
CONDITIONS OF DEVELOPMENT CONSENT

DA No: DA-288/2015
Property: Pt Lot 2 Burroway Road, WENTWORTH POINT
Description: Demolition of existing buildings and construction of a new public school

1. A) The following “Deferred Commencement” conditions are applied and must be satisfied before the consent can operate:-

Consent is granted subject to the following “deferred commencement” conditions. In accordance with Section 80(3) of the Environmental Planning and Assessment Act, this development consent will not operate until you satisfy the Council as to the matters set out in these “deferred commencement” conditions.

DC1. Creation of Drainage Easement

The applicant shall create a stormwater drainage easement to drain water through the downstream site.

Such easements and appropriate 88B instrument shall be submitted to Council for approval and then registered with the Land and Property Information. A copy of the registered documents of the drainage easement shall be submitted to and approved by Council.

Auburn City Council shall be nominated as the Authority to vary or modify the easement.

Note: Drainage easement shall comply with stormwater plan details.

Reason:- to ensure appropriate easement shall be created to drain the stormwater from the development.

DC2. Design for the access to 14.5m long bus

Amended plan addressing following shall be submitted for approval:

- a) Access to 14.5m long bus including drop off and pick up area within the school site shall be provided. In this regard a detailed swept path analysis shall be submitted to ensure that 14.5m long bus can service the site by entering and leaving the site in a forward direction.
- a) Architectural plan shall also incorporate following information:
 - i) All the necessary levels of footpath, both sides of kerb and gutter, road pavement.
 - i) Existing signs.
 - ii) Proposed signs.
 - iii) Equitable access path grades and width shall be marked on the plan.

Reason:- to ensure access and service bays for 14.5m long bus is available to service the school.

DC3. Detail stormwater design

Detail stormwater plan shall be submitted. The details shall be prepared by a suitably qualified person and must be in accordance "Auburn Development Control Plans 2010 - Stormwater Drainage" and "Australian Rainfall & Runoff 1987".

The proposed stormwater plan shall meet the objectives of the proposed subdivision development application DA-273/2014

Reason:- to ensure stormwater disposal meet the Council objectives.

DC4. Evidence of registration of Lot 201

Written evidence of registration for the subdivision approval of DA-273/2014 in relation to Lot 201 shall be submitted to Council.

Reason:- to ensure the whole of the land essential to the proper operation of the development is preserved.

In accordance with clause 95(3) of the Environmental Planning and Assessment Regulation 2000, you must produce evidence to the Council within a period of **730 days**, sufficient enough for Council to be able to be satisfied of the above matters.

If evidence is produced within the specified period, in accordance with Clause 95(5) of the Regulation, Council will notify you whether or not it is satisfied as to the above matters and whether or not the consent will operate

B) Conditions to be satisfied throughout the term that the consent remains valid:-**2. Approved Plans – Deferred Commencement**

The development is to be carried out generally in accordance with the following plans and documentation as indicated below, **except as modified by the deferred commencement condition of approval**:

<i>Plan Number</i>	<i>Prepared By</i>	<i>Revision No.</i>	<i>Dated</i>
Site plan DA01	Government Architects Office	-	31.07.5
Demolition and site plan DA02	Government Architects Office	-	5.08.15
As amended by Traffic Plan DA 17 Rev. A (area marked in red only)			9.03.16

External works site plan 1 DA03	Government Architects Office	-	6.08.15
External works site plan 2 DA04	Government Architects Office	-	31.07.15
Ground and first floor plan DA05	Government Architects Office	-	31.07.15
Second floor and roof plan DA06	Government Architects Office	A	20.08.15
Elevations DA07	Government Architects Office	A	20.08.15
Internal elevations and sections DA08	Government Architects Office	A	20.08.15
Landscape plan DA L01	Government Architects Office	-	30.07.15
Landscape plan DA L02	Government Architects Office	-	30.07.15
Civil and stormwater works plan Cover sheet C00	John Gan/NSW Public Works	B	11.02.16
Civil works, general arrangement plan C01	John Gan/NSW Public Works	B	11.02.16
Stormwater, general arrangement plan C02	John Gan/NSW Public Works	B	11.02.16
Typical civil details, sheet 1 C03	John Gan/NSW Public Works	B	11.02.16
Typical civil details, sheet 2 C04	John Gan/NSW Public Works	B	11.02.16
Typical stormwater details C05	John Gan/NSW Public Works	B	11.02.16
Earthworks cut and fill plan C06	John Gan/NSW Public Works	B	11.02.16
Erosion and sediment control details C07	John Gan/NSW Public Works	B	11.02.16

Document ID	Prepared By	Revision No.	Dated
Stormwater management concept plan	John Gan/NSW Public Works	-	28.07.15

Stormwater and flood desktop study memo	John Gan/NSW Public Works	-	09.05.14
Site Audit Report – R01	Coffey Environments Australia P/L	-	17.06.15
Site Audit Statement NSW-0804-020 and auditors opinion	Coffey Environments Australia P/L	-	10.07.15
Hazardous Materials Survey and Scope of works report no. EM146421	Environmental Monitoring Services	-	12.05.14
Acoustic Services Report	Norman Disney & Young	3	23.07.15
Geotechnical investigation report no. 15-GS34A	NSW Public Works	-	June 2015
Additional Detailed Environmental Site Assessment Ref: E27299Krpt2	NSW Public Works	-	29.05.15
Crime risk analysis report – GAF-0414	NSW Public Works	Revised	13.05.15
Sewer and water connection points	NSW Public Works	-	24.07.15
Ausgrid network services off-site	NSW Public Works	-	24.07.15
Traffic and parking assessment report ref 14167	Varga Traffic Planning P/L	-	24.07.15
Accessibility report	Accessibility Solutions P/L	-	27.07.15
Fire engineering report S14203	Olsson Fire & Risk consulting engineers	FER 1.2	25.07.15
BCA 2015 report Ref 13247R04	Metro Building Consultancy	-	24.07.15

The plans will not be “stamped” by Council until the modifications required by the deferred commencement condition have been incorporated into revised plans.

(Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 96 of the Environmental Planning and Assessment Act).

Reason:- to confirm and clarify the terms of Council’s approval.

3. **Time period of consent**

This consent shall lapse five (5) years from the date of determination unless the approved building, engineering or construction work has been physically commenced in accordance with this consent.

Development consent for the use of land does not lapse if the approved use of any land, building or work is actually commenced prior to the date on which the consent

would otherwise lapse.

Reason:- to satisfy the requirements of Section 95 of the Environmental Planning and Assessment Act.

4. **Construction/Demolition Hours**

Site works, building works and demolition works, including the delivery of materials or equipment to and from the property are to be carried out between the hours of 7.00 am and 6.00 p.m. only from Mondays to Fridays and between 8.00 am and 4.00 p.m. only on Saturdays. No construction works or deliveries for the construction are to take place on Sundays or public holidays.

Prior to commencement of any demolition or construction work the applicant is to erect signs on the site, which are clearly visible from the footpaths adjoining the site boundaries, which state the permitted construction/demolition hours. These signs must also state "Any instances of site works, building works, demolition works or deliveries outside the permitted hours can be reported to Auburn Council on 9735-1222 during office hours or 0417-287-113 outside office hours".

Reason:- to reduce nuisance to the surrounding properties during the construction period.

5. **Demolition of buildings**

The building/s shall only be demolished in accordance with the requirements of AS 2601-2001 "The Demolition of Structures".

Amongst others, precautions to be taken shall include compliance with the requirements of the WorkCover Authority of New South Wales, including but not limited to:-

- a) Protection of site workers and the general public.
- b) Erection of hoardings where appropriate.
- c) Asbestos handling and disposal where applicable.
- d) Any disused service connections shall be capped off to Council's requirements.
- e) The disposal of refuse is to be to an approved waste disposal depot.

Reason:- to ensure protection of the public, environment and to uphold public health standards. This also complies with the requirements of clause 92 of the Environmental Planning and Assessment Regulation 2000.

6. **Sedimentation Control**

Prior to the commencement of site works, the following measures are to be implemented on the site to assist with sedimentation control during the construction phase of the project:-

- a) A dish shaped diversion drain or similar structure will be constructed above the proposed building works to divert run-off to a stable discharge area such as dense ground cover. This diversion drain is to be lined with turf or otherwise stabilised.
- b) A sediment-trapping fence using a geotechnical fabric specifically designed for such purpose and installed to manufacturer's specifications is to be placed below the construction area.

- c) Vegetation and/or existing building structures will be cleared from the construction site only, other areas to remain undisturbed.
- d) Restricting vehicle access to one designated point and having these driveways adequately covered at all times with blue metal or the like.
- e) A vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street.
- f) Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

Such measures are to be maintained at all times to the satisfaction of Council.
Failure to do so may result in the issue of penalty infringement notices.

Reason:- to minimise soil erosion and control sediment leaving the site during construction and to prevent water pollution from occurring.

7. Display of a warning sign for soil and water management

Throughout the construction/remediation/demolition period, a warning sign for soil and water management must be displayed on the most prominent point of the building site, visible to both the street and site works.

Reason:- to ensure all building workers are aware of the need to maintain the sediment and erosion control devices.

8. Items not to be placed on roadway

The following items must not be placed on the footpath, roadway or nature strip at any time:-

- a) Building materials, sand, waste materials or construction equipment;
- b) Bulk bins/waste skips/containers; or
- c) Other items that may cause a hazard to pedestrians.

Reason:- to ensure the public is not inconvenienced, placed in danger and to prevent harm to the environment occurring.

9. Fencing of construction and demolition sites – Rental of road reserve/footpath area

ic access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

A temporary hoarding or fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Hoardings or fences are to have a minimum height of 1.8 metres and be constructed of solid plywood sheeting (painted white) or of cyclone wire fencing with geotextile fabric attached to the inside of the fence, to provide dust control.

Hoardings or fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

NOTE: Should ANY part of the fence or hoarding encroach beyond the boundaries of the site, it will be necessary to make application to Council for rental of the road reserve/footpath area BEFORE the fence/hoarding is erected.

Reason:- to provide protection to public places and to prevent unauthorised access to the site.

10. **Demolition – Lead Paint Disposal**

The demolition and disposal of materials incorporating lead such as lead paint and dustpaint shall be conducted in accordance with *AS2601-2001 Demolition of Structures*. Removal, cleaning and disposal of lead-based paint shall conform with relevant EPA guidelines including the *Lead Safe A renovator's guide to the dangers of lead*, NSW EPA, 1998. Hazardous dust shall not be allowed to escape from the site. Any existing accumulations of dust (eg; ceiling voids and wall cavities) shall be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter. All dusty surfaces and dust created from work shall be suppressed by a fine water spray. Water shall not be allowed to enter the street and stormwater systems. Demolition shall not be performed during high winds, which may cause dust to spread beyond the site boundaries. Please note that Council may require testing to verify that the soil lead levels are below acceptable health criteria.

Reason:- to ensure the disposal and demolition of materials incorporating lead is carried out in a safe manner in accordance with relevant regulations.

11. **Demolition – common sewerage system**

If the land to which the application relates is served by a common sewerage system that is also used by others, then measures must be placed in effect and prior to the commencement of work to ensure the operation of the sewerage system is without disruption to other joint users.

Reason:- to ensure demolition activities do not disrupt the operation of the sewerage system for other users of the system.

12. **Demolisher Details**

The demolisher/owner/applicant shall:-

- a) Lodge with Council, and at least forty-eight (48) hours prior to the commencement of work (due to the potential impact on Council's infrastructure):-
 - i) Written notice, indicating the date when demolition of the building is to commence.
 - ii) The demolisher's full name and address.
 - iii) Details of Public Liability Insurance.
- b) Comply with Australian Standard 2601 – 2001 "*Demolition of Structures*"; and,

- c) Have a current public liability/risk insurance, and policy details of such shall be submitted to Council for its records.
- d) Ensure that all possible/practicable steps are taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from wind-blown dust, debris, noise and the like arising from the demolition works

This Consent shall not preclude the demolisher from giving notice to other statutory authorities, such as Sydney Water Corporation, WorkCover, etc.

Reason:- to ensure details of the demolisher are provided to Council and relevant safety requirements are met.

13. **Demolition Works – noise and vibration**

The following shall be compiled with:-

- a) Vibration levels induced by the demolition activities shall not exceed 1mm/sec peak particle velocity (ppv) when measured at the footing of any occupied building.
- b) Vibration levels induced by the demolition activities shall not exceed 3mmsec peak particle velocity (ppv) when measured at the footing of any unoccupied building.
- c) The upper noise level from the demolition operations measured over a period of 10 minutes must not exceed the background noise level by more than 10dB(A).

Reason:- to ensure noise and vibration arising from the demolition works does not impact on the amenity of the surrounding area.

14. **Asbestos**

- a) In the event that asbestos is on a site or building under demolition or construction, WorkCover NSW is to be contacted to ascertain the appropriate response, to ensure the safety and protection of existing and future workers and residents. An Asbestos Removal Contractor licensed by WorkCover NSW is to handle/remove/transport and dispose of any products containing asbestos in a manner approved of by the Department of Environment and Conservation (DEC). Copies of tipping dockets are to be retained and able for viewing by Council officers on request.
- b) Asbestos material can only be disposed of at a landfill site nominated by Waste Services NSW for that purpose. An appointment must be made with Waste Services NSW to dispose of asbestos materials at the nominated landfill.
- c) Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW. Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence. All removal, repair or disturbance of or to asbestos material must comply with:-
 - i) Work Health and Safety Act 2011;
 - ii) The Work Health and Safety Regulation 2011;
 - iii) Protection of the Environment Operations Act 1997

- iv) *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes, NSW EPA, May 1999*
- v) *Waste Avoidance and Resource Recovery Act 2001.*
- vi) *The Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (1998)];*
- vii) *The Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998)] <http://www.nohsc.gov.au> ; and*
- viii) *The Workcover NSW Guidelines for Licensed Asbestos Removal Contractors.*

Note: The Code of Practice and Guide referred to above are known collectively as the Worksafe Code of Practice and Guidance Notes on Asbestos. They are specifically referenced in the Occupational Health and Safety Regulation 2001 under Clause 259.

Under the Work Health and Safety Regulation 2011, the Worksafe Code of Practice and Guidance Notes on Asbestos are the minimum standards for asbestos removal work.

Council does not control or regulate the Worksafe Code of Practice and Guidance Notes on Asbestos. You should make yourself aware of the requirements by visiting <http://www.workcover.nsw.gov.au> or one of Workcover NSW's offices for further advice.

- d) In order to ensure safe handling of asbestos materials, the re-use or sale of asbestos building materials is strictly prohibited.

Reason:- to ensure the safe handling, treatment and disposal of asbestos materials arising from the demolition/construction works.

15. **Services to be capped**

Prior to the commencement of demolition works, the applicant must ensure that utility services to the land upon which the building to be demolished stands, as well as the building itself, are terminated and capped in accordance with the requirements of supply authority, eg. Electricity-Supplier of Electricity to the subject premises, Gas-Supplier of Gas to the subject premises.

Reason:- to ensure all services are capped adequately.

16. **Site to be kept in a clean condition**

Upon completion of demolition works and if no new building works are commenced on site, the site shall be kept in a clean manner with landscaping and fencing to the satisfaction of Council.

Reason: to control soil erosion, and not have any unsightly views.

17. **Neighbour 24 notification of commencement of demolition**

Prior to the commencement of work the applicant shall provide 24 hours notice in writing to the neighbours adjoining and opposite the site of the intended time and date of the start of the demolition work.

Reason:- to ensure details of the demolisher are provided to neighbours.

18. **Road opening permit**

Prior to commencement of any work on Council roads and footpaths, a road-opening permit shall be obtained from Council's Service Planning Department.

Reason:- to safeguard Council property against damage.

19. **Restoration works**

Prior to commencement of any excavation work on Council roads or footpaths, the applicant shall pay for all restoration costs. The area of restoration shall be determined on site between the applicant or its contractor and Council's Contracts & Maintenance Engineer.

Reason:- to ensure that Council's infrastructure is maintained in a safe and trafficable manner.

20. **Reinstatement of footpath and footpath crossing**

The footpath and footpath crossing/s adjacent to the property shall be reinstated by Council at the completion of works with all costs being borne by the developer. Alternatives to the pre-payment for this work will be considered if written request is made to Council.

Reason:- to ensure the footpath and the footpath crossings are repaired from any damage caused during the construction phase.

21. **Vehicle Driveway Crossings and Gutter Laybacks**

Arrangements shall be made with Council for the prepaid construction of vehicular crossings and gutter laybacks at all property entrances and exits, and for the removal of all disused driveway crossings and gutter laybacks. Alternatives to the pre-payment for this work will be considered if written request is made to Council. The gutter crossing and/or the removal of any redundant crossings must be constructed to the satisfaction of Council (and to the Council's specifications including payment of any required bonds) or the prepayment made to Council for Council to carry out the work, prior to the occupation of the building.

Removal of obstructions, such as power poles, trees, drainage pits and the like shall be carried out at the applicant's expense.

Reason:- to ensure that works are carried out in accordance with Council's standard.

22. **Carrying capacity of driveways – Heavy duty**

Suitable heavy-duty driveway crossings are to be installed at all ingress/egress points to the property at the applicant's cost by Council. Alternatives to the pre-payment for this work will be considered if written request is made to Council. The gutter crossing and/or the removal of any redundant crossings must be constructed to the satisfaction of Council (and to the Council's specifications including payment of any required bonds) or the prepayment made to Council for Council to carry out the work, prior to the occupation of the building.

Reason:- to ensure the driveways can support the expected weight of heavy vehicles likely to frequent the site.

23. **Street boundary levels**

Street boundary levels for vehicle access and drainage purposes are to be obtained at the applicant's cost from Council's Service Planning Department prior to commencement of any works. These levels are to be incorporated in all drainage submissions required under this determination.

Reason:- to ensure the correct levels are obtained and used for the development.

24. **Maintain plans on-site**

A copy of the approved plans & specifications and development consent conditions must be kept on the site at all times and be available to the Council officers upon request.

Reason:- to ensure a record of the approved plans are readily available.

25. **Sign to be erected concerning unauthorised entry to the site**

A sign must be erected in a prominent position stating that unauthorised entry to the site is not permitted. The sign must also name the builder or other person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours. The sign is to be removed when the building works have been completed.

Reason:- to restrict public access to the site and to provide suitable contact details in a clear and conspicuous position.

26. **No alteration without prior Council approval**

The completed building is not to be altered externally in character or colour without the prior consent of Council.

Reason:- to ensure the external appearance of the development is not obtrusive or offensive and does not degrade the visual quality of the surrounding area.

27. **Provision of Street Numbers**

A street number is to be displayed in a prominent position at the entrance to the premises. Numbers are to be of a colour contrasting with the wall to which they are affixed.

Reason:- to clearly identify the street number of the property.

28. **Compliance with the Building Code of Australia**

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

Reason:- to ensure compliance with the requirements of the Building Code of Australia and to comply with Clause 98 of the Environmental Planning and Assessment Regulation 2000.

29. **Commonwealth Disability Discrimination Act**

The Commonwealth Disability Discrimination Act 1992 commenced the 'Disability (Access for Premises – Buildings) Standards 2010' on 1 May 2011 and now applies to all new buildings and affected parts of existing buildings. Submission and/or approval of this application does not imply or confer compliance with either the Act or the new Access Standard. Applicants should satisfy themselves and make their own inquiries to the Human Rights and Equal Opportunity Commission.

Reason: to provide advice on the requirements of the Commonwealth Disability Discrimination Act 1992

30. **Infrastructure Fee**

The infrastructure inspection fee in accordance with Councils Fees and Charges Schedule shall be paid prior to the commencement of any works.

Reason: to contribute to the cost of inspection and identification of any damage to Council's infrastructure as a result of the development.

31. **Toilet accommodation for people working at the site**

Suitable toilet accommodation is to be provided at the work site at all times. If temporary toilet accommodation is proposed, it must:-

- Have a hinged door capable of being fastened from both inside and outside,
- Be constructed of weatherproof material,
- Have a rigid and impervious floor; and
- Have a receptacle for, and supply of, deodorising fluid.

Reason:- to ensure suitable toilet accommodation is provided for workers.

32. **Survey Report**

A Registered Surveyors check survey certificate is to be forwarded to the Council detailing compliance with Council's approval at the **following stage/s of construction**:

(Setbacks and levels at commencement)

- a) Prior to construction of the first completed floor/floor slab (prior to pouring of concrete), showing the area of land, building and boundary setbacks and verifying that the building is being constructed at the approved levels.

(Setbacks and levels at completion)

- b) On completion of the erection of the building showing the area of the land, the position of the building and boundary setbacks and verifying that the building has been constructed at the approved levels.

Reason:- to ensure each stage of the development complies with the approved plans.

33. **Excavated and Filled Areas**

All excavated and filled areas shall be battered to a slope not steeper than two (2)

horizontal to one (1) vertical and the fill area shall continue a minimum of one metre past the edge of the house, or similarly be retained in accordance with a retaining wall detail approved by Council. In the event that the retaining wall exceeds 600 mm when measured vertically from the base of the cut, the wall shall be designed by a practicing Structural Engineer, the details submitted to Council, and approved prior to work commencing.

Reason:- to adequately retain excavated and filled areas and prevent soil movement, which may be detrimental to the subject or adjoining premises.

34. **Excavations extending below the base of footings of adjoining development**

Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must preserve and protect the building from damage and, if necessary, underpin and support the adjoining building in an approved manner. The person causing the excavation must give the owner of the adjoining property at least seven (7) days written notice of its intention to excavate below the level of the base of the footing. The person must also furnish the adjoining property owner with particulars of the proposed work.

Reason:- to ensure the support for neighbouring buildings.

35. **Fencing of construction sites – Rental details to be provided to the PCA (A & B Type Hoardings)**

A separate application is to be made to Council for Approval under Section 68 of the Local Government Act 1993 to erect any hoarding or scaffolding in a public place and such application is to include:

- A payment to Council for the following fees in accordance with Council's adopted charges:
 - Hoarding/Structure Application Fee
 - Rental of Footpath Area (per metre per month – minimum 3 months rental)
 - Footpath Bond
- Submit the following documents to Council with your application:
 - Certificate of Currency for Public Liability Insurance
 - Certificate of Currency for Worker's Compensation Insurance
 - Letter indemnifying Council against claims and expenses made in relation to the existence of the structure and/or traffic provisions
 - Traffic/Pedestrian Control Plan
 - In respect to any required Type B Hoarding, structural certification prepared and sign by an appropriately qualified practising Structural Engineer
- Comply with Council's specifications for the erection of Class A Hoardings.
- Supply evidence to the PCA and to any authorised Council officer that the road reserve rental fee has been paid.

Note: Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

A temporary hoarding or fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Hoardings or fences are to have a minimum height of 1.8 metres and be constructed

of solid plywood sheeting (painted white) or of cyclone wire fencing with geotextile fabric attached to the inside of the fence, to provide dust control.

Note: A "B Class" overhead type hoarding is required to be provided to protect the public, located adjacent to the development, prior to the commencement of any works on the site which comprise:

- Any works or hoisting of materials over a public footway or adjoining premises, or
- Any building or demolition works on buildings which are over 7.5 metres in height and located within 3.6 metres of the street alignment.

Hoardings or fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction. Details of the proposed hoardings or fences located upon the site are to be submitted to the PCA and the public safety provision and temporary fences must be in place prior to the commencement of any site works, demolition, excavation or building works and maintained throughout construction.

Reason: to provide protection to public places, prevent unauthorised access to the site and a safe working environment.

36. **Sediment Removal from Vehicle Wheels – Large sites**

A vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed in accordance with the Soil and Water Management Plan, prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street.

Reason:- to ensure suitable controls are in place prior to any works commencing to prevent water pollution from occurring.

37. **Disposal of Site Water**

water discharged to Council's stormwater system must have a suspended solid level of less than 50 mg/L. This may require treatment such as transfer to settling ponds, use of approved chemicals to settle out sediment or passing the contaminated water through a treatment device. Site water may also be disposed of through the services of a licensed liquid waste transporter.

Reason:- to prevent water pollution from occurring.

38. **Noise from construction activities**

Noise from construction activities associated with the development shall comply with the NSW Interim Construction Noise Guidelines (DECCW) 2009.

Reason:- to ensure noise arising from construction activities is in accordance with relevant legislation and Environment Protection Authority requirements.

39. **Dial before you dig (advisory)**

Dial Before You Dig is a free national community service designed to prevent damage and disruption to the vast pipe and cable networks which provides Australia with the essential services we use everyday – electricity, gas, communications and water.

Before you dig call “Dial before you dig” on 1100 (listen to the prompts) or facsimile 1300 652 077 (with your street no./name, side of street and the distance to the nearest cross street) or register on line at www.dialbeforeyoudig.com.au for underground utility services information for any excavation areas.

The Dial Before You Dig service is also designed to protect Australia’s excavators. Whether you are a back yard renovator, an individual tradesman or a professional excavator the potential for injury, personal liability and even death exists every day. Obtaining accurate information about your work site significantly minimises these risks.

Reason: To ensure that essential services such as electricity, gas, communications and water are not affected by excavation or construction.

40. **Compliance with Submitted Acoustic Report**

The noise control measures specified in the acoustic report prepared by **Norman Disney and Young (revision 3) dated 23 July 2015**, shall be installed prior to the occupation of the buildings. All noise reduction measures specified in the acoustic report shall be complied with at all times during the operation of the premises.

Reason:- to protect the amenity of intended occupants and the surrounding land uses.

41. **Acoustic Certification**

Within three months of the premises being occupied, an acoustic report prepared by a suitably qualified person, is to be submitted to the consent authority demonstrating that the criteria contained in the acoustic report prepared by **Norman Disney and Young (revision 3) dated 23 July 2015** has been achieved. Where the criteria cannot be met, the acoustic report is to include recommendations of noise control measures that are to be implemented to ensure compliance with the criteria.

Reason:- to protect the amenity of intended occupants and the surrounding land uses.

42. **Public Address Systems and Amplified Music**

The use of Public address systems and amplified music at the premises must not cause the emission of offensive noise (as defined by the Protection of the Environment Operations Act 1997).

As a guide to minimise the likelihood of disturbance, the LAeq (15 minutes) noise level due to the operation of amplified sound equipment should not exceed the background LA90 plus 5dB(A) sound level when measured in the immediate vicinity of the external structure of any nearby residence.

Reason:- to ensure the development does not cause a noise nuisance to adjoining development.

43. Remediation and validation

The following shall be complied with in respect of remediation and validation works at the property:

- a) Remediation and validation works shall be carried out in accordance with the approved Remediation Action Plan. The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works. Please note that variations to the approved remediation works may require the submission to Council of a Section 96 Application or further Development Application pursuant to the *Environmental Planning and Assessment Act 1979*.
- b) After completion of the remedial works, a copy of the Validation Report shall be submitted to Council prior to the commencement of construction works. The construction works shall not commence until Council reviews and approves the final Validation Report. The validation report shall be prepared in accordance with the EPA guidelines, *Consulting Reporting on Contaminated Sites*, and shall:
 - i) Describe and document all works performed;
 - ii) Include results of validation testing and monitoring;
 - iii) Include validation results of any fill imported on to the site;
 - iv) Show how all agreed clean-up criteria and relevant regulations have been complied with; and
 - v) Include clear justification as to the suitability of the site for the proposed use and the potential for off-site migration of any residual contaminants.
- c) Following the preparation of the validation report, Council may require that the applicant engage an accredited auditor under the *Contaminated Land Management Act 1997* to review the Validation Report prepared by the contaminated land consultant and issue a Site Audit Statement. The accredited auditor shall consult with Council prior to finalising and issuing the Site Audit Statement. The Site Audit Statement should allow for soil access to occur as per the approved Remedial Action Plan.

The accredited auditor shall provide Council with a copy of the Site Audit Report and Site Audit Statement, **prior to the occupation of the building**.

In circumstances where the SAS conditions (if applicable) are not consistent with the consent, the consent shall prevail to the extent of the inconsistency and a Section 96 Application or further Development Application pursuant to the *Environmental Planning and Assessment Act 1979* will be required.

Reason:- to ensure the provisions of State Environmental Planning Policy No. 55 – Remediation of Land and the Contaminated Land Management Act are complied with.

44. Discovery of additional information during remediation, demolition or construction

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the PCA immediately.

Reason:- to ensure Council is informed of any new information relevant to site

conditions and site contamination associated with the development.

45. **Off-site soil disposal**

Any soil disposed of offsite shall be classified in accordance with the procedures in the NSW EPA Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes (1999).

Reason:- to ensure soil disposed off-site is classified in accordance with relevant EPA requirements.

46. **Food Premises Fitout – Compliance with Standards**

The fitout of the canteen and any areas used in connection with the preparation, storage or handling of food for sale shall comply with the requirements of the Food Act 2003, The Educational Facilities and Schools Guidelines Reference PS604.03 and Food Safety Standard 3.2.3, Food Premises & Equipment.

Reason:- to ensure the food premises fitout complies with relevant standards.

47. **Foodshop notification and inspection**

- a) In accordance with the requirements of the Food Act 2003, the proprietor of the food business (canteen) must notify the relevant enforcement agency under the Act.

Reason:- to enable registration of the food business and to ensure all applicable requirements of the Act are Complied with.

48. **Kitchen Local Exhaust Ventilation**

The total power input of cooking appliances used within the Canteen shall not exceed:

- a) Any cooking apparatus with
 - I. Total maximum electrical power exceeding 8kW; or
 - II. Total maximum gas input exceeding 29mj/h; or
 - III. Deep frying appliances; or
 - b) Total Maximum power input to more than one apparatus exceeding
 - I. 0.5kW electrical power : or
 - II. 1.8MJ Gas
- Per m² of floor area of the room or enclosure.

Where it is intended to use appliances that exceed this criteria mechanical ventilation in the form of a local kitchen exhaust hood will be required and must comply with the requirements of AS 1668.1 and AS 1668.2. Please note, building design and construction amendments required for the installation of mechanical ventilation system that conflict with the approved plans and conditions of consent may require the submission of a Section 96 Application to Council.

Reason: to ensure compliance with the National Construction Code and Australian Standards.

49. **Noise and Vibration**

The use of the premises shall not give rise to any of the following when measured or assessed at “sensitive” positions within any other property. These “sensitive” positions should be selected to reflect the typical use of a property (ie any outdoor areas for day and evening but closer to the façade at night time), unless other positions can be shown to be more relevant.

- a) 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
- b) transmission of vibration to any place of different occupancy above the requirements of AS2670.
- c) a sound pressure $L_{Aeq,period}$ at any noise sensitive position of any other premises or occupancy greater than the recommended amenity noise criteria detailed in the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy.
- d) a sound pressure $L_{Aeq,15min}$ at any noise sensitive position greater than the intrusiveness criteria determined in accordance with the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy and does not contain any tones, low frequency or impulsive factors as defined in the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy table 4.1.

For assessment purposes, the above L_{Aeq} sound levels shall be assessed over a period of 10-15 minutes and adjusted in accordance with EPA guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content where necessary.

Reason:- to ensure adequate acoustic amenity in the locality.

50. **Intruder Alarms**

Any intruder alarm at the premises shall be fitted with a timing device in accordance with the requirements of Section 53 of the Protection of the Environment Operations (Noise Control) Regulation 2000.

Reason:- to prevent ongoing noise arising from intruder alarms and ensure compliance with relevant legislation.

51. **Arrangements for Electricity and Telephone Services**

Satisfactory arrangements are to be made with Energy Australia, Telstra and/or Optus for the provision of services to and within the subject land. Written evidence of such arrangements shall be submitted to Council prior to the occupation of the building.

NOTE: Prior to works commencing, the applicant is advised to contact each provider to determine the location of various services to avoid damage occurring.

Reason:- to ensure these services are available to the site.

52. **Arrangements for Water and Sewer Services**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.

Application must be made through an authorised Water Servicing Coordinator.

Please refer to “Your Business” section of Sydney Water’s web site at www.sydneywater.com.au then the “e-developer” icon or telephone 132 092.

Following application a “Notice of Requirements” will detail water and sewer extensions to be built or 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 landscaping design.

The Section 73 Certificate must be submitted to a suitably qualified person (accredited certifier) **prior to release of the final plan of subdivision or occupation of the development.**

Reason:- to ensure that adequate water and sewer services can be provided to the site.

53. **Sydney Water Approval**

The approved development application plans must be accompanied by a valid Building Plan Assessment Approval Receipt. This receipt can be acquired through the "Sydney Water Tap" in system by the Sydney Water Authority.

Please refer to the web site www.sydneywater.com.au for:

- Information on the "Sydney Water Tap in" system and
- Registering and applying for the approval receipt for the Proposed Building Plan.

or telephone 13 20 92.

Note:

The consent authority or accredited certifier must either:

- ensure that a valid approval receipt has been obtained from Sydney Water before the commencement of any works on site (receipt valid usually 1 year from the date of issue).

Reason:- to ensure the development does not damage or interfere with Sydney Water assets.

54. **Stormwater Disposal to the Existing System**

All stormwater runoff generated from the proposed development shall be directed to Lower Parramatta River in accordance approved Stormwater Concept Plan.

Reason:- to prevent localised flooding.

55. **Submission of full stormwater disposal details**

Full stormwater drainage details showing the proposed method of stormwater collection and disposal are to be submitted to Council prior to the commencement of any works.

The details shall be prepared by a suitably qualified person and must be in accordance "Auburn Development Control Plans 2010 - Stormwater Drainage" and

"Australian Rainfall & Runoff 1987". In this regard,

- i. The proposed stormwater system shall be generally in accordance with the **stormwater concept Plan approved as part of the deferred commencement conditions.**
- i. Stormwater runoff from, manoeuvring area including access ways will have to undergo some form of industrial standard primary treatment/separation prior to disposal into existing stormwater systems. In this regard, stormwater treatment device capable of removing litter, oil, grease and sediment shall be provided prior to discharge to the stormwater system.
- ii. All the pit dimensions shall comply with Table 1, Section 2.1 of Auburn Development Control Plans 2010 - Stormwater Drainage.

Note: "Auburn Development Control Plans 2010 - Stormwater Drainage" is available to purchase at Council or the document can be found at Auburn Council's web page www.auburn.nsw.gov.au

Reason:- to ensure the stormwater is suitably discharged.

56. **Works-as-Executed Plan**

Prior to issue of the Torrens subdivision certificate, two (2) copies of the Works-as-Executed (W.A.E.) Plan (with respect to the associated subdivision works) prepared by a registered surveyor and certified by the design engineer shall be submitted to Council. The W.A.E. plan shall show (where applicable):-

- i) Whether all works have been completed generally with the approved drainage plans.***
- i) Any departure from the approved plan and conditions.***
- ii) Any additional work that has been undertaken.***
- iii) Location, levels and sizes of pipes and pits.***
- iv) Finished floor and finished surface levels. The location of finished levels should in general correspond with those shown on Council's approved drainage plan.***

NOTE: The WAE surface level shall be taken after all landscaping has been completed. In this regard the above information is to be superimposed on a full sized copy of Council approved drainage plan and is to be submitted to Council.

Reason:- to account for minor variations and to ensure Council has the final details.

57. **Water Reuse**

The stormwater generated from the roof area shall be reused for the irrigation of the landscape area within the subject development site.

Full details of the Water reuse facilities shall be submitted to Council prior to commencement of works.

On completion, a certificate from a registered plumber shall be submitted for the pipe network. The certification shall indicate the water reuse system has been installed in

accordance with the approved water reuse design plans.

Reason: to ensure the water reuse facilities within the development are constructed and maintained in good working order.

58. **Footpath Construction**

Prior to issue of the subdivision certificate, a new footpath along the Burroway Road frontage shall be constructed to Council's standards and specifications.

In this regard:

- ***Concrete footpath shall be constructed across the full frontage of the subject development site to Council's standards and specifications.***
- ***The existing nature strip area shall be regraded to design level.***
- ***Formwork inspection and footpath inspection shall be carried out by Council.***
- ***All associated cost shall be borne by the applicant***

Reason:- to provide a safe walkway for increased pedestrian use.

59. **Works within Council controlled lands**

(1) For drainage works:

- a) Within Council controlled lands.
- a) Connecting to Council's stormwater drainage system.

Inspections will be required:-

- i) After the excavation of pipeline trenches.
- i) After the laying of all pipes prior to backfilling.
- ii) After the completion of all pits and connection points.

(2) A minimum of 48 hours' notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Works and Services Section during office hours.

(3) Work is not to proceed until the works are inspected and approved by Council.

Reason:- to ensure works on public/Council controlled lands are carried out as per Council's requirements.

60. **Car parking to Comply with Approved Details**

The area set aside for the parking of vehicles, and so delineated on the plan prepared by Government Architects Office and endorsed plan Drawing No DA04 – titled External Works Site Plan 2 dated 31.07.15, shall not be used for any other purpose.

Reason:- to ensure the car parking area is not used for purposes other than the parking of cars associated with the use.

61. **Vehicles Driven in Forward Direction**

All vehicles must be driven in a forward direction at all times when entering or leaving the premises.

Reason:- to preserve and enhance the safe operation of the car parking area.

62. **Loading and Unloading of Vehicles**

All deliveries to and from the site are to be conducted from vehicles standing within designated loading areas and not on access driveways, car parking spaces or landscaped areas.

Reason:- to ensure delivery vehicles do not obstruct these designated areas of the site.

63. **Footpath /Nature strip maintenance during and after construction**

The footpath and nature strip within the street frontages shall be maintained during the period of construction to Council's satisfaction.

Reason:- to ensure pedestrian safety during the construction period.

64. **Service relocation / Adjustment**

The applicant shall locate any utility services affected by the proposal and shall be responsible for any damage to, or relocation of services required by the proposal including adjustment to the levels of pit lids etc. All works shall be carried out to the satisfaction of the relevant Authority or Council.

All the costs shall be borne by the applicant.

Reason:- to protect utility services.

65. **Traffic Management**

A traffic management plan shall be submitted to and approved by Council for all demolition, excavation and construction activities associated with the development **prior to commencement of work.**

Reason:- to minimise the impact on street traffic.

66. **Street Lighting – Public Roads**

Prior to the commencement of any building work, street lighting design for Burroway Road and Hill Road frontages together with Energy Australia consent shall be submitted to an accredited certifier/suitably qualified person. In this regard prior to obtaining consent from Energy Australia, all street lighting shall be designed in consultation with Council in accordance with AS 1158 "Road Lighting" and submitted to Council together with associated running cost, for Council approval. Prior to the lodgement of the street lighting design with an accredited certifier/suitably qualified

person, Council approval for the design shall be obtained. All associated cost shall be borne by the applicant.

Prior to the occupation of the building, all the street lighting works shall be completed in accordance with the approved plan and written verification from suitably qualified person shall be obtained stating the works have been completed in accordance with approved plans. Copy of the written verification shall be submitted to Council.

Reason:- to ensure street lighting is provided in accordance with Australian standard AS1158.

67. **Removal of litter and graffiti:**

In addition to Council's street sweeping and cleansing operations, the owner/manager of the building shall ensure that the footpath, gutter, building entry and surrounds are kept clean and clear of litter at all times.

The owner of the building shall also be responsible for the prompt removal of any graffiti from the building.

Reason:- to maintain a satisfactory level of amenity in the locality.

68. **Cleaning of facade**

The owner/manager of the building shall ensure that all windows on the facade, and the facade itself, of the premises are cleaned regularly and, in any event, not less than twice in an annual period.

Reason:- to ensure regular maintenance and cleaning to the exterior of the premises.

69. **Lighting to publicly accessible areas**

The following lighting requirements shall be complied with:

- a) The public areas shall be provided with lighting to ensure pedestrian safety. Such lighting shall be at a minimum level of 10 lux in the horizontal and vertical plane.
- b) Details of the lighting are to be submitted for the approval of the consent authority **prior to the commencement of works** and location of the lighting endorsed on the construction drawings.

Reason:- to ensure publicly accessible areas of the development are provided with sufficient illumination.

70. **Lighting – external flood lights**

Exterior wall mounted flood lights shall be illuminated to a maximum level of between 25 and 50 lux at ground level. Should any substantive complaints be received or should the proposed lighting have an adverse impact on residential amenity, Council reserves the right to request modifications to the lighting arrangements.

Reason:- to ensure that external lighting does not result in any adverse impact on surrounding properties, including residential land.

71. Contract for Waste Collection

Prior to occupation of the premises the operator shall enter into a commercial contract for the collection of trade waste and recyclables generated at the premises. A copy of all contracts and receipts shall be kept on the premises and made available to Council Officers on request.

Reason: to ensure suitable arrangements are in place for the collection of trade waste and recyclables arising from the premises.

72. Roads and Maritime Services - Advisory conditions

Prior written consent shall be obtained from the Roads and Maritime to install any School Zone signs and any associated pavement markings and/or remove/relocate any existing Speed Limit signs.

The following shall be submitted for review and approval by RMS, at least eight (8) weeks prior to student occupation of the site:

- a. A copy of Council's development conditions of consent
- b. The proposed school commencement/opening date
- c. Two (2) sets of detailed design plans showing the following:
 - i. School property boundaries
 - ii. All adjacent road carriageways to the school property
 - iii. All proposed school access points to the public road network and any conditions imposed/proposed on their use
 - iv. All existing and proposed pedestrian crossing facilities on the adjacent road network
 - v. All existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings).
 - vi. All existing and proposed street furniture and street trees.

School Zone signs and pavement marking patches must be installed in accordance with RMS approval/authorisation, guidelines and specifications.

All School Zone signs and pavement markings must be installed prior to student occupation of the site.

Road safety precautions and parking zones should be incorporated into the following neighbouring road network:

- 40km/hr School Zones are to be installed in Burroway Road, Monza Boulevard (Ridge Road), Waterways Street and Hill Road Street in accordance with the following conditions.
- Council should ensure that parking; drop-off and pick-up zones and bus

zones incorporated are in accordance with the Roads and Maritime Standards.

The Development must maintain records of all dates in relation to installing, altering, removing traffic control devices related to speed.

Following installation of all School Zone signs and pavement markings, the Development 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. Note: Until the assets are formally handed over and accepted by RMS, RMS takes no responsibility for the School Zones/Assets.

Furthermore, RMS comments in relation to the proposed location of the parking drop-off and pick up zones, proposed pedestrian facilities and all proposed traffic control devices and pavement markings on the adjacent road network will be provided through the Local Traffic Committee.

Reason:- to ensure compliance with the RMS guidelines.

73. **Use of SOPA land and/or infrastructure – advisory condition**

Any proposal to use SOPA land and/or infrastructure must be either accompanied by:

- Correspondence from Council/relevant party clearly confirming the infrastructure is owned, regulated and managed by Council/relevant party under a formal agreement with SOPA, or
- must (either concurrently or subsequent with the DA) seek separate approval from SOPA.

Reason:- to ensure proper consent is obtained for use of SOPA land.

74. **Auburn DCP 2007: Section 94 Development Contributions**

Development Contributions are payable in accordance with Auburn Council Council's Section 94 Development Contribution Plan 2007, which has been prepared under Section 94 of the Environmental Planning and Assessment Act 1979, as amended.

The amounts payable will be adjusted in accordance with the section titled Review of Contribution rates and are generally indexed on a quarterly basis by the Consumer Price Index CPI (all Groups Sydney) unless otherwise stated in the plan.

Contributions will be adjusted at the payment date in accordance with the plan and payment is to be made prior to the issue of any occupation Certificate.

Council's Development Contribution Plan 2007 is available for inspection at Council's Customer Services Centre, Civic Place, 1 Susan Street, Auburn or on line at www.auburn.nsw.gov.au.

Reason: To ensure that the development complies with the Auburn DCP 2007: Section 94 Development Contributions.

75. **Auburn DCP 2007 – Employment Generating Development**

A sum of \$ is to be paid to Council for the purpose of the provision of additional services and public facilities that is likely to generate from employment generating development with the Auburn LGA.

The above sum is broken down to the following items:

Item	<i>Amount</i>
Employment Generating Development	\$
TOTAL	\$

Reason:- to assist in the provision of additional services and public facilities that is likely to generate from employment generating development with the Auburn LGA.