

CONDITIONS SUMMARY

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| Application Number: | DA15/0324 |
| Assessing Officer | Mathew Rawson |
| Land to be developed (Address): | Lot 6700 DP 882806 12 - 40 Ridgetop Drive GLENMORE PARK NSW 2745 |
| Proposed Development: | Construction of a Special Needs School (Years K-12) for a Maximum of 128 Students including 16 Classrooms, Multi-Purpose Hall, Hydrotherapy Pool, Student Services, Administration & Staff Facilities, Landscaped Play Areas & Associated Pedestrian Pathways, Driveways & Car Parking |

General

1 A001

The development must be implemented substantially in accordance with the following plans stamped approved by Council, the application form, and any supporting information received with the application, except as may be amended in red on the approved plans and by the following conditions.

| Description | Prepared by | Reference | Rev. | Dated |
|-----------------------------------|--------------------|------------------|-------------|--------------|
| Site Plan | Group GSA Pty Ltd | 14195-1100 | E | 20/07/2015 |
| Roof Plan | Group GSA Pty Ltd | 14195-1104 | B | 16/06/2015 |
| Administration Block - Floor Plan | Group GSA Pty Ltd | 14195-2000 | C | 16/06/2015 |
| Multi-Purpose Hall - Floor Plan | Group GSA Pty Ltd | 14195-2001 | A | 26/03/2015 |
| Hydrotherapy Pool - Floor Plan | Group GSA Pty Ltd | 14195-2002 | A | 26/03/2015 |
| Cluster Homebase A01 - Floor Plan | Group GSA Pty Ltd | 14195-2003 | A | 26/03/2015 |
| Cluster Homebase A02 - Floor Plan | Group GSA Pty Ltd | 14195-2004 | A | 26/03/2015 |
| Cluster Homebase B02 - Floor Plan | Group GSA Pty Ltd | 14195-2005 | A | 26/03/2015 |
| Administration Block - Sections | Group GSA Pty Ltd | 14195-3100 | A | 26/03/2015 |
| Multi-Purpose Hall - Sections | Group GSA Pty Ltd | 14195-3101 | A | 26/03/2015 |
| Hydrotherapy Pool - Sections | Group GSA Pty Ltd | 14195-3102 | A | 26/03/2015 |
| Cluster Homebase A01 - Sections | Group GSA Pty Ltd | 14195-3103 | A | 26/03/2015 |
| Cluster Homebase A02 - Sections | Group GSA Pty Ltd | 14195-3104 | A | 26/03/2015 |
| Cluster Homebase B02 - Sections | Group GSA Pty Ltd | 14195-3105 | A | 26/03/2015 |
| Site Elevations / Sections | Group GSA Pty Ltd | 14195-1110 | A | 26/03/2015 |
| Administration Block - Elevations | Group GSA Pty Ltd | 14195-3000 | C | 16/06/2015 |
| Multi-Purpose Hall - Elevations | Group GSA Pty Ltd | 14195-3001 | A | 26/03/2015 |

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|--|---------------------|--------------|---|------------|
| Hydrotherapy Pool - Elevations | Group GSA Pty Ltd | 14195-3002 | A | 26/03/2015 |
| Cluster Homebase A01 - Elevations | Group GSA Pty Ltd | 14195-3003 | A | 26/03/2015 |
| Cluster Homebase A02 - Elevations | Group GSA Pty Ltd | 14195-3004 | A | 26/03/2015 |
| Cluster Homebase B02 - Elevation | Group GSA Pty Ltd | 14195-3005 | A | 26/03/2015 |
| Earthworks Plan | Birzulis Associates | 6016-C.101 | A | 09/06/2015 |
| Landscape Master Plan | Group GSA Pty Ltd | 14195-L-7200 | B | 17/07/2015 |
| Landscape Detail Plan: Central Play & Vegetable Garden | Group GSA Pty Ltd | 14195-L-7201 | A | 26/03/2015 |
| Landscape Detail Plan: Sensory Garden & Outdoor Staff Area | Group GSA Pty Ltd | 14195-L-7202 | A | 26/03/2015 |
| Landscape Details | Group GSA Pty Ltd | 14195-L-7400 | A | 26/03/2015 |
| Site Stormwater Layout Sheet 1/2 | Birzulis Associates | 3002- HSW01 | C | 20/07/2015 |
| Site Stormwater Layout Sheet 2/2 | Birzulis Associates | 3002- HSW02 | C | 20/07/2015 |

2 [A005 - APPROVED BODY'S CONSENT \(FOR INTEGRATED DAS\)](#)

The conditions imposed by the NSW Rural Fire Service in the Bush Fire Safety authority for the said development are to be complied with prior to the commencement of the school's operation and in perpetuity.

3 [A020 - Use of building](#)

The building shall not be used under any circumstances for any industrial or habitable residential activity. The buildings may be hired to small organisations for the purposes of community and cultural services. The buildings shall not be used under any circumstances for any other commercial activity.

4 [A Special \(Crown Developments Certification\)](#)

In accordance with Section 109R of the Environmental Planning and Assessment Act 1979 Crown building work cannot be commenced unless the Crown building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws in force as at:

- (a) the date of the invitation for tenders to carry out the Crown building work, or
- (b) in the absence of tenders, the date on which the Crown building work commences, except as provided by this section.

5 [A Special \(No stopping zone\)](#)

The proponent is to liaise with Council's Local Traffic Committee in relation to the installation of a 'no parking' zone for the eastern side of Ridgetop Drive along the subject site's frontage.

6 [A Special \(Plan of Management\)](#)

Prior to the school's operation, a Plan of Management shall be submitted to and approved by Council, which details key operations of the school including, but not limited to:

- The operation of the carparking area including pick up and drop off times, number of staff present, storage of the schools student transport vehicles, etc.
- The use of the site during special events out of regular school hours (9 am to 3 pm) such as how visitors will be directed to over flow car parking areas at the northern end of the site, noise management and waste collection.
- The operational Waste Management Plan.
- The school's requirements and responsibilities in the event of ongoing noise complaints.
- The use of the hydrotherapy pool by external groups.

7 **A Special (RMS requirements)**

The following requirements of the NSW Roads and Maritime Services (RMS) are to be complied with:

- a. 40km/h School Zones are to be installed along Ridgetop Drive in accordance with the following conditions.
- b. 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.
- c. To obtain authorisation, the Developer must contact RMS at least 8 weeks prior to student occupation of the site, for RMS to then undertake an assessment for the installation of any Speed Limit signs and/or associated pavement markings.
- d. School Zone signs and pavement markings must be installed in accordance with RMS approval/authorisation, guidelines and specifications.
- e. All school Zone signs and pavement markings must be installed prior to student occupation of the site.
- f. The development must maintain records of all dates in relation to installing, altering, removing traffic control devices related to speed.
- g. Following installation of all School Zone signs and pavement markings the Developer must arrange an inspection with RMS for formal handover of the assets to RMS. The installation date information must also be provided to RMS at the same time.

8 **A Special (Student Max)**

The school is to have a maximum of 128 students.

9 **A Special CPTED**

Prior to the commencement of the school's operation, the following community safety and crime prevention through environmental design (CPTED) requirements shall be satisfied:

Lighting

- All areas intended to be used at night throughout the development should allow appropriate levels of visibility. This includes building entries/exits, the car park and walkways/corridors.
- Pedestrian pathways and access routes throughout the development should be lit to the minimum Australian Standard of AS 1158.
- Lighting should be consistent in order to reduce the contrast between shadows and illuminated areas. Lighting should be designed in accordance with AS 4282 – Control of the obtrusive effects of outdoor lighting.
- Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed. Moreover, lighting should clearly illuminate the faces of users of pathways.
- Lights should be directed towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points.
- Lighting should take into account vegetation and landscaping that may act as an entrapment spot.
- Lighting should be designed so that it is 'vandal tough' or difficult for vandals to break.
- Avoid lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance.
- All lighting should be maintained and kept in a clean condition with all broken or burnt out globes replaced quickly.

Fencing

- 2.1 metre high palisade security fencing and lockable gates are recommended for the perimeter of the school grounds. Fence design must be open styled and dark in colour to maximise natural surveillance from the street to the buildings and from the buildings to the street, and minimise the opportunities for intruders to hide.

Building Security & Access Control

- Install intercom, code or card locks or similar for main entries to buildings to allow staff to restrict access to authorised persons only where necessary.
- All areas throughout the development intended for staff only access or to be accessed under staff supervision should remain locked at all times and only accessible to staff by code or card locks.

- Australian Standard door and window locks should be installed in all buildings to minimise risk of break and enter offences.
- Install viewers/glass panelling on internal doors to promote surveillance throughout the site.
- Monitored alarm systems should be installed in this development.
- Provide lockable gates on the proposed fencing and to the car park to restrict after hours access.
- Consider the use of security patrols to promote building security after hours.
- Effective management procedures should be in place to monitor access/egress by visitors to the school (e.g. sign-in/sign-out procedures).

Way Finding/Finding Help

- Signs should be provided throughout the development that are large and legible, with strong colours, standard symbols (e.g. for washrooms) and simple graphics. They should indicate where to go for help or assistance.
- Signs should be strategically located at entrances and near activity nodes such as intersections of corridors or paths.
- Signs should indicate how to report maintenance problems in the complex.
- The main pedestrian route through a large building, sets of building or areas of open public space should be indicated as such with appropriate signage.
- Where exits to pedestrian routes are closed after hours this should be indicated at the entrance to the route and information on alternative routes should be clearly advised.

Amenities

- Entrances to toilets and change rooms should be clear of all screening to allow surveillance by staff.
- Toilet and change room cubicle doors should open outward to allow access in an emergency. Doors should also have spring-opening hinges to allow doors to remain open when not in use.
- Rear of toilet, change room and shower doors should have hooks located half way down to ensure bags cannot be accessed over the top of the door.
- There should be a gap between the door and floor and door and ceiling of toilet, change room and shower cubicle doors.

Graffiti/Vandalism

- Graffiti resistant coatings must be used to external surfaces where possible, including signage, furniture, retaining walls etc.
- Procedures must be in place to ensure the prompt removal and/or repair of graffiti or vandalism to the buildings, fencing, outdoor furniture etc. This includes reporting incidents to police and/or relevant authorities.
- Proposed outdoor furniture and play equipment must be of sturdy construction to prevent damage, vandalism or theft.

Environmental Matters

10 D001 - Implement approved sediment& erosion control measures

Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

The sediment and erosion control measures are to be installed prior to and maintained throughout the construction phase of the development until the landscaping, driveway and on-site parking areas have been completed for the development. These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development. Dust suppression techniques are also to be employed during construction works to reduce any potential nuisances to surrounding properties.

11 **D006 - No filling without prior approval (Use always, except for bulk earthworks/ major fill operations)**

No fill material shall be imported to the site until such time as a Validation Certificate (with a copy of any report forming the basis for the validation) for the fill material has been submitted to, considered and approved by Council. The Validation Certificate shall:

- state the legal property description of the fill material source site,
- be prepared by an appropriately qualified person (as defined in Penrith Contaminated Land Development Control Plan) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
- clearly indicate the legal property description of the fill material source site,
- provide details of the volume of fill material to be used in the filling operations,
- provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
- (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

{Note: Penrith Development Control Plan 2014 defines an appropriately qualified person as "a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance."}.

If the Principal Certifying Authority or Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

12 **D009 - Covering of waste storage area**

All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

13 **D013 - Approved noise level 1**

Noise levels from the premises shall not exceed the relevant noise criteria detailed in the "Sydney West SSP School, Glenmore Park Noise Emission Assessment" (Document Reference: 20150268.1/2702A/RO/BW) prepared by Acoustic Logic and dated 27/02/2015. The recommendations provided in the above-mentioned acoustic report shall be implemented and incorporated into the design, construction and operation of the development. A certificate is to be obtained from a qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic report.

The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

14 **D Special Construction Noise**

Construction works shall be carried out in accordance with the NSW Department of Environment and Climate Change's "Interim Construction Noise Guideline" 2009.

15 **D Special Hydrotherapy Pool hours**

The approved hours of operation of the hydrotherapy pool are 8 am - 7 pm Monday - Friday, and 8 am - 1 pm Saturday.

16 **D Special Ongoing noise compliants**

In the event of on-going noise complaints relating to the development being received by Council, the owner and/or occupier of the development may be required by Council to obtain the services of a suitably qualified acoustic consultant to undertake a noise impact assessment on the development to address the concerns of the community. The noise impact assessment report is to be prepared and provided to Council within 45 days of being requested. The assessment report is to be approved by Council, with any recommendations being implemented in accordance with the approved assessment report.

17 **D Special Operation WMP**

An Operational Waste Management Plan shall be submitted to Penrith City Council for consideration and approval prior to the commencement of the schools operation.

The operational waste management plan shall be prepared in accordance with the Penrith Development Control Plan 2014, and shall address all waste materials likely to result from the operation of the proposed development, with details of the estimated waste volumes, onsite storage and management, designated waste contractors, recycling outlet and / or landfill site.

The approved Operational Waste Management Plan must be implemented and adhered to throughout operation of the development, with supporting documentation / receipts retained in order to verify the recycling and disposal of materials in accordance with the approved plan.

18 **D Special Plant Noise**

Prior to the commencement of works, further details on the type and location of all mechanical plant and equipment associated with the development (including the hydrotherapy pool), is to be provided to Council for consideration and approval. Suitable data and information, assessed by a qualified acoustic consultant, is to be supplied to demonstrate that the operation of the mechanical ventilation, plant and equipment will comply with the noise criteria specified in the " Sydney West SSP School, Glenmore Noise Emission Assessment" (Document Reference: 20150268.1/2702A/RO/BW) prepared by Acoustic Logic and dated 27/02/2015, as well as the provisions of the Protection of The Environment Operations Act 1997 that apply to the development, in terms of regulating offensive noise. In this regard, the operating noise level of all mechanical ventilation, plant and equipment associated with the development, shall not exceed 5dB(A) above the background noise level when measured at the boundaries between the development and adjoining premises.

Prior to the commencement of the school's operation, a Compliance Certificate is to be submitted to and approved by Council. The Compliance Certificate is to be prepared by an appropriately qualified acoustic consultant and is to certify that all plant and equipment has been installed to comply with the above information and the established noise criteria. Should the Compliance Certificate identify any non-compliance issues, the Certificate is to provide suitable recommendations for mitigation of those issues. Any mitigation works are to be undertaken within thirty (30) days from the date of notice from Council, unless otherwise specified. This Compliance Certificate for the mechanical plant and equipment may be included in the Compliance Certificate that is required for the development as a whole with respect to certifying that the building has been constructed to meet the noise criteria established in the " Sydney West SSP School, Glenmore Noise Emission Assessment" (Document Reference: 20150268.1/2702A/RO/BW) prepared by Acoustic Logic and dated 27/02/2015.

19 **D Special Unexpected finds protocol**

If during any excavation or earthworks, unusual staining or unidentified odour is encountered, work shall cease within the area until it has been assessed by an appropriately qualified person/s (as defined in the Land Management Section of Penrith Development Control Plan). All remediation works within the Penrith Local Government Area are considered to be Category 1 works under State Environmental Planning Policy (SEPP) 55-Remediation of Land. If, during site works, remediation works are found to be required, then development consent is to be sought from Penrith City Council before the remediation works commence.

BCA Issues

20 **E009 - Annual fire safety-essential fire safety (Class 2-9 buildings)**

The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:

(a) deal with each essential fire safety measure in the building premises, and

(b) be given:

- within 12 months after the last such statement was given, or
- if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.

As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.

21 **E01A - BCA compliance for Class 2-9**

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 on-going 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:

- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or

(c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate / statement for the building.

22 **E Special (Accessibility requirements)**

Access and sanitary facilities for persons with disabilities are to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 "Design for Access and Mobility".

Health Matters and OSSM installations

23 **F151 - Registration & Notification**

If the swimming pool becomes a Public swimming pool (as defined in the Public Health Act 2010) at anytime it is to be registered with Penrith City Council by completing the registration form for public swimming pool and spa pools. This form is to be returned to Council prior to the operation of the premises.

The occupier of any premises at which a public swimming pool or spa pool is situated must notify Council using the NSW Ministry of Health Notification Form available from www.health.nsw.gov.au prior to the pool or spa being used. The occupier of the premises must notify Council within 7 days of any change of details.

The construction and operation of the public swimming pool/s and spa pool/s and associated premises shall comply with the Public Health Act 2010, Public Health Regulation 2012 and any relevant standards, guidelines or codes of practice published or endorsed by the NSW Ministry of Health.

The occupier of premises at which the swimming pool is situated, must not allow a person to use the pool unless the water in the pool is disinfected in such a way as to minimise the transmission of disease to the other users of the pool. Please refer to the Public Health Act 2010 and Public Health Regulation 2012.

The occupier of premises at which a public swimming pool or spa pool is situated must ensure that the pool surrounds, including any toilets or change rooms, are kept clean and in such condition as to minimise the transmission of disease.

24 **F Special (Kitchen to the relevant AS)**

Any kitchen areas shall be constructed in accordance with the requirements of AS 4674-2004 "Design, Construction and Fitout of Food Premises," the Food Act 2003 and Food Regulation 2010.

Utility Services

25 [G002 - Section 73 \(not for](#)

A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water prior to the commencement of the school's operation. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's website at www.sydneywater.com.au then the "e-developer" icon, or telephone 13 20 92.

26 [G004 - Integral Energy](#)

Prior to the commencement of works, a written clearance is to be obtained from Endeavour Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

Construction

27 [H001 - Stamped plans and erection of site notice](#)

Stamped plans, specifications, a copy of the development consent and any other Certificates to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details are to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed at the completion of works.

28 H002 - All forms of construction

Prior to the commencement of construction works:

(a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by the council, or
- alternatively, any other sewage management facility approved by council.

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

(c) 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:

- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 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 for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

(d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the 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, and
- any such hoarding, fence or awning is to be removed when the work has been completed.

29 H004 - Dust

Dust suppression techniques are to be employed during construction to reduce any potential nuisances to surrounding properties.

30 H005 - Mud/Soil

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

31 H006 - Submission of and implement waste management plan

A completed Construction Waste Management Plan shall be submitted to Penrith City Council for consideration and approval prior to the commencement of works.

The waste management plan shall be prepared in accordance with the Waste Section of the Penrith Development Control Plan (2014), and shall address all waste materials likely to result from the proposed development, with details of the estimated waste volumes, onsite storage and management, proposed re-use of materials, designated waste contractors, recycling outlet and / or landfill site.

The approved Construction Waste Management Plan must be implemented on-site and adhered to throughout construction of the development, with supporting documentation / receipts retained in order to verify the recycling and disposal of materials in accordance with the approved plan.

32 **H036 - Rainwater Tank (Also impose H037, H038, H039, G005 & Q010)**

The rainwater tank(s) is to be:

- erected on a self-supporting base in the approved location on the property in accordance with the stamped-approved site plans for the development,
- structurally sound and constructed in accordance with AS/NZS 3500 1.2- 1998: National Plumbing and Drainage - Water Supply - Acceptable Solutions,
- fully enclosed and all openings sealed to prevent access by mosquitoes,
- fitted with a first flush device,
- fitted with a trickle system to top up from mains water,
- provided with an air gap, and
- installed by a licensed plumber in accordance with Sydney Water's "Plumbing requirements Information for rainwater tank suppliers and plumbers April 2003" and the NSW Code of Practice: Plumbing and Drainage.

Additionally, the following are to be provided:

- A back flow prevention device shall be provided at the water meter in accordance with Sydney Water requirements.
- In the event of a power failure, a back up supply of mains water shall be provided to at least one toilet in the dwelling.
- The rainwater tank(s) and associated piping is to be labelled 'Rainwater - Not for Drinking' in accordance with Sydney Water requirements.
- The rainwater tank and pipework is to be painted in colours matching the external finishes of the dwelling and is to be of non-reflective finish.
- The overflow for the rainwater tank is to be connected into the existing stormwater disposal system on the site.

Before a rainwater tank(s) can be used, a certificate or suitable document is to be submitted to the Principal Certifying Authority stating that the rainwater tank has been installed in accordance with:

- the Manufacturer's Specifications, and
- Sydney Water and NSW Health requirements.

This certificate or documentation is to be provided by the licensed plumber who installed the rainwater tank on the property, and is to be submitted prior to the issue of the Occupation Certificate.

33 **H037 - Safe supply of water from catchment areas (Also impose H036, H038 & H039)**

The catchment area (for the rainwater tank) includes the parts of the roof of the dwelling(s) from which water is collected and includes gutters. To ensure a safe supply of water:

- roof catchment areas must be kept clear of overhanging vegetation,
- gutters must have sufficient fall to downpipes to prevent pooling of water,
- overflow, discharge from bleed off pipes from roof mounted appliances such as airconditioners, hot water services and solar heaters must not discharge into the rainwater catchment area,
- for roofs containing lead based, tar based or asbestos material the tank supply must not be connected to drinking, bathing and gardening tap water outlets,
- appropriate measures must be installed to prevent foreign materials from contaminating the water which enters the rainwater tank.

34 **H038 - Connection of rainwater tank supply (Also impose H036, H037 & H039)**

The rainwater tank supply must not be connected to drinking and bathing water tap outlets.

35 **H039 - Rainwater tank pumps (Also impose H036, H037 & H038)**

The rainwater tank pump must not exceed 5dBA above ambient background noise level at the nearest residential property boundary. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

36 [H041 - Hours of work \(other devt\)](#)

Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm, if inaudible on neighbouring residential premises, otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy that do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

Engineering

37 [K101 - Works at no cost to Council](#)

All roadworks, stormwater works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.

38 [K202A - Infrastructure Bond](#)

An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Council's Public Infrastructure Assets. The bond is to be lodged with Council **prior to the commencement of works**. The bond shall be determined accordance with Council's adopted Fees and Charges.

The bond is refundable once a final inspection has been carried out by Council's City Works Department and the works have been completed to Council's satisfaction. The bond may be used to repair or reinstate any damage that occurs to Council's Public Infrastructure Assets as a result of the development works.

Contact Council's City Works Department on 4732 7777 or visit Council's website to obtain the form and request for final inspection.

39 [K203 - Section 138 Roads Act \(roadworks requiring approval of civil drawings\)](#)

Prior to the commencement of works for building or subdivision works the Certifying Authority shall ensure that a Section 138 Roads Act application, including the payment of application and inspection fees, has been lodged with, and approved by Penrith City Council (being the Roads Authority under the Roads Act), for provision of:

- A 1.5m wide pedestrian path for the entire property frontage in Ridgetop Drive connecting to the existing path 25m north of the roundabout at Shearwater Drive.
- Pram ramps and connecting path (if required) to provide connectivity from the development site to the existing path between No's 23 and 25 Ridgetop Drive.
- Heavy duty layback and vehicular crossing in Ridgetop Drive. The layback shall be located a minimum distance of 1m from the edge of the lintel of the kerb inlet pit and designed so that a medium rigid vehicle may access and egress the site without obstructing turning paths of oncoming vehicles.
- The connection of two internal stormwater drainage lines into existing kerb inlet pits in Ridgetop Drive.

Engineering plans are to be prepared in accordance with the development consent, Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works, Engineering Construction Specification for Civil Works, Austroad Guidelines and best engineering practice.

Contact Penrith City Council's **Engineering Services Department** on (02) 4732 7777 to ascertain applicable fees.

40 **K209 - Stormwater Management**

The stormwater management system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Birzulis Associates Consulting Engineers, reference number 3002, revision C, dated 20/07/2015, and the stormwater assessment report prepared by Taylor Thomson Whitting (NSW) Pty Ltd Consulting Engineers, reference 151053P, dated 09/03/2015.

Engineering plans and supporting calculations for the stormwater management systems are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

Prior to the commencement of works, the proponent shall ensure that the stormwater management system has been designed in accordance with Council's Stormwater Drainage for Building Developments Policy and Water Sensitive Urban Design Policy.

41 **K221 - Access, Car Parking and Manoeuvring – General**

Prior to the commencement of works, the proponent shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS 2890.2, AS 2890.6 and Penrith City Council's Development Control Plan.

42 **K223 - Performance Bond**

Prior to the commencement of works, a performance bond is to be lodged with Penrith City Council for:

- The 1.5m wide pedestrian path in Ridgetop Drive
- Pram ramps in Ridgetop Drive to provide connectivity to the existing path between No's 23 and 25 Ridgetop Drive.

The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy. The bond will be administered in accordance with this policy.

Note: Contact Council's **Development Engineering Unit** on 4732 7777 for further information relating to bond requirements.

43 **K302 - Traffic Control Plan**

Prior to commencement of works, a Traffic Control Plan including details for pedestrian management shall be prepared in accordance with AS 1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Penrith City Council.

44 **K501- Penrith City Council clearance – Roads Act/ Local Government Act**

Prior to the operation of the school, the Proponent shall ensure that all works associated with a Section 138 Roads Act approval has been inspected and signed off by Penrith City Council.

45 **K502 - Works as executed – General and Compliance Documentation**

Prior to the commencement of the school's operation, works-as-executed drawings, final operation and maintenance management plans and any other compliance documentation shall be submitted to Council in accordance with Penrith City Council's Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments Policy.

46 **K503 - Stormwater Compliance**

Prior to the commencement of the operation of the school it must be ensured that the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)
- Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
- Have met the design intent with regard to any construction variations to the approved design.
- Any remedial works required to be undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

47 **K504 - Restriction as to User and Positive Covenant**

Prior to the operation of the school, a restriction as to user and positive covenant relating to the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)

Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Stormwater Drainage for Building Development.

48 **K509 - Directional signage**

Prior to the school's operation, directional signage and linemarking shall be installed indicating directional movements and the location of customer parking to the satisfaction of the Principal Certifying Authority.

49 **K513 - Maintenance Bond**

Prior to the school's operation, a maintenance bond is to be lodged with Penrith City Council for:

- The pedestrian path in Ridgetop Drive.
- Pram ramps in Ridgetop Drive to provide connectivity to the existing path between No's 23 and 25 Ridgetop Drive.

The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy. The bond will be administered in accordance with this policy.

Contact Council's **Engineering Services Department** on 4732 7777 for further information relating to bond requirements.

50 **K - Waterways - Stormwater Management system operation and maintenance**

The stormwater management systems shall continue to be operated and maintained in perpetuity to the satisfaction of Council in accordance with the final operation and maintenance management plan. Regular inspection records are required to be maintained and made available to Council upon request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the treatment measure/s

51 **K Special (BLANK)**

All car parking and manoeuvring must be in accordance with AS 2890.1-2004; AS 2890.6-2009 and Council's requirements.

52 **K Special (BLANK)**

All car parking spaces are to be sealed/line marked and dedicated for the parking of vehicles only and not to be used for storage of materials, products, waste materials, etc.

53 **K Special (BLANK)**

The required sight lines around driveway entrances are not to be compromised by landscaping, fencing or signage.

54 **K Special (BLANK)**

All vehicles are to enter/exit the site in a forward direction.

55 **K Special Condition – Easement to Council (replaces standard condition K005)**

Prior to the commencement of the school's operation, the applicant shall register an easement for drainage over lands owned by Penrith City Council being Lot 1 DP 1045500. Easement widths shall be in accordance with Council's Guidelines for Engineering Works for Subdivisions and Development Works - Part 1 Design. The applicant shall meet all associated survey and legal costs. Evidence of registration shall be submitted to the Penrith City Council. Please contact Council's Property Development Manager to ascertain applicable fees.

56 **K Special Condition (WSUD amendments)**

Prior to the commencement of works, the stormwater management strategy must be modified to incorporate the requirements of Section 3.1 of Council's WSUD Policy which relates to the use of efficient (WELS) rated fittings and rainwater harvesting and reuse.

Landscaping

57 **L001 - General**

All landscape works are to be constructed in accordance with the stamped approved Landscape Plan and Sections F5 "Planting Techniques", F8 "Quality Assurance Standards" and F9 "Site Management Plan" of the Landscaping Section of the Penrith Development Control Plan 2014.

Landscaping shall be maintained:

- in accordance with the approved plan, and
- in a healthy state, and in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity as the vegetation which died or was removed.

58 **L006 - Aust Standard**

All landscape works are to meet industry best practice and the following relevant Australian Standards:

- AS 4419 Soils for Landscaping and Garden Use,
- AS 4454 Composts, Soil Conditioners and Mulches, and
- AS 4373 Pruning of Amenity Trees.

59 **L Special (Protection of trees to remain on site)**

All trees approved by Council for removal shall be removed in a manner so as to prevent damage to those trees that are to be retained.

60 **L Special (Tree protection - Australian Standards)**

The trees to be retained must be retained and protected in accordance with AS 4970 -2009 - Protection of trees on development sites.

61 **L Special (Tree protection)**

The trees to be retained must be retained and protected in accordance with the arborist's report recommendations.

62 **L Special (Trees of public property)**

All precautions shall be taken to adequately protect trees on public property (i.e. footpaths, roads, reserves, etc.) against damage during construction. No trees on public property shall be removed, pruned or damaged during construction – this includes the erection of any fences, hoardings or other temporary works. The placement of construction materials beneath the canopy of street trees is prohibited.