

RECOMMENDED CONDITIONS

1.0 - General Conditions of Consent

The following conditions of consent are general conditions applying to the development.

- (1) **General Terms of Approval/Requirements of State Authorities** - The general terms of approval/requirements from state authorities shall be complied with prior to, during, and at the completion of the development.

The general terms of approval/requirements are:

1. Rural Fire Service, D16/1748 dated 23 September 2016.
2. Mine Subsidence Board dated 25 November 2015.
3. NSW Police Force conditions dated 13 July 2016.

- (2) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documentation, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
DA01	Drawing Schedule & Location Plan	NSW Public Works	January 2016
DA02	Demolition Plan/ Cut and Fill Plan	NSW Public Works	January 2016
DA03	Roof Plan	NSW Public Works	January 2016
DA04	Site/Floor Plan	NSW Public Works	January 2016
DA05	Elevations	NSW Public Works	January 2016
DA06	Elevations & Sections	NSW Public Works	January 2016
LDA00 – LDA06	Landscaping Plans Pages 1-6)	NBRS Architecture	20/7/2016
DA07	Parking Plan	NBRS Architecture	-
-	Stormwater Concept	NSW Public Works	7/12/2015
-	Typical Stormwater Details	NSW Public Works	7/12/2015
-	Erosion and Sediment Plan & Details	NSW Public Works	7/12/2015
Version 4	Right of Carriageway Adjustment	-	3/3/2016

Document Title	Prepared by	Date
Bushfire Threat Assessment	Kleinfelder	August 2015
Environmental Noise Assessment	Day Design Pty	18 July 2016

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Finishes Selections Schedules External	NSW Public Works	17/12/15
Stormwater Design	abc consultants	27/9/2016
Flora and Fauna Survey & Assessment	Lesryk Environment	January 2016

- (3) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA.

- (4) **Shoring and Adequacy of Adjoining Property Works** - If the approved development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, the person having the benefit of the consent shall, at the person's own expense:

- a) protect and support the adjoining building, structure or work from possible damage from the excavation; and
- b) where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying

A copy of the written consent must be provided to the PCA prior to the excavation commencing.

- (5) **Swimming Pools and Spas** - The swimming pool/spa shall comply with:

- a) the *Swimming Pools Act 1992*;
- b) the Swimming Pools Regulation 2008;
- c) AS 1926.1-2012 'Swimming Pool Safety' Part 1: Safety barriers for swimming pools;
- d) AS 3500.2-2003 'Plumbing and drainage – Sanitary plumbing and drainage';
- e) AS1926.3 'Water recirculation systems'; and
- f) the BCA.

- (6) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications and the relevant DCP.

- (7) **Tree Removal** - The trees identified as shown in the approved landscape plan are the only trees approved for removal.

This work should only be carried out by a fully insured and qualified Arborist. Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

Where possible all green waste generated from the approved tree work is to be recycled into mulch or composted at a designated facility. All reasonable measures must be taken to protect the remaining vegetation on the site from damage during the approved tree works.

The issuing of this Consent is conditioned upon the planting and maintenance of suitable replacement trees as a means to achieve a "No Nett Loss" approach to vegetation management. The plantings are to be replaced on the subject property prior to crown occupancy certificate being granted'.

- (8) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this Consent.

The following procedures shall be strictly observed:

- a) no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval; and
- b) pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features, are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

- (9) **Noxious Weeds Management** – The applicant must fully and continuously suppress and destroy by appropriate means, any noxious or environmentally invasive weed infestations that occur during or after works. New infestations must be reported to Council.

Pursuant to the *Noxious Weeds Act 1993*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material.

- (10) **Offsetting of Native Vegetation** - All native vegetation removed must be offset by replacement planting. Native vegetation will be replanted at a minimum 1:1 ratio to ensure no net loss of Camden's biomass.
- (11) **Tree Hollows** - Tree hollows and/or active nests within trees planned for removal must be replaced to provide fauna with short-term habitat requirements during vegetation clearance. Each individual tree hollow must be replaced at a minimum 1:1 ratio with nest boxes that will provide suitable short-term habitat requirements.

Any hollow-bearing and/or active nest trees removed from the development site are to be inspected prior to removal. Measures must be taken to ensure that fauna inhabiting tree hollows, active nests or other habitat (i.e. logs, leaf litter) are treated humanely and relocated before development activities commence, in line with the *National Parks and Wildlife Act 1974*.

- (12) **Car Parking** - All car parking areas must comply with AS 2890.1 Off Street Parking and AS2890.6 Accessible Parking.
- (13) **Site Exit** - An all traffic left sign should be installed at the exit of the driveway.
- (14) **Mechanical Plant** - The selection of mechanical plant must be undertaken in consultation with a qualified Acoustic Consultant to ensure the sound power level of plant when in operation does not exceed the relevant noise criteria at the nearest sensitive receiver.
- (15) **Acoustic Building Treatments** – Acoustic treatments to be adopted as outlined in Section 5.0 of Road Traffic Noise Intrusion Assessment (5846-1.2R Rev A) prepared by Day Design and dated 17 December 2015.
- (16) **Detailed Lighting Plan** – A detailed lighting plan shall be submitted to the Certifying Authority for building works. The plan must demonstrate that the orientation and intensity of lights will comply with the Australian Standard 4282-1997 "Control of the obtrusive effects of outdoor lighting" that includes compliance at all residential boundaries.
- (17) **Landscaping Establishment & Maintenance** - For a period of 12 months, the applicant will be responsible for the successful establishment and maintenance of all hard and soft landscaping elements associated with this Consent.

The 12 month establishment period will commence from the date of practical completion of all hard and soft landscaping elements.

At the completion of the 12 month maintenance and establishment period, all plantings must have signs of healthy and vigorous growth.

- (18) **Protection for Existing On-Site Trees** - The protection of existing trees on site must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites
- (19) **Hedging** - The Viburnum hedge must be extended along the entire southern boundary to provide a screen to the historic cemetery.

- (20) **Protection Plan** - A temporary protection plan must be prepared for safeguarding the fragile cemetery structures that exist in close proximity to the existing school fence line.
- (21) **Interpretative Panel** – An interpretive panel must be located on the cemetery side of the site at the original location of the gate to the cemetery in accordance with the recommendation of the approved heritage report.
- (22) **Acoustic Report** - The development shall be constructed in accordance with *Environmental Noise Assessment Report Number 5846-1.1R Rev A prepared by Day Design Pty Ltd and dated 18 July 2016 and Road Traffic Noise Intrusion Assessment Report Number 5846-1.2R Rev A prepared by Day Design Pty Ltd and dated 17 December 2015* except for the requirement for an acoustic barrier along the western boundary.

3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the Certifying Authority.

Note. Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve

- (2) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority.
- (3) **Salinity** - Due to the inherent characteristics of the Camden Local Government Area, buildings erected in the area may be susceptible to soil salinity levels that may have a cumulative damaging effect over time.

Camden Council therefore requires:

- a) A salinity investigation assessment report be undertaken; OR
- b) Compliance with the 'minimum requirements' specified in this condition.

Salinity Investigation Report

Prior to the issue of a Section 109R Crown Building Work Certificate, a Salinity Investigation Report shall be prepared for the development in accordance with the requirements of "Site Investigation for Urban Salinity (Local Government Salinity Initiative)" prepared by the Department of Land and Water Conservation (2002).

The recommendations from this report shall be followed and incorporated into the design and construction of the development and are to be approved by the Certifying Authority.

Minimum Salinity Requirements for Camden LGA

Where a Salinity Investigation Report is not undertaken, the following construction inclusions shall be incorporated as a minimum in the building design to reduce/prevent any detrimental affect to the building from accumulative salt deposits:

- a) Concrete Strength: The minimum concrete strength to bored piers, piles, strip footings and concrete floor slabs in contact with the ground shall be 32MPa; and
- b) Damp-Proofing Membrane: Concrete floor slabs in contact with the ground shall be provided with a damp-proofing membrane that is a 0.2mm thickness polyethylene film and of "high impact resistance" (as determined in accordance with AS2870).

The above minimum requirements shall be incorporated in the structural design and construction of the development. Details demonstrating compliance shall be provided to the Certifying Authority with the Section 109R Crown Building Work Certificate application.

Note: Consideration in the design and construction of the development should also be made to the following matters (where relevant):

- a) The provision of drainage to the building perimeter (including subsoil drainage), to prevent water ponding or soil waterlogging in the building vicinity;
 - b) External finished ground levels, including pavements, should not be higher than the base of the first course of brickwork, or the brickwork and mortar below a damp proof course (DPC) should be exposure rated;
 - c) DPC material must be carried through to the face of any applied finishes;
 - d) Retaining walls should be built of salinity resistant materials; and
 - e) Porous pavement products such as cement and clay pavers may show permanent efflorescence and salt corrosion. The use of these products should be confirmed with the manufacturer as being suitable for use in a saline environment, prior to installation.
- (4) **Dilapidation Report – Council Property** - A Dilapidation Report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the subject site. Details demonstrating compliance shall be provided to the Certifying Authority.
- (5) **Traffic Management Plan** - A Traffic Management Plan (TMP) shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. Details demonstrating compliance shall be provided to the Certifying Authority.

The traffic management plan should be prepared to guide the development within the school site to mitigate any possible vibrational impact to the fragile cemetery structures, and the church buildings during the construction phase of the school.

- (6) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's Engineering Specifications.

A detailed on-site detention and water quality report reflecting the Construction Certificate plans shall be provided to the Certifying Authority.

- (7) **Environmental Management Plan** - An Environmental Management Plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the Certifying Authority.

The Environmental Management Plan shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment is not unacceptably impacted upon by the proposal. The Environment Management Plan shall include but not be necessarily limited to the following measures:

- a) Measures to control noise emissions from the site;
- b) Measures to suppress odours and dust emissions;
- c) Soil and sediment control measures;
- d) Measures to control air emissions that includes odour;
- e) Measures and procedures for the removal of hazardous materials that includes waste and their disposal;
- f) Any other recognised environmental impact; and
- g) Community Consultation.

- (8) **Site is to be Secured** - The site shall be secured and fenced to the satisfaction of the Certifying Authority. All hoarding, fencing or awnings (associated with securing the site during construction) is to be removed upon the completion of works.

- (9) **Construction Management Plan** - A construction management plan that includes construction waste, dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the Certifying Authority.

- (10) **Public Liability Insurance** - The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the Certifying Authority.

- (11) **Notice of PCA Appointment** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 103 of the EP&A Regulation 2000. The notice shall include:
- a) a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - d) the name and address of the PCA, and of the person by whom the PCA was appointed;
 - e) if the PCA is an accredited certifier, his, her or its accreditation number, and a statement signed by the accredited certifier consenting to being appointed as PCA; and
 - f) a telephone number on which the PCA may be contacted for business purposes
- (12) **Notice Commencement of Work** - Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with Clause 104 of the EP&A Regulation 2000. The notice shall include:
- a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;
 - c) the address of the land on which the work is to be carried out;
 - d) the registered number and date of issue of the relevant development consent and construction certificate;
 - e) a statement signed by or on behalf of the PCA to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
 - f) the date on which the work is intended to commence.
- (13) **Performance Bond** - Prior to commencement of works a performance bond of \$10,000 must be lodged with Camden Council in accordance with Camden Council's Engineering Construction Specifications.

Note – An administration fee is payable upon the lodgement of a bond with Council.

- (14) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction (the blue book)' and any Sediment and Erosion plans approved with this development consent.

Soil erosion and sediment control measures shall be maintained during construction works and shall only be removed upon completion of the project when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).

- (15) **Sydney Water Approval** - The approved development plans shall be approved by Sydney Water.
- (16) **Demolition Work** - Consent is granted for the demolition of eight of the existing buildings on the property, subject to compliance with the following conditions:
- a) The developer shall notify adjoining residents of demolition works seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite, the demolition site.
 - b) Prior to demolition, the applicant shall erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
 - c) Prior to demolition, the applicant shall erect a 1.8m high temporary fence and hoarding between the work site and any public property (footpaths, roads, reserves etc). Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when work is not in progress or when the site is otherwise unoccupied.
 - d) Suitable erosion and sediment control measures in accordance with an approved erosion and sediment control plan shall be installed prior to the commencement of demolition works and shall be maintained at all times.
 - e) A Work Plan prepared by a suitably qualified person in accordance with AS 2601 'Demolition of Structures' shall be provided to the PCA for approval prior to demolition works commencing. The Work Plan shall identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
 - f) If the property was built prior to 1987, an asbestos survey shall be carried out by a suitably qualified person prior to demolition. If asbestos is found, a WorkCover Authority licensed contractor shall remove all asbestos in accordance with the requirements of the WorkCover Authority, including notification of adjoining neighbours of asbestos removal.
 - g) The burning of any demolished material on site is not permitted and offenders will be prosecuted.
 - h) Care shall be taken during demolition to ensure that existing services on the site (i.e. sewer, electricity, gas, phone, etc.) are not damaged. Any damage caused to existing services is to be repaired by the relevant authority at the expense of the applicant.

4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Hazardous Building Materials Assessment** - All works (including demolition and materials handling, storage, transport and disposal) shall be undertaken in

accordance with the requirements outlined in the hazardous building material assessment.

Limited Destructive Hazardous Materials Survey Report C107477:J124496-01 prepared by Noel Arnold & Associates and dated March 2014.

- (2) **Noise During Work** - All work shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.

All work shall comply with the requirement of the NSW Industrial Noise Policy and the Environment Protection Authority's Environmental Noise Manual.

- (3) **Fill Material** - Importation and/or placement of any fill material on the subject site, a validation report and sampling location plan for such material must be provided to and approved by the Principal Certifying Authority.

The validation report and associated sampling location plan must:

- a) be prepared by a person with experience in the geotechnical aspects of earthworks;
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics;
- c) be prepared in accordance with;

Virgin Excavated Natural Material (VENM):

- i) the Department of Land and Water Conservation publication "Site investigation for Urban Salinity"; and
 - ii) the Department of Environment and Conservation - Contaminated Sites Guidelines "Guidelines for the NSW Site Auditor Scheme (Second Edition) - Soil Investigation Levels for Urban Development Sites in NSW".
- d) confirm that the fill material;
- i) provides no unacceptable risk to human health and the environment;
 - ii) is free of contaminants;
 - iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication "Site investigation for Urban Salinity");
 - iv) is suitable for its intended purpose and land use; and
 - v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m³ - 3 sampling locations;
- f) greater than 6000m³ - 3 sampling locations with 1 extra location for each additional 2000m³ or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for Contamination and Salinity should be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m ³)
Virgin Excavated Natural Material	1 (see Note 1)	1000 or part thereof

Note 1: Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (4) **Offensive Noise, Dust, Odour and Vibration** - All work shall not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (5) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc) be encountered during any stage of works (including earthworks, site preparation or construction works, etc), such works shall cease immediately until a qualified environmental specialist has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately.

Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

- (6) **Additional Approvals Required** - Where any works are proposed in the public road reservation, the following applications shall be made to Council, as applicable:
 - a) For installation or replacement of private stormwater drainage lines or utility services, including water supply, sewerage, gas, electricity, etc, an application shall be made for a Road Opening Permit and an approval under Section 138 of the *Roads Act 1993*;
 - b) For construction / reconstruction of Council infrastructure, including vehicular crossings, footpath, kerb and gutter, stormwater drainage, an application shall be made for a Roadworks Permit under Section 138 of the *Roads Act 1993*.

Note: Private stormwater drainage is the pipeline(s) that provide the direct connection between the development site and Council's stormwater drainage system, or street kerb and gutter.

- (7) **Construction Hours** - All work (including delivery of materials) shall be restricted to the hours of 7.00am to 5.00pm Monday to Saturday inclusive. Work is not to be carried out on Sundays or Public Holidays.
- (8) **Traffic Management Plan Implementation** - All construction traffic management procedures and systems identified in the approved Construction Traffic Management Plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.
- (9) **Soil, Erosion, Sediment and Water Management – Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan shall be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (10) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (11) **Excavations and Backfilling** - All excavations and backfilling associated with this development consent shall be executed safely, and be properly guarded and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building on an adjoining allotment, the person causing the excavation shall:

- a) preserve and protect the building from damage;
- b) if necessary, underpin and support the building in an approved manner; and
- c) give at least seven (7) days notice to the adjoining owner before excavating, of the intention to excavate.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact “Dial Before You Dig” prior to works commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

- (12) **Construction Noise** – Noise levels emitted during construction works shall be restricted to comply with the construction noise control guidelines set out in Chapter 171 of the NSW EPA's Environmental Noise Control Manual. This manual recommends;

Construction period of 4 weeks and under:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

Construction period greater than 4 weeks:

The L10 level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10dB(A).

- (13) **Discovery of Artefacts** - Should any artefacts be uncovered during works, all work must cease and requirements of Office of Environment and Heritage followed.

3.0 - Prior to Commencement of Use

The following conditions of consent shall be complied with prior to the commencement of use of the development.

- (1) **Compliance with Acoustic Requirements** - Documentary evidence shall be provided to the Certifying Authority confirming the building/s have been constructed in accordance with the approved acoustic report.
- (2) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the Certifying Authority.:
 - a) Energy supplier – Evidence demonstrating that satisfactory arrangements have been made with the energy supplier to service the proposed development;
 - b) Telecommunications – Evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development; and
 - c) Water supplier – Evidence demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.
- (3) **Lot Consolidation** – Lot 2 DP 1121907 and Lot 6 DP 859872 are to be consolidated.

A copy of the registered plan of consolidation shall be provided to the Certifying Authority.
- (4) **Right of Carriageway** – The existing right of carriage way must be amended to be generally in accordance with the approved ROC plan dated 3 March 2016.
- (5) **Show Easements/ Restrictions On The Plan Of Subdivision** - The developer shall acknowledge all existing and required easements and/or restrictions on the use of the land on the final plan of subdivision.
- (6) **Section 88B Instrument** – The applicant shall prepare a Section 88B Instrument for approval by the Certifying Authority which incorporates the following easements, positive covenants and restrictions to user where necessary:
 - a. relocated easement to drain water and drainage easement over overland flow paths, benefitting Lot 1 DP882155 and Lot 2 DP1121907;
 - b. positive covenant over the on-site detention / water quality facility for the maintenance, repair and insurance of such a facility;

- c. reciprocal right of carriageway from Lot 1 DP 882155 to existing Lot 2 DP 1121907 and Lot 6 DP 859872 (to be consolidated) is required to be created. The owners of both lots are burdened by the right of carriageway and shall be responsible for ongoing maintenance and the Public Liability of the right of carriageway located on their own lots.
- (7) **Directional Signage** - An all traffic left sign should be installed at the exit of the driveway before the commencement of the use of the development.
- (8) **Completion of Landscape Works** - All landscape works, including the removal of noxious weed species, are to be undertaken in accordance with the approved landscape plan and conditions of this Development Consent.

6.0 – Ongoing Use

The following conditions of consent are operational conditions applying to the development.

- (1) **Hours of Operation for School and associated Hydrotherapy Pool and Multi Purpose Hall** – The school and associated pool and hall can only operate during the following hours:

Day	Hours of Operation
Monday to Friday	7am – 9pm
Saturday and Sunday	7am – 5pm

- (2) **Use of the Hydrotherapy Pool** – The use of the hydrotherapy pool is limited to a maximum of 10 patrons at any one time.
- (3) **Use of the Multi-Purpose Hall** - The use of the multipurpose hall can only be utilised in association with the use of a school. If it is required to outsource the use of the hall to businesses, separate consent is required.
- (4) **Number of Students** – The special purposes school has been approved to accommodate 112 students only. Any increase in student numbers will need additional approval from Council.
- (5) **Number of Staff** – The number of staff on the site shall not exceed 36 at any given time. Any increase in staff numbers required will need additional approval from Council.
- (6) **Hydrotherapy Pool** - The hydrotherapy spa pool shall be operation and maintained in accordance with the Public Health Regulation 2012. The disinfection process to be employed at the pool is to comply with the Public Health Act 2010 and Regulations 2012 as well as the Public Swimming Pool and Spa Pool Advisory Document.
- (7) **Testing of Pool Water** – The swimming pool water must be tested in accordance with the NSW Public Health Regulations 2012 or its equivalent. A register must be kept to record the results of all tests.
- (8) **School Bell** – School bell speakers are to be oriented away from nearby residential receivers with a maximum sound pressure level not to exceed 80dBA at 3m from each receiver.

- (9) **Maintenance of Landscaping** – Landscaping shall be maintained in accordance with the approved landscape plan.
- (10) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within one week of its application.
- (11) **Driveways to be Maintained** - All access crossings and driveways shall be maintained in good order for the life of the development.