

## CONDITIONS OF CONSENT

- 1) The proposal shall comply with the conditions of Development Consent.
- 2) Development shall take place in accordance with Development Application No. DA-1308/2015, submitted by NSW Public Works, accompanied by Drawing No. A-DA-11, A-DA-12, A-DA-13, A-DA-14, A-DA-20, A-DA-21, A-DA-22, A-DA-30, A-DA-31, dated 16 October 2015, Revision: A and A-DA-01 & A-DA-10, dated 31 March 2016, Revision: B, prepared by Lahznimmo Architects and affixed with Council's approval stamp, except where otherwise altered by the specific amendments listed hereunder and/or except where amended by the conditions contained in this approval.
- 3) A separate application shall be submitted to Council prior to the erection of any additional signage unless the proposed signage is "exempt development" in accordance with State Environmental Planning Policy (Infrastructure) 2007.

## CONDITIONS TO BE SATISFIED PRIOR TO CONSTRUCTION

- 4) Approval in accordance with Council's Tree Preservation Order (TPO) is granted to lop or remove only the trees identified to be lopped or removed on the approved plans. Separate approval shall be obtained to prune or remove trees on adjoining properties or other trees located on the site. Failure to comply with Council's TPO may result in a fine of up to \$100,000.

Approval is granted for the removal of the following trees:

- (a) Any declared noxious plant. The applicant, builder and all contractors are to ensure that all noxious plants are properly identified, controlled and/or removed on this site without injury or death of any protected plants;
- (b) Any tree species listed under clause 2.4 of Bankstown Development Control Plan 2015 Part B11 – Tree Preservation Order;
- (c) Any of the following tree/s:

Tree Species	Location
Tree 12, <i>Melaleuca quinquenervia</i> (Paperbark)	as referenced in the Arboricultural Impact Assessment Report

All tree removal works must comply with the *Amenity Tree Industry – Code of Practice, 1998* (Workcover, NSW);

All other vegetation not specifically identified above, and protected by Council's Tree Preservation Order, is to be retained and protected from construction damage and pruning. The Tree Preservation Order protects trees over 5m in height.

- 5) A soil erosion and sediment control plan must be prepared by a suitably qualified professional, in accordance with the Bankstown Demolition and Construction Guidelines and Council's Development Engineering Standards, and submitted to the certifying authority for approval prior to the construction.

- 6) The Council Approved building plans, including demolition plans, must be submitted to Sydney Water for assessment. This will determine if the proposed structure(s) would affect any Sydney Water infrastructure or if there are additional requirements. Building plan approvals can be submitted online via Sydney Water Tap in™.

Please refer to [www.sydneywater.com.au/tapin](http://www.sydneywater.com.au/tapin)

For Sydney Water's Guidelines for building over or next to assets, visit [www.sydneywater.com.au](http://www.sydneywater.com.au) 'Plumbing, building & developing' then 'Building Plan Approvals' or call 13000 TAPIN.

Prior to construction Sydney Water must issue either a Building Plan Assessment letter which states that your application is approved, or the appropriate plans must be stamped by a Water Servicing Coordinator.

- 7) A long service levy payment which is 0.35% of the total cost of the work is to be paid to the Building and Construction Industry Long Service Payments Corporation, prior to construction.
- 8) Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979, and the Bankstown City Council Section 94A Development Contributions Plan 2009 (Section 94A Plan), a contribution of \$105,480.00 shall be paid to Council.

The amount to be paid is to be adjusted at the time of actual payment, in accordance with the provisions of the Section 94A plan. The contribution is to be paid prior to construction.

**Note:** The Section 94A Contributions Plans may be inspected at Council's Customer Service Centre, located at Upper Ground Floor, Civic Tower, 66-72 Rickard Road, Bankstown, between the hours of 8.30am-5.00pm Monday to Friday.

- 9) Finished surface levels of all internal works and at the street boundary, including driveways, landscaping and drainage structures, must be as shown on the approved plans. The levels at the street boundary must be consistent with the Street Boundary Alignment Levels issued by Council.
- 10) The developer shall apply for a Work Permit and obtain approval from Council, for the following engineering works in front of the site, at the applicant's expense:
- a) A Heavy duty VFC of maximum width of 6.0 meters at Parkham Street.
  - b) Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs.
  - c) Repair of any damage to the public road including the footway occurring during development works.
  - d) Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit.

Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority.

Note: Council is required to prepare a site survey and design in order to determine the necessary information. The developer should make application and payment for the Work Permit at least twenty one (21) days prior to the information being required and prior to construction. The Work Permit must be approved prior to any works commencing within the Council Road Reserve or on Council's assets.

- 11) An all weather pavement shall be designed to withstand the anticipated wheel loads for all areas subjected to vehicular movements. Internal pavements specification prepared and certified by all qualified professional Civil Engineer to comply with the relevant Australian Standards, shall be submitted to the Principal Certifying Authority (PCA) for approval prior to construction.
- 12) As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the Roads Act 1993 and/or Section 68 of the Local Government Act 1993, Council requires the developer to obtain a Works Permit and or a Roadway/Footpath Building Occupation Permit prior to the construction for this development being issued where one or more of the following will occur, within, on or over the public footway or public road:

#### A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS

#### WORKS REQUIRING A 'WORKS PERMIT'

- a) Remove and Reconstruct Council's existing drainage pipeline within the development lot.
- b) Dig up, disturb, or clear the surface of a public footway or public road,
- c) Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road,
- d) Connect a road (whether public or private) to a classified road,
- e) Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road,
- f) Install utilities in, under or over a public road,
- g) Pump water into a public footway or public road from any land adjoining the public road,
- h) Erect a structure or carry out a work in, on or over a public road
- i) Require a work zone on the public road for the unloading and or loading of vehicles
- j) Pump concrete from within a public road,
- k) Stand a mobile crane within a public road
- l) Store waste and recycling containers, skips, bins and/or building materials on any part of the public road.

The developer shall construct all proposed works within the public road and footway under the supervision and to the satisfaction of Council. The developer shall arrange for necessary inspections by Council whilst the work is in progress.

The developer shall ensure the person or company carrying out the work will carry public liability insurance to a minimum value of twenty million dollars. The developer shall provide proof of the policy, to Council, prior to commencing any work approved by the Work Permit including the Road Opening Permit. The policy must remain valid for the duration of the works.

- 13) Prior to construction for this development, the applicant must obtain approval from Council for a Site, Pedestrian and Traffic Management Plan. This Plan must address the measures that will be implemented for the protection of adjoining properties, pedestrian safety and traffic management and other requirements as specified below.

#### A PRIVATE CERTIFIER CANNOT APPROVE YOUR SITE, PEDESTRIAN & TRAFFIC MANAGEMENT PLAN

This plan shall include details of the following:

- a) Proposed ingress and egress points for vehicles to and from the construction site;
- b) Proposed protection of pedestrians, adjacent to the constructions site;
- c) Proposed hoardings, scaffolding and/or fencing to secure the construction site;
- d) Proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- e) Proposed measures to be implemented for the protection of all public roads and footway areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;
- f) Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;
- g) Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed and shall be in accordance with Council's and the NSW Roads and Maritime Services requirements and AS1742.3.
- h) Proposed method of support of any excavation, adjacent to adjoining buildings or the public road. The proposed method of support is to be certified by a Civil Engineer with National Professional Engineering Registration (NPER) in the construction of civil works.
- i) Proposed measures to be implemented in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the public road.
- j) Proposed measures for protection of the environment including procedures to control environmental impacts of work e.g. sediment control, proper removal, disposal or recycling of waste materials, protection of vegetation and control/prevention of pollution i.e. water, air noise, land pollution.

The approved Site, Pedestrian and Traffic Management Plan is to be implemented prior to the commencement of any works on the construction site. The applicant will be required to pay for inspections by Council Officers in accordance with Council's adopted fees and charges.

In addition a RMS Approval / Road Occupancy Licence will be required for works on Regional or State Roads or within 100m of a traffic facility including roundabouts and traffic signals. Refer to Council's Development Engineering Standards for a list of Regional and State Roads.

- 14) For this development, Council requires that the stormwater runoff from within the development site shall be collected and controlled by means of an on-site stormwater detention system, in accordance with Council's Development Engineering Standards. The developer shall engage a suitably qualified Engineer to prepare a final stormwater drainage and on site detention system plan to be generally in accordance with the concept plan 151291 Revision B, dated 25 February 2016, prepared by Northrop, and in accordance with the requirements contained in Council's Development Engineering Standards. The Engineer shall certify that the design and plans comply with Council's Development Engineering Standards and the relevant Australian Standards.
- 15) Existing trees within the vicinity of the construction works or paths of travel for construction vehicles accessing the development that are to be retained shall be protected with temporary fencing of a style non injurious to tree roots, placed 2m from the trunk base of the existing tree to prevent damage during construction, and retained in accordance with Council's Tree Preservation Order. There is to be no stockpiling of materials within the 2m fenced zone.

#### Trees to be retained and protected

The following trees are to be retained and protected as per the conditions below. Failure to comply with these conditions is an offence and may incur a fine or lead to prosecution.

Species	Location	Protection Measures
*Various species (Trees 1-11)	Front, western boundary as referenced in the Arboricultural Impact Assessment Report	<p>*TPZ of a minimum of:</p> <ul style="list-style-type: none"> <li>• 37 metres when measured from the SW corner of the site in an eastward direction along the southern boundary</li> <li>• Then running perpendicular to the southern boundary in a northerly direction until it meets the entry path.</li> <li>• Then following the edge of the path until it meets the front boundary</li> </ul> <p>shall be installed as per the conditions below.</p>

\* As per Arboricultural Impact Assessment Report, prepared by NSW Public Works, Landscape Urban Environmental Design, dated October 2015.

TPZ (Tree Protection Zone) and SRZ (Structural Root Zone) in metres measured from the centre of the trunk of the tree.

Tree protection measures shall comply with *Australian Standard AS4970-2009 Protection of trees on development sites*, together with the following conditions:

- (a) The tree/s to be retained and protected together with their relevant Tree Protection Zone (TPZ) shall be marked on all demolition and construction drawings.
  - (b) All contractors and workers on site shall be briefed on the tree protection and management procedures in place as part of their site induction. A written record of the induction process is to be kept on site.
  - (c) A 1.8m chain link wire fence that complies with Section 4.3 of AS 4970 - 2009, Protection of trees on development sites shall be erected around the above trees to be retained and protected during all approved works. The fence is to be installed prior to demolition / construction, shall not be removed or altered, and is to remain in place for the duration of the site works.
  - (d) The applicant will display in a prominent location on the fencing of each protection zone a durable, weather resistant sign having a minimum dimension of 500mm high x 400mm wide of similar design and layout as per Appendix C, *Australian Standard AS4970-2009 Protection of trees on development sites* clearly showing:
    - i. The Development Consent number
    - ii. The name and contact number of the nominated consultant arborist or site manager;
    - iii. Indication that access into the Tree Protection zone is not permitted.
  - (e) The above notice is to be in place prior to commencement of demolition or construction.
  - (f) Fences are to be inspected on a regular basis to ensure that they are intact, comply with the above standard, installed to the appropriate dimensions and provide effective protection for the tree to be retained.
  - (g) The TPZ shall be maintained as per AS4970 - 2009, Section 4.6. Access to the TPZ is permitted to undertake necessary maintenance such as mowing, watering, weed control
  - (h) No vehicular access, excavations for construction or installation of services shall be carried out within the fenced Tree Protection Zone.
  - (i) All utility services, pipes, stormwater lines and pits shall be located outside the fenced Tree Protection Zone.
  - (j) Building materials, chemical storage, site sheds, wash out areas, and similar shall not be located within the fenced Tree Protection Zone.
  - (k) Trees marked for retention must not be damaged or used to display signage, or as fence or cable supports for any reason.
  - (l) If any tree roots are exposed during any approved works then roots smaller than 50mm are to be pruned. They shall be cut cleanly by hand, by an experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate). Any roots greater than 50mm are to be assessed by a qualified arborist before any pruning is undertaken. If required, changes in design may need to be considered.
- 16) Suitable erosion and sediment control measures shall be erected prior to the commencement of construction works and shall be maintained at all times.

- 17) Council warning sign for Soil and Water Management must be displayed on the most prominent point of the site, visible to both the street and site works. The sign must be displayed throughout the construction period.
- 18) Prior to the commencement of work, the applicant must provide a temporary on-site toilet if access to existing toilets on site is not adequate.
- 19) Prior to the commencement of work, a fence must be erected around the area of the works, except where an existing 1.8m high boundary fence is in good condition and is capable of securing the area. Any new fencing shall be temporary (such as cyclone wire) and at least 1.8m high. All fencing is to be maintained for the duration of construction to ensure that the work area is secured.

Where the work is located within 3.6m of a public place then a Type A or Type B hoarding must be constructed appropriate to the works proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval prior to the commencement of work.

- 20) A sign shall be displayed on the site indicating the name of the person responsible for the site and a telephone number of which that person can be contacted during and outside normal working hours or when the site is unattended.
- 21) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - a. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - b. stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- 22) Crown building must not commence unless the building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws.
- 23) A Phase 2 soil and ground water sampling analysis program is required to be undertaken in accordance with the recommendations and conclusion outlined in the Preliminary Site Inspection report by GHD for Department of Education and Communities Project No 21/24337 dated March 2015 and the report be submitted to Council's satisfaction.

## **CONDITIONS TO BE SATISFIED DURING CONSTRUCTION**

- 24) The hours of site works shall be limited to between 7.00am and 6.00pm on weekdays and 7.00am and 1.00pm on Saturdays. No work shall be carried out on Sundays and public holidays, and weekends (Saturdays and Sundays) adjacent to public holidays.
- 25) The building work must be carried out in accordance with the requirements of the Building Code of Australia.
- 26) All Civil and Hydraulic engineering works on site must be carried out in accordance with Council's Development Engineering Standards. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must be carried out in accordance with Council's Work Permit requirements and to Council's satisfaction.
- 27) All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards.
- 28) If soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions must be made for drainage. Separate approval may be required for retaining walls should they be required.
- 29) The stormwater drainage system shall be constructed in accordance with Council's Development Engineering Standards and the engineering plans and details approved by the Principal Certifying Authority (PCA).
- 30) A suitably qualified Professional Civil or Structural Engineer shall be engaged by the developer to carry out inspections relating to construction of internal driveways and parking areas. The work shall be carried out in accordance with the approved plans and specifications and certification from the Civil or Structural Engineer is to be provided upon completion.
- 31) Prior to the commencement of work, the builder shall prepare a photographic record of the road reserve which clearly shows its condition prior to works occurring on site. For the entirety of demolition, subdivision or construction works, there shall be no stockpiling of building spoil, materials, or storage of equipment on the public road, including the footway and the road reserve shall be maintained in a safe condition at all times. No work shall be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.
- 32) The developer must ensure all construction related, Heavy Vehicle ingress and egress occurs from Woodville Road across the RMS approved temporary driveway.
- 33) The designated waste area should be roofed with a doorway of at least 2500mm. The area should be large enough to contain both a waste and recycling service selected by the school.



- 34) The splays of the driveway are to accommodate the swept paths of the 8.8 metre vehicle. The driveway is to be 6.0 metres at the boundary, as a minimum.
- 35) The four (4) bicycle racks shall be located further within the entry courtyard, adjacent to the eastern wall of the 'Administration Building' for security.
- 36) The sight distance to pedestrians is to be maintained by keeping the sight triangle, as given in AS 2890.1:2004, Figure 3.3, at the northern end of the driveway clear of obstacles and obstructions.
- 37) The development shall be constructed to include all of the recommended attenuation measures in accordance with the Acoustic Report, prepared by Acoustic Logic (Project No. 20151266.1), dated 13 October 2015.
- 38) All works carried out on site shall be in accordance with the recommendations and conclusion outlined in the Preliminary Site Inspection report by GHD for Department of Education and Communities Project No 21/24337 dated March 2015 and NSW Public Works Rowland Hassall School Relocation 49 Woodville Road, Chester Hill Contamination Investigation Report number 15-GS91B dated August 2015 for NSW Department of Education.
- 39) Landscaping shall be installed in accordance with the approved landscape plan.
- 40) A palisade type fence shall be constructed along the western boundary (Parkham Street frontage) in accordance with the recommendations outline in the Acoustic Report, prepared by Acoustic Logic (Project No. 20151266.1), dated 13 October 2015.

## **CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION**

- 41) A final completion statement shall not be issued until all conditions relating to demolition, construction and site works of this development consent are satisfied and Council has issued a Work Permit Compliance Certificate.
- 42) The use of a building in accordance with this Development Consent must not be commenced until all conditions relating to demolition, construction and site works of this development consent are satisfied.
- 43) Twenty-five (25) off street car parking spaces, including one (1) disabled car space shall be provided/maintained for the use of employees to the premises in accordance with the submitted plans. Such spaces are to be sealed and line marked and maintained.
- 44) Lighting must be provided to the entries of the dwellings, driveways and parking areas to promote a high level of safety and security at night and during periods of low light. Lighting provided should be hooded, shielded or directed away from neighbouring dwellings to minimise glare and associated nuisances to residents.

- 45) A report prepared by an accredited Acoustic Consultant shall be submitted to Council certifying that the development complies with the requirements of the State Environmental Planning Policy (Infrastructure) 2007, conditions of development consent and recommendations of the report prepared by report by *Acoustic Logic* titled Rowland Hassall School, Chester Hill titled Acoustic Advice, Project Number 20151266.1 dated *October 10, 2015*. The report shall include post construction validation test results.
- 46) The Landscaping on the site shall be in accordance with:
- Landscape Concept Plan, prepared by Clouston and Associates, Dwg No S15-0103 DA 5, Issue B, dated 16/10/2015
  - Proposed Tree Planting – Courtyard, prepared by Clouston and Associates, Dwg No S15-0103 DA 10, Issue B, undated
  - Proposed Tree Planting – Courtyard, prepared by Clouston and Associates, Dwg No S15-0103 DA 11, Issue B, undated
- (a) Replacement trees are to be a minimum container size of 75 litres. They shall comply with NATSPEC Specifying Trees: a guide to assessment of tree quality (2003), and be planted and maintained in accordance with Councils standard specification.
- (b) Tree species used are not to include conifers, palms, Casuarinaceae, or any of the exempted plant species listed under clause 2.7 of Bankstown Development Control Plan 2015 Part B11– Tree Preservation Order.
- (c) The trees are to be planted no closer than 3.5 metres from the wall of any approved dwelling on the property. Trees/shrubs proposed for planting along the rear boundaries shall be located no closer than 1.0 metres from the rear boundary.
- (d) All new plantings shall be located so future growth will not be in conflict with electricity wires. Consideration should be given to the location of new electricity poles and wires so that sufficient space is provided.
- (e) The replacement trees are to be planted prior to the issue of an occupation certificate.
- (f) The replacement trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Bankstown Development Control Plan 2015 Part B11– Tree Preservation Order.
- (g) If the replacement trees are found to be faulty, damaged, dying or dead before being protected by Bankstown Development Control Plan 2015 Part B11– Tree Preservation Order; the tree/s shall be replaced with the same species at no cost to Council.
- 47) A registered surveyor shall prepare a Work As Executed Plan, and a suitably qualified Hydraulic Engineer shall provide certification of the constructed on-site stormwater detention system.

The Work As Executed information shall be shown in red on a copy of the approved stormwater plan and shall include all information specified in Council's Development Engineering Standards. The Work As Executed plan shall be submitted to the Hydraulic Engineer prior to certification of the on-site stormwater detention system.

The engineer's certification of the on-site stormwater detention system should be carried out similar to Council's standard form "On-Site Stormwater Detention System - Certificate of Compliance", contained in Council's Development Engineering Standards.

A copy of the Work As Executed Plan and Hydraulic Engineer's Certification shall be submitted to Council for information prior to issue of the final occupation certificate.

- 48) The developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of OSD on title", as outlined in Council's Development Engineering Standards and in accordance with the appropriate provisions of the Conveyancing Act. Where subdivision is not proposed, the surveyor shall show the location of the "On-Site Stormwater Detention System" on an A4 size site plan attached to the Section 88E Instrument to be registered, on the title of the subject property, prior to the issue of the Final Occupation Certificate. The developer shall submit evidence of the final registration of the Restriction and Positive Covenant on the title of the property, to Council.
- 49) A Copy of the Work Permit Compliance Certificate shall be submitted to the PCA Prior to the issue of the Occupation Certificate.
- 50) The Section 73 compliance certificate under the Sydney Water Act 1994 must be submitted to the principal certifying authority before occupation of the development / release of the plan of subdivision.
- 51) The Draft Traffic Management Plan is to be presented to the Bankstown Traffic Committee for recommendation prior to the operation of the School.

## **USE OF SITE**

- 52) The school is to cater for a maximum of seventy (70) students at any one time.
- 53) Car parking spaces for twenty-five (25) vehicles shall be provided in marked spaces in the manner generally shown on the approved site plan. The car parking spaces, driveways and manoeuvring areas are to be used for employees and visitors vehicles only and not for the storage of new or used materials, finished goods or commercial vehicles.
- 54) The largest vehicle to enter the site is to be 8.8 metres long.
- 55) All vehicles must enter and exit the site in a forward direction.
- 56) The approved hours of operation of the school and its associated buildings are 8.00am to 3.30pm Monday to Friday. No special events are to be carried outside these school hours and there shall no scheduled community use of the school during school holidays.

- 57) The operation shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupants. In the event of Council receiving complaints and considers that excessive noise is emanating from the premises, the person(s) in control of the premises shall at their own cost arrange for an acoustic investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of noise emanating from the premises.

These measures shall be approved by Council prior to implementation and shall be at full cost to the applicant.

- 58) The operator of the school shall organise and chair a Neighbourhood Liaison Committee. The purpose of the Committee is for the operator and neighbours to resolve any issues, such as traffic and noise, arising from the operation of the school. The operation of the Committee must ensure:

- (a) The membership of the Neighbourhood Liaison Committee includes residents who live next to and opposite the school.
- (b) The Neighbourhood Liaison Committee meets at least four times during the first 24 months of the school.
- (c) The operator of the school forwards the meeting minutes to Committee members.
- (d) The operator of the school forwards the meeting minutes to Council for information.

The operator of the school may terminate the Committee once it meets at least four times during the first 24 months of the school operating, or may choose to extend the function of the Committee over a longer period of time.

- 59) The operation of the school and associated facilities shall not contravene the Protection of the Environment Operations Act, 1997. The operation of the premises shall be carried out in accordance with the requirements of the Department of Environment and Heritage, if applicable.
- 60) Instructions concerning procedures to be adopted in the event of an emergency are to be clearly displayed on the premises for both public and staff information at all times.
- 61) Any portion of the development used for the storage or sale of food is to be designed, constructed and operated in accordance with the requirements of the Food Act 2003 and Regulations; FSANZ Food Standards Code, AS4674, AS1668 Parts 1 and 2 and the Protection of the Environment Operations Act 1997.
- 62) Any activity carried out in accordance with this approval shall not give rise to offensive odour, offensive noise or pollution of air, land or water as defined in the Protection of the Environment Operations Act 1997.

- 63) There are to be no emissions or discharges from the premises which will give rise to an offence under the *Protection of the Environment Operations Act 1997* and *Regulations*.

In this regard, the operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background  $L_{A90, 15min}$  noise level, measured in the absence of the noise source/s under consideration by 5dB(A). The source noise level shall be assessed as an  $L_{Aeq, 15min}$  and adjusted in accordance with the NSW Environment Protection Authority's Industrial Noise Policy and Environmental Noise Control Manual (sleep disturbance).

- 64) The use of the premises shall not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and *Regulations*. The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage other premises
- 65) Any lighting of the premises shall be installed in accordance with Australian Standard AS 4282 – Control of the Obtrusive Effects of Outdoor Lighting so as to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads. Flashing, moving or intermittent lights or signs are prohibited. The intensity, colour or hours of illumination of the lights shall be varied at Council's discretion if Council considers there to be adverse effects on the amenity of the area.

## **ROADS AND MARITIME SERVICES CONDITIONS**

- 66) In relation to the strip of land that has previously been acquired for road along the Woodville Road frontage, all buildings and structures, together with any improvements integral to the future use of the site are to be wholly within the freehold property unlimited in height or depth along the Woodville Road boundary.
- 67) Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any work.

Details should be forwarded to:

The Sydney Asset Management  
Roads and Maritime Services  
PO Box 973 Parramatta CBD 2124.

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Fax: 88492766.

- 68) Roads and Maritime Services (Roads and Maritime) is responsible for speed management along all public roads within the state of New South Wales. That is, Roads and Maritime is the only authorised organisation that can approve speed zoning changes and authorises installation of speed zoning traffic control devices on the road network within New South Wales.

Therefore the Developer must obtain written authorisation from Roads and Maritime to install the School Zone signs and associated pavement markings and/or remove/relocate any existing Speed Limit signs.

To obtain authorisation, the Developer must submit the following for review and approval by Roads and Maritime, 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 Roads and Maritime approval/authorisation, guidelines and specifications.

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

The developer 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 Developer must arrange an inspection with Roads and Maritime for formal handover of the assets to Roads and Maritime. The installation date information must also be provided to Roads and Maritime at the same time.

**Note:** Until the assets are formally handed-over and accepted by Roads and Maritime, Roads and Maritime takes no responsibility for the School Zones/assets.