

**Attachment 7**

**1 ADVISORY NOTES**

**1.1 Terminology**

1.1.1 Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.

1.1.2 Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to a certificate as defined by Section 109C of the Environmental Planning and Assessment Act 1979.

**1.2 Scope of Consent**

1.2.1 The granting of this consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. The applicant is advised to investigate any liability that may apply under that Act. The current suite of Australian Standard 1428 - Design for Access and Mobility, should be consulted for guidance. The prescriptive requirements of Part 1 of the Standard apply to certain buildings requiring development consent.

This development consent includes approval for the demolition of the existing three Educational Blocks G, H and J, and associated paths, ramps, awnings, retaining walls and fences.

**1.3 Other Approvals**

1.3.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.

1.3.2 The applicant's attention is drawn to the need to obtain separate appropriate approval for any ancillary development not approved by this consent, including:

- (a) the removal of any tree(s) not approved for removal, and
- (b) any fence, retaining wall, land excavation or filling, advertising structure or other development not being exempt development, and
- (c) demolition of any existing buildings and associated structures in accordance with the requirements of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

**1.4 Services**

1.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Endeavour Energy
- (c) Natural Gas Company
- (d) The relevant local telecommunications carrier

regarding any requirements for the provision of services to the development and the

location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

- 1.4.2 Before Construction - apply early as building of water and sewer services can be time consuming or may impact on other parts of your development.

(a) Building Plan Approval - The plans approved by Council as part of the Construction Certificate must also be approved by Sydney Water prior to excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to [sydneywater.com.au/tapin](http://sydneywater.com.au/tapin) to apply.

- 1.4.3 Information regarding the location of underground services may be obtained from the Sydney "Dial Before You Dig" service, telephone number 1100, fax number (02) 9806 0777. Inquirers should provide the street/road name and number, side of street/road name and the nearest cross street/road name.

- 1.4.4 Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.

- 1.4.5 Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 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 contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders 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.

- 1.4.6 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.

## 1.5 Engineering Notes

- 1.5.1 Any Construction Certificate covering Engineering Works must include and address the following:

Design of specified Engineering Works as required by this consent

- Any ancillary works necessary to make the construction effective

If both Building and Engineering works are required, separate construction certificates can be issued for the following works:

- Construction Certificate for Building Works



- Construction Certificate for Engineering Works (As nominated in the 'Prior to Construction Certificate (Engineering)' section of the consent)

Works which require approval under the *Roads Act 1993* or *Local Government Act 1993* CAN NOT be privately certified. Examples of these works are, but not limited to:

- Works in public areas (i.e. Road Reserve, Public Reserves)
- Inter-allotment drainage (i.e. drainage outside the boundary of the land being developed)

Engineering works (as nominated in the 'Prior to Construction Certificate (Engineering)' section of the consent) can be included within a Construction Certificate for Building works, provided that:

- All Engineering Works are specifically mentioned on the Construction Certificate
- The Certifier holds relevant qualifications to issue a Construction Certificate for the Engineering works. Appropriate accreditation qualifications must be shown on Construction Certificate.

- 1.5.2 All works requiring approval under the *Roads Act 1993* or *Local Government Act 1993* must be approved PRIOR to the issue of any Construction Certificate.

1.6 **Payment of Engineering Fees**

- 1.6.1 If the applicant wishes for Council to issue the Construction Certificate for Engineering Works (As nominated in the 'Prior to Construction Certificate (Engineering)') the applicant must:

- Complete application form
- Submit all relevant plans produced by a suitably qualified person and in accordance with Councils Standards.
- A quote will be provided verbally generally within 6 weeks followed by confirmation in writing.

- 1.6.2 If the applicant wishes for Council to undertake Construction inspections and issue a Compliance Certificate for engineering works, the applicant must:

- Complete application form
- Submit all relevant plans produced by a suitably qualified person
- If plans are privately certified, applicant must supply Construction Certificate covering the required works.
- A quote will be provided verbally generally within 6 weeks, followed by confirmation in writing.

1.7 **Student and Staff Numbers Unchanged**

- 1.7.1 No increase in student or staff numbers with respect to the operation of Nagle College is approved by this consent.

**1.8 Parking Arrangements and Car Parking Space Unchanged**

- 1.8.1 The existing car parking arrangements are to be maintained at 176 car parking spaces.

**1.9 Demolition**

- 1.9.1 Where any work on an older building is proposed, the applicant should ascertain whether the building contains any contaminants that may present a potential health risk to humans (including asbestos, lead-based paint and the like) and apply appropriate precautions during the work. Further information regarding safe working methods may be obtained from the following organisations and publications (including those which may supersede such publications):

- (a) NSW WorkCover Authority (Ph: 13 10 50) – “Short Guide to Working with Asbestos”
- (b) NSW Department of Environment and Conservation (Ph: 9995 5000) – “A Guide to Keep Your Family Safe from Lead”, “A Renovators Guide to the Dangers of Lead”
- (c) “Code of Practice for the Safe Removal of Asbestos” – National Occupational Health and Safety Commission: 2002 (1988)
- (d) Australian Standard 4361.1-1995 – Guide to Lead Paint Management (Industrial Applications)
- (e) Australian Standard 4361.2-1998 – Guide to Lead Paint Management (Residential and Commercial Applications) and
- (f) Australian Standard 2601-2001 – The Demolition of Structures.

**2 GENERAL****2.1 Scope of Consent**

- 2.1.1 This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:

Drawing No.	Title	Revision	Date	Enclosure No.
DA02 1/11/16	Site Plan by De Angelis Taylor + Associates 1B Pty Ltd		A	
DA03	Site Analysis & Waste Management Plan	A	1/11/16	1C
DA04	Demolition Plan	A	1/11/16	1D
DA05	Cut and Fill Plan & Section J	A	1/11/16	1E
DA06	Ground Floor Plan	A	1/11/16	1F
DA07	First Floor & Clerestory Plan	A	1/11/16	1G



DA08	Roof Plan	A	1/11/16	1H
DA09	Elevations	A	1/11/16	1I
DA10	Elevations, Section & External Finishes			
	Schedule	A	1/11/16	1J
DA11	Perspectives	A	1/11/16	1K
External Finishes Schedule – Nagle College, Revision A, Project No 16007, undated, Enclosure No. 1W				
L01	Landscape Concept Plan	Rev 3	19/07/16	1U
	Inview Design Pty Ltd			
L02	Details and Specification	Rev 3	19/07/16	1V
	Inview Design Pty Ltd			

\* Unless modified by any condition(s) of this consent.

- 2.1.2 This consent authorises the use of the completed approved building for the following purposes, subject to full compliance with all other conditions of this consent:

#### EDUCATIONAL ESTABLISHMENT

- 2.1.3 This consent grants approval for the following, subject to full compliance with all other conditions of this consent:

- (a) Demolition of existing education Blocks G, H and J at No. 151 Reservoir Road, Blacktown, and associated paths, ramps, awnings, retaining walls and fences.
- (b) Site remediation works and site validation.
- (c) Construction of a two-storey educational Block O, with associated infrastructure, paths, steps, landscaping, retaining walls, fencing.
- (d) Tree removal and tree retention and tree planting.

#### 2.2 External Authority – Planning for Bushfire Protection

- 2.2.1 General terms of approval for the Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979' is as follows:

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:

#### Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

1. Water, electricity and gas supplies to the new building shall comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

### **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. An emergency and evacuation plan shall be prepared for the school or the existing plan is to be amended to include the new building. The plan shall be in accordance with the NSW Rural Fire Service document 'Guide for Developing a Bush Fire Emergency Evacuation Plan'.

### **Landscaping**

3. Landscaping around the new building shall comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

## **2.3 Salinity**

- 2.3.1 At the completion of site works, a post works salinity assessment shall be carried out and provide appropriate recommendations on construction materials for floor slab, footings and internal beams in accordance with AS2870-2011 'Residential Slabs and Footings'.

## **2.4 Services**

- 2.4.1 Low voltage electricity and telecommunications services for the approved development shall be reticulated underground.
- 2.4.2 The main information technology infrastructure must be provided in all streets and meet NBN Co. requirements.

## **2.5 Suburb Name**

- 2.5.1 The land the subject of this consent is known to be located in the following suburb. This suburb name shall be used for all correspondence and property transactions:

Suburb: Blacktown

## **2.6 Engineering Matters**

### **2.6.1 Design and Works Specification**

- 2.6.1.1 All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:
  - (a) Blacktown City Council's Works Specification - Civil (Current Version)
  - (b) Blacktown City Council's Engineering Guide for Development (Current Version)
  - (c) Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management



- (d) Blacktown City Council Growth Centre Precincts Development Control Plan
- (e) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version)
- (f) Blacktown City Council On Site Detention General Guidelines and Checklist
- (g) Upper Parramatta River Catchment Trust On Site Stormwater Detention Handbook THIRD Edition December 1999.

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements MUST be submitted to Council with any application for Construction Certificate, *Road Act 1993* or *Local Government Act 1993* approval.

Any Construction Certificates issued by Private Certifiers must also be accompanied by the above documents.

NOTE: Any variations from these design requirements must be separately approved by Council.

- 2.6.1.2 Prior to release of any bond securities held by Council for civil engineering works, the payment of a bond release inspection fee in accordance with Council's Goods and Services Pricing Schedule must be made.
- 2.6.1.3 Written notice must be provided to adjacent properties, at least 5 days prior to works commencing, where works are approved by this consent and located within Council controlled lands (i.e. Roads, drainage reserves, parks, etc)

A copy of this notice must be provided to Council's Co-ordinator of Engineering Approval.

## 2.7 Other Matters

- 2.7.1 No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works, other than site remediation works.
- 2.7.2 Any future substation, temporary drainage works or other utility installation required to service the approved subdivision/development shall not be sited on future or existing Council land, including road reservations and/or public reserves.
- 2.7.3 In accordance with Clause 32 of the State Environmental Planning Policy (Infrastructure) 2007, the following School Standards are to be complied with:
  - (a) *School Facilities Standards—Landscape Standard—(current version)*
  - (b) *Schools Facilities Standards—Design Standard (current version)*
  - (c) *Schools Facilities Standards—Specification Standard (current version).*

## 2.8 Imported "Waste Derived" Fill Material

- 2.8.1 The only waste derived fill material that may be received at the development site is:
  - (a) virgin excavated natural material (within the meaning of the *Protection of the*

*Environment Operations Act 1997*),

- (b) any other waste-derived material the subject of a resource recovery exception under cl.51A of the *Protection of the Environment Operations (Waste) Regulation 2005* that is permitted to be used as fill material.

## 2.9 Inconsistency between Documents

- 2.9.1 If there is any inconsistency between the plans and documentation referred to in the consent, the most recent document or plan will prevail to the extent of the inconsistency. However, conditions of the consent prevail to the extent of any inconsistency. Where there is an inconsistency between approved sections and plans, the plans prevail.

## 3 PRIOR TO DEMOLITION WORKS

### 3.1 Demolition Licence

- 3.1.1 The buildings Blocks G, H and J and associated paths, stairs and ramps shall be demolished by a contractor who holds a current Demolition licence issued by the NSW WorkCover Authority under the provisions of the Work Health and Safety Act 2011. Proof of licence registration is to be provided to Council prior to commencement of demolition works.

- 3.1.2 Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.

### 3.2 Safety/Health/Amenity

- 3.2.1 Security fencing shall be provided around the perimeter of the demolition site to prevent unauthorised entry to the site. Notices complying with AS 1319-1994 and displaying the words "DANGER - DEMOLITION IN PROGRESS", or similar message shall be fixed to the fencing at appropriate places to warn the public.

- 3.2.2 A sign shall be erected in a prominent position on the land indicating the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

- 3.2.3 Should the demolition work:

- (a) be likely to be a danger to pedestrians in a public place or occupants of any adjoining land or place,
- (b) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
- (c) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place or adjoining land or place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place or adjoining land or place.



The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

- 3.2.4 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:

- (a) a standard flushing toilet, and
- (b) connected:
  - (i) to a public sewer, or
  - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility provided by the Council, or
  - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable to some other sewage management facility approved by Council.

### 3.3 Tree Protection

- 3.3.1 Any tree not indicated on the approved Development Application plans as being removed shall be effectively protected against damage. The five trees shown on the approved plans, as well as the trees within the amphitheatre are to be retained, and protected against damage.

### 3.4 Site Investigation and Contamination

- 3.4.1 A qualified Site Auditor accredited by NSW Environment Protection Authority (under the provisions of the Contaminated Land Management Act 1997) shall be engaged to undertake an investigation of the land to ascertain if the site has been affected by any contaminants (including, but not limited to, asbestos, organochlorins, arsenic, lead, petroleum residues and the like) that may be detrimental to the health of any future occupants and/or workers. The report shall identify the contaminants (if applicable) and shall make recommendations on the method of remediation of the land.
- 3.4.2 Any asbestos material is to be handled and treated in accordance with the WorkCover document *"Your Guide to Working with Asbestos- Safety guidelines and requirements for work involving asbestos"* dated March 2008.
- 3.4.3 The applicant is to consult with NSW Workcover regarding the proper management and control of asbestos and handling of asbestos waste.

### 3.5 Other Matters

- 3.5.1 The Applicant is to advise all adjoining neighbours, and those located opposite the subject development site, by letter, of their intention to commence demolition work. The letter shall be distributed at least 2 days prior to the intended work and include the following information:
- date/s, hours and duration of the works.
  - contact name and phone number of the applicant
  - contact name and phone number of the licensed demolisher

- WorkCover NSW contact number 131050, and email address [contact@workcover.nsw.gov.au](mailto:contact@workcover.nsw.gov.au)

3.5.2 The demolition works shall be carried out outside of school hours, and preferably within the school holiday period.

## **4 DURING DEMOLITION WORKS**

### **4.1 Safety/Health/Amenity**

- 4.1.1 Security fencing shall be maintained around the perimeter of the demolition site to prevent unauthorised entry to the site at all times during the demolition works. Notices lettered in accordance with AS 1319-1994 and displaying the words "DANGER - DEMOLITION IN PROGRESS", or similar message shall be maintained on the fencing at appropriate places to warn the public.
- 4.1.2 A sign shall be maintained in a prominent position on the land indicating the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- 4.1.3 Any hoarding or protective barrier required to be erected between the work site and the public place on adjoining land or place shall be maintained in an effective condition.
- 4.1.4 Soil erosion and sediment control measures shall be maintained in accordance with Council's Soil Erosion and Sediment Control Policy.
- 4.1.5 Any excavation and/or backfilling associated with the demolition works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.
- 4.1.6 All demolition work and handling of materials shall be in accordance with Australian Standard 2601-2001 (Demolition of Structures) and all applicable NSW WorkCover Authority requirements including the Code of Practice for the Safe Removal of Asbestos" – National Occupational Health and Safety Commission:2002 (if applicable)
- 4.1.7 The remaining portions of each structure being demolished shall be maintained in a stable and safe condition at all stages of the demolition work. Temporary bracing, shoring, bracing or guys, or any combination of these, shall be provided for stability, where necessary.
- 4.1.8 All plant and equipment used on the land shall be operated by a competent person.



Cranes used for hoisting and lowering of materials shall comply with AS 1418.1 and AS 1418.5 and be fitted with a load indicator and hoist limited device.

- 4.1.9 At least one access and egress route shall be made available connecting any undemolished floor to an open space well clear of the structure being demolished. The egress route shall be clearly identified as an emergency exit and maintained clear of obstructions at all times.
- 4.1.10 A valid public liability insurance policy of at least \$10,000,000 shall be maintained throughout the demolition works.
- 4.1.11 Any asbestos material is to be handled and treated in accordance with the SafeWork document "*Your Guide to Working With Asbestos - Safety guidelines and requirements for work involving asbestos*" dated March 2008.
- 4.1.12 Demolished materials, plant, equipment and the like shall not be stored or placed at any time on Council's footpath, roadway or any public place.
- 4.1.13 All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- 4.1.14 The demolisher has an obligation to ensure that the adjoining buildings and property are not damaged.

#### **4.2 Nuisance Control**

- 4.2.1 Any objectionable noise, dust, concussion, vibration or other emission from the demolition works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 4.2.2 Any noise generated during demolition shall not exceed those limits specified in the Protection of the Environment Operations Act 1997 and shall be limited to between 7.00am and 6.00pm, Monday to Friday, and 8.00am to 1.00pm, Saturday, with no demolition work being undertaken on Sundays or public holidays.
- 4.2.3 The waste material sorting, storing and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of the demolition works.

### **5 COMPLETION OF DEMOLITION WORKS**

**5.1 Hazardous Materials and Waste**

- 5.1.1 A site validation report from a qualified Site Auditor accredited by NSW Environment Protection Authority (under the provisions of the Contaminated Land Management Act 1997) shall be lodged with Council stating that, where the land has been affected by any contaminants (including asbestos, organochlorins, arsenic, lead, petroleum residues and the like) the land has been remediated in accordance with the recommendations of the investigation report and to the strict residential standard in the NEPM 2013 Guidelines. A copy of the report is to be lodged with Council.
- 5.1.2 Submit to Council's satisfaction at the completion of demolition works the receipt from the trade waste depot for disposal of the asbestos from the removal/demolition of the existing educational Blocks G, H and J.

**6 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)**

**6.1 DA Plan Consistency**

- 6.1.1 A Construction Certificate for the proposed development shall only be issued when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.

**6.2 DCP 2015**

- 6.2.1 Except as otherwise approved, the design plans which accompany the Construction Certificate shall comply with the design criteria specified in the Blacktown Development Control Plan 2015.

**6.3 Bushfire Assessment Report Compliance – BAL 12.5 Rating**

- 6.3.1 The plans lodged with the Construction Certificate must be consistent with the recommendations made within the Bushfire Hazard Assessment Report – Proposed Alterations and Additions to Nagle College, prepared by Building Code & Bushfire Hazard Solutions Pty Limited, dated 27 June 2015, Report No: 161211. New construction shall comply with section 5 (BAL 12.5) Australian Standard AS3959-2009 "Construction of buildings in bush fire-prone areas" and section A3.7 Addendum Appendix 3 of "Planning for Bush Fire Protection".

**6.4 Access/Parking**

- 6.4.1 All internal access ways and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.



**6.5 Access**

- 6.5.1 All aspects of the development shall comply with the standards concerning accessibility and useability, as specified in the Access to Premises Standard. A design verification statement, from a suitably qualified accessibility consultant, shall be submitted with the Construction Certificate verifying that the relevant Construction Certificate plans and specifications achieve each of the required access and useability standards, and confirming that the recommendations contained within the report by Design Confidence entitled Access Design Assessment Report, reference P216\_148-1 (Access) PB, dated 4 July 2016 have been carried out.

**6.6 Aesthetics/materials**

- 6.6.1 The construction plans are to ensure that the approved development will be constructed as follows:
- (a) The development approved by Council is to be constructed in accordance with the schedule of materials, finishes and colours identified on the submitted External Finishes Schedule – Nagle College, Revision A, Project No 16007, undated, prepared by De Angelis Taylor + Associates Pty Ltd. The approved finishes should include a combination of rendered finishes, brickwork, render, painted panel sheeting, metal cladding and glass. The finishes should also be durable, graffiti resistant and easily cleanable, and fire resistant.
  - (b) Verification is to be provided to the satisfaction of Council that the materials proposed in the construction of the building comply with the National Construction Code requirements for fire resistant materials.
  - (c) All landscaping shall be completed in accordance with approved landscaping design plan.
  - (d) Air conditioning units are to be fully integrated into the building design.
  - (e) The external walls of the building are to be free of plumbing and fixtures, service conduits/wiring and other building services.
  - (f) Any bathroom, w.c. or laundry window in the external wall of the building shall be fitted with translucent glazing.

**6.7 Other Matters**

- 6.7.1 The recommendations of the Geotechnical Investigation for Catholic Education

Office, Report No. 16/1573, dated June 2016 by GTS Geoenvironmental Pty Ltd are to be implemented.

**6.8 Tree Preservation**

6.8.1 A tree retention plan shall be included with any Construction Certificate indicating:

- (a) the trees to be retained
- (b) all areas left undisturbed and to be cordoned off from construction works.

**6.9 Other Matters**

6.9.1 Details of outdoor lighting shall be submitted with the Construction Certificate. The pedestrian access points, access ways, ramps, stairs and paved areas shall be appropriately illuminated for safety of staff and students and to assist in crime prevention. The lighting shall not cause nuisance or excessive light spill for the general public and neighbouring properties.

**6.10 Section 94 Contributions**

The following monetary contributions pursuant to *Section 94 of the Environmental Planning & Assessment Act 1979* must be paid. The amounts below are as at the date of this consent. They WILL BE INDEXED from the date of this consent to the date of payment. Payment of the indexed amounts must be made prior to the issue of a Construction Certificate (for building works) either by Council or any accredited certifier, whichever occurs first.

**PLEASE NOTE:** Indexed payments must be made by BANK CHEQUE IF IMMEDIATE CLEARANCE IS REQUIRED. Payments of the full amount by credit card or EFTPOS are accepted. However, payments by credit card or EFTPOS over \$10,000.00 are levied a 3% surcharge on the whole amount and cannot be split between different credit or EFTPOS cards.

Contribution Item	Amount Indexed to Date of Consent	Relevant C.P.
Stormwater Quality Blacktown Growth Precinct	\$ 7,654.00	19

The contribution(s) will be indexed according to the Australian Bureau of Statistics' Consumer Price Index (Sydney Housing) or Consumer Price Index (All Groups Sydney).



Copies of the following relevant Contributions Plan(s) may be inspected/purchased from Council's Information Centre, or viewed/downloaded at [www.blacktown.nsw.gov.au](http://www.blacktown.nsw.gov.au):

S.94 CP No. 19 - Blacktown Growth Precinct

The Section 94 contribution(s) have been based on the total developable area, the site's road frontage and the potential additional population nominated below. Should the final plan of survey indicate any change in the total developable area or should amendments change the potential additional population, the Section 94 contribution(s) will be adjusted accordingly.

Net developable area: 0.0879 hectares

Additional Population: N/A

Road Frontage: N/A

## **7 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)**

### **7.1 Building Code of Australia Compliance**

7.1.1 All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. 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 :
  - (i) complies with the performance requirements, or
  - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
  - (iii) A combination of (a) and (b).

### **7.2 Site Works and Drainage**

7.2.1 Any required retaining wall(s) and/or other effective method to retain excavated or filled ground (not being Exempt Development under the Blacktown Local Environmental Plan), together with any associated groundwater drainage system, shall be designed by an appropriately qualified person. Details of such site works shall accompany the Construction Certificate.

7.2.2 Stormwater drainage from the site shall be designed to satisfactorily drain rainfall intensities of 159mm per hour over an average recurrence interval of 20 years. The design shall:

- (a) be in accordance with Australian Standard 3500.3, and
- (b) provide for drainage discharge to an existing Council drainage system, and
- (c) ensure that the development, either during construction or upon completion, does not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties.

7.2.3 Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy. Details shall accompany any Construction Certificate.

7.2.4 Should any proposed excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), separate details prepared by a suitably qualified person shall be prepared indicating how that building or structure is to be:

(a) Preserved and protected from damage, and

(b) Underpinned and supported.

Such details shall accompany the Construction Certificate.

### 7.3 Demolition

7.3.1 A clearance certificate/statement prepared in accordance with the National Code of Practice for the Safe Removal of Asbestos shall be issued by the competent demolition contractor who holds an appropriate Demolition Licence issued by the NSW WorkCover Authority under the provisions of the Work Health and Safety Act 2011 (and any relevant Regulation there under). The certificate/statement must state that the pre-existing building/s was/were demolished in accordance with the conditions and terms of that licence, Australian Standard 2601-2001 – The Demolition of Structures and that any asbestos removal has been carried out in accordance with NOHSC-2002 – Code of Practice for Safe Removal of Asbestos. A copy of the clearance certificate/statement shall be attached to the Construction Certificate.

## 8 PRIOR TO CONSTRUCTION (ENGINEERING)

### 8.1 General

8.1.1 All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate can be issued.

8.1.2 All fees for Construction, *Roads Act 1993* and *Local Government Act 1993* approvals must be paid to Council prior to the issue of any of the above certificates or approvals. All fees for Compliance Certificates must be paid to Council prior to any construction certificate works commencing.

8.1.3 Construction certificate plans shall be generally in accordance with the following drawings:

Prepared By	Project No.	Drawing No.	Sheet No.	Revision	Dated
Inline Hydraulic Services	2016-0130	HDA01	-	P6	02.03.2017
		HDA02			
		HDA03			
		HDA04			
		HDA05			
		HDA06			



The following items are required to be addressed on the Construction Certificate plans:

Other Drainage Section Matters:

- i. On Drawing HDA06/P5.
  - a) Dimension or provide note to show The High Early Discharge pit as 1200x1200mm.
  - b) Amend note to Detention Tank: "3mm Stainless Steel Orifice Plate Epoxy & Dynabolted to Pit Wall with 113mm Machined Orifice" to "3mm Stainless Steel Orifice Plate Epoxy & Dynabolted to Pit Wall with 69mm Machined Orifice"
  - c) Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the rainwater tanks and detention tank in accordance with Council's Engineering Guide for Development 2005.
  - d) Provide on-site detention (OSD) warning signs as per the Upper Parramatta River Catchment Trust guidelines.

## **8.2 Construction Certificate Requirements**

8.2.1 Under the *Environmental Planning and Assessment Act 1979* a Construction Certificate for engineering work is required. These works include but are not limited to the following:

- On-site stormwater detention

The above requirements are further outlined in this section of the consent.

## **8.3 Other Engineering Requirements**

8.3.1 Submit a detailed estimate of costs for the engineering works. If this detailed estimate is \$25,000 or greater then a long service levy payment is required. Provide proof of this payment to Council.

8.3.2 Any ancillary works undertaken shall be at no cost to Council.

## **8.4 Drainage**

8.4.1 Drainage from the site must be connected into Council's drainage system via the existing private site drainage. In this regard no works are required to Council's existing assets.

8.4.2 An experienced Drainage Engineer registered with NER and supported by a DRAINS or similar electronic hydraulic drainage model is to certify that the internal drainage system is capable of carrying the 20 year ARI flows without surcharge at any pits.

## **8.5 Erosion and Sediment Control**

- 8.5.1 Provide a sediment and erosion control plan in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development. Details are to be included with the plans and specifications to accompany any Construction Certificate.

**8.6 On-Site Detention**

- 8.6.1 Provide an on-site detention system in accordance with Council's Engineering Guide for Development.
- 8.6.2 The development site is within the following catchment and on-site detention system shall be designed to achieve the following:

Catchment	Site Storage Requirement (100%)	Permissible Site Discharge (100%)
All Other Hawkesbury Sub-Catchments – Area #4	264	147

- 8.6.3 The engineering drawings approved under this consent are not to be used for construction. The Construction Certificate drawings shall be generally in accordance with the approved drawings however any significant variation to the on-site detention design shall require a section 96 application.
- 8.6.4 Submit the following certificates which are to be prepared by a registered engineer (NER):
- Certification that the structures associated with the on-site stormwater detention system have been designed to withstand all loads likely to be imposed on them during their lifetime.
  - Certification that the on-site stormwater detention system will perform to meet the on-site stormwater detention requirements.
- 8.6.5 The following documents shall be submitted to accompany the on-site detention design in accordance with the design and construction specification:
- Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
  - OSD detailed design submission and calculation summary sheet
  - A maintenance schedule that is signed and dated by the designer

**9 PRIOR TO DEVELOPMENT WORKS**

**9.1 Safety/Health/Amenity**

- 9.1.1 Toilet facilities shall be provided on the land at the rate of 1 toilet for every 20 persons or part thereof employed at the site.

Each toilet provided shall be:



- (a) a standard flushing toilet, or
  - (b) a temporary on-site toilet which is regularly maintained and the waste disposed to an approved sewerage management facility.
- 9.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:
- (a) the name, address and telephone number of the Section 109R Certifier for the work, and
  - (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
  - (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
  - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
- 9.1.3 Should the development work:
- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
  - (b) involve the enclosure of a public place,
- a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

- 9.1.4 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.
- 9.1.5 All soil erosion and sedimentation control measures indicated in the documentation accompanying the Section 109R Certification shall be installed prior to the commencement of development works.
- 9.1.6 A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport soil onto any public place. Such access shall be provided in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. Single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.

- 9.1.7 Any excavation and/or backfilling associated with the development shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent such work being dangerous to life or property.
- 9.1.8 Should any excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:
- (a) shall be preserved and protected from damage, and
  - (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
  - (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting work commences, be given notice of such intention and particulars of the excavation or supporting work.

**9.2 Notification to Council**

- 9.2.1 The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice under Clauses 135 and 136 of the Environmental Planning and Assessment Regulation 2000, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.

**9.3 Sydney Water**

- 9.3.1 Before Construction - apply early as building of water and sewer services can be time consuming or may impact on other parts of your development.
- (a) Building Plan Approval - The plans approved by Council as part of the Construction Certificate must also be approved by Sydney Water prior to excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to [sydneywater.com.au/tapin](http://sydneywater.com.au/tapin) to apply.

**9.4 Construction Details**

- 9.4.1 Structural details of the nominated building component(s), prepared and/or certified by a professional engineer or other appropriately qualified person, shall be lodged with Council prior to commencing or erecting that portion of the approved development.

Nominated component:

- (a) Footing piers
- (b) Footing system
- (c) Floor slab
- (d) Structural concrete
- (e) Wall frame bracing



- (f) Roof trusses
- (g) Structural steelwork
- (h) Retaining walls.

**9.5 Tree Protection**

- 9.5.1 Any tree not indicated on the approved Development Application plans as being removed or greater than 3m from the building perimeter shall be effectively protected against damage. If any additional trees need to be removed in order to satisfy the Planning for Bushfire Protection/APZ requirements, then details of these trees should be submitted with a separate application to Council for the tree removal sought.

**10 DURING CONSTRUCTION (BUILDING)**

**10.1 Aesthetics/Landscaping**

- 10.1.1 Any bathroom, w.c. or laundry window in the external wall of the building shall be fitted with translucent glazing.
- 10.1.2 The development approved by Council is to be constructed in accordance with the schedule of materials, finishes and colours identified on the submitted External Finishes Schedule – Nagle College, Revision A, Project No 16007, undated, prepared by De Angelis Taylor + Associates Pty Ltd.

**10.1.3 Landscaping**

Landscaping around the new building shall comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

- 10.1.4 All landscaping shall be completed in accordance with approved landscaping design plan and with condition 10.1.3 above.

**10.2 Access/Parking**

- 10.2.1 All internal access ways and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.
- 10.2.2 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6.

**10.3 Bush Fire Prone Land**

**10.3.1 Water and Utilities**

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

Water, electricity and gas supplies to the new building shall comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.

**10.4 Safety/Health/Amenity**

- 10.4.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for

every 20 persons or part of 20 persons employed at the site.

- 10.4.2 A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:
- (a) the name, address and telephone number of the Section 109R Certifier for the work, and
  - (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
  - (c) stating that unauthorised entry to the work site is prohibited.
- 10.4.3 Should the development work:
- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
  - (b) involves the enclosure of a public place,
- the required hoarding, awning or protective barrier shall be maintained between the land and the public place.
- The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to persons in the public place.
- 10.4.4 Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.
- 10.4.5 All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.
- 10.4.6 A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport soil onto any public place. Such access shall be provided in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. Single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.
- 10.4.7 Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.
- 10.4.8 Should any excavation associated with the ongoing development works extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:
- (a) shall be preserved and protected from damage, and
  - (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
  - (c) the owner(s) of which shall, at least 7 days before any such excavation or



supporting works be given notice of such intention and particulars of the excavation or supporting works.

- 10.4.9 Building and construction materials, plant, equipment and the like shall not to be placed or stored at any time on Council's footpath, roadway or any public place.

**10.5 Building Code of Australia Compliance**

- 10.5.1 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.

**10.6 Nuisance Control**

- 10.6.1 Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.

- 10.6.2 The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays; 8.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

- 10.6.3 Construction work on all buildings (except that on single dwelling houses and associated structures on the site of a single dwelling house) shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

**10.7 Salinity**

- 10.7.1 During construction, the recommendations of the Geotechnical Investigation for Catholic Education Office, Report No. 16/1573, dated June 2016 by GTS Geoenvironmental Pty Ltd are to be implemented.

**10.8 Waste Control**

- 10.8.1 The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of development works.

**10.9 Construction Inspections**

- 10.9.1 The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):

- (a) After excavation for, and prior to placement of, any footings; and
- (b) Prior to pouring any in-situ reinforced concrete building element; and
- (c) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and
- (d) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2,3 or 4 building); and
- (e) Prior to covering any stormwater drainage connections; and

- (f) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection "(f)" must be carried out by the Principal Certifying Authority.

Any inspection conducted by an accredited other than the nominated PCA for the project must be verified by way of a Compliance Certificate issued for the relevant works.

Note: Failure to ensure the relevant inspections are conducted will preclude the issue of an Occupation Certificate.

#### **10.10 Aesthetics and Landscaping**

- 10.10.1 The development shall be constructed in accordance with the approved external building materials, finishes and colours, and the details submitted and approved as part of the Construction Certificate. The external building materials, finishes and colours shall not be altered without separate approval.
- 10.10.2 All landscaping, fencing, retaining walls and accessways are to be provided in accordance with the approved plans, and the details submitted and approved as part of the Construction Certificate.

### **11 DURING CONSTRUCTION (ENGINEERING)**

#### **11.1 Notification of Works**

- 11.1.1 A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works required by this consent. This must be submitted a minimum five (5) business days prior to commencement of engineering works.

#### **11.2 Soil Erosion and Sediment Control Measures**

- 11.2.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 11.2.2 Re-vegetation and restoration of all disturbed areas as a result of the development works shall be completed as soon as practicable after the completion of earthworks and before the commencement of any other works on-site. The revegetated/restored areas must be established prior to the release of maintenance security/bonds. Note: All open drains must be turfed.
- 11.2.3 All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period and until all disturbed areas are restored to the satisfaction of Council in accordance with the design and construction specification. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.

#### **11.3 Filling of Land and Compaction Requirements**

- 11.3.1 Suitable land fill replacement is required when unsuitable soils are removed. All fill including existing fill shall be compacted in accordance with Council's Works Specification - Civil (current version). A compaction certificate shall be obtained



from an appropriately qualified practising registered engineer (NER) verifying that the correct compaction requirements have been met. This compaction certificate is to be submitted to Council.

**11.3.2 Special attention is drawn to the below listed requirements of Council's Works Specification - Civil (Current Version).**

- a) Submission of compaction certificates for fill within road reserves.
- b) Submission of compaction certificates for road sub-grade.
- c) Submission of compaction certificates for road pavement materials (sub-base and base courses).
- d) The submission of 2 contour lot fill diagrams and lot fill compaction certificates. A restriction as to User with Council's standard wording must be placed on filled lots.
- e) Compliance Certificates from road material suppliers (the relevant certified stockpile number shall be digitally shown from supplier)

Note: Council's Works Specification (Civil) requires road pavement and pipe bedding materials be sourced from approved suppliers. A listing of these materials and approved stockpile numbers can be found on Council's webpage.

The above documentation shall be submitted at the prior to Subdivision and/or Occupation certificate stage as required by this consent.

**11.3.3 Site filling within lot boundaries (not in road reserves) and compaction is to be carried out under the supervision of a Chartered Geotechnical Engineer and shall be in accordance with Blacktown City Council's "Works Specification - Civil (Current Version)". Minimum standard compaction of 95% must be achieved and certified by a NATA registered soils lab and details submitted to Council.**

**11.3.4 Appropriate dust control measures are to be implemented during construction to reduce any impact on local air quality and reduce dust emissions. This will include but not be limited to regularly wetting down of the site during the course of works being carried out in order to control wind blown dust.**

**11.3.5 All roads adjoining the site must be kept clean and free of all materials. Infringement Notices incurring a monetary penalty may be issued by Council where this measure is not being complied with.**

**11.3.6 Trucks transporting cut must have their loads covered and provisions of "shaker pads" and wash-down areas for trucks leaving the site are to be made available. All details are to be shown on soil erosion and sediment control plans.**

**11.3.7 Prior to the placement of any fill on the site all topsoil and vegetation must be removed down to a suitable sub-grade material. The topsoil is to be stockpiled for use in revegetation of the site.**

**11.4 Inspection of Engineering Works - Environmental Planning and Assessment Act 1979**

**11.4.1 Comprehensive inspection compliance certificate(s) to be issued for all engineering works required by this consent and the approved construction certificate. The**

inspection compliance certificate(s) can only be issued by Council or an accredited certifier, under *Part 4A of the Environmental Planning and Assessment Act 1979* as amended. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

Where Council is appointed as the Principal Certifying Authority for the development, only compliance certificates issued by accredited certifiers will be accepted. All compliance certificate(s) must certify that the relevant work has been completed in accordance with the pertinent Notice of Determination / Development Consent and Construction Certificate.

#### **11.5 Public Safety**

- 11.5.1 The applicant is advised that all works undertaken are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe and recover all reasonable costs incurred from the applicant.

#### **11.6 Site Security**

- 11.6.1 Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.

### **12 PRIOR TO OCCUPATION CERTIFICATE**

#### **12.1 Compliance with Conditions**

- 12.1.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.
- 12.1.2 Prior to occupation/use of a new building, it is necessary to obtain an Occupation Certificate from the Principal Certifying Authority in accordance with the provisions of Section 109H of the Environmental Planning & Assessment Act 1979.

#### **12.2 Bush Fire Prone Land**

##### **12.2.1 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:

An emergency and evacuation plan shall be prepared for the school or the existing plan is to be amended to include the new building. The plan shall be in accordance with the NSW Rural Fire Service document 'Guide for Developing a Bush Fire Emergency Evacuation Plan'.

##### **12.3 Satisfaction of Bushfire Hazard Assessment Report Recommendations – BAL 12.5 Rating**

- 12.3.1 A certificate from the consultant who prepared the Bushfire Hazard Assessment Report or from an equally qualified bushfire consultant is to be submitted to the Certifier that verifies that the development satisfies the recommendations of the



Bushfire Hazard Assessment Report – Proposed Alterations and Additions to Nagle College, prepared by Building Code & Bushfire Hazard Solutions Pty Limited, dated 27 June 2015, Report No: 161211. Verification is to be provided to the satisfaction of the Building section of Council that new construction complied with section 5 (BAL 12.5) Australian Standard AS3959-2009 "Construction of buildings in bush fire-prone areas" and section A3.7 Addendum Appendix 3 of "Planning for Bush Fire Protection".

#### **12.4 Service Authorities Approvals**

12.4.1 The following documentary evidence shall be obtained and forwarded to the Principal Certifying Authority prior to the release of the Occupation Certificate:

- (a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Please refer to the "Building Plumbing and Developing" Section of the website [www.sydneywater.com.au](http://www.sydneywater.com.au), then follow the "Developing Your Land" link or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the release of the plan of subdivision.
- (b) If required, the applicant shall obtain a Trade Waste Approval form the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.
- (c) A "Notification of Arrangement" Certificate from a recognised energy provider, stating that arrangements have been made with the service authority for electrical services, including the provision of street lighting, to the development.
- (d) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

#### **12.5 Temporary Facilities Removal**

- 12.5.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
- 12.5.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.
- 12.5.3 Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.
- 12.5.4 Any temporary builder's sign or other site information sign shall be removed from the land.
- 12.5.5 Any temporary site access provided for the purpose of development works shall be

removed and the kerb and gutter and/or previous road works reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.

#### **12.6 Fire Safety Certificate**

12.6.1 An interim or final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

12.6.2 A final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

#### **12.7 Site Auditor Report**

12.7.1 Prior to issue of any Occupation Certificate, a report from a qualified site auditor accredited by the NSW Environment Protection Authority (under the provisions of the Contaminated Land Management Act 1997) shall be lodged with Council stating that, where the land has been affected by any contaminants (including asbestos, organochlorins, arsenic, lead, petroleum residues and the like), the land has been remediated in accordance with the recommendations of the investigation report. A copy of the report is to be lodged with Council. The Site Audit report shall verify that the investigation, remediation and validation was carried out in accordance with EPA guidelines and the residential standards of the NEPM 2013 guidelines, that the site is suitable for the proposed educational use.

#### **12.8 Fee Payment**

12.8.1 Any fee payable to Council as part of an Approval or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

#### **12.9 Landscaping/Car Parking**

12.9.1 All landscaping shall be completed in accordance with approved landscaping design plan and the NSW Rural Fire Services Bush Fire Safety Authority. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.

12.9.2. The existing car park shown on the approved plans (176 spaces) is to remain and is to continue to be available for parking for this development also.

12.9.3 All common areas, ramps, stairs, paths and internal driveways shall be appropriately illuminated by the use of bollard lighting or the like to provide for the safety and convenience of occupants and other people resorting to the land at night.

12.9.4 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.

12.9.5 All fencing shall be completed in accordance with the approved landscape plan, and



meet the requirements of the NSW Rural Fire Services Bush Fire Safety Authority, and be of non-combustible material.

## **12.10 Engineering Matters**

### **12.10.1 Road Damage**

- 12.10.1.1 The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

Note: Should the cost of damage repair work not exceed the road maintenance bond Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued.

### **12.10.2 Fee Payment**

- 12.10.2.1 Any fee payable to Council as part of a Construction, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

### **12.10.3 Surveys/Certificates/Works As Executed plans**

- 12.10.3.1 A Work-as-Executed (WAE) plan signed by a Registered Engineer (NER) or a Registered Surveyor must be submitted to Council when the engineering works are completed. A hardcopy (A1 size) and softcopy (on a CD/USB with file format .PDF) of the WAE plans are to be submitted to Council. All engineering Work-as-Executed plans MUST be prepared on a copy of the original, stamped Construction Certificate plans for engineering works.

- 12.10.3.2 The Work-as-Executed (WAE) plan must confirm that the On Site Detention system identification plate has been installed in accordance with the Upper Parramatta River Catchment Trust Guidelines. The On Site Detention system identification plate can be purchased from Council.

- 12.10.3.3 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the On-Site Detention System as constructed will perform to meet the on-site stormwater detention requirements in accordance with the approved design plans.

- 12.10.3.4 A certificate from a Registered Engineer (NER) must be lodged with Council verifying that the structures associated with the On-Site Detention System(s) have been constructed to withstand all loads likely to be imposed on them during their lifetime.

- 12.10.3.5 The submission to Council of Compliance Certificate(s) and construction inspection reports required by this consent for engineering works. A final inspection report is to be included noting that all works are complete.

When Council has been nominated or defaulted as the nominee for engineering compliance. Final inspections can be arranged through Councils Coordinator of Engineering Approvals contactable on (02) 9839 6263. A final inspection checklist must be completed by the applicant prior to the final inspection.

### **12.10.4 Easements/Restrictions/Positive Covenants**

- 12.10.4.1 Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:
- (a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).
  - (b) The standard format for easements and restrictions as accepted by the Lands Title Office.
- 12.10.4.2 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Government - Land and Property Information over the on-site detention storage areas and outlet works.
- 12.10.4.3 All Section 88B restrictions and covenants created, as part of this consent shall contain a provision that they cannot be extinguished or altered except with the consent of Blacktown City Council.
- 12.10.5 **Inspections**
- 12.10.5.1 Any additional Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.
- 12.11 **Other Matters**
- 12.11.1 **Hazardous Materials and Waste**
- 12.11.1.1 A clearance certificate/statement prepared in accordance with the National Code of Practice for the Safe Removal of Asbestos shall be issued by the competent demolition contractor who holds an appropriate Demolition Licence issued by the NSW WorkCover Authority under the provisions of the Work Health and Safety Act 2011 (and any relevant Regulation there under). The certificate/statement must state that the pre-existing building/s was/were demolished in accordance with the conditions and terms of that licence, Australian Standard 2601-2001 – The Demolition of Structures and that any asbestos removal has been carried out in accordance with NOHSC-2002 – Code of Practice for Safe Removal of Asbestos. A copy of the clearance certificate/statement shall be lodged with Council.
- 12.11.1.2 Submit the receipt from the trade waste depot for disposal of the asbestos from the removal/demolition of the existing school buildings.
- 12.11.2 **Salinity**
- 12.11.2.1 Written confirmation prepared by a suitably qualified person is to be submitted to Council identifying that the recommendations of the Geotechnical Investigation for Catholic Education Office, Report No. 16/1573, dated June 2016 by GTS Geoenvironmental Pty Ltd have been implemented.
- 12.11.3 **Lighting**
- 12.11.3.1 Vandal proof and security lighting is to be provided in accordance with the approved Construction Certificate plans to provide for the safety and



convenience of staff, students and visitors at night. The internal access ways to the car parking areas must also be provided with sufficient lighting to enhance the safety of users. All open areas and internal access ways shall be appropriately illuminated by the use of bollard lighting or the like to provide for the safety and convenience of staff, students and visitors at night.

**12.11.4 Additional Tree Planting**

- 12.11.4.1 An additional 10 x 45 litre container size trees are to be planted in other suitable locations within the complex to offset the loss of trees which have been removed, being within the proposed building footprint or in areas to be excavated for retaining walls. The preferred species for the ten additional trees are to be the same or similar to those that will be removed, to the satisfaction of Council's Civil and Open Space Infrastructure section. The tree species and location is to comply with the requirements of the Bush Fire Safety Authority issued by the NSW Rural Fire Service.

**13 OPERATIONAL**

**13.1 Access/Parking**

- 13.1.1 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

**13.2 General**

- 13.2.1 No goods, materials, or trade waste shall be stored at any time outside the building other than in approved garbage receptacles.
- 13.2.2 No goods or materials shall be stored, displayed for sale or manufactured at any time outside the building.
- 13.2.3 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.

**13.3 Landscaping**

- 13.3.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.

**13.4 Emergency Procedures**

- 13.4.1 Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

**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:

An emergency and evacuation plan shall be prepared for the school or the existing plan is to be amended to include the new building. The plan shall be in accordance with the NSW Rural Fire Service document 'Guide for Developing a Bush Fire Emergency Evacuation Plan'.

**13.5 Other Matters (Environmental Health)**

- 13.5.1 Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the Department of Environment and Conservation's Environmental Noise Management - NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic
- 13.5.2 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 13.5.3 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.
- 13.5.4 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.