

SYDNEY SOUTH WEST PLANNING PANEL **(Sydney South West Region)**

Panel Reference	2016SYW181
DA Number	879/2016
Local Government Area	Camden
Proposed Development	Construction of an educational establishment for 840 kindergarten to year six students, ancillary out of school hours care facility and associated site works.
Street Address	650D Camden Valley Way, Gregory Hills
Applicant/Owner	Charles Glanville from CPL Architecture Pty Ltd on behalf of St Gregory's College
Number of Submissions	No submissions received
Recommendation	Approve with conditions
Regional Development Criteria (Schedule 4A of the EP&A Act)	Capital investment value > \$5 million. The CIV is 19m.
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No. 55 – Remediation of Land • Deemed State Environmental Planning Policy No. 20 – Hawkesbury-Nepean River • Camden Local Environmental Plan 2010 • Camden Development Control Plan 2011
Does the DA require Special Infrastructure Contributions conditions (s94EF)?	Not applicable
List all documents submitted with this report for the panel's consideration	<ul style="list-style-type: none"> • Assessment report and conditions • Statement of environment effects • Architectural plans • Stormwater management plan • Landscaping plans • Associated reports
Report prepared by	Jessica Mesiti, Senior Town Planner Development Assessment (East)

Report date	28 March 2017
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Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report?	Yes
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Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed and relevant recommendations summarized, in the Executive Summary of the assessment report? e.g. Clause 7 of SEPP 55 – Remediation of Land, Clause 4.6(4) of the relevant LEP.	Yes
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Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	Not Applicable
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Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions (S94EF)? Note: Certain Das in the Western Sydney Growth Areas Contribution Area may require specific Special Infrastructure Contributions (SIC) conditions.	Not Applicable
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Conditions

Have draft conditions been provided to the applicant for comment? Note: in order to reduce delays in determinations, the Panel prefers that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report.	Yes
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PURPOSE OF REPORT

The purpose of this report is to seek the Sydney South West Planning Panel's (the Panel) determination of a development application (DA) for the construction of an educational establishment for 840 kindergarten to year six students, ancillary out of school hours facility and associated site works at 650D Camden Valley Way, Gregory Hills.

The Panel is the determining authority for this DA as, pursuant to Part 4 of State Environmental Planning Policy (State and Regional Development) 2011 and Schedule 4A of the *Environmental Planning and Assessment Act 1979*, the capital investment value (CIV) of the proposed development is \$19 million which exceeds the CIV threshold of \$5 million for educational establishments for Council to determine the DA.

SUMMARY OF RECOMMENDATION

That the Panel determine DA 879/2016 for the construction of an educational establishment for 840 kindergarten to year six students, ancillary out of school hours facility and associated site works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the construction of an educational establishment for 840 kindergarten to year six students, ancillary out of school hours facility and associated site works at 650D Camden Valley Way, Gregory Hills.

The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, relevant Environmental Planning Instruments, Development Control Plans and policies. The outcome of this assessment is detailed further in this report.

The DA was publicly exhibited and advertised in the local press for a period of 14 days in accordance with the Camden Development Control Plan 2011. Two submissions in support of the application were received.

AERIAL PHOTO



THE SITE

The site is commonly known as 650D Camden Valley Way, Gregory Hills and is legally described as lot 93, DP 1137298.

The proposed school occupies a 19,758sqm area of the existing St Gregory's College site which has an overall site area of 95.3 hectares. The site has previously undergone bulk earthworks in accordance with DA 1024/2013 and has a fall of 4.5m from the south eastern corner to the north western corner of the site. A number of service authority easements traverse the site including an Endeavor Energy transmission easement and a Jemena Gas pipeline easement.

The school is accessible from a private access road which links up with Donovan Boulevard via a roundabout. Donovan Boulevard will have access to Gregory Hills Drive. The school will be accessible by residents of both Camden and Campbelltown upon the completion of construction to Gregory Hills Drive through to Campbelltown. Gregory Hills Drive is a regionally significant road providing an essential east-west connection. Camden Council has approved a 1.65km extension of Gregory Hills Drive which currently ends at the Camden Local Government Boundary. This connection is anticipated to be completed in September 2017 with two lanes in each direction.

The surrounding area is characterised by the residential suburb of Gregory Hills to the north-west, Campbelltown Local Government Area to the north and the east, and St Gregory's College to the south. The surrounding properties are characterised by a mixture of rural, residential and agricultural uses. The nearest dwelling to the proposed school is located 240m to the west.

HISTORY

The relevant development history of the site is summarised in the following table:

Date	Development
17 November 2016	DA 1024(2)/2013 – Approved Section 96(1A) Modification to the internal access road to widen the carriageway, stormwater drainage and associated site works.
8 July 2015	DA 38/2015 – Approved construction of an internal access road and roundabout, provision of drainage, landscaping and associated site works
20 July 2015	DA 318/2015 – Approved construction of a stormwater harvesting scheme and associated site works
13 January 2016	DA 656/2015 - Approved construction of the fourth (northern) approach of an intersection on Gregory Hills Drive, associated subdivision and site works.
18 May 2016	DA 1414/2015 – Approved construction of a swale, associated culverts, sediment basin and access driveway for the Sydney Upper Canal.
24 October 2014	DA 416/2014 – Approved construction of a 650m extension of Gregory Hills Drive, landscaping, provision of a signalised intersection, construction of a bridge crossing of the Sydney Catchment Authority canal and subdivision of the land for dedication of the road extension.
15 September 2014	DA 1024/2013 – Approved relocation of six playing fields to the north of the St Gregory's College operational land, decommissioning of an existing sewer treatment plant and associated basins, remediation of contaminated land, construction of new internal roads to provide access from Donovan Boulevard to the future Gregory Hills Drive extension and a private access road extending from the Donovan Boulevard link road, realignment of an Endeavour Energy power line, bulk earthworks and associated site works.

THE PROPOSAL

DA 879/2016 seeks approval for the construction of an educational establishment for 840 kindergarten to year six students, ancillary out of school hours care facility and associated site works.

Specifically the proposed development involves:

- construction of a primary school catering for up to 840 students from kindergarten to year 6;
- twelve (12) ground floor and sixteen (16) first floor classrooms;
- digital resource hub (library);
- multi-purpose hall;
- school canteen;

- staff meeting rooms and offices;
- covered and open play areas;
- amenities;
- ancillary out of school hours care facility for a maximum of 45 students with 3 staff;
- on-site car parking for 53 car spaces with a one way 90m circulating lane for the set down/pick up of children;
- employment of 35 staff members including teachers and administration;
- class operating hours to occur between 8:30am and 3:45pm from Monday to Friday;
- out of school care hours to occur from 6:30am to 8:30am and 3:30pm to 6:30pm from Monday to Friday;
- operating hours applicable to staff and administration are 7:00am to 9:00pm, 7 days a week; and,
- associated site works including earthworks, drainage and landscaping.

PROPOSED PLANS

Figure 1: Site Plan

PROPOSED ELEVATIONS



Figure 2: North and South Elevations of the School



Figure 3: East and West Elevations of the School

ASSESSMENT

Environmental Planning and Assessment Act 1979 – Section 79(C)(1)

In determining a DA, the consent authority is to take into consideration the following matters as are of relevance in the assessment of the DA on the subject property:

(a)(i) The Provisions of any Environmental Planning Instrument

The Environmental Planning Instruments that relate to the proposed development are:

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007
- Deemed State Environmental Planning Policy No. 20 – Hawkesbury-Nepean River
- Camden Local Environmental Plan 2010

An assessment of the proposed development against these Environmental Planning Instruments is detailed below.

State Environmental Planning Policy (State and Regional Development) 2011 (SEPP)

Pursuant to Clauses 20 and 21 of the SEPP, the proposed development is included in Schedule 4A of the *Environmental Planning and Assessment Act 1979* and has a CIV of \$19 million. This exceeds the CIV threshold of \$5 million for educational establishments for Council to determine the DA and therefore it is referred to the Panel for determination.

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP)

The SEPP requires Council to be satisfied that the site is suitable for its intended use (in terms of contamination) prior to granting consent.

Previous remediation works have been undertaken under DA 1024/2013 for the relocation of the playing fields. The remediation specifically covered the decommissioning of a sewerage treatment pond with three other supporting settlement ponds and removal of pipes between the ponds containing asbestos.

A validation report was submitted with the DA which addresses the remediation and validation of the areas of environmental concern identified within the phase 2 contamination report submitted with DA 1024/2013. It is confirmed that the site has been remediated and validated and has been made suitable for the intended use as an educational establishment.

In addition, a standard contingency condition is recommended to ensure that if any contamination is found during construction it must be managed in accordance with Council's Management of Contaminated Lands Policy.

State Environmental Planning Policy (Infrastructure) 2007 (SEPP)

The aim of the SEPP is to provide a consistent planning regime for infrastructure and the provision of services across NSW.

Permissibility

Pursuant to Clause 28 of the SEPP, as the site is zoned RU2 Rural Landscape, development for an educational establishment is permitted with consent.

School Facilities Standards

Clause 32 of the SEPP provides that before a DA for a school can be determined, the consent authority must take into consideration all relevant standards in the School Facilities Standards (for Landscape Standards, Design Standards and Specifications Standards). The SEPP also provides that the School Facilities Standards prevail over any inconsistency between them and a provision of a development control plan.

Council has considered the requirements of the SEPP and also recommends that a condition of development consent be imposed requiring the development comply with the School Facilities Standards.

Electricity Transmission

The DA was referred to Endeavour Energy under Clause 45 of the State Environmental Planning Policy (Infrastructure) 2007, as there is an easement for a high voltage overhead power line which traverses the site.

The overhead powerlines that traverse the site were approved to be relocated underground into the school access road reserve under DA 1024/2013. Endeavour Energy raises no objections to the proposal subject to conditions of consent in relation to easement management, safety clearances, earthing, noise, vegetation management, dial before you dig requirements and public safety.

Gas Pipeline Corridors

The DA was referred to Jemena Gas Networks and APA Group under Clause 55 of the State Environmental Planning Policy (Infrastructure) 2007 as the site contains an easement for gas pipelines 6m and 20m wide. The location of the proposed school is not directly impacted by the pipelines however; they traverse the wider St Gregory's College site. Jemena Gas and APA Group did not provide a response to Council's correspondence.

Traffic Generating Development

The proposed development is traffic generating development under Clause 104 of the SEPP and was referred to Roads and Maritime Services (RMS) for comment. The RMS raised no objection to the proposed development and provided a number of recommended conditions in relation to school zones, pedestrian safety, design of off-street parking, maneuverability of vehicles, and management of construction vehicles. A condition of consent is recommended to ensure compliance with the RMS requirements.

Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River (SEPP)

The proposed development is consistent with the aim of the SEPP (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.

There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development. Appropriate erosion and sediment control measures have been proposed and a condition has also been included to ensure to compliance with Council's Engineering Specifications.

Camden Local Environmental Plan 2010 (LEP)

Permissibility

The site is zoned RU2 Rural Landscape under the provisions of the LEP. The proposed development is defined as an "educational establishment" by the LEP which is a permissible land use in this zone. The proposal is consistent with the objectives of the zone as the school is a compatible land use in the zone, maintains the rural landscape and character of surrounding land and maintains the visual amenity of prominent ridgelines.

Relevant Clauses

The DA was assessed against the following relevant clauses of the LEP.

Clause	Requirement	Provided	Compliance
4.3 Height of Buildings	Maximum height 9.5m	The maximum height of the proposed school buildings will not exceed 9.5m. Visual impacts have been considered. The proposal is compatible with the height of the existing St Gregory's college to the south and will not protrude above the ridgeline of the Scenic Hills.	Yes
5.10 Heritage Conservation	Consideration of heritage items	The site is located 218m to the east of the Upper Sydney Water Canal which is listed as a state heritage item. The proposed works are considered to be separated by a considerable distance to the canal which will not have an adverse impact on its heritage significance.	Yes

6.2 Public Utility Infrastructure	Appropriate public utility infrastructure to service the development	The site is serviced by appropriate public utility infrastructure. A condition is recommended which requires the installation of all necessary services prior to issue of an Occupation Certificate.	Yes
7.4 Earthworks	Consider the effects of earthworks on existing drainage patterns, future uses/redevelopment, quality of fill, amenity impacts, the source of the fill, relic disturbance and potential impacts on watercourses, drinking water catchments or environmentally sensitive areas	The majority of earthworks across the site have been completed under DA 1024/2013; however, the proposed development requires minor earthworks to form the building footprint, playing field, and car park Subject to the recommended conditions relating to sediment and erosion and stormwater management, it is considered that the proposed earthworks will not have any adverse impacts.	Yes

(a)(ii) The Provisions of any Draft Environmental Planning Instrument (that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)).

There is no draft Environmental Planning Instrument applicable to the proposed development.

(a)(iii) The Provisions of any Development Control Plan

Camden Development Control Plan 2011 (DCP)

The following is an assessment of the proposed development's compliance with the controls in the DCP.

Control	Requirement	Provided	Compliance
B1.1 Erosion and Sedimentation	Erosion and sediment control measures	Appropriate erosion and sedimentation controls measures have been proposed.	Yes
B1.2 Earthworks	Building works should be designed	The majority of earthworks across the	Yes

Control	Requirement	Provided	Compliance
	to respond to the natural topography of the site	<p>site have been completed under DA 1024/2013; however, the proposed development requires minor earthworks to form the building footprint, playing field, and car park.</p> <p>Subject to the recommended conditions relating to sediment and erosion and stormwater management, it is considered that the proposed earthworks will not have any adverse impacts.</p>	
B1.3 Salinity Management	Salinity resistant construction	A Salinity Management Plan was lodged with the DA. A condition is recommended to ensure that the development is constructed in accordance with this plan.	Yes
B1.4 Water Management	Reference must be made to Camden Council's Engineering Specifications for controls relating to detention, drainage and water sensitive urban design	Council staff have reviewed the information submitted as part of the DA and consider the development to be acceptable in relation to water management. It is recommended that the DA be conditioned to comply with the requirements of Council's Engineering Specifications.	Yes
B1.5 Trees and Vegetation	Council must not grant consent unless it take taken into consideration the aesthetic, botanical, ecological, cultural and heritage importance of the	There are no trees in the area of proposed works on site.	Not applicable

Control	Requirement	Provided	Compliance
	tree		
B1.8 Environmental and Declared Noxious Weeds	To prevent the establishment of new weeds and the spread of existing noxious weeds	A condition of consent requiring a noxious weed management has been recommended.	Yes
B1.9 Waste Management Plan	Waste management plan	A waste management plan has been provided and complies with the requirements of this control.	Yes
B1.10 Bushfire Risk Management	Bushfire protection and attach assessment report is required	<p>The overall site is identified as being bushfire affected; however, the area of the site which contains the proposed school is not affected. Notwithstanding this, a bushfire assessment report was lodged in support of this DA. This report demonstrates that the proposed development will be bushfire resistant.</p> <p>The NSW Rural Fire Service raised no objection to the proposed development and granted a bushfire safety authority subject to conditions regarding asset protection zones, utilities, evacuation and emergency management and landscaping. Compliance with this bushfire safety authority is a recommended condition of consent.</p>	Yes
B1.12 Contaminated and Potentially Contaminated Land	Contamination assessment and remediation (if required)	Previous remediation works have been undertaken under DA 1024/2013 for the relocation of the playing fields.	Yes

Control	Requirement	Provided	Compliance
		<p>A validation report was submitted with the DA which addresses the remediation and validation of the areas of environmental concern identified within the phase 2 contamination report submitted with DA 1024/2013. It is confirmed that the site has been made suitable for the intended use as an educational establishment.</p> <p>A standard contingency condition is recommended to ensure that if any contamination is found during construction, it must be managed in accordance with Council's Management of Contaminated Lands Policy.</p>	
B1.14 Development Adjoining Sydney Catchment Authority Controlled Areas – the Upper Canal	Development proposal adjacent to or bordering the upper canal should be prepared in liaison with the Sydney Catchment Authority prior to lodging a DA.	The Sydney Water canal is located 218m to the west of the subject site. A referral was sent to Water NSW who raised no objections to the development subject to conditions of consent to ensure that the proposed development does not impact on water quality.	Yes
B1.16 Acoustic Amenity	Compliance with Council's Environmental Noise Policy	<p>An acoustic report was submitted with the DA which assesses potential noise impacts from the school on the nearby residential zone.</p> <p>The development will not give rise to undue</p>	Yes

Control	Requirement	Provided	Compliance
		noise impacts and appropriate conditions are to be imposed to ensure that the development will comply with Council's Environmental Noise Policy.	
B2 Landscape Design	Landscape plan required	A landscaping plan has been submitted. Council's landscape officer reviewed the plans and confirmed that the proposed landscaping is satisfactory.	Yes
B5.1 Off-street Car Parking Rates and Requirements	1 car parking space per full time staff member plus 1 car parking space per 100 students 35 staff = 35 spaces 840 student = 8.4 spaces	Based on the number of staff and students proposed there will be a requirement to provide 43 on site car parking spaces for the development A total of 53 onsite car spaces have been provided.	Yes
B5.2 Car Parking Design Criteria	Drop off/set down areas should be provided in a convenient off-street location close to pedestrian entrances	A 90m drop off and pick up lane is provided within the car park and is satisfactory.	Yes

(a)(iia) The Provision of any Planning Agreement that has been entered into under Section 94F, or any draft Planning Agreement that a developer has offered to enter into under Section 93F

No relevant agreement exists or has been proposed as part of this DA.

(a)(iv) The Regulations

The Regulations prescribe several matters that are addressed in the conditions contained in this report.

(b) The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality

As demonstrated by the above assessment, the proposed development is unlikely to have a significant impact on both the natural and built environments, and the social and economic conditions of the locality.

Traffic Impacts

Council's traffic engineers have reviewed the proposal and supporting traffic report. The proposed school will have minimal impact on the surrounding road network and vehicle maneuverability is considered to be satisfactory.

Conditions are recommended to address the following:

- ensure loading/unloading of delivery vehicles is undertaken outside of core school operating hours;
- no stopping restrictions to be installed around the cul-de-sac head of the access road; and,
- and a pedestrian crossing to be provided in accordance with the Australian Standards, RMS guidelines and Austroad Guidelines.

Council officers considered the suitability of the private access road previously approved under DA 1024/2013, which provides access to the school site. It was identified that the approved 7.4m wide access road was not of sufficient width to adequately service buses and additional traffic generated from the school community (particularly parents dropping off and picking up children).

A Section 96 Application was lodged to modify the access road that services the school. The road carriageway was widened to 11.2m and 12.1m to for the portion of the road which contains a bus bay. The Section 96 was approved by Council on 17 November 2016. A condition is recommended to ensure the roadworks are complete and the road is operational prior to an Occupation Certificate for the school being issued.

Acoustic Impacts

An acoustic report was submitted with the DA which assesses potential noise impacts from the school on the nearby residential zone. The proposed development has been assessed against Council's Environmental Noise Policy. Council staff are satisfied that the development will be consistent with Council's Environmental Noise Policy and will not have any adverse acoustic impacts.

(c) *The suitability of the site*

As demonstrated by the above assessment, the site is considered to be suitable for the proposed development.

(d) *Any submissions made in accordance with this Act or the Regulations*

The DA was publicly exhibited for a period of 14 days in accordance with the DCP. The exhibition period was from 14 September 2016 to 27 September 2016. Two submissions in support of the proposed development were received.

(e) *The public interest*

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, *Environmental Planning Instruments*, *Development*

Control Plans and policies. Based on the above assessment, the proposed development is consistent with the public interest.

EXTERNAL REFERRALS

NSW Rural Fire Service (RFS)

The DA was referred to the RFS under Section 100B of the *Rural Fires Act 1997* as the subject site is bushfire affected and the proposed school is classified as a Special Fire Protection Purpose. The proposed development is therefore classed as Integrated Development.

RFS raised no objection to the proposed development subject to general terms of approval relating to the establishment of asset protections zones, water and utilities, evacuation and emergency management and landscaping. Compliance with the general terms of approval is a recommended condition of consent.

NSW Roads and Maritime Services (RMS)

The DA was referred to RMS for assessment as the development is deemed to be a traffic generating development by State Environmental Planning Policy (Infrastructure) 2007.

RMS raised no objection to the development and provided a number of advisory comments in relation to school zones, pedestrian safety, design of off-street parking, maneuverability of vehicles, and management of construction vehicles. A condition of consent is recommended to ensure compliance with Roads and Maritime Services requirements.

Endeavour Energy

The DA was referred to Endeavour Energy under Clause 45 of the State Environmental Planning Policy (Infrastructure) 2007, as there is an easement for a high voltage overhead power line which traverses the site.

The overhead powerlines that traverse the site were approved to be relocated underground into the school access road reserve under DA 1024/2013. Endeavour Energy raises no objections to the proposal subject to conditions of consent in relation to easement management, safety clearances, earthing, noise, vegetation management, dial before you dig requirements and public safety.

Jemena Gas Networks and APA Group

The DA was referred to Jemena Gas Networks and APA Group under Clause 55 of the State Environmental Planning Policy (Infrastructure) 2007 as the site contains an easement for a gas pipelines 6m and 20m wide. The location of the proposed school is not directly impacted by the pipelines. Jemena Gas and APA Group did not provide a response to Council's correspondence.

Sydney Water

The DA was referred to Sydney Water in accordance with their referral guidelines. Sydney Water has reviewed the proposal and confirms that water supply to the proposed development will be available from the future reticulation network in the

Gregory Hills development area. The existing sewer main located adjacent to the development also has adequate capacity to service the proposed development.

Water NSW

The DA was referred to Water NSW as they own and manage the Sydney Water Upper Canal corridor, which is located 218m to the west of the site. Water NSW acknowledges that stormwater runoff from the development site will be conveyed by the road stormwater network to an existing farm dam which will be reshaped and used for detention basin and water quality.

WaterNSW requests that there is ongoing maintenance of the detention pond during and after construction to prevent sedimentation build up and any potential overflows being conveyed to the adjacent Upper Canal corridor. WaterNSW raise no objections to the proposal subject to conditions of consent to ensure that the proposed development does not impact on water quality.

Camden Local Area Command

A Safer by Design Evaluation was undertaken by the Camden Local Area Command. The development has been identified as a low crime risk. Conditions are recommended to address surveillance, access control, territorial reinforcement and space/activity management.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 879/2016 is recommended for approval subject to the conditions contained in this report.

CONDITIONS

Details of 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. NSW Rural Fire Service, Ref D16/2778, dated 16 December 2016;
2. NSW Transport Roads and Maritime Services, Ref SYD16/01093/01(A14387445), dated 8 September 2016;
3. Sydney Water, Ref 157030, dated 16 September 2016;
4. Endeavour Energy, dated 1 September 2016;
5. Water NSW, Ref D2016/98013, dated 1 September 2016;
6. Camden Local Area Command, dated 11 October 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 Issue A	Site Plan	CPL Architecture	6 July 2016
DA02 Issue A	Building Set Out and Level Plan	CPL Architecture	6 July 2016
DA03 Issue A	Building Set Out and Level Plan with Survey	CPL Architecture	6 July 2016
DA04 Issue A	Detail Carpark Plan	CPL Architecture	6 July 2016
DA05 Issue A	GLA Digital Resource Hub Building	CPL Architecture	6 July 2016
DA06 Issue A	Administration, Hall & OOSH Building	CPL Architecture	6 July 2016
DA07 Issue C	Roof Plan	CPL Architecture	10 February 2017
DA08 Issue C	Elevations &	CPL	10 February

	Perspectives	Architecture	2017
DA09 Issue C	Elevations & Perspectives	CPL Architecture	10 February 2017
DA10 Issue C	Sections & Perspective	CPL Architecture	10 February 2017
DA11 Issue C	Sections	CPL Architecture	10 February 2017
DA12 Issue A	Sections & Perspectives	CPL Architecture	6 July 2016
DA13 Issue C	Sections & Perspectives	CPL Architecture	10 February 2017
DA15 Issue 02	OOSH & Hall Building Elevations Submitted For Development Application Additional Information	CPL Architecture	15 September 2016
DA16 Issue 02	Administration Building Elevations Submitted For Development Application Additional Information	CPL Architecture	15 September 2016
DA17 Issue B	East & West Elevation Material & Finishes Schedule	CPL Architecture	10 February 2017
DA18 Issue B	North South Elevations Materials & Finishes Schedule	CPL Architecture	10 February 2017
DA19 Issue 02	Cut and Fill Site Plan	CPL Architecture	15 September 2016
DA20 Issue B	GLA Internal Elevations	CPL Architecture	10 February 2017
101 Issue D	Landscape Masterplan	Site Image Landscape Architects	4 July 2016
102 Issue D	Landscape Plan	Site Image Landscape Architects	4 July 2016
501 Issue D	Landscape Details	Site Image Landscape Architects	4 July 2016
2 Issue A	Location Plan	Site Image Landscape Architects	4 July 2016
3 Issue A	Landscape	Site Image	4 July 2016

	Precinct Analysis	Landscape Architects	
4 Issue A	Landscape Masterplan	Site Image Landscape Architects	4 July 2016
5 Issue A	Planting Palette - Boundary Screen Planting	Site Image Landscape Architects	4 July 2016
6 Issue A	Planting Palette - Relief Planting	Site Image Landscape Architects	4 July 2016
7 Issue A	Planting Palette – Buffer Planting	Site Image Landscape Architects	4 July 2016
8 Issue A	Planting Palette – Entry Planting	Site Image Landscape Architects	4 July 2016
9 Issue A	Planting Palette – Site Tree Selection	Site Image Landscape Architects	4 July 2016
16036 / DA00 issue P5	Stormwater Layout Plan	Michael Frost & Associates P/L	05/12/2016
16036 / DA01 issue P5	Stormwater Layout Plan	Michael Frost & Associates P/L	05/12/2016
16036 / DA02 issue P2	Stormwater Longitudinal Sections 1 of 3	Michael Frost & Associates P/L	11/11/2016
16036 / DA03 issue P2	Stormwater Longitudinal Sections 2 of 3	Michael Frost & Associates P/L	11/11/2016
16036 / DA04 issue P2	Stormwater Longitudinal Sections 3 of 3	Michael Frost & Associates P/L	11/11/2016
16036 / DA05 issue P1	Stormwater Details	Michael Frost & Associates P/L	22/11/2016
16036 / DA06 issue P2	Stormwater OSD Design	Michael Frost & Associates P/L	22/11/2016

Document Title	Prepared by	Date
Salinity Management Plan Ref YN210021	Cardno	9 November 2016
Traffic and Parking Assessment Report Ref 16086r	Transport & Urban Planning Pty Ltd	October 2016
Waste Management Plan	CPL Architecture	Submitted with DA documentation
Bushfire Protection Assessment project number 16SUT_4424 Version 2	Ecological Australia	9 June 2016
National Construction Code Building Code of Australia Report	Benchmark Building Certifiers	6 July 2016

Acoustic Report, Ref R160318R0 Rev 0	Rodney Stevens Acoustics	29 June 2016
St Gregory's Catholic Primary School Stormwater Design for Development Application (R0768-MFA-CE-LE-003 Rev B)	Michael Frost & Associates P/L	05/12/2016
Civil Engineering Assessment - St Gregory's Catholic Primary School - 80216089	Cardno	June 2016

- (3) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications and the relevant DCP.
- (4) **Separate Approval for Signs** - A separate development application for any proposed signage, shall be provided to, and approved by, the Consent Authority prior to the erection or display of any such signs.
- (5) **Building Code of Australia** - All building work shall be carried out in accordance with the BCA. In this clause, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (6) **Bush Fire Protection** - The site is located within a bush fire prone area. Certification from a suitably qualified bush fire consultant shall be provided to certify that the development complies with:
- a) the RFS' General Terms of Approval for the DA 879/2016;
 - b) the bush fire report provided with the DA; and,
 - c) the NSW Rural Fire Service publication "Planning for Bush Fire Protection 2006."
- (7) **Roof Mounted Equipment** - All roof mounted equipment such as air conditioning units, etc., required to be installed shall be integrated into the overall design of the building and not appear visually prominent or dominant from any public view.
- (8) **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.
- (9) **Loading and Unloading** - All loading/Unloading of vehicles, deliveries and waste collection will be undertaken outside of the schools core operating hours.

- (10) **Car park** - All car parking areas, access driveways, and circulation areas must be in accordance with AS2890.2 – 2002, AS2890.1-2004 – Off Street parking and AS2890.6-2009 – Parking for people with a disability.
- (11) **No Stopping Signs** - No Stopping restrictions are to be installed around the cul-de-sac head.
- (12) **Signage and Line marking** - Any signage and line marking associated with the school on the private road must comply with Australian Standards, Austroads guidelines and any RMS requirements.
- (13) **Amplified Music** – The use of amplified music in outdoor areas is prohibited.
- (14) **Direction of Speakers** – The direction of outside speakers must be orientated so that they face away from future residential dwellings located to the west of the school.
- (15) **Operational Waste Management Plan (WMP)** – An Operational Waste Management Plan must be provided for the site operation to address all waste generated. A copy of the plan must be kept on site.
- (16) **Landscaping Maintenance and Establishment Period** - Commencing from the Date of Practical Completion (DPC), the Applicant will have the establishment and maintenance responsibility for all hard and soft landscaping elements associated with this Consent.

The Date of Practical Completion (DPC) is taken to mean completion of all civil works, soil preparation and treatment and initial weed control, and completion of all planting, turf installation and mulching.

The 12 month maintenance and establishment period includes the Applicant's responsibility for the establishment of all plantings.

It is the Applicant's responsibility to arrange a site inspection with an accredited certifier, upon initial completion of the landscaping works, to determine and agree upon an appropriate DPC.

At the completion of the 12 month landscaping maintenance and establishment period, all landscaping must be in an undamaged, safe and functional condition and all plantings have signs of healthy and vigorous growth

2.0 – Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (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 with the Construction Certificate application.

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

- (2) **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 with the Construction Certificate application.
- (3) **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 with the Construction Certificate application.
- (4) **Garbage Room** - Plans showing the location and details of garbage room(s) and room(s) used for the washing and storage of garbage receptacles shall be provided to the Certifying Authority for approval. Garbage room(s) are to be constructed of solid material, cement rendered and trowelled to a smooth even surface. Floors are to be impervious, coved, graded and drained to an appropriate floor waste connection. Walls are to be smooth impervious surfaces. Ventilation, pest proofing and a hose tap must be provided.
- (5) **Food Premises** - The design, construction, fit-out, use and ongoing operation of the food premises and/or food storage area shall comply with all applicable Acts, Regulation, codes and standards including:
 - a) the *Food Act 2003*;
 - b) the Food Regulation 2004;
 - c) Food Standards Australia and New Zealand – Food Standards Code 2003;
 - d) Council's Food Premises Code;
 - e) AS 1668 'The use of ventilation and air conditioning in buildings';
 - f) the BCA; and
 - g) AS 4674-2004. Design, construction and fitout of food premisesDetails demonstrating compliance shall be provided to the Certifying Authority with the Construction Certificate application.
- (6) **Sydney Water Trade Waste** - The applicant shall contact the Commercial Trade Waste section of Sydney Water regarding the trade waste requirements. A written response from Sydney Water demonstrating compliance shall be provided to the Certifying Authority and Council.
- (7) **Detailed Lighting Plan** – A detailed lighting plan for the approved car park and driveway lighting shall be submitted to the Certifying Authority with the Construction Certificate application. The plan must demonstrate that the orientation and intensity of lighting will comply with AS 4282 and AS 1158.

- (8) **Addendum to Salinity Management Plan (SMP)** – The SMP will require the nomination of a suitable concrete strength (MPa) and corrosive allowance for steel reinforcement to suit a moderately aggressive soil environment based on low pH levels. Reference must be made to AS2159 – 2009 Piling Design and Installation and AS3600- 2009 Concrete structures to support the nomination.
- (9) **Reuse of Roofwater** - A comprehensive report that demonstrates compliance with “Section 2 – Roofwater Reuse” and with relevant Appendixes contained within the “*Australian Guidelines for Water Recycling Managing Health And Environmental Risks (Phase 2) Stormwater Harvesting and Reuse: July 2009,*” will be required to be provided to the PCA prior to the issue of a construction certificate.
- (10) **School Facilities Standards** – The development must be designed and constructed consistent with, as a minimum, the School Facilities Standards (Landscape Standard Version 22 March 2002); Schools Facilities Standards (Design Standard Version 1/09/2006); Schools Facilities Standards (Specification Standard Version 01/11/2008).

If there is an inconsistency between a standard referred to in the School Facilities Standards as outlined above and a provision of the BCA, the BCA prevails to the extent of the inconsistency.

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) **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.
- (2) **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
- (3) **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.
- (4) **Construction Certificate Required** - In accordance with the provisions of Section 81A of the *EP&A Act 1979*, construction or subdivision works approved by this consent shall not commence until the following has been satisfied:
 - a) a Construction Certificate has been issued by a Certifying Authority;
 - b) a Principal Certifying Authority (PCA) has been appointed by the person having benefit of the development consent in accordance with Section 109E of the *EP&A Act 1979*;
 - c) if Council is not the PCA, Council is notified of the appointed PCA at least two (2) days before building work commences;
 - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two (2) days before building work commences; and

the PCA is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (5) **Sign of PCA and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
 - a) that unauthorised entry to the work site is prohibited;
 - b) the name of the principal contractor (or person in charge of the site) and a telephone number on which that person can be contacted at any time for business purposes and outside working hours; and
 - c) the name, address and telephone number of the PCA.

The sign shall be maintained while the work is being carried out, and shall be removed upon the completion of works.

- (6) **Performance Bond** - Prior to commencement of works a performance bond of \$5,000 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.

- (7) **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).

- (8) **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 shall be prepared.

- (9) **Traffic Management Plan** – A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. Details demonstrating compliance shall be provided to the PCA.

- (10) **Construction Waste Management Plan** - A construction waste management plan must be prepared for all construction work on the site. The plan must incorporate the concept of recycling and reuse where practicable and be kept on site for compliance until the completion of all construction works.

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

- (12) **Sydney Water Approval** - The approved development plans shall be approved by Sydney Water.

4.0 - During Works

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

- (1) **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.

- (2) **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.
- (3) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be installed and maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the *Soils and Construction – Managing Urban Stormwater manual (Blue Book)*.
- (4) **Location of Stockpiles** - Stockpiles of soil shall not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (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) **Site Signage** – A sign shall be erected at all entrances to the site and be maintained until the development has been completed. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:

“WARNING UP TO \$1,500 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution.”

The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

- (10) **Site Management Plan** - The following practices are to be implemented during construction:

- a) waste shall not be burnt or buried on site, nor shall wind blown rubbish be allowed to leave the site. All waste shall be disposed of at an approved waste disposal facility;
- b) a waste control container shall be located on the site;

- (11) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines (2008) (refer to: www.environment.nsw.gov.au/waste/envguidlms/index.htm)

Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request.

- (12) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.

- (13) **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.

- (14) **Retaining Walls** - The following restrictions apply to any retaining wall erected within the allotment boundaries:

- a) retaining walls shall be constructed a minimum of 300mm from any property boundary to ensure all associated drainage and backfill remain wholly within the subject property;
- b) adequate provisions shall be made for surface and subsurface drainage of retaining walls and all water collected shall be diverted to, and connected to, a stormwater disposal system within the property boundaries;
- c) retaining walls shall not be erected within drainage easements; and
- d) retaining walls shall not be erected in any other easement present on the land without the approval of the relevant authority benefited.

- (15) **Building Height** - A survey report prepared by a registered land surveyor confirming that the building height complies with the approved plans or as specified by the development consent, shall be provided to the PCA prior to the development proceeding beyond frame stage.

- (16) **Salinity Management Plan** - All proposed construction works that includes earthworks, imported fill, landscaping, roads, buildings, and associated infrastructure proposed to be constructed on the land must be carried out or constructed in accordance with the management strategies as contained within the report titled "*Salinity Management Plan: St Gregory's College, Prepared by Cardno, Dated 9 November 2016.*"

5.0 - Prior to Issue of an Occupation Certificate

The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Driveway Crossing Construction** – The driveway crossing shall be constructed in accordance with this consent and the Driveway Crossing Approval (PRA) prior to use or occupation of the development.
- (2) **Positive Covenant – OSD / On Site Retention / Water Quality Facility** - A positive covenant shall be created under Section 88E of the *Conveyancing Act 1919* burdening the owner(s) with a requirement to maintain the on-site detention, water quality facility and on-site retention/re-use facilities on the property, prior to the issue of an Occupation Certificate.

The terms of the Section 88E instrument with positive covenant shall include the following:

- a) the Proprietor of the property shall be responsible for maintaining and keeping clear all pits, pipeline s, trench barriers and other structures;
- b) the proprietor shall have the facilities inspected annually by a competent person;
- c) the Council shall have the right to enter upon the land referred to above, at all reasonable times to inspect, construct, install, clean, repair and maintain in good working order the facilities; and
- d) The registered proprietor shall indemnify the Council and any adjoining land owners against damage to their land arising from the failure of any component of the OSD and OSR, or failure to clean, maintain and repair the OSD and OSR.

The proprietor or successor shall bear all costs associated in the preparation of the subject Section 88E instrument. Proof of registration with Land and Property Information shall be provided to and approved by the PCA prior to the issue of an Occupation Certificate.

- (3) **Stormwater – Plan of Management (POM)** - The registered proprietor of the land shall prepare a Plan of Management (POM) for the on-site detention facilities. The POM shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM shall be provided to the PCA for approval.
- (4) **Directional Traffic Flow Signs** - The entry driveway shall be used for ingress purposes only, and the exit driveway for egress purposes only. All driveways shall be suitably signposted and directional arrows painted on the internal driveways. All signs shall be maintained in good repair at all times.
- (5) **Waste Management Plan** - The PCA shall ensure that all works have been completed in accordance with the approved waste management plan referred to in this development consent.
- (6) **Waste Disposal** - The building owner shall ensure that there is a contract with a licensed contractor for the removal of all waste. No garbage is to be placed on public land (e.g. footpaths, roadways, plazas, reserves etc.) at any time.
- (7) **Indemnity Agreement** – The owner and Council must have an indemnity agreement in place before occupation and before waste collection will occur from private roads if Council is the nominated collection contractor.
- (8) **Food Premises** - The following notifications shall occur:
 - a) Council shall be notified that the premises is being used for the preparation, manufacture or storage of food for sale and an inspection

of the completed fit out is to be conducted. A 'Food Business Registration' form can be found on Council's website; and

- b) the NSW Food Authority shall be notified and a copy of the notification shall be provided to Council. Notification can be completed on the NSW Food Authority website.
- (9) **Mechanical Exhaust System** - A Certificate of Compliance prepared by a suitably qualified engineer confirming that the mechanical exhaust systems have been designed, constructed and installed in accordance with the relevant requirements of Clause F4.12 of the BCA and AS1668 Parts 1 and 2, shall be provided to the PCA. Certification shall be provided that the air handling system as installed has been tested and complies with the approved plans and specifications, including ventilation requirements and fire precautions.
 - (10) **Occupation Certificate Required**- An Occupation Certificate shall be obtained prior to any use or occupation of the development.
 - (11) **Compliance Certificate** - Once the installation of the mechanical ventilation system is completed, a Certificate of Compliance prepared by a suitably qualified mechanical engineer with details of tests carried out shall be provided to the PCA. Verification shall be provided that the air handling system as installed has been tested and complies with the approved plans and specifications, including ventilation requirements and fire precautions.
 - (12) **Fire Safety Certificates** - A Fire Safety Certificate shall be provided to the PCA in accordance with the requirements of the EP&A Regulation 2000.
 - (13) **Survey Certificate** - A registered surveyor shall prepare a Survey Certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The Survey Certificate shall be provided to the satisfaction of the PCA.
 - (14) **Structural Certification (Completed Building)** – Prior to the occupation of the development, a certificate prepared by a practicing structural engineer, certifying the structural adequacy of the building, must be submitted to the accredited certifier.
 - (15) **Building Height** - A registered surveyor shall certify that the maximum height of the building is consistent with the height in the approved plans and this consent. The certification/verification shall be provided to the satisfaction of the PCA.
 - (16) **Services** - Certificates and/or relevant documents shall be obtained from the following service providers and provided to the PCA:
 - 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.
- (17) **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.
- (18) **Food Inspection** - A final inspection is to be carried out by Council's Environmental Health Officer prior to the commencement of trade of the food premises.
- (19) **Registration and Notification** - Proprietor/s of a business are required to register the business with Camden Council and complete a Food Business Notification Form prior to the occupation of the development.
- (20) **Works As Executed Plan** - Works As Executed Plans shall be prepared and provided in accordance with Council's Engineering Specifications.

Digital data must be in AutoCAD .dwg or .dxf format, and the data projection coordinate must be in (GDA94.MGA zone 56).

- (21) **Certification of On-site Detention System** – Prior to the Occupation Certificate being issued, a certificate prepared by a suitably qualified engineer shall be submitted to the Principal Certifying Authority certifying the following:
 - a) The works have been constructed in accordance with the approved plans;
 - b) The constructed On-site Detention system will function in accordance with the approved Construction Certificate plans;
 - c) Any variations from the approved drainage plans will not impair the performance of the On-site Detention system as required by Camden Council's Engineering Design Specifications;
- (19) **Access Road** – The private access road approved under DA 1024(2)/2013 must be constructed and operational prior to the issue of an Occupation Certificate.

6.0 – Ongoing Use

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

- (1) **Offensive Noise** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* and shall comply with the NSW Industrial Noise Policy 2000 (as amended).
- (2) **Pollution Control** - The use and operation of the premises shall not give rise to the discharge (by air, water or land) of any pollutant which may degrade the environment or be prejudicial to its inhabitants, in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.
- (3) **Manoeuvring of Vehicles** - All vehicles shall enter and exit the site in a forward direction.

- (4) **Approved Capacity** – The approved capacity of the school is 840 students and 35 staff at any one time. The approved capacity of the out of school hours care is 45 students and 3 staff at any one time.
- (5) **Hours of Operation** - The property is only to be open for business and used for the purpose approved within the following hours:
- a) Core school hours – 8:30am to 3:45pm, Monday to Friday;
 - b) Out of School Hours Care – 6:30am to 8:30am and 3:30pm to 6:30pm, Monday to Friday;
 - c) Operating hours for staff and administration – 7:00am to 9:00pm, Monday to Sunday
- (6) **Loading to Occur on Site** - All loading and unloading operations are to be carried out wholly within the building/site.
- The loading dock (if provided) shall be used for loading and unloading operations in connection with the approved use.
- (7) **Driveways to be Maintained** - All access crossings and driveways shall be maintained in good order for the life of the development.
- (8) **Parking Areas to be Kept Clear** - At all times, the loading, car parking spaces, driveways and footpaths shall be kept clear of goods and shall not be used for storage purposes.
- (9) **Maintenance of Landscaping** - Landscaping shall be maintained in accordance with the approved landscape plan.

RECOMMENDED

That the Panel:

1. **Determine DA 879/2016 for the construction of an educational establishment for 840 kindergarten to year six students, ancillary out of school hours care and associated site works pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 by granting consent subject to the conditions contained in this report.**