

## New Draft Conditions of Consent

Proposed Development:

Construction of a 2 storey school building at Riverbank Public School at 25 Wentworth Street, The ponds, minor internal refurbishment, relocation of 3 demountable classrooms, provision of 31 car parking spaces, tree relocation and new signage

## 2 ADVISORY NOTES

### 2.1 Terminology

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

### 2.2 Scope of Consent

2.2.1 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.

### 2.3 Other Approvals

2.3.1 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 indicated on the approved plans and any tree(s) located greater than 3 metres from the building perimeter, 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.

### 2.4 Services

2.4.1 The applicant is advised to consult with:

- (a) Sydney Water Corporation Limited
- (b) Recognised Energy provider
- (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).

All approved building construction plans attached to the Construction Certificate should be submitted to Sydney Water Tap In, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans are to be appropriately stamped and all amended plans will require re-stamping. For further information go to: [www.sydneywater.com.au](http://www.sydneywater.com.au), then follow the "Developing Your Land" link or telephone 1300 082 746 for assistance.

Sydney Water may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made to ascertain the Sydney Water requirements for the eventual operation of the approved use.

- 2.4.2 Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.
- 2.4.3 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.
- 2.4.4 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.

## 2.5 **Identification Survey**

- 2.5.1 The applicant is advised to obtain an identification survey from a registered surveyor to ascertain the correct location of the property boundaries, and to ensure the development does not encroach upon adjoining properties.

## 2.6 **Engineering Notes**

- 2.6.1 All works requiring approval under the *Roads Act 1993* or *Local Government Act 1993* must be approved PRIOR to the Commencement of works.

## 2.7 **Health Notes**

- 2.7.1 Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.
- 2.7.2 If any food or public health related commercial activities are proposed, then a referral to Environmental Health for the use and fit out of the premises is required to provide conditions plans and ensure compliance with the requirements of the;

- i. Food Act 2003 and Regulations there under
- ii. Australian Standard 4674-2004 *Design, construction and fit-out of food premises*.

## 2.8 Other Matters

- 2.8.1 Access driveway, ramps, circulation aisles and parking arrangements shall be in accordance with AS 2890.1, AS 2890.2 & AS 2890.6.
- 2.8.2 Adequate sight distance shall be made for both pedestrian and vehicular movement at all driveways in accordance with Section 3.2.4 AS 2890.1 and Figure 3.2 of AS 2890.1

## 3 GENERAL

### 3.1 Scope of Consent

- 3.1.1 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:

Job Number	Drawing No.	Drawing Title	Dated
160711	AR-DA-1102 Revision C	Revised Site Plan	31/07/18
160711	AR-DA-1201 Revision B	Site Demolition Plan	14/09/17
160711	AR-DA-2001 Revision C	Ground Floor Plan	14/09/17
160711	AR-DA-2002 Revision B	First Floor Plan	14/09/17
160711	AR-DA-2003 Revision B	Roof Plan	14/09/17
160711	AR-DA-2501 Revision B	GFA	14/09/17
160711	AR-DA-3001 Revision C	Elevations	14/09/17
160711	AR-DA-3101 Revision C	Sections	14/09/17
160711	AR-DA-4001 Revision B	External Signage Details	14/09/17
160711	AR-DA-7101 Revision B	External Materials	14/09/17
16564	L101 Issue A	Landscape Masterplan	25/08/17
16564	L102 Issue A	Detailed Landscape Plan 1	25/08/17
16564	L103 Issue A	Detailed Landscape Plan 2	25/08/17
16564	L104 Issue A	Detailed Landscape Plan 2	25/08/17
16564	L201 Issue A	Section	25/08/17
16564	L301 Issue A	Indicative Planting Palette	25/08/17
160711	AR-DA-1102A Revision C	Proposed Site Plan showing additional trees as marked in red by Council	31/07/18
160711	AR.SK.DMT.001 Rev B	Site Plan-showing parking layout & proposed relocation of 7 demountables	17/09/2018

\* Subject to any conditions of this consent.

### **3.2 Tree Assessment**

- 3.2.1 The relocation of 7 Waterhousia floribunda trees located in the school entrance on Wentworth Street shall be assessed by an Arborist with AQF level V qualifications for transplanting into garden areas of the school.
- 3.2.2 Additional tree planting using minimum 100L container sized stock shall be undertaken around car park areas to meet Council's DCP guidelines of providing 50% of shade at 10 year tree maturity. (DCP, Part A, 6.4.9).
- 3.2.3 Additional trees shall be planted around the boundary of the site along the south-east side of Wentworth Street and continuing on Riverbank Drive and stopping before the existing demountable at Riverbank Drive.

### **3.3 Suburb Name**

- 3.3.1 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: The Ponds

### **3.4 Demountable classrooms**

- 3.4.1 The approved number of parking spaces under JRPP-13-369 shall be complied with. The amended site plan AR.SK.DMT.001 Rev B prepared by TKD Architects and dated 17 September 2018 shall be complied with, or an alternative site plan is to be prepared and submitted to the satisfaction of Council.

## **4 PRIOR TO CONSTRUCTION WORK COMMENCING (GENERAL)**

### **4.1 DA Plan Consistency**

- 4.1.1 Construction works shall only commence when the accompanying plans, specifications and/or details are consistent with the approved Development Application design plans.

## **5 PRIOR TO CONSTRUCTION WORK COMMENCING (PLANNING)**

### **5.1 Aesthetics/Landscaping**

- 5.1.1 Details of any proposed lighting to assist in crime prevention at night shall be submitted to Council for approval prior to any construction works commencing.
- 5.1.2 The reflectivity index of glass used in the external facade of the building is not to exceed 20 percent.
- 5.1.3 Any bathroom or w.c. window in the external wall of the building shall be fitted with translucent glazing.
- 5.1.4 The development approval is to be constructed in accordance with the schedule of materials, finishes and colours.

## 5.2 **Access/Parking**

- 5.2.1 All new internal driveways and other new paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.
- 5.2.2 Pedestrian access to parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6.

## 5.3 **Site Contamination**

- 5.3.1 Should any remediation works be required, then a Remediation Action Plan (RAP) shall be prepared by a suitably qualified environmental consultant and be submitted to Council for approval. Any required remediation works shall be undertaken during the course of the engineering work. Final validation of the site for every aspect of these works shall be submitted for Council's approval prior to works commencing.

## 5.4 **Engineering Matters**

### 5.4.1 **Design and Works Specification**

- 5.4.1.1 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 FOURTH Edition December 2005.

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements MUST be submitted to Council prior to works commencing.

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

## 5.5 **Other Necessary Approvals**

- 5.5.1 A separate application will be required for the following approvals, under the *Local Government Act 1993* and/or the *Roads Act 1993*.
  - Vehicular Crossing
  - Works on or occupation of existing public roads (Not including works covered by a Roads Act Approval)
- 5.5.2 The development must at all times maintain the water quality system to achieve the following minimum pollutant removal targets for the entire site in perpetuity

including the approved bioretention plant species:

*Required percentage reductions in post development average annual load of pollutants*

<b>Pollutant</b>	<b>% post development pollutant reduction targets</b>
Gross Pollutants	90
Total Suspended Solids	85
Total Phosphorous	65
Total Nitrogen	45
Total Hydrocarbons	90

5.5.3 Each year by the first business day on or after 1 September the registered proprietor/lessee is to provide to Council's Asset Design Services Section a report outlining all maintenance undertaken on the stormwater quality improvement devices and rainwater tank in accordance with the approved maintenance schedule and details of all non-potable water used. All material removed are to be disposed of in an approved manner. Copies are to be provided of all contractor's cleaning reports or certificates to Council's WSUD Compliance Officer.

## 5.6 **Other Matters**

5.6.1 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.

# 6 **PRIOR TO CONSTRUCTION WORK COMMENCING (BUILDING)**

## 6.1 **Site Works and Drainage**

6.1.1 Any required retaining wall(s) and/or other effective method to retain excavated or filled ground (not being Exempt Development under an environmental planning instrument, together with any associated groundwater drainage system, shall be designed by an appropriately qualified person.

6.1.2 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.

6.1.3 Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy.

# 7 **PRIOR TO CONSTRUCTION WORK COMMENCING (ENGINEERING)**

## 7.1 **General**

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

Prepared By	Job No.	Drawing No.	Sheet No.	Revision	Dated
Woolacotts Consulting Engineers	16-257	SW1		A	22.08-17

P/L					
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7.1.2 Approval from Council shall be obtained for the design and location of the 'kiss and drop' area.

## 7.2 Roads Act Requirements

7.2.1 Under *Section 138 of the Roads Act 1993* an approval for engineering work is required. These works include but are not limited to the following:

- Any works within Council's road reserve
- Vehicular crossings

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

## 7.3 Other Engineering Requirements

7.3.1 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.

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

7.3.3 Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.

## 7.4 Roads

7.4.1 Submit a traffic management plan (TMP) including but not limited to a Traffic Control Plan (TCP) and Pedestrian Management Plan, for any works within public road reserves. The TCP shall be approved, signed and dated by a suitably qualified Roads and Maritime Services (RMS) accredited work site traffic designer.

## 7.5 Drainage

7.5.1 Drainage from the site must be connected into Council's existing drainage system.

7.5.2 Submit a certificate from a registered engineer (NER) certifying the building has been designed to withstand the forces of floodwaters and the impact of any flotsam likely to be carried by such floodwaters.

7.5.2.1 **Stormwater management plans by Woolacotts Consulting Engineers Job Number 16-257 Drawing Number SW1 Amendment A dated February 2017 shall be amended to the satisfaction of the Manager Asset Design to address the following:**

- a) Provide a scale bar to assess areas on the drawing.
- b) Increase the text size for the existing 'levels' and ensure it is legible.
- c) Provide additional information for the existing combined bioretention basin and OSD basin. Show cross sections and levels for review.
- d) All pits must be numbered.
- e) Provide for all new pits, sizes, surface and invert levels on the plan. Clearly identify which pits have Enviropods
- f) Enviropods treating only surface flows require a minimum clear depth of 500 mm below the grate to any inlet or outlet pipe invert. Enviropods treating surface flows and upstream pipe flows require a minimum clear depth of 500 mm from the invert of the

upstream pipes to be treated, to the obvert of the outlet pipe. Where these pits are treating upstream pipe flows the inverts of all pipes in and out of the pit are to be shown.

- g) All Enviropods are to be clearly notated as "200 micron Enviropods".
- h) Provide additional details for the new raingarden including pit layout, levels and sections.
- i) Provide a detail of a subsoil riser for flushing and maintenance of the subsoil collection pipe. The riser is to include two 450 bends with a short section of un-slotted straight (minimum 300 mm) in between. The vertical riser is to be sealed with a removable screw cap.
- j) Provide a section for the new raingarden media. The bioretention profile is to be amended to provide 400 mm of filter media, a 350 mm transition layer and a 200 mm gravel layer. Provide a saturated zone in accordance with the control shown on Council's Water Sensitive Urban Design (WSUD) Standard Drawings Plan No. A(BS)175M Detail 12 or 13.
- k) The un-socked subsoil drains within the saturated bioretention filter bed can be laid flat, however any non-slotted collection c the subsoil flows away from the basin, are to have a minimum grade of 0.5 %. Where subsoil lines connect with a larger subsoil collection pipe, the subsoil pipes are to connect via two 45 degree bends with a minimum 300 mm straight section between to allow for rodding. The collection pipe is to have its own rodding point. Provide details of sizing to ensure a minimum of twice the capacity based on both pipe capacity and flow through the slots.
- l) Provide a Raingarden Sediment Pit as part of the scour protection for the piped outlets to the bioretention basins. This pit is to include a minimum 400 mm deep silt trap to protect the filter material from clogging. The concrete top of pit is to be set to the filter media level with a surcharge style grate over or surrounded by railings. The subsoil seepage drainage is to be directed through the side to the bioretention filter media, or transition layer, but not to the gravel layer.
- m) For the overland flow calculation allow for a minimum Mannings n generally of 0.05 and a Mannings n of 0.025 for hard paved areas and roadways.
- n) Provide minimum 1% slope away from building.
- o) All pits within the proposed development must comply with the following. Pits 600 \* 600 mm are limited to 600 mm maximum depth, pits 600 \* 900 mm are limited to 900 mm depth and pits greater than 900 mm depth are all to be minimum 900 \* 900 mm.
- p) Provide a detail of the overflow pit for the proposed raingarden. The grate is to be a raised park or surcharge style to minimise blockage. The pit size is to be increased such that depth of weir flow into the pit for the 1 in 20 year ARI event is a maximum of 100 mm. Provide a detail of a subsoil riser for flushing and maintenance of the subsoil collection pipe. The riser is to include two 450 bends with a short section of un-slotted straight (minimum 300 mm) in between. The vertical riser is to be sealed with a removable screw cap.
- q) Provide a MUSIC catchment plan for the existing and proposed development showing clearly any areas of bypass.
- r) Provide an on-site detention catchment plan for existing and proposed development showing clearly the areas draining to the detention basin and clearly show areas of bypass including any upstream swale areas. The one plan shown as part of the Stormwater Management Report in appendix B with the label "Catchment of detention basin 2" shows a different catchment to the pipes shown on the stormwater management plan.
- s) Provide details of filtration and UV treatment to ensure the non-potable water obtained from the existing rainwater tank is fit for purpose and contact with people. Based on

Drawing SW1(A) and the MUSIC model significant surface flows are directed to the rainwater tank in addition to roof areas. This could result in substantial contamination and risk to staff and students and appropriate treatment is required.

- t) A new independent rainwater tank is to be provided to collect only roofwater from the new buildings and use this for flushing of toilets in the new buildings.

7.5.2.2 Amend the Stormwater Management Report to incorporate all the amendment to the plans and modelling as detailed in this consent.

7.5.2.3 Survey plans by Hill and Blume Consulting Surveyors Drawing Number 58574001A to 58574010A dated 18/08/2016 shall be amended to address the following:

- a) A survey plan is to be provided of the same area that is shown in the stormwater management plan in order to compare the pre development to post development proposed for the site.
- b) The survey plan is provided over 10 pages, provide an overall site plan to indicate where the pages belong.

7.5.2.4 Amended XPRAFTS models 16257 Exist.xp and 1625Propo.xp are required to the satisfaction of the Manager Asset Design to address the following:

- a) RAFTS modelling is to include the 2 year ARI data.
- b) Refer to table 10.2 of Council's Engineering Guide for development for the inputs required for XP-Rafts.
- c) The catchments need to be shown for the existing and proposed scenarios. Catchments for roof, pervious, road and impervious need to be shown draining into the detention basin.
- d) The subcatchment data for the detention basin for existing and proposed scenario should only have the area of the basin inputted.

7.5.2.5 Revised MUSIC modelling including the submission of the electronic model is to be provided to the satisfaction of the Manager Asset Design to meet the requirements under Council's DCP Part J 2015. The amended model must address the following issues:

- a. A minimum of 80% of the non-potable water uses on site is to be met through rainwater. This is to be assessed using the node water balance in MUSIC. Allow for a 20% loss in rainwater tank size volume in MUSIC to that shown on the design plans below the overflow invert to allow for anaerobic zones, mains water top up levels and overflow levels.
  - i. The rainwater tank should only collect roof water. The model has field, play 1, garden 2 and car 1 directed to the rainwater tank. These potentially contaminated surfaces should not to be connected to the rainwater tank without appropriate treatment.
  - ii. The allocated 3.3KL/day for internal rainwater reuse is excessive. Internal use refers to daily use such as toilet flushing. Allow for internal rainwater reuse of 0.55 KL/day per toilet/urinal based on 5 days a week and 40 weeks a year.
  - iii. The rainwater tank does not allow for landscape watering as annual demand. Provide details and calculations.
  - iv. Provide an additional rainwater tank collecting roofwater off the new building and used for toilet flushing within the new additions. Allow for a 20% loss in rainwater tank size volume in MUSIC to that shown on the design plans to allow for anaerobic zones, mains water top up levels and overflow levels to achieve the 80% reuse target.

- v. For raingarden 1, amend to reflect the correct areas draining to it. Currently roofwater (Roof 2) is directed straight to the basin when it should be going to the rainwater tank.
- vi. In Raingarden 1 the 'Surface Area' is too high and must be measured at half the extended detention depth.

7.5.3 Stormwater management plans by Woolacotts Consulting Engineers Job Number 16-257 Drawing Number SW1 shall be amended to address the following:

- a) Provide Floodway Warning Signs for the above ground detention areas and bioretention systems in accordance with Plan A(BS)114S from Council's Engineering Guide for Development 2005.
- b) Confined space entry warning signs are to be detailed on the drainage plans adjacent to all entries into the rainwater tank and in accordance with Council's Engineering Guide for Development 2005.
- c) The eaves roof gutters are to be designed to collect the minimum of the 20 year ARI storm. Any box gutters are to be designed to collect the minimum of the 100 year ARI storm. Details of gutter and downpipe designs are to be provided.

7.5.4 A civil engineer, registered with NER, is to certify that the on-site detention basin has been designed to mitigate all post developed flows from the site to not exceed pre developed rural catchment flows for all storm events from 1 in 2 year ARI to 1 in 100 year ARI. The pre-developed initial pervious loss is 15 mm, compared to a post developed pervious loss of 5 mm at 85% impervious. In DRAINS consider the Kinematic Wave Equation for pre-development with  $n^* = 0.4$ . Provide a separate pre-developed DRAINS or RAFTS model. The bioretention extended detention depth is to be considered as dead storage or ignored in the model. This design is to be supported by electronic modelling that complies with the requirements of the Council's Engineering Guide for Development 2005 and account for any bypass of the detention basin along the roads or elsewhere that cannot drain to the basin.

7.5.5 Provide details for permanent coloured interpretive signage minimum A0 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the major water quality device. The wording and detail is to be approved by Council.

7.5.6 Revised landscape plans are required in accordance with the Council's WSUD Standard Drawings A(BS)175M Sheet 12 that include appropriate species for the bioretention system for the 400 mm deep filter media. Planting within the filter area should incorporate several growth forms, including shrubs and tufted plants and be densely planted (tufted plants at a minimum of 10 plants per square metre) to ensure plant roots occupy all parts of the media. To ensure diversity and disease resistance a minimum of 8 different species is required planted as a matrix. All plants within the filter area are to be planted with tubestock, or virotube and not pots. No mulch is permitted over the bioretention, although jutemat is accepted. Where the banks of the basin are turfed a minimum 200 mm wide concrete mowing strip is required adjacent to the bioretention to minimise grass intrusion into the bioretention.

7.5.7 Amended architectural plans are required for buildings, or parts of buildings, that are not affected by BASIX, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:

- i. 5 star dual-flush toilets;
- ii. 3 star showerheads;

- iii. 6 star taps (for all taps other than bath outlets and garden taps);
- iv. 3 star urinals; and
- v. Water efficient washing machines and dishwashers are to be specified.

7.5.8 An experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply and Irrigation Plan for non-potable water uses for the new additions to the site including all toilet/urinal flushing and landscape watering and that all Sydney Water requirements have been satisfied. The plan is to show the rainwater pipe and tank arrangement including:

- i) a first flush or pre-treatment system (typically 0.2 litres / m<sup>2</sup> of roof area going to the tank),
- ii) a pump with isolation valves and a warning light to indicate pump failure;
- iii) a mains water direct tank top up with air gap for landscape watering,
- iv) a solenoid controlled mains water bypass for toilet flushing only;
- v) flow meters on the mains water tank top-up line, the solenoid controlled mains water bypass line and the pump outflow line, to determine actual non- potable usage;
- vi) a timer and control box for landscape watering, allowing for seasonal variations;
- vii) ensuring all the rainwater reuse pipes are coloured purple;
- viii) an inline filter and preferably an automatic backwash inline filter.
- ix) fitting rainwater warning signs to all external taps using rainwater.

**7.6 Erosion and Sediment Control**

7.6.1 Provide a sediment and erosion control plan in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development.

**7.7 Earthworks**

7.7.1 Proposed lots must be filled so that the ground levels behind the building are a minimum of 500mm above the designed 100-year average recurrence interval flood level.

7.7.2 Batters are not to exceed a grade of 1V:5H and are to be stabilised with topsoil, turf and vegetation.

7.7.3 **Finished levels of all internal works at the road boundary of the property must be 4% above the top of the kerb. Note: Where the road verge is made up of full width path pathing the finished levels of the all internal works at the road boundary of the property must be 2.5% above the top of the kerb, this is to ensure a maximum ross-fall of 2.5% for the path pathing area.**

7.7.4 Retaining walls shall be a maximum single height of 1.2m (600mm cut + 600mm fill). Where a retaining wall is proposed that is more than 1.2m in height, a terraced solution shall be provided. Terraces should not exceed 900mm in height (each). Note that the lower terrace is to be inside the lower lot, and the upper terrace on the boundary. Terraces should have a minimum separation distance equal to the height of the terrace. Retaining walls shall be of masonry construction.

**7.8 On-Site Detention**

7.8.1 Provide an on-site detention system in accordance with Council's Engineering Guide for Development and Upper Parramatta River Catchment Trust On Site Stormwater Detention Handbook FOURTH Edition December 2005.

7.8.2 The engineering drawings approved under this consent are not to be used for construction.

7.8.3 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.

7.8.4 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

## 7.9 **Stormwater Quality Control**

7.9.1 Provide a stormwater quality treatment system in accordance with Council's Engineering Guide for Development and Development Control Plan Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.

7.9.2 The engineering drawings approved under this consent are not to be used for construction.

7.9.3 Provide a maintenance schedule for the stormwater quality device that is signed and dated by the designer.

7.9.4 Bio-retention basins to be designed in accordance with "Stormwater Biofiltration Systems. Adoption Guidelines. Planning, design and implementation. Version 1 June 2009. Facility for Advancing Water Bio-filtration", as a lined, standard biofiltration system.

## 7.10 **Vehicular Crossings**

7.10.1 Construct a **commercial/industrial** vehicular crossing to Council's standard A(BS)127S.

# 8 **PRIOR TO CONSTRUCTION WORK COMMENCING (ENVIRONMENTAL HEALTH)**

## 8.1 Acoustic Assessment Recommendations

8.1.1 The recommendations provided in the acoustic report shall be implemented.

8.1.2 The recommendations provided in the *Preliminary Stage 1 Environmental Site Assessment, prepared by Environmental Investigation Services, report REF: E29696KDrpt, dated 23 September 2016* shall be implemented.

8.1.3 A certificate must be provided by a qualified acoustic engineer stating that provision has been made in the design of all sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems to ensure that it is acoustically attenuated so that the noise emitted:

- a) does not exceed an  $L_{Aeq}$  sound pressure level of 5dB (A) above the ambient background noise level when measured

- at the most effected point on or within any residential property boundary or
- at the external edge of any sole occupancy unit balcony within the premises itself at any time the plant or equipment operates.

b) cannot be heard within a habitable room in any sole occupancy unit or other residential premises (regardless of whether any door or window to that room is open) between the hours of 10pm and 7am.

The method of measurement of sound must be carried out in accordance with Australian Standard 1055.1.

## 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 principal certifying authority 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 All soil erosion and sedimentation control measures shall be installed prior to the commencement of development works.

- 9.1.5 A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport of 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.
- 9.1.6 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.
- 9.1.7 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, 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 Tree Protection**

- 9.3.1 Any tree not approved for removal or more than 3m from the perimeter of any building (existing or proposed) is to be effectively protected against damage.

## **9.4 Sydney Water Authorisation**

- 9.4.1 Sydney Water Corporation's approval shall be obtained to verify that the development meets the Corporation's requirements concerning the relationship of the development to any water mains, sewers or stormwater channels.

OR

The approved plans are to be submitted to a Sydney Water Customer Centre or Quick Check Agent, to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans must be appropriately stamped and all amended plans will require restamping. For Quick Check Agent details, 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.

## **10 DURING CONSTRUCTION (BUILDING)**

### **10.1 Safety/Health/Amenity**

- 10.1.1 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.

10.1.2 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 Regulation 2000 indicating:

- (c) the name, address and telephone number of the principal certifying authority for the work, and
- (d) 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
- (e) stating that unauthorised entry to the work site is prohibited.

10.1.3 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) 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.

10.1.4 All measures to control soil erosion and sedimentation shall be maintained throughout development works.

10.1.5 A single vehicle/plant access to the land shall be maintained to minimise ground disturbance and transport of soil onto any public place. Such access shall be maintained in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. As a minimum, single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided.

10.1.6 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.

10.1.7 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, 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.

10.1.8 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.

## 10.2 **Building Code of Australia Compliance**

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

### **10.3 Nuisance Control**

- 10.3.1 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.
- 10.3.2 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.

### **10.4 Stormwater Drainage**

- 10.4.1 Stormwater, surface water and sub-surface seepage (other than natural flows) shall be prevented from entering the building or being diverted onto any adjoining land (as applicable) by:
  - (a) the floor level being a minimum 225mm above the adjoining finished ground level, and/or
  - (b) being drained to an effective drainage system.

### **10.5 Waste Control**

- 10.5.1 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.

### **10.6 Tree Protection**

- 10.6.1 The measures required to effectively protect trees on the land shall be maintained throughout the development works.

### **10.7 Construction Inspections**

- 10.7.1 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 occupation of the building.

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

### **10.8 Bush Fire Prone Land**

- 10.8.1 The proposed development shall comply with the site plan by TDK Architects, Job No. 160711, Drawing No. AR.DA.1102 Revision C.
- 10.8.2 Any new landscaping shall comply with Appendix 5 "Landscaping and Property Maintenance" under Planning for Bush Fire Protection 2006.
- 10.8.3 New construction shall comply with section 3 and 5 BAL 12.5 under 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".
- 10.8.4 The existing Bush Fire Evacuation Plan shall be updated in accordance with NSW Rural Fire Service guidelines for emergency management plans.

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

### **11.1 Insurances**

- 11.1.1 Current copies of relevant insurance Certificates of Currency are to be submitted to Council's Engineering Approvals Team. This shall be submitted prior to commencement of engineering works required by this consent that are carried out on Council controlled lands such as roads, drainage reserves and parks. This includes Public Liability Insurance with a minimum of \$20,000,000.00 Indemnity and Workers Compensation.

### **11.2 Service Authority Approvals**

- 11.2.1 Prior to the commencement for construction of footway crossings and driveways a clearance shall be obtained from the relevant telecommunications carriers and Endeavour Energy. The clearance shall notify that all necessary ducts have been provided under the proposed crossing.

### **11.3 Tree Protection and Preservation**

- 11.3.1 Existing vegetation and trees shall be left undisturbed except where roads, stormwater drainage infrastructure, site filling and/or building works are proposed.

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

- 11.4.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 11.4.2 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.
- 11.4.3 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.

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

- 11.5.1 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.

11.5.2 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.

#### **11.6 Inspection of Engineering Works - Roads Act 1993**

11.6.1 All inspection(s) required by this consent for any engineering works that are approved under the *Roads Act 1993* must be made by Council's Development Overseers.

Inspections must be pre-booked with a minimum 24 hours notice. Council's Development Overseers may be contacted on 02 9839 6586 between 7am - 8am and 12.30pm - 1.30pm, Monday to Friday. Note: A site inspection is required prior to commencement of work. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

#### **11.7 Public Safety**

11.7.1 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.

#### **11.8 Site Security**

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

#### **11.9 Traffic Control**

11.9.1 Any "Traffic Control Plan" utilised for engineering works required by this consent must be prepared by a suitably qualified Roads and Maritime Services (RMS) accredited work site traffic designer for all works that are carried out in or adjacent to a public road. This Plan must satisfy all the requirements of AS 1742.3 - 2002.

### **12 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)**

#### **12.1 Environmental Health**

12.1.1 Any materials requiring off-site disposal will need to be classified, managed and disposed of in accordance with the Protection of the Environment Operations Act (NSW) 1997 and the NSW Environment Protection Authority's Waste Classification Guidelines (2014).

12.1.2 All areas potentially/contaminated shall be remediated. Upon completion of remediation an appropriately qualified environmental consultant shall prepare a validation report. The validation report shall be carried out in accordance with;

- i. NSW Environment Protection Authority's *Guidelines for Consultants Reporting on Contaminated Sites* (1997)
- ii. NSW Environment Protection Authority's *Contaminated Sites Sampling Design Guidelines* (1995).
- iii. Australian and New Zealand Environment and Conservation Council and National Health and Medical Research Council's *Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites* (1992).

- 12.1.3 The recommendations provided in *Riverbank Public School Noise Report for DA*, prepared by Wilkinson Murray Pty Limited, report NO. 17175-S-DA, dated 27 July 2017 shall be implemented.
- 12.1.4 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.

## 13 PRIOR TO OCCUPATION

### 13.1 Road Damage

- 13.1.1 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.

### 13.2 Compliance with Conditions

- 13.2.1 The building shall not be occupied 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.

### 13.3 Engineering Matters

#### 13.3.1 Surveys/Certificates/Works As Executed plans

- 13.3.1.1 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.
- 13.3.1.2 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.
- 13.3.1.3 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.
- 13.3.1.4 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.
- 13.3.1.5 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system will function effectively in accordance with Blacktown Council's DCP Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.

13.3.1.6 The submission to Council of 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 Council's Coordinator of Engineering Approvals contactable on (02) 9839 6263. A final inspection checklist must be completed by the applicant prior to the final inspection.

13.3.1.7 A Chartered Civil Engineer registered with NER, is to certify that:

- a) all the requirements of the approved drainage plan have been undertaken;
- b) the bioretention system has been installed with a minimum total design filter media area clear of pits and scour protection.
- c) the bioretention basin is enclosed with a minimum 1mm HDPE or equivalent liner;
- d) the bioretention subsoil lines are un-socked slotted PVC laid at minimum 0.0% with a minimum 50 mm gravel cover.
- e) there is no geotextile between the layers of the bioretention basin;
- f) the minimum detention storage has been provided below the 100 year storage level;
- g) the orifice size matches the approved construction certificate plans;
- h) the rainwater tanks have been provided as per the approved construction
- i) certificate plans collecting all of the roof area from the new additions;
- j) all the signage and warning notices have been installed;
- k) the interpretative water quality sign has been correctly installed
- l) any proprietary water quality devices have been installed for the site as per the manufacturer's recommendations.

13.3.1.8 A registered surveyor is to provide a works-as-executed plan of the detention basin and certify that the available storage volumes (ignoring the volume within the bioretention) are at or exceed the design volumes in the 1 in 100 year ARI events.

13.3.1.9 A plumber, licensed with NSW Fair Trading, or experienced hydraulic engineer registered with NER, is to certify that all the non-potable water uses for the new additions are being supplied by rainwater and that all the requirements of the detailed Non-Potable Water Reuse Plan have been installed and are working correctly. Provide a copy of the certification and a signed, works-as-executed Non-Potable Water Reuse Plan to Council's WSUD Compliance Officer at [WSUD@blacktown.nsw.gov.au](mailto:WSUD@blacktown.nsw.gov.au).

13.3.1.10 A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:

- i. 5 star dual-flush toilets;
- ii. 3 star showerheads;
- iii. 6 star taps (for all taps other than bath outlets and garden taps);
- iv. 3 star urinals; and
- v. 3 star Water efficient washing machines and dishwashers have been used.

13.3.1.11 Provide a Restriction to User and Positive Covenant over the Stormwater Quality Improvement Devices and Rainwater Tanks in accordance with the requirements of Council's Engineering Guide for Development 2005. The covenant requirements are to include the submission of an annual report on water treatment by the first business

day on or after 1 September each year. The Restriction to User and Positive Covenant must be registered with NSW Land Registry Services prior to occupation.

- 13.3.1.12 Provide a Restriction to User and Positive Covenant over the On-Site Detention System in accordance with the requirements of Council's Engineering Guide for Development 2005. The Restriction to User and Positive Covenant must be registered with NSW Land Registry Services.
- 13.3.1.13 A Geotechnical Engineer is to undertake insitu Saturated Hydraulic Conductivity Testing of each of the bioretention systems in accordance with Practise Note 1 of the FAWB guidelines. For systems with a filter area greater than 50 m<sup>2</sup>, an extra test point should be added for every additional 100 m<sup>2</sup> or part thereof. Points are to be spatially distributed. Where the hydraulic conductivity of the soil differs from the rate specified in MUSIC of 100 mm/hr (tolerance 0 % to +400%), remediation works will be required over the filter area to restore the conductivity and the test repeated until the hydraulic conductivity is achieved. A Geotechnical Engineer is to then certify that in accordance with Practice Note 1 of the FAWB guidelines, the Saturated Hydraulic Conductivity is within tolerance to the rate specified in MUSIC for each of the bioretention systems. A copy of the test results and certification is to be provided to Council.
- 13.3.1.14 After the hydraulic conductivity has been certified by the Geotechnical Engineer, a horticulturalist that has relevant tertiary qualifications and technical knowledge with a minimum of five (5) years demonstrated experience is to certify that the planting within the bioretention area including bank areas, is of the same quality in type and quantity as per the construction certificate approved landscape plans, that any plants lost have been replaced and that any areas of scour or disrepair have been restored.
- 13.3.1.15 Provide written evidence that the registered owner/lessee has entered into a minimum five (5) year signed and endorsed maintenance contract with a reputable and experienced cleaning contractor for the maintenance of the raingarden, rainwater tank and enviropods. Forward a copy of the signed and endorsed contract(s) and maintenance contractor(s) details to Council's WSUD Compliance Officer at [WSUD@blacktown.nsw.gov.au](mailto:WSUD@blacktown.nsw.gov.au) . This maintenance contract cannot be cancelled, but can be replaced with an alternative contract of the same standard.

#### **13.4 Easements/Restrictions/Positive Covenants**

- 13.4.1 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 NSW Land Registry Services.
- 13.4.2 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Land Registry Services over the on-site detention storage areas and outlet works.
- 13.4.3 Restrictions and positive covenants must be endorsed by Council and lodged with NSW Land Registry Services over the Stormwater Quality Control devices/system and outlet works.
- 13.4.4 Restrictions and/ or positive covenant must be endorsed by Council and lodged with NSW Land Registry Services over the overland flow-path.

### **13.5 Fire Safety Certificate**

- 13.5.1 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).
- 13.5.2 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).

### **13.6 Traffic Management**

- 13.6.1 The applicant shall provide Council's Traffic Management Section with a copy of its Green Travel Plan and Operational Traffic Management Plan for the day-to-day running of the school.

### **13.7 Pedestrian Crossing**

- 13.7.1 A second pedestrian crossing shall be constructed along Wentworth Street. The final location of the pedestrian crossing should be determined in consultation with the school principal and Council's Traffic Management Section.
- 13.7.2 A separate approval from Council's Local Traffic Committee will be required for the second pedestrian crossing.

### **13.8 Carparking**

- 13.8.1 A minimum of 165 car spaces are to be provided on site for staff and visitors, being 155 spaces from previous approval JRPP-13-369 and 10 spaces for this Development Application.

## **14 PRIOR TO OCCUPATION (ENVIRONMENTAL HEALTH)**

### **14.1 Environmental Health**

- 14.1.1 Certification must be provided by a qualified acoustic engineer that all work associated with the installation of the acoustic measures and noise attenuation has been completed in accordance with the certified design and to the standard required by this consent.

## **15 OPERATIONAL (PLANNING)**

### **15.1 Access/Parking**

- 15.1.1 All required off-street car parking spaces and internal driveways shall be maintained to a standard suitable for the intended purpose.
- 15.1.2 All loading and unloading operations shall take place at all times wholly within the confines of the land.
- 15.1.3 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

### **15.2 General**

- 15.2.1 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.

- 15.2.2 Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 15.2.3 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 15.2.4 No goods, materials or trade wastes are to be stored at any time outside the building on either the internal vehicular driveway, car parking area, landscaping or footpath, other than in approved garbage receptacles.
- 15.2.5 No nuisance or interference with the amenity of the area shall be created by reason of any process or operation on the land causing the emission of noise, dust, smoke or any polluted discharge whatsoever. Note: The Protection of the Environment Operations Act 1997 requires Council to investigate complaints where only one person complains.

### **15.3 Use of Premises**

- 15.3.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.
- 15.3.2 The development shall not be used or converted for use for any purpose other than that:
  - (a) Granted consent by Council's Notice of Determination, or
  - (b) Which is "Exempt Development", "Complying Development" or "Development without Consent" under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other environmental planning instrument.
- 15.3.3 The hours of operation shall be in accordance with Condition 12.2.7 of Determination No.JRPP-13-369
- 15.3.4 A total of 165 carparking spaces are to be available for staff, visitors and for school use at all times. Any alterations to the parking provisions on site will require separate approval of Council.

## **16 OPERATIONAL (ENVIRONMENTAL HEALTH)**

- 16.1 The recommendations provided in the acoustic report shall be implemented.
- 16.2 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 NSW Environment Protection Authority's Noise Policy for Industry (2017) and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant with suitable technical qualifications and experience, consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants (AAAC) or the Australian Acoustical Society (AAS) and shall be submitted to Council for consideration.
- 16.3 A post commissioning report produced by an acoustic consultant with suitable technical qualifications and experience, consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants (AAAC) or the Australian Acoustical Society (AAS) within 3 – 6 months of the centre operating to validate the Acoustic reports findings.

- 16.4 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.
- 16.5 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.
- 16.6 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.
- 16.7 To minimise the noise impact of the development on the surrounding environment, the collection and delivery of goods and materials (including garbage and recycling waste) from and to the premises shall not take place between the hours of 10pm and 7am.