

11.6.1 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.

## 12 OPERATIONAL (ENVIRONMENTAL HEALTH)

### 12.1 Environmental Management

12.1.1 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.

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- 12.1.2 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.
- 12.1.3 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.
- 12.1.4 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.

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