

RECOMMENDED CONDITIONS OF CONSENT

A. THE DEVELOPMENT

Approved Plans

1. Development the subject of this determination notice must be carried out strictly in accordance with the following plans/reports marked as follows:

Plans

Company	Job No./Drawing No.	Title	Revision /Issue	Date
Fulton Trotter Architects	ACD_1002	Site Plan – Existing / Demolition	P6	15.08.17
Fulton Trotter Architects	ACD_1003	Site Plan - Proposed	P6	15.08.17
Fulton Trotter Architects	ACD_1004	External Works Plan	P6	15.08.17
Fulton Trotter Architects	ACD_1203	Staging Plan	P3	15.08.17
Fulton Trotter Architects	ACD_A_2001	Lower Ground Floor Plan – Existing (Block A)	P4	15.08.17
Fulton Trotter Architects	ACD_A_2002	Ground Floor Plan – Existing (Block A)	P4	15.08.17
Fulton Trotter Architects	ACD_A_2003	Lower Ground Floor Plan – Proposed (Block A)	P4	15.08.17
Fulton Trotter Architects	ACD_A_2004	Ground Floor Plan – Proposed (Block A)	P4	15.08.17
Fulton Trotter Architects	ACD_A_2101	Roof Plan – Existing (Block A)	P4	15.08.17
Fulton Trotter Architects	ACD_A_2102	Roof Plan – Proposed (Block A)	P5	09.03.18
Fulton Trotter Architects	ACD_A_3001	Elevations 1 (Block A)	P5	20.02.18
Fulton Trotter Architects	ACD_A_3101	Sections 1 (Block A)	P5	20.02.18
Fulton Trotter Architects	ACD_A_3102	Sections 2 (Block A)	P5	20.02.18
Fulton Trotter Architects	ACD_A_2001	Ground Floor Plan – Existing & Proposed	P4	15.08.17
Fulton Trotter Architects	ACD_B_2101	Roof Plan – Existing & Proposed (Block B5)	P4	15.08.17
Fulton Trotter Architects	ACD_B_3001	Elevations 1 (Block B5)	P4	15.08.17
Fulton Trotter Architects	ACD_B_3101	Sections 1 (Block B5)	P4	15.08.17
Fulton Trotter Architects	ACD_C_2001	Ground Floor Plan – Existing & Proposed (Block C)	P4	15.08.17

Fulton Trotter Architects	ACD_C-201	Roof Plan – Existing & Proposed (Block C)	P4	15.08.17
Fulton Trotter Architects	ACD_C_3001	Elevations 1 (Block C)	P4	15.08.17
Fulton Trotter Architects	ACD_C_3101	Sections 1 (Block C)	P4	15.08.17
Fulton Trotter Architects	ACD_D_2001	Ground Floor Plan – Existing & Proposed (Blocks D1 + D2)	P4	15.08.17
Fulton Trotter Architects	ACD_D_2101	Roof Plan – Existing & Proposed (Blocks D1 + D2)	P4	15.08.17
Fulton Trotter Architects	ACD_D_3001	Elevations 1 (Blocks D1 + D2)	P4	15.08.17
Fulton Trotter Architects	ACD_D_3101	Sections 1 (Blocks D1 + D2)	P4	15.08.17
Fulton Trotter Architects	ACD_N-P_2001	Lower Ground Floor Plan (Blocks P + N) - Existing	P4	15.08.17
Fulton Trotter Architects	ACD_N-P_2002	Ground Floor Plan (Blocks P + N) - Existing	P4	15.08.17
Fulton Trotter Architects	ACD_N-P_2003	Lower Ground Floor Plan (Blocks P + N) - Proposed	P4	15.08.17
Fulton Trotter Architects	ACD_N-P_2004	Ground Floor Plan (Blocks P + N) - Proposed	P4	15.08.17
Fulton Trotter Architects	ACD_N-P_2102	Roof Plan (Blocks P + N) - Proposed	P4	15.08.17
Fulton Trotter Architects	ACD_N-P_3001	Elevations 1 (Block N)	P4	15.08.17
Fulton Trotter Architects	ACD_N-P_3002	Elevations 1 (Block P)	P4	15.08.17
Fulton Trotter Architects	ACD_N-P_3101	Sections 1 (Block N)	P4	15.08.17
Fulton Trotter Architects	ACD_N-P_3102	Sections 2 (Block P)	P4	15.08.17
Fulton Trotter Architects	ACD_1202	Streetscape Elevation, Signage, Colours & Materials	P3	20.02.18
Niven Donnelly & Partners Pty Ltd	216049-H00	Cover Sheet	C	04.08.2017
Niven Donnelly & Partners Pty Ltd	216049-H01	Pre & Post Development Area Calculation	D	19.02.2018
Niven Donnelly & Partners Pty Ltd	216049-H02	Site Plan	C	04.08.2017
Niven Donnelly & Partners Pty Ltd	216049-H03	Part Site Plan 1	C	04.08.2017

Niven Donnelly & Partners Pty Ltd	216049-H04	Part Site Plan 2	C	04.08.2017
Niven Donnelly & Partners Pty Ltd	216049-H05	Part Site Plan 3	C	04.08.2017
Niven Donnelly & Partners Pty Ltd	216049-H06	Sediment & Erosion Control Plan	B	04.08.2017
OHD Landscape Pty Ltd	DA000	Drawing Register and Site Plan	A	17.08.17
OHD Landscape Pty Ltd	DA800	Landscape Plan 1	A	17.08.17
OHD Landscape Pty Ltd	DA801	Landscape Plan 2	A	17.08.17
OHD Landscape Pty Ltd	DA802	Landscape Plan 3	A	17.08.17
OHD Landscape Pty Ltd	DA803	Landscape Plan 4	A	17.08.17
OHD Landscape Pty Ltd	DA804	Landscape Plan 5	A	17.08.17
OHD Landscape Pty Ltd	DA880	Landscape Details	A	17.08.17
OHD Landscape Pty Ltd	DA885	Planting Schedule	A	17.08.17

Reports

Company	Job No./Report No.	Title	Revision /Issue	Date
Day Design Pty Ltd	6447-1.1R	Rail Noise and Vibration Assessment	Rev A	9 March 2018
Tree IQ	ALL/SAI/AIA/C	Arboricultural Impact Assessment	Rev C	15 August 2017
Peterson Bushfire.	17077	Bushfire Assessment	-	26 July 2017
Fulton Trotter		Demolition Statement		August 2017
TSA	16-070	Traffic and Parking Impact Statement		August 2017
Fulton Trotter		Waste Management Plan		July 2017

except where modified by the undermentioned conditions.

General Terms of Approval

2. All General Terms of Approval issued by NSW Rural Fire Service, shall be complied with prior, during, and at the completion of construction, as required in accordance with the General Terms of Approval dated 27 March 2018. A copy of the General Terms of Approval are attached to this decision notice.

General Provisions

3. The requirements and provisions of the *Environmental Planning & Assessment Act 1979* and *Environmental Planning & Assessment Regulation 2000*, must be fully complied with at all times.

Failure to comply with these legislative requirements is an offence and may result in the commencement of legal proceedings, issuing of 'on-the-spot' penalty infringements or service of a notice and order by Council.

Site Development Work

4. In accordance with section 80 A (11) of the *Environmental Planning & Assessment Act 1979* and clause 98 of the *Environmental Planning & Assessment Regulation 2000*, it is a *prescribed condition* that all building work must be carried out in accordance with the applicable Performance Requirements of the National Construction Code. Compliance with the Performance Requirements can only be achieved by:
 - (a) Complying with the Deemed to Satisfy Provisions; or
 - (b) Formulating an Alternative Solution, which complies with the Performance Requirements or is shown to be at least equivalent to the Deemed to Satisfy Provision, or a combination of (a) and (b).

Works at no cost to Council

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

B. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with or addressed prior to issue of a Construction Certificate by the Principal Certifying Authority:

Building Work

6. Building work shall not commence prior to the issue of a Construction Certificate. Building work as defined under Section 4 of the EP&A Act means any physical activity involved in the erection of a building and includes but is not limited to, the placement of any site shed/s or builders facilities, site grading, retaining walls, excavation, cutting trenches, installing formwork and steel reinforcement or, placing of plumbing lines.

Fee Payments

7. Unless otherwise prescribed by this consent, all relevant fees or charges must be paid. Where Council does not collect these payments, copies of receipts must be provided. For the calculation of payments such as Long Service Levy, the payment must be based on the value specified with the Development Application/Construction Certificate.

The following fees are applicable and payable:

- (a) Damage Inspection Fee – relevant where the cost of building work is \$20,000 or more, or a swimming pool is to be excavated by machinery.
- (b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve.
- (c) Long Service Levy – based on 0.35% of the cost of building work where the costing of the CC is \$25,000 or more.

These fees are reviewed annually and will be calculated accordingly.

8. All fees associated with a road opening permit required for the connection, extension or amplification of any services within Council's road reserve must be paid to Council and receipts provided to the PCA. A separate form must be submitted in conjunction with payment of the fees. The fees include the standard road opening permit fee and any restoration fees that may be required as a result of the works.

Stormwater Concept Plan

9. A stormwater drainage system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Niven Donnelly & Partners Pty Ltd; as follows

Company	Job No./Drawing No.	Title	Revision/Issue	Date
Niven Donnelly & Partners Pty Ltd	216049-H00	Cover Sheet	C	04.08.2017
Niven Donnelly & Partners Pty Ltd	216049-H01	Pre & Post Development Area Calculation	D	19.02.2018
Niven Donnelly & Partners Pty Ltd	216049-H02	Site Plan	C	04.08.2017
Niven Donnelly & Partners Pty Ltd	216049-H03	Part Site Plan 1	C	04.08.2017
Niven Donnelly & Partners Pty Ltd	216049-H04	Part Site Plan 2	C	04.08.2017

Niven Donnelly & Partners Pty Ltd	216049-H05	Part Site Plan 3	C	04.08.2017
Niven Donnelly & Partners Pty Ltd	216049-H06	Sediment & Erosion Control Plan	B	04.08.2017

The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.

Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and shall accompany the application for a Construction Certificate. The plan shall indicate the method of disposal of all stormwater and must include any rainwater tanks if applicable, existing ground levels, finish surface levels and sizes of all pipes.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater drainage system has been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

Recommendations of Acoustic Report

10. The recommendations provided in the approved acoustic report shall be implemented and incorporated into the design and construction of the development and shall be shown on plans accompanying the CC application.

Proposed entrance

11. Bollards or some other devices are to be installed in the footpath leading to the existing pedestrian refuge across Leacock Lane, to slow students walking towards the pedestrian refuge. In addition, pedestrian warning pavement marking such as "Look" stencils in the pram ramps to the pedestrian refuge, to advise pedestrians before crossing the road.

Car Park Design

12. Detailed plans for the amended car park including swept path analysis, line markings and sign posting in accordance with the DCP and AS2890 should be submitted to Traffic and Transport Section for review.

Disabled Access

13. Access must be provided to the building for people with a disability in accordance with the relevant requirements of the Building Code of Australia, Disability (Access to Premises – Buildings) Standard 2010 and Australian Standard – AS1428.1 (2009), Design for Access and Mobility – General requirements for new building work, to the satisfaction of the Certifying Authority.

Cladding

14. Prior to issue of a construction certificate the certifier must be satisfied that all proposed attachments, cladding material and systems forming part of external walls comply with the NCC BCA and relevant Australian Standards. The certifier must be able to demonstrate compliance with evidence of suitability as per clause A2.2 of the BCA for all products/systems proposed.

Prior to issuing an occupation certificate the principal certifier must be satisfied that suitable evidence has been provided to demonstrate that the external wall cladding material and system is consistent with the consent documentation, NCC and relevant Australian Standards.”

Traffic Management Plan

15. A traffic management plan is to be submitted to Liverpool City Council’s Traffic Committee for approval. Works within the road reserve shall not commence until the traffic management plan has been approved.

School Canteen

16. Revised floor and section plans for the food premises shall be submitted to Liverpool City Council for consideration and approval prior to the issue of the construction certificate. The plans shall demonstrate compliance with the Food Act 2003, Australia New Zealand Food Standards Code and Australian Standard (AS) 4674-2004 Design, Construction and Fit-Out of Food Premises and detail the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes for the food premises.

In this regard, the submitted plans for food premises shall make provision for the following:

- (a) Construction details/finishes for the floors (including coving), walls, ceiling, fixtures and fittings;
- (b) Location and construction details of all light-fittings and floor wastes;
- (c) A designated hand washing facility fitted with a single spout capable of delivering a supply of warm-running water;
- (d) A double-bowl sink for washing and sanitising equipment;
- (e) A cleaner’s sink for disposal of liquid waste;

Note: The cleaner’s sink shall not be located in areas where open food is handled.

- (f) Details of all fixtures, fittings and appliances including light -fittings;
- (g) Details of storage facilities for cleaning equipment and staff personal belongings;
- (h) Location and details of the waste storage area;
- (i) Details of proposed cooking appliances and mechanical ventilation system;

Please note: In addition to the requirements of AS/NZS 1668.1 and AS 1668.2, an extraction system shall be provided where there is any dishwasher and other washing and sanitizing equipment that vents steam into the area to the extent that there is, or is likely to be, condensation collecting on walls and ceilings.

C. PRIOR TO WORKS COMMENCING

The following conditions are to be complied with or addressed prior to works commencing on the subject site/s:

Notification of Service Providers

17. Construction Certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the *Environmental Planning & Assessment Act 1979*.
18. Where a Construction Certificate is obtained from an Accredited Certifier, the applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 81A (4) of the Act.
19. A copy of the Construction Certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment.
20. A Principal Certifying Authority (PCA) must be appointed to carry out the necessary building inspections and to issue an occupation certificate; and
21. The PCA must advise Council of the intended date to commence work which is the subject of this consent by completing a notice of commencement of building works or subdivision works form, available from Council's Customer Service Centre. A minimum period of two (2) working days' notice must be given.

Notification of Service Providers

22. The approved development must be approved through the 'Sydney Water Tap in' service to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. A receipt must be provided to Council.

Please refer to the website www.sydneywater.com.au for more information.

Notification of Service Providers

23. Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Waste Classification

24. Prior to the exportation of waste (including fill or soil) from the site, the material shall be classified in accordance with the provisions of the POEO Act and NSW DECCW, (EPA) 'Environmental Guidelines: Assessment, Classification and Management of Non-Liquid Wastes'. The classification of the material is essential to determine where the waste may be legally taken. The POEO Act provides for the commission of an offence for both the waste owner and transporters if waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid and non liquid waste advice should be sought from the DECCW (EPA).

Environmental Management

25. Adequate soil and sediment control measures shall be installed and maintained. Furthermore, suitable site practices shall be adopted to ensure that only clean and unpolluted waters are permitted to enter Council's stormwater drainage system during construction/demolition. Measures must include, as a minimum:
- (a) Siltation fencing;
 - (b) Protection of the public stormwater system; and
 - (c) Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place.

Erosion and Sediment Control

26. Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997 and Landcom's publication "Managing Urban Stormwater – Soils and Construction (2004)" – also known as "The Blue Book".

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

D. DURING CONSTRUCTION

The following conditions are to be complied with or addressed during construction:

Building Inspections

27. The building works must be inspected by the *Principal Certifying Authority*, in accordance with sections 109E (3) of the *Environmental Planning & Assessment Act 1979* and clause 162A of the *Environmental Planning & Assessment Regulation 2000*, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.
28. The *Principal Certifying Authority* must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the *Principal Certifying Authority*, prior to proceeding to the subsequent stages of construction or finalisation of the works.

Hours of Construction Work and Deliveries

29. Construction work/civil work/demolition work, including the delivery of materials, is only permitted on the site between the hours of 7:00am to 6:00pm Monday to Friday, 8:00am to 1:00pm Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council.

Waste Management Plan

30. The Waste Management Plan submitted to and approved by Council must be adhered to at all times throughout all stages of the development. Supporting documentation (receipts/dockets) of waste/recycling/disposal methods carried out, is to be kept and must be produced upon the request of Council or any other authorised officer.

Note: Any non-compliance with this requirement will result in penalties being issued.

General site works

31. Any runoff entering the areas of vegetation to be retained shall be of an equivalent or better quality, and of a similar rate of flow to present levels.
32. The development, including construction, shall not result in any increase in sediment deposition into any water body, wetland, bushland or environmentally significant land.
33. All dangerous and/or hazardous material shall be removed by a suitably qualified and experienced contractor, licensed by WorkCover NSW. The removal of such material shall be carried out in accordance with the requirements of WorkCover NSW. The material shall be transported and disposed of in accordance with DECCW (EPA) requirements.

Contamination

34. The development, including all civil works and demolition, must comply with the requirements of the Contaminated Land Management Act, 1997, State Environmental Planning Policy No. 55 – Remediation of Land, and Managing Land Contamination – Planning Guidelines (Planning NSW/EPA 1998).
35. All fill introduced to the site must undergo a contaminated site assessment. This assessment may consist of either:
 - (a) a full site history of the source of the fill (if known) examining previous land uses or geotechnical reports associated with the source site to determine potential contamination as per the NSW DECCW 'Waste Classification Guidelines' April 2008; or
 - (b) clearly indicate the legal property description of the fill material source site;
 - (c) provide a classification of the fill material to be imported to the site in accordance with the 'NSW DECCW 'Waste Classification Guidelines' April 2008.
 - (d) a chemical analysis of the fill where the site history or a preliminary contamination assessment indicates potential contamination or contamination of fill material; and

- (e) must provide Council with copies of validation certificate verifying the material to be used is free of contaminants and fit for purpose re use in residential, commercial or industrial use.

Site Remediation Works

- 36. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and remediation must be notified to Council and the accredited certifier immediately after discovery. A Section 96 Application under the EP&A Act shall be made for any proposed works outside the scope of the approved development consent.

Air Quality

- 37. Dust screens shall be erected and maintained in good repair around the perimeter of the construction zone during land clearing, demolition, and construction works.
- 38. Where operations involve excavation, filling or grading of land, or removal of vegetation, including ground cover, dust is to be suppressed by regular watering until such time as the soil is stabilised to prevent airborne dust transport. Where wind velocity exceeds five knots the PCA may direct that such work is not to proceed.
- 39. All vehicles involved in the delivery, demolition or construction process departing from the property shall have their loads fully covered before entering the public roadway.

Water Quality

- 40. All topsoil, sand, aggregate, spoil or any other material shall be stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface and there shall be measures in place in accordance with the approved erosion and sediment control plan.

Pollution Control

- 41. Building operations such as brick cutting, mixing mortar and the washing of tools, paint brushes, form-work, concrete trucks and the like shall not be performed on the public footway or any other locations which may lead to the discharge of materials into Council's stormwater drainage system.
- 42. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.

Ventilation

- 43. The premises shall be ventilated in accordance with the requirements of the BCA (if using deemed to satisfy provisions: AS 1668, Parts 1 & 2)
- 44. The design, construction, installation and commissioning of the mechanical ventilation systems(s) serving the premises shall be carried out in accordance with Australian Standard 1668 Parts 1 & 2.

The mechanical exhaust discharge point shall be designed and installed by an appropriately qualified person, and shall be positioned to comply with Section 3.7 of Australian Standard 1668 Part 2 – 1991.

Identification Survey Report

45. The building and external walls are not to proceed past ground floor/reinforcing steel level until such time as the PCA has been supplied with an identification survey report prepared by a registered surveyor certifying that the floor levels and external wall locations to be constructed, comply with the approved plans, finished floor levels and setbacks to boundary/boundaries. The slab shall not be poured, nor works continue, until the PCA has advised the builder/developer that the floor level and external wall setback details shown on the submitted survey are satisfactory.

In the event that Council is not the PCA, a copy of the survey shall be provided to Council within three (3) working days.

On placement of the concrete, works again shall not continue until the PCA has issued a certificate stating that the condition of the approval has been complied with and that the slab has been poured at the approved levels.

Sign Notice Board

46. A sign must be erected and maintained in a prominent position on the site, which contains the following details:
- a. name, address, contractor licence number and telephone number of the *principal contractor*, including a telephone number at which the person may be contacted outside working hours, or *owner-builder* permit details (as applicable)
 - b. name, address and telephone number of the *Principal Certifying Authority*
 - c. a statement stating that 'unauthorised entry to the work site is prohibited'.

Toilet Facilities

47. Toilet facilities must be available or provided at the work site and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet must:
- a. be a standard flushing toilet connected to a public sewer, or
 - b. have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
 - c. be a temporary chemical closet approved under the *Local Government Act 1993*.

Site Facilities

48. Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.

Security Fence

49. A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction. Note. Fencing is not to be located on Council's reserve area.

Car Parking Areas

50. Car parking spaces and driveways must be constructed of a minimum of two coat finish seal or better. The spaces must be clear of obstructions and columns, permanently line marked and provided with adequate manoeuvring facilities. The design of these spaces must comply with Council's DCP 2008, and Australian Standard 2890.1 Parking Facilities – Off Street Car Parking.

All car parking areas to be appropriately line marked and sign posted in accordance with the approved plans. All customer/visitor/staff parking areas are to be clearly signposted limiting car parking for customers/visitors/staff only. The applicant is to cover the costs of installation and maintenance of the signage.

The on-site parking spaces shown in the approved plans must be identified in accordance with A.S.2890.1 Parking Facilities – Off-Street Car Parking.

Traffic Management

51. All works within the road reserve are to be at the applicant cost and all signage is to be in accordance with the RTA's Traffic Control at Worksites Manual and the RTA's Interim Guide to Signs and Markings.
52. If a works zone is required, an application must be made to Council's Transport Planning section. The application is to indicate the exact location required and the applicable fee is to be included. If parking restrictions are in place, an application to have the restrictions moved, will need to be made.
53. Applications must be made to Council's Transport Planning section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information.

Vegetation

54. All existing trees and areas of native vegetation, in the vicinity of the proposed works, not identified for removal on approved plans of the proposed development shall be protected from damage during site works. This protection shall consist of 1800mm high protective fencing, securely installed beneath the outer canopy of any tree to be retained. Trees may be fenced off in clusters where it is not practical to fence off individual trees. There shall be no storing materials, washing machinery or changes to existing soil levels within the fenced areas.
55. Clearing of bushland in addition to any clearing approved for this development application, whether it be removal of trees, groundcover or understorey, requires development consent.
56. No known environmental or noxious weeds or known invasive plant species shall be included in the landscaping/revegetation.

57. Mulch generated from exotic trees or other weed species cleared shall not be used on site. It shall be removed from the site and disposed of appropriately and in accordance with legislative requirements.
58. Any imported soil and/or mulch shall be free of contaminants, seed and propagules of weeds and undesirable species. Mulch shall not be used on flood liable land.

Sediment & Erosion Control

59. Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

Food Premises – School Canteen

60. The construction, fitout and finishes of the premises shall comply with the AS 4674, Food Act 2003 and Regulations thereunder, and the requirements of Attachment 3.

E. PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

The following conditions are to be complied with or addressed prior to issue of either an Interim or Final Occupation Certificate by the Principal Certifying Authority:

Occupation Certificate

61. The premises must not be utilised until an Occupation Certificate is issued by the Principal Certifying PCA. Copies of all documents relied upon for the issue of the OC must be attached to the OC and registered with Council.
62. A single and complete *Fire Safety Certificate*, certifying the installation and operation of all of the fire safety measures within the building must be submitted to Council with the *Occupation Certificate*.
63. Details of *critical stage* inspections carried out by the principal certifying authority together with any other certification relied upon must be provided to Council with the occupation certificate.

Landscaping

64. Upon completion of the approved landscape works associated with the development and prior to the issue of any OC, an Implementation Report is to be submitted to the PCA attesting to the satisfactory completion of the landscape works in accordance with the approved landscape plan. The report is to be prepared by a suitably qualified person.
65. Trees shall be installed at not less than 45 litre pot size and in accordance with the approved landscape plan.

Recommendations of Acoustic Report

66. A Compliance Certificate or other documentation deemed suitable to the PCA is to be submitted to the PCA, detailing compliance with the following:

- (a) Certification is to be obtained from a qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic report and that all recommendations have been adopted.

Plan of Management

- 67. An Operational Traffic and Pedestrian Management Plan shall be prepared for the school and submitted for approval by the Traffic and Transport Section prior to the issue of an Occupation Certificate.

The plan shall include, but not be limited to, the following:

- a) Incorporate a traffic management plan, including matters relating to drop-off and pick-up of students e.g., staggered start/finish times.
- b) Govern the implementation of the proposed altered parking arrangements.
- c) Improve the safety and efficient use of the student set-down and pick-up areas.
- d) Overall site and public road and traffic management for road safety and traffic flows.

Road Work

- 68. All roadworks and signposting is to be completed to Liverpool Council requirements, at no expense to Liverpool Council or Roads and Maritime Services.

Works as executed - General

- 69. Prior to the issue of an Occupation Certificate, works-as-executed drawings and compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

An original set of works-as-executed drawings and copies of compliance documentation shall also be submitted to Liverpool City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

Food Premises – School Canteen

- 70. Council's Health & Building section shall be notified in writing that the premises will be used for the preparation, manufacture or storage of food for sale. The premises will be registered on Council's database.
- 71. Trading shall not commence until an OC has been issued by the PCA.
- 72. A Trade Waste application shall be submitted and approved by the Sydney Water Corporation regarding any installation of proposed pre-treatment equipment, e.g. basket and grease arrestors. A copy of the plumber's certificate

of compliance for the installation of pre-treatment equipment, and of the Trade Waste Agreement, shall be furnished to the PCA.

F. CONDITIONS RELATING TO USE

The following conditions relate to the ongoing use of the premises:

Hours of Operation

73. Hours of operation shall be in accordance with the conditions of previous Development Consents issued for and applicable to the operation of the site as an educational establishment.

Use of Premises

74. The operation of the school shall be conducted so as to avoid unreasonable noise to adjoining or nearby residences.
75. The use of the premises shall not give rise to "offensive noise" as defined under the Protection of the Environment Operations Act, 1997.
76. Emission of sound from the premises shall be controlled at all times so as not to unreasonably impact upon nearby owners/occupants.
77. Appropriate signage shall be located outside the building to encourage patrons to minimise noise when leaving the premises.
78. The use of the premises is not to interfere with the amenity of the residential area.
79. If an intruder alarm is installed on the premises it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act, 1997.
80. The use of the premises shall not give rise to the emission into the surrounding environment of gases, vapours, dusts or other impurities which are a nuisance, injurious or prejudicial to health.

Car Parking/Loading

81. All parking areas shown on the approved plans must be used solely for this purpose.
82. All loading and unloading must take place from the designated loading dock. This area is to be clearly marked/signposted for use by delivery vehicles only.
83. The operator of the development must not permit the reversing of vehicles onto or away from the road reserve, with the exception of garbage and recycling collection vehicles. All vehicles must be driven forward onto and away from the development and adequate space must be provided and maintained on the land to permit all vehicles to turn in accordance with AS 2890.1 Parking Facilities – Off Street Car Parking.

Plan of Management

84. A detailed plan of management shall be submitted to Council in relation to the operation of the education establishment, including the use of multi-purpose school hall. The plan shall address means by which the education establishment will control noise from patrons using the multi-purpose hall and associated car park.

Illumination

85. Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282 1997 so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.

Landscaping

86. Landscaping shall be maintained in accordance with the approved plan, in a healthy state by the existing or future owners and occupiers of the development.

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

An annual report shall be submitted to Council, for the 3 years following issue of the OC, certifying that the landscaping works have been satisfactorily maintained.

Educational Establishments

87. A total of eighty-eight (88) off-street car parking spaces must be provided in accordance with the approved plans.
88. The maximum capacity of the educational establishment is limited to 560 students.
89. The maximum number of staff members is limited to 60 staff.
90. Deliveries and service vehicles generated by this development are limited to 7.30am to 6.00pm. Deliveries and service vehicles are to be scheduled to access the site outside of peak am and pm pick up and drop off times to minimise conflict between different vehicle modes, pedestrians and conflict over car parking spaces.
91. The operation of the educational establishment at all times is to comply with the approved School Road Safety Program.
92. Prominent notices shall be placed on entry and exist to the car park informing people to enter and leave the carpark quietly. In addition, it is recommended that this is to apply to the school generally to remind parents and visitors to minimise noise.
93. Supervision of all students shall be undertaken at all times when they are involved in outdoor play/activities as well as the arrival and departure from school to ensure all practical measures are implemented to limit noise to neighbours.

94. The warning bell to remind students when school is to commence and for the start and finish of recess/lunch breaks shall not exceed the equivalent continuous noise level of 85dB(A) when measures at a distance of 1m. It should also not be sounded for more than 5 seconds during any fifteen minute period.
95. Lockable security gates are to be provided and are to be locked at all times outside school hours to prevent unauthorised access to the site.
96. A Complaints Handling register is to be prepared for the operation of the school. The Complaints register is to be kept by the schools principal or other suitable staff members and is to include the following:
 - (a) Written record of any complaint received;
 - (b) Time and date of complaint received;
 - (c) Nature of complaint;
 - (d) How the school responded to the complaint and any further action required.

A copy of the Complaints Handling register is to be made available at the request of Liverpool City Council.

Waste

97. All solid and liquid waste is to be removed from the site by a registered waste contractor.
98. All waste materials generated as a result of the development are to be disposed at a facility licensed to receive such waste.
99. All solid waste stored on site is to be covered at all times.

Waste Storage Area

100. Waste bins must be stored in designated garbage/ trade refuse areas, which must be kept tidy at all times. Bins must not be stored or allowed to overflow in parking or landscaping areas, must not obstruct the exit of the building, and must not leave the site onto neighbouring public or private properties.

Noise

101. No persons, such as those commonly known as 'spruikers' shall operate either with or without sound amplification equipment for the purpose of advertising the use of the premises, the sale and availability of goods, services, entertainment or the like.
102. Any alarm installed on the site is to be "silent back to base" type.

Lighting

103. Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282 1997 so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.

Protection of the Environment Operations Act 1997

104. All activities and operations shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined under the *Protection of the Environment Operations Act 1997*.

Food Act 2003

105. The premises shall comply with the requirements of the Food Act 2003, Australia New Zealand Food Standards Code, and the Australian Standard AS 4674-2004 Construction and fit out of food premises.

G. ADVISORY

- a) If you are dissatisfied with this notice of determination or the conditions contained within this notice of determination, Section 82A of the Environmental Planning and Assessment Act 1979 gives you the right to request a review of the determination within six months after the date on which the application is taken to have been determined.
- b) If you are dissatisfied with this decision, Section 97AA of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six months after the date on which the application is taken to have been determined.
- c) In accordance with Section 95 of the Environmental Planning and Assessment Act 1979, unless otherwise stated by a condition of this consent, this consent will lapse unless the development is commenced within five (5) years of the date of this notice.
- d) In accordance with Section 98 of the Environmental Planning and Assessment Act 1979, an objector who is dissatisfied with the determination of a consent authority to grant consent to a development application for designated development (including designated development that is integrated development), may, within 28 days after the date on which the application is taken to have been determined, appeal to the Land and Environment Court.
- e) The Planning Assessment Commission has not conducted a review of the application.
- f) These conditions are imposed to control development, having regard to 79C of the Environmental Planning and Assessment Act 1979.
- g) The approval of this application does not imply or infer compliance with the Disability Discrimination Act and that the developer should investigate their liability under the Act.
- h) Prior to completion of the pool, the owner of the premises is requested to attend an approved Cardio Pulmonary Resuscitation Course.
- i) The requirements of all authorities including the Environmental Protection Authority and the Work Cover Authority shall be met in regards to the operation of the building.

j) "DIAL BEFORE YOU DIG" DIAL 1100

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

k) TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443.

- l) Letter boxes must be provided in accordance with the requirements of Australia Post. In this regard, the developer is required to obtain approval from Australia Post for address numbering, and letter box positioning and dimensions.
- m) You are advised that the placement of a concrete path around your home may render your home vulnerable to termite attack. To minimise the possibility of any damage, ensure that a minimum of 75mm clearance is provided between the base of the weephole and the level of the path.
- n) The obligation to comply with the Category 1 fire safety provisions may require building work to be carried out even though none is proposed or required by other conditions of this consent.
- o) The Liverpool City Council Local Government area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity reports relating to some developments, no assessment may be made by Council in that regard. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent inquiries as to appropriate protection against the current and future potential effect of Salinity to ensure the ongoing structural integrity of any work undertaken. Liverpool City Council will not accept any liability for damage occurring to any construction of any type affected by soil and or ground water Salinity.
- p) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.

- q) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or the applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.

ATTACHMENT 2

All communications to be addressed to:

Headquarters
15 Carter Street
Lidcombe NSW 2141

Headquarters
Locked Bag 17
Granville NSW 2142

Telephone: 1300 NSW RFS
e-mail: pes@rfs.nsw.gov.au

Facsimile: 8741 5433



The General Manager
Liverpool City Council
Locked Bag 7064
LIVERPOOL BC NSW 1871

Your Ref: DA-685/2017
Our Ref: D17/3200
DA17092009346 MA

ATTENTION: Nelson Mu

31 October 2017

Dear Sir/Madam

Integrated Development for 2//773140, 20-30 Leacocks Lane, Casula

I refer to your letter dated 13 September 2017 seeking general terms of approval for the above Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979'.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the commencement of building works and in perpetuity the current management of the site shall continue to be managed as an inner protection area (IPA) and outer protection area (OPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones' as shown in Figure 3 of the bush fire consultant's report undertaken by Peterson Bushfire, dated 26/7/17, referenced 17077.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

2. The existing Bush Fire Emergency Management and Evacuation Plan shall be updated to include the new proposed works and be prepared consistent with 'Development Planning- A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014'.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

3. All external building works shall be designed and constructed to the BAL listing in Table 3 of the bush fire consultant's report undertaken by Peterson Bushfire, dated 26/7/17, referenced 17077.

Landscaping

4. Landscaping within the asset protection zone is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

For any queries regarding this correspondence please contact Matthew Apps on 1300 NSW RFS.

Yours sincerely



Nika Fomin
Manager Planning and Environment Services (East)

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.

ATTACHMENT 3

Food Premises

1. All walls (including partition walls) within the kitchen, food preparation, storage and display areas shall be of solid construction (eg., bricks, cement or other approved material). These walls are to be finished with glazed tiles, stainless steel or other approved material adhered directly to the wall to a height of 2 metres above floor level.
2. Walls within the kitchen, food preparation, storage and display areas which are not of solid construction (eg., stud walls) shall be finished in tiles or other approved material from the floor level to the underside of the ceiling.
3. The floors within the kitchen, food preparation, storage and display areas shall be constructed of a suitable material which is non-slip, durable, resistant to corrosion, non-toxic, non-absorbent and impervious to moisture. The floor is to be graded and drain to an appropriate floor waste fitted with a basket arrestor.
4. If the floor in the food preparation and storage areas is constructed of tiles, the joints between the tiles shall be of a material that is non-absorbent and impervious to moisture.
5. The intersection of walls with floors and exposed plinths in the kitchen, food preparation, storage and display areas are to be coved to a minimum radius of 25mm.
6. All plinths are to be constructed of a material which is of solid construction and impervious to moisture. The plinths shall be:
 - (a) at least 75mm high;
 - (b) finished level to a smooth even surface;
 - (c) recessed under fittings to provide a toe space of not more than 50mm;
 - (d) rounded at exposed edges; and
 - (e) coved at the intersection of the floor and wall to a minimum radius of 25mm.
7. The ceiling is to be constructed of a material that is rigid, smooth faced and impervious to moisture. The ceiling over the food preparation, storage and display areas shall be painted with a washable paint of a light colour. The surface finish is to be free of open joints, cracks, crevices or openings (drop ceiling panel is not permitted). The intersections of walls and the ceiling are to be tight jointed, sealed and dust-proof.
8. The drop-in panel ceiling in the food preparation and storage areas shall be replaced with an approved rigid, smooth faced and impervious material which is free of open joints, cracks, crevices or openings. The ceiling is to be painted with a light coloured washable paint.
9. All service pipes and electrical conduits shall be either:

- (a) concealed in floors, walls, ceiling or concrete plinths, or
 - (b) fixed with brackets so as to provide at least
 - i) 25mm clearance between the wall and the pipe/conduit; &
 - ii) 100mm between the floor and the pipe/conduit
 - (c) pipes so installed are not to run underneath fittings.
10. All architraves, skirting boards, picture rails and the like are not permitted within the kitchen, food preparation and storage areas.
11. All openings in the walls, floors and ceilings through which service pipes and electrical conduits pass through are to be designed and constructed so as to prevent the access of vermin.
12. The internal and external surfaces, including exposed edges to all benches, counters and shelving in the food preparation, storage, display and serving areas are to be finished with a rigid, smooth faced and non-absorbent material (eg laminate, stainless steel or other approved material) that is capable of being easily cleaned.
13. All shelving shall be located at least 25mm off the wall or alternatively, the intersection of the shelf and the wall is to be completely sealed. NOTE: The lowest shelf shall be a minimum of at least 150mm above the floor level.
14. The hot water service unit shall be positioned a minimum of 75mm clear of the adjacent wall surface and mounted a minimum of 150mm above the floor level on a stand of non-corrosive metal construction.
15. A free standing, hands free hand wash basin shall be provided in a convenient position within the food preparation and serving areas. The hand wash basin shall be provided with hot and cold water supplied through a single outlet and fitted with an approved mixing device to enable hands to be washed under hot running water at a temperature of at least 40C.
16. Cavities, false bottoms and similar hollow spaces capable of providing access and harbourage of vermin are not permitted to be formed in the construction of the premises or in the installation of fixtures, fittings and equipment.
17. A double bowl sink or two-compartment tub shall be provided with hot and cold water supplied through a single spout in the kitchen/food preparation area. Double bowl sink or tubs shall be supplied with water of at least:
- (a) 45C in one bowl for washing purposes; and
 - (b) 77C in the other bowl for rinsing purposes, together with a thermometer accurate to 10C.