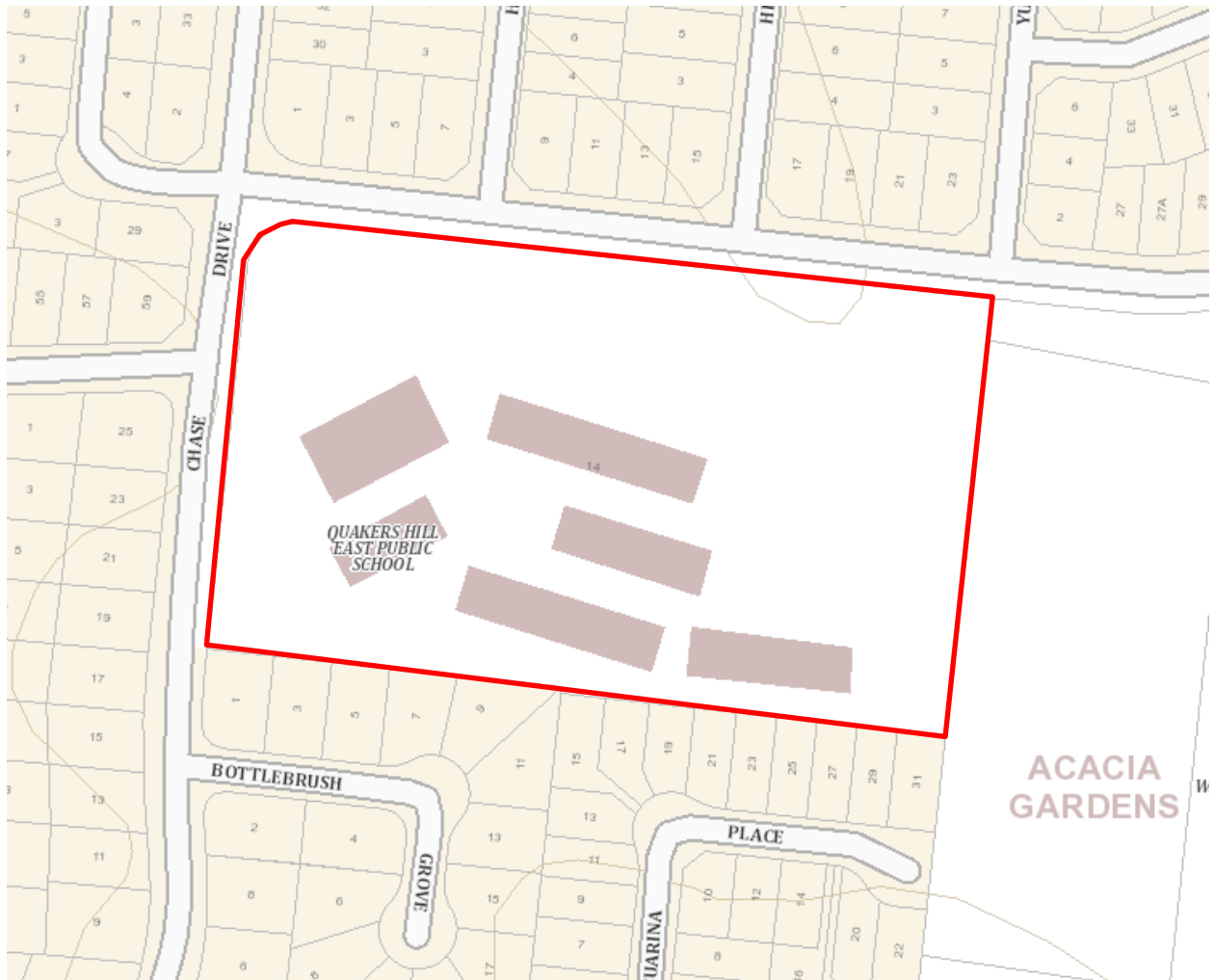
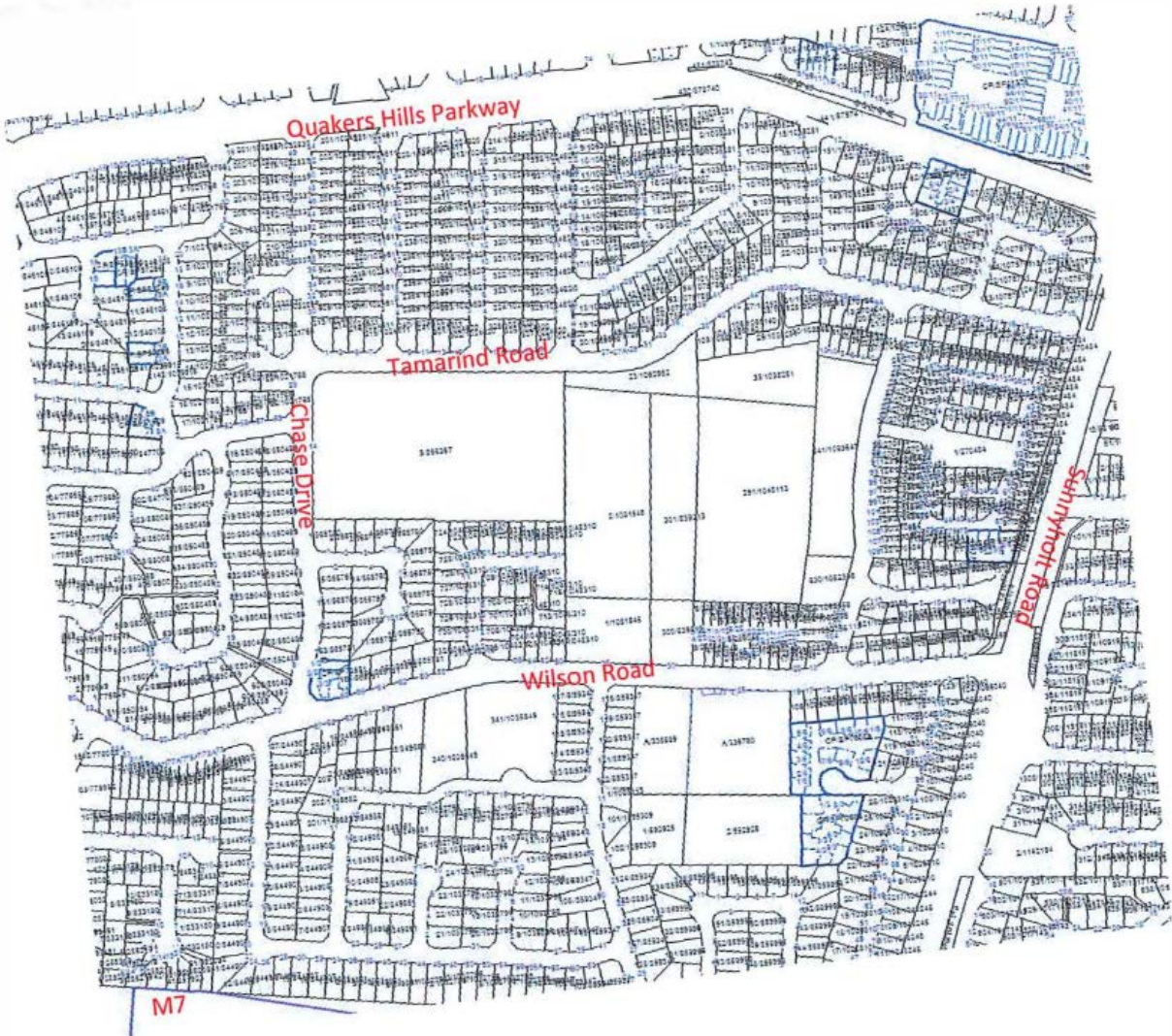


Site location



(source: Six Maps)

Site Location



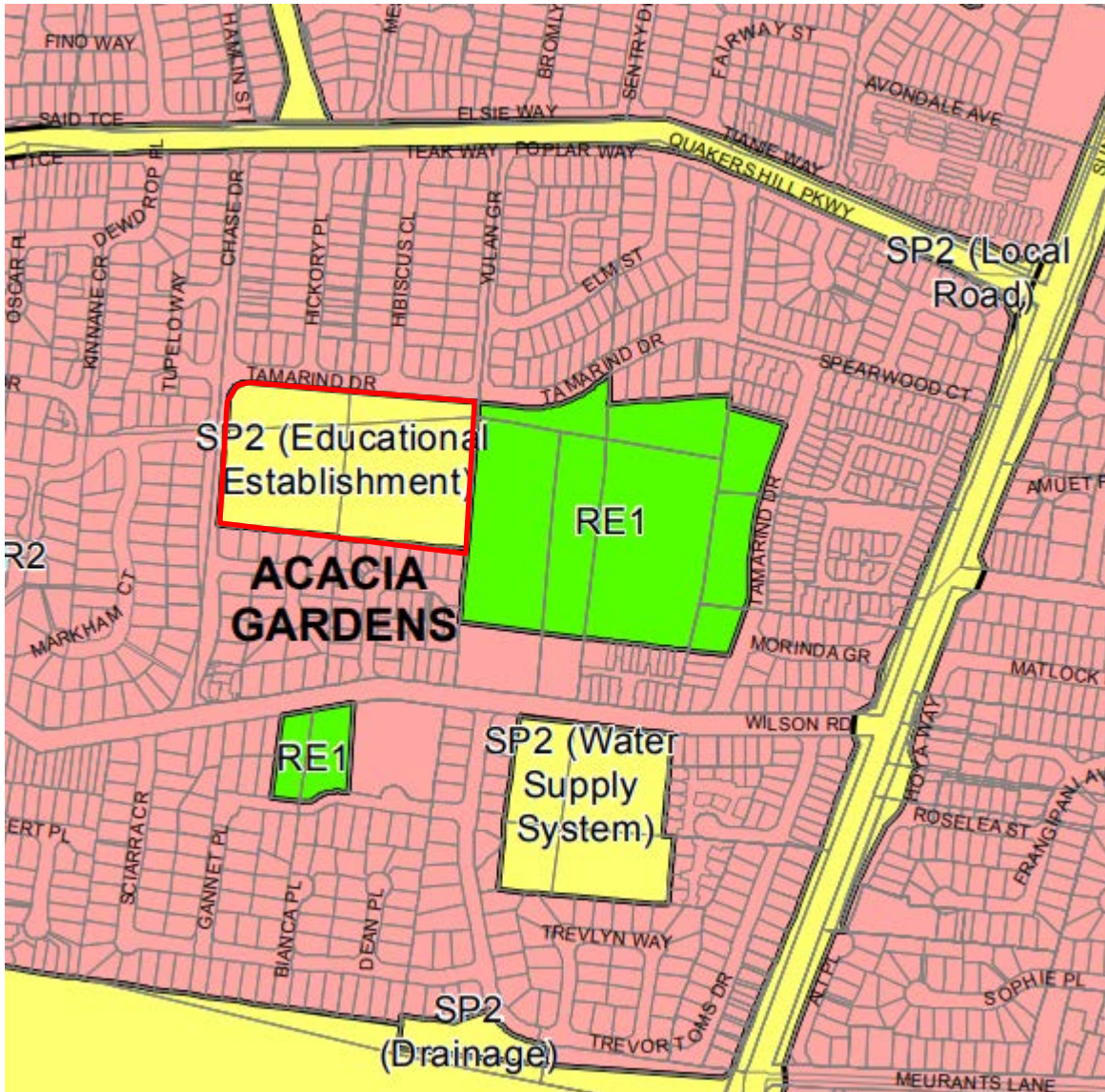
Aerial map



(Source: Six Maps)

Zoning extract Blacktown LEP 2015

(Sheet LZN_013)



Detailed information about proposal and DA submission material

1 Overview

1.1 The Development Application (DA) was lodged by Urbis Pty Ltd on behalf of the Department of Education for the following works:

- construction of a new administration wing adjoining Building AA to the west
- construction of a new 2 storey learning building and outdoor learning area
- removal of 24 trees and new landscaping around the new buildings.

The proposed site plan is provided at Figure 1.

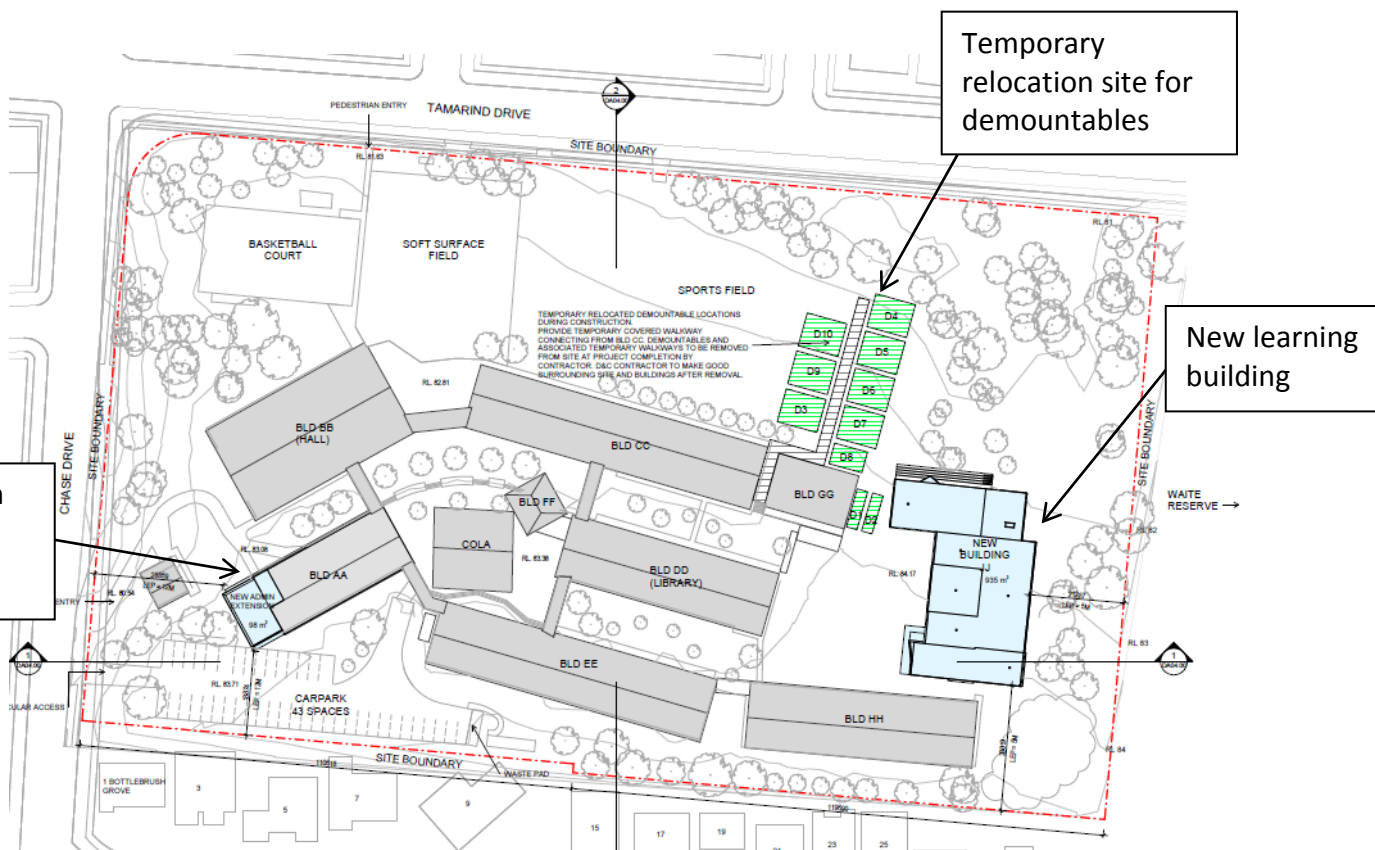


Figure 1 Proposed Site Plan

1.2 The application was submitted on 7 November 2017 and was accompanied by the following sub-consultant reports:

- Architectural plans – Hayball Architects, dated 12 October 2017
- Statement of Environmental Effects – Urbis, dated 20 October 2017
- Acoustic Report – Acoustic Logic, dated 5 September 2017
- Preliminary Tree Assessment Report – Paul Shearer Consulting, dated 22 June 2017

- Accessibility Review – Morris-Goding Accessibility Consulting, dated 25 September 2017
- BCA Report – Steve Watson and Partners, dated 31 August 2017
- Contamination Report (Preliminary Site Investigation Report) – Environmental Investigation Services, dated 23 January 2017
- Flora and Fauna Assessment – Alphitonia Pty Ltd, dated 4 September 2017
- Geotechnical Report – JK Geotechnics, dated 6 January 2017
- Landscape Concept Plans – Tract, dated 20 October 2017
- Landscape Report – Tract, dated 19 October 2017
- Stormwater Management Plan – The Mack Group, dated May 2017.

1.3 Existing site access and car parking is unchanged from Chase Drive to the school carpark on the southern boundary of the site.

1.4 The existing demountable classrooms will be relocated to the eastern side of the sports field during construction and removed once the new learning building is complete.

2 Administration wing

2.1 The existing Building AA will be extended and internal alterations undertaken to accommodate 2 interview rooms, clerical space, offices, a print room, store room, toilets, sick bay and staff room (Figure 2).

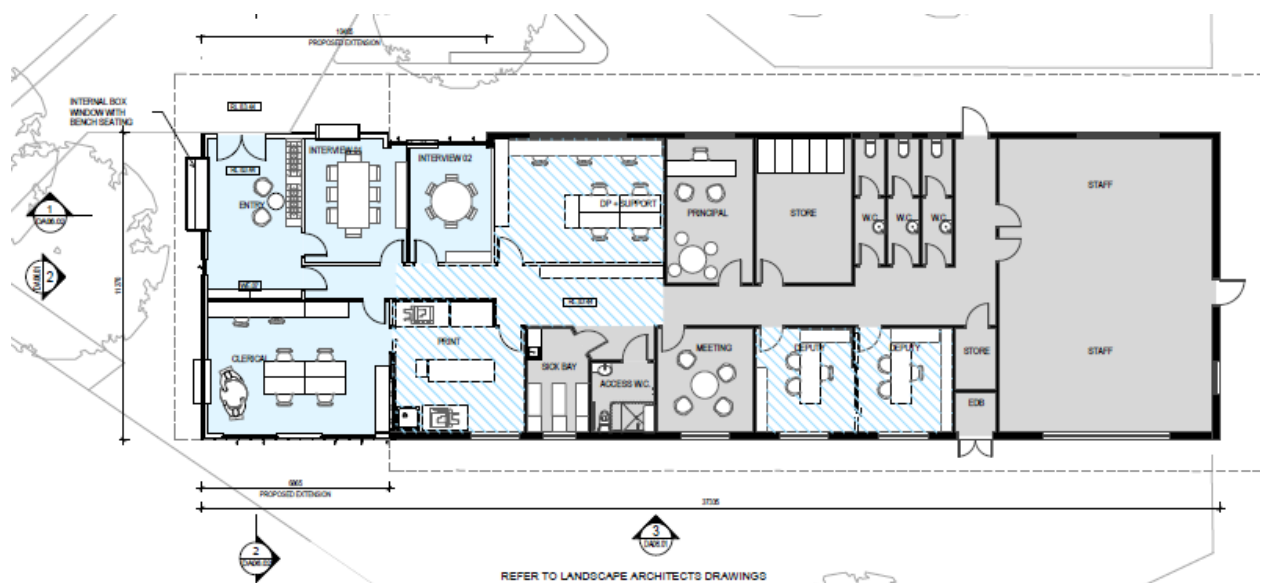


Figure 2 Proposed additions to the Administration Building

3 Learning building

3.1 The new learning building is to be constructed at the rear of the site towards the eastern boundary. The 2 storey building will accommodate a number of learning spaces, amenities and an outdoor learning area (Figures 3 and 4).

3.2 A new outdoor learning area is proposed adjacent to the learning building.

3.3 New landscaping is proposed in the area between the new learning building and existing buildings on the site (Figure 5).



Figure 3 Proposed Ground Floor of Learning Building



Figure 4 Proposed First Floor of Learning Building



Figure 5 Proposed Landscaping to Learning Building Courtyard

4 Traffic, parking, noise and other matters

- 4.1 There is no change to the current parking provision on site.
- 4.2 The Acoustic Report submitted with the application confirms that the proposal is acoustically acceptable and will not impact adversely on nearby residential development.
- 4.3 The Preliminary Tree Assessment and Flora and Fauna Report support the proposed tree removal. The proposed development will remove potential fauna habitat (mature trees). The habitat removal is likely to have a negligible impact on local fauna. The recommendations of the Tree Assessment and Flora and Fauna Reports are included as conditions of the consent. Council's Biodiversity Officer reviewed the proposed development and provided relevant conditions.

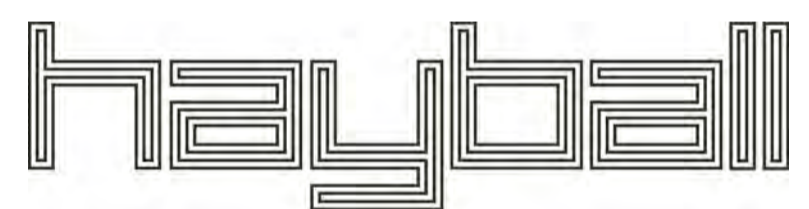
QUAKERS HILL EAST PUBLIC SCHOOL

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08 DA00.01	SITE ANALYSIS
08 DA01.01	SITE PLAN - EXISTING
08 DA01.02	SITE PLAN
08 DA03.01	SITE ANALYSIS - SHADOW DIAGRAMS
08 DA04.00	SITE SECTION
08 DA05.01	CUT AND FILL PLAN
08 DA06.00	NOTIFICATION PLAN
A08 DA03.01	ADMIN GROUND FLOOR - EXISTING & DEMOLITION
A08 DA03.05	ADMIN GROUND FLOOR
A08 DA03.10	ADMIN ROOF PLAN
A08 DA06.01	ADMIN ELEVATIONS
A08 DA06.02	ADMIN SECTIONS
A08 DA10.01	ADMIN PERSPECTIVES
B08 DA03.05	GROUND FLOOR
B08 DA03.06	LEVEL 1
B08 DA03.10	ROOF PLAN
B08 DA06.01	ELEVATIONS
B08 DA06.02	ELEVATIONS
B08 DA06.10	SECTIONS
B08 DA10.01	PERSPECTIVES
B08 DA10.02	PERSPECTIVES



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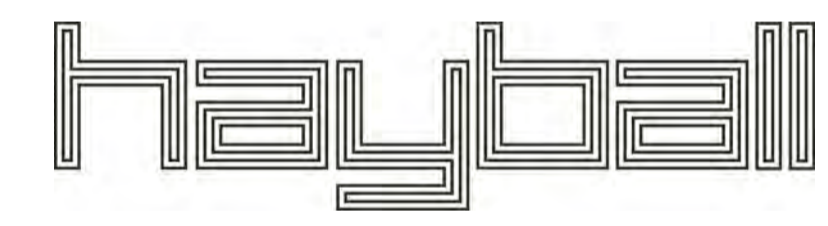
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- HYDRAULIC SERVICES
- SUBSTATION
- WASTE PAD
- EXISTING STORMWATER PIPE

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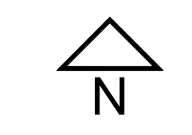
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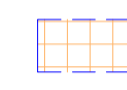

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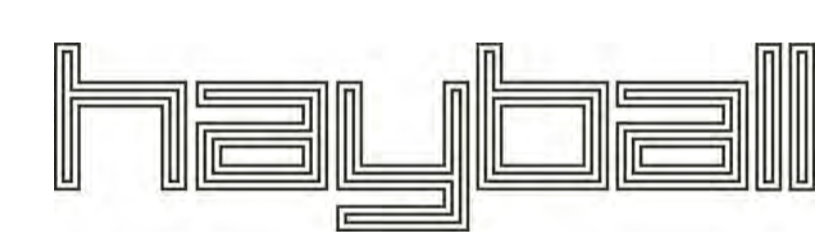
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-  TREES TO BE REMOVED
-  TO BE DEMOLISHED
-  DEMOUNTABLES TO BE RELOCATED BY OTHERS
-  SITE BOUNDARY

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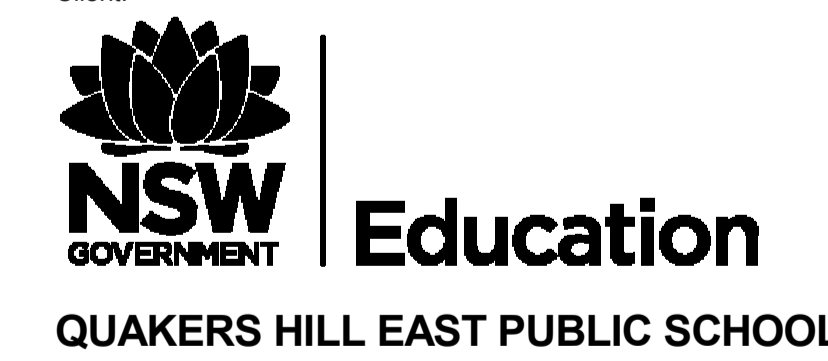
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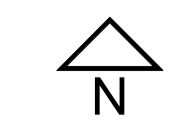
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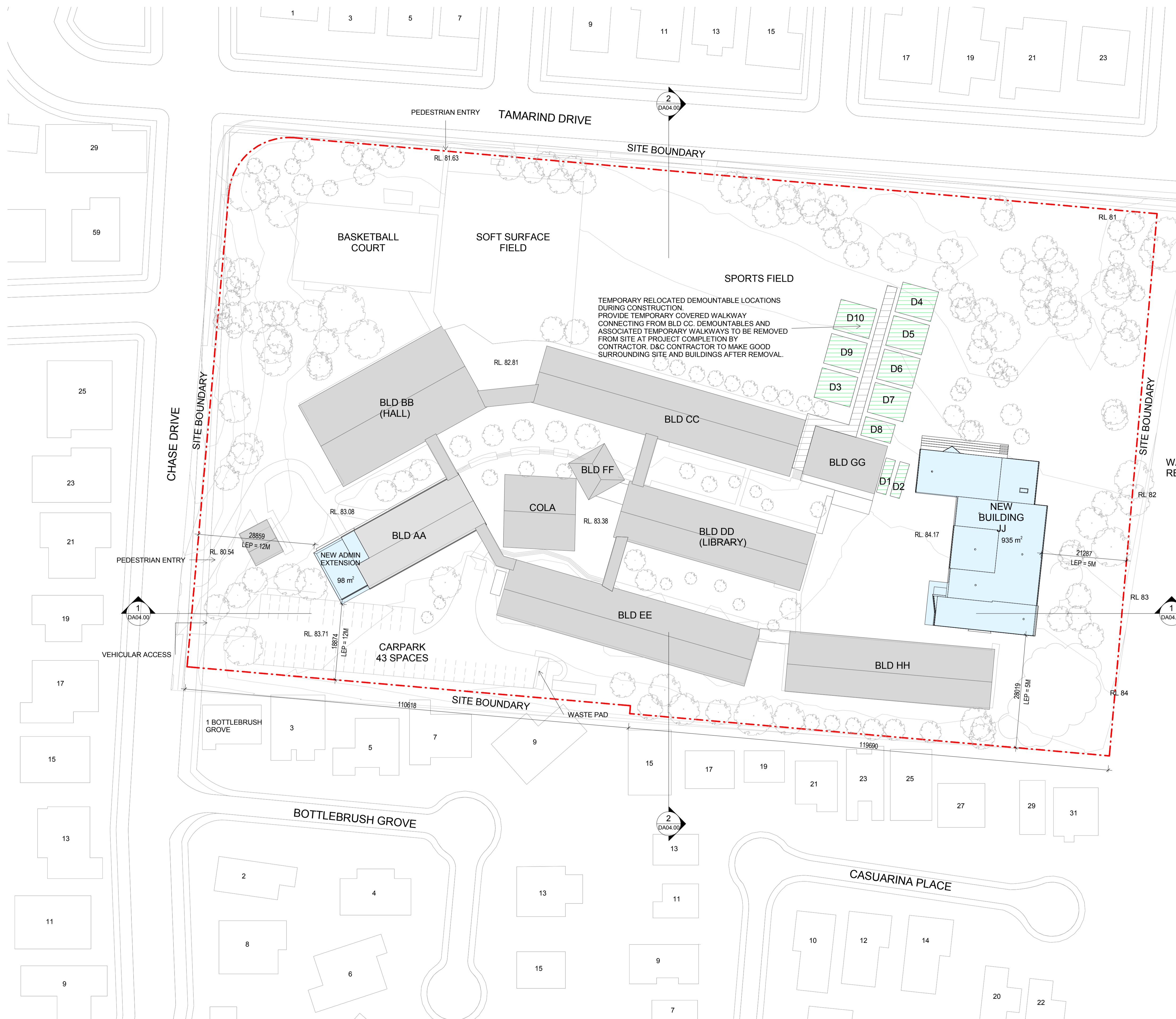
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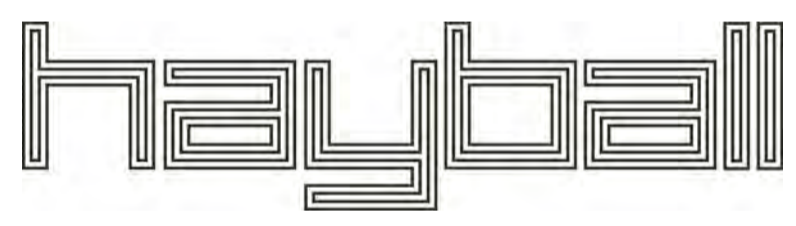


- EXISTING BUILDING
- PROPOSED WORKS
- DEMOUNTABLES TO BE RELOCATED AS PART OF SEPERATE JOB.
- TEMPORARY COVERED WALKWAY.
- SITE BOUNDARY

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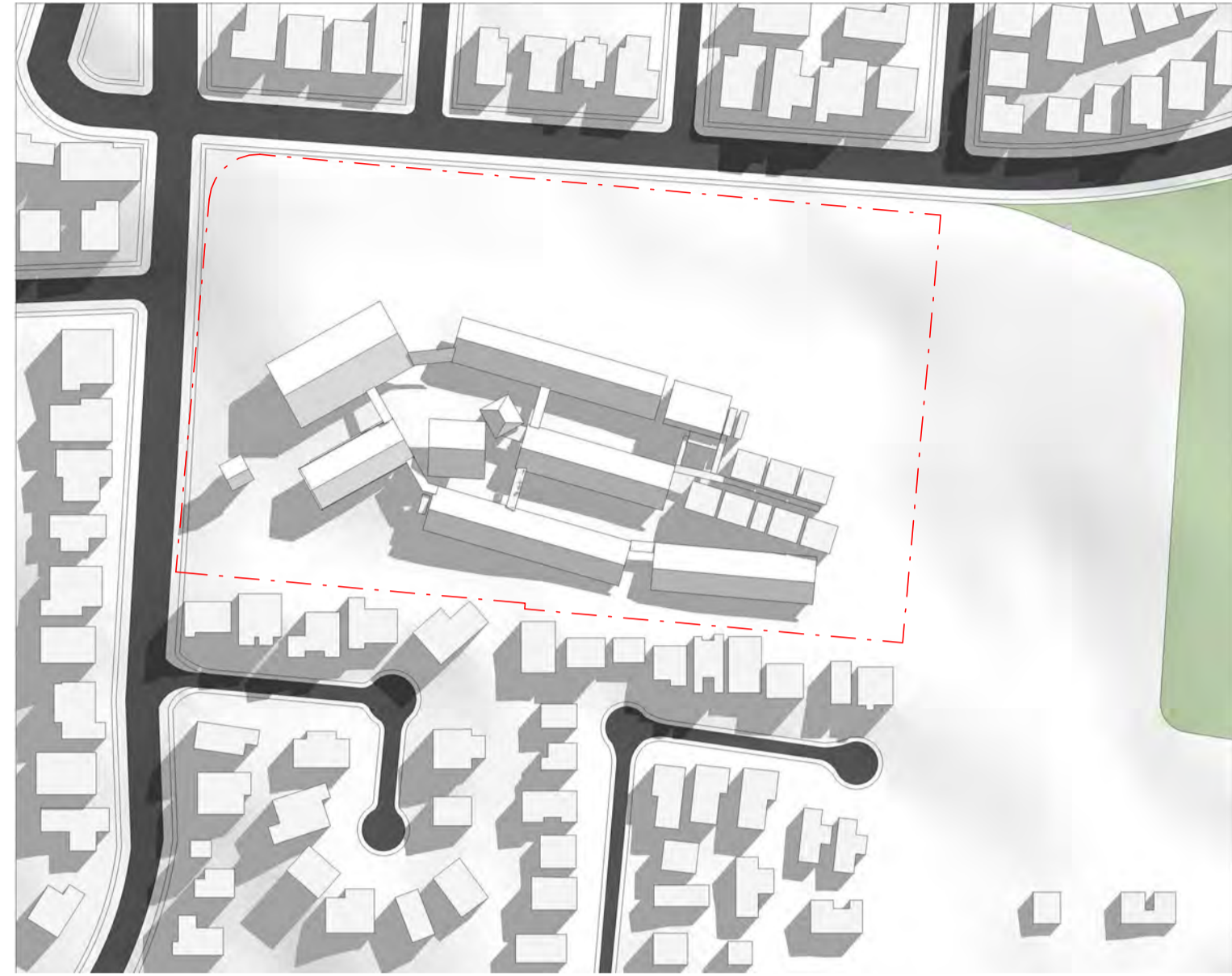
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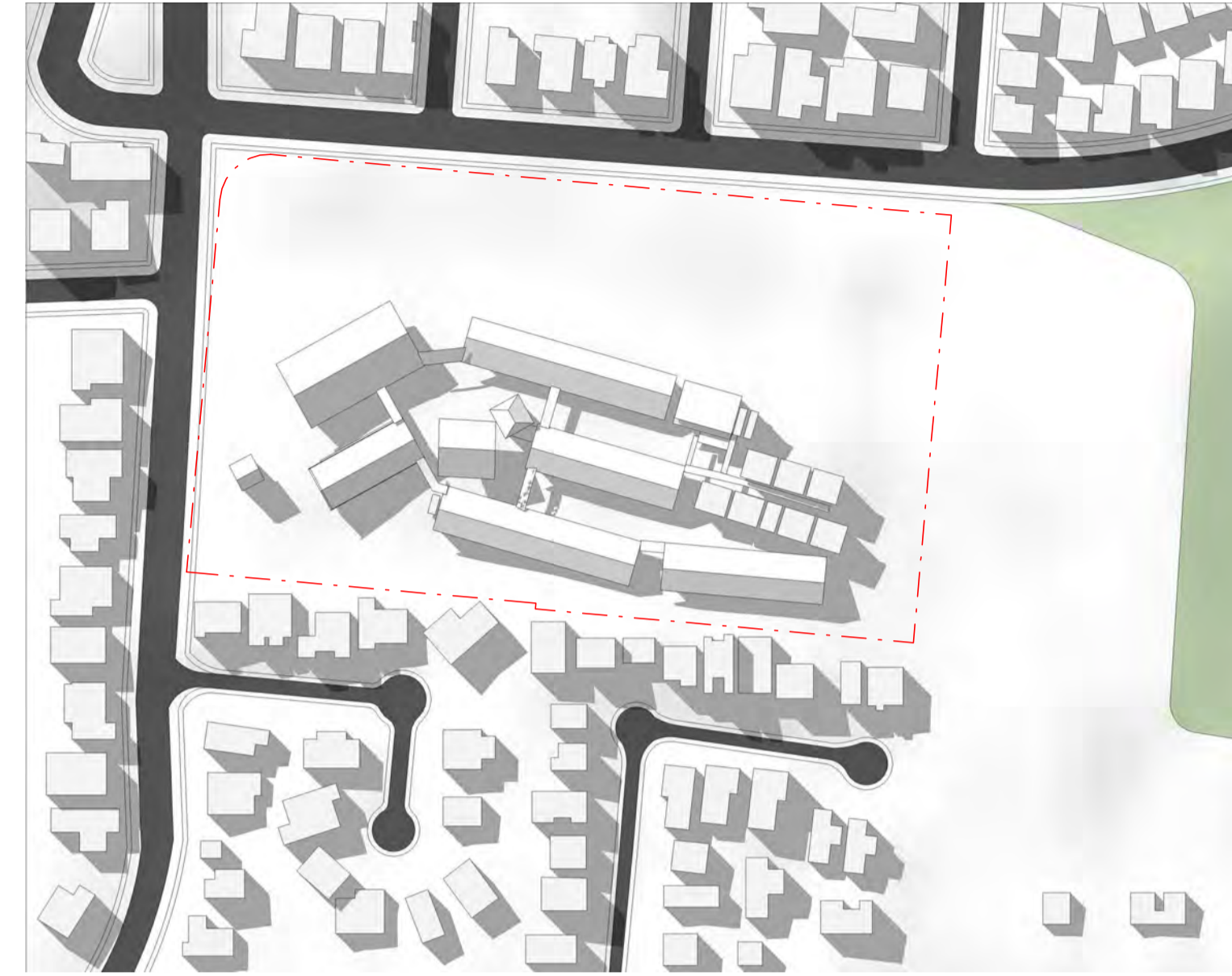
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2 EXISTING: SHADOW DIAGRAM 12PM 22nd June



3 EXISTING: SHADOW DIAGRAM 3PM 22nd June



4 PROPOSED: SHADOW DIAGRAM 9AM 22nd June



5 PROPOSED: SHADOW DIAGRAM 12PM 22nd June



6 PROPOSED: SHADOW DIAGRAM 3PM 22nd June

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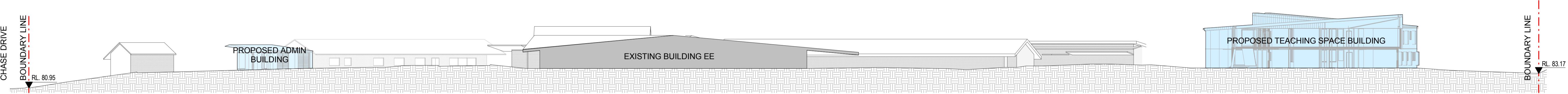
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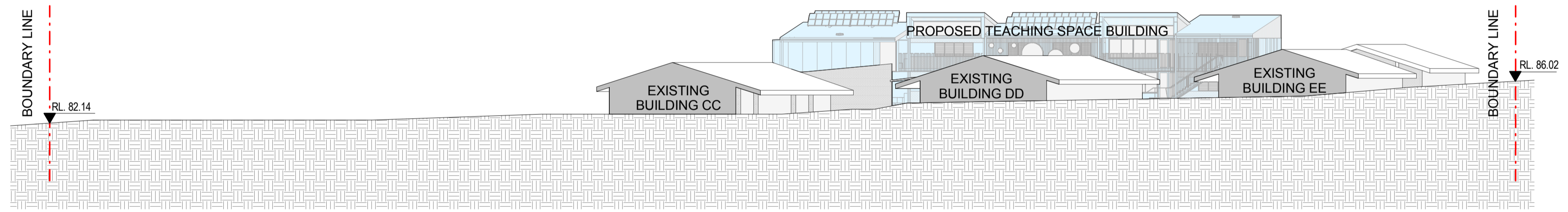
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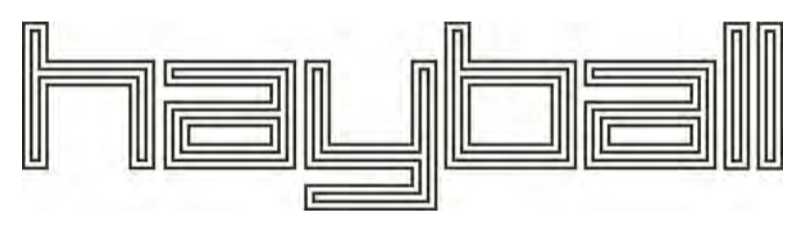
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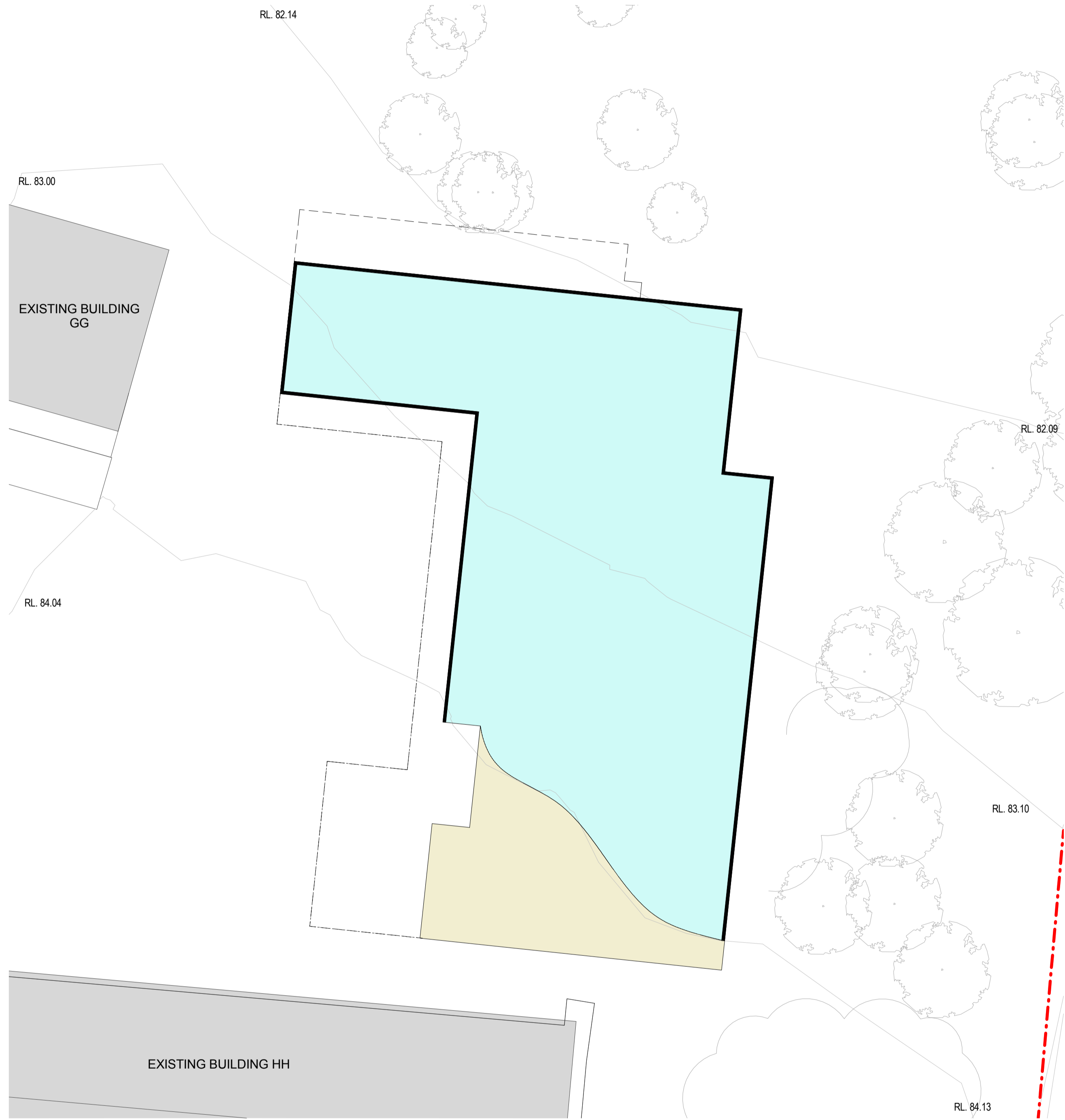
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PLEASE REFER TO BUILDING ELEVATIONS FOR RETAINING WALL ELEVATIONS AND HEIGHTS



1 LEARNING BUILDING PLAN
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PLEASE REFER TO BUILDING ELEVATIONS FOR RETAINING WALL ELEVATIONS AND HEIGHTS

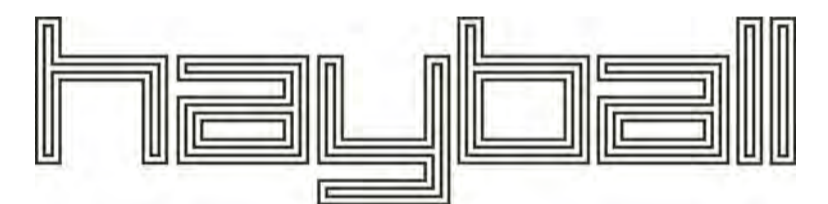


2 ADMIN PLAN
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- EXISTING
- FILL
- CUT
- RETAINING WALL

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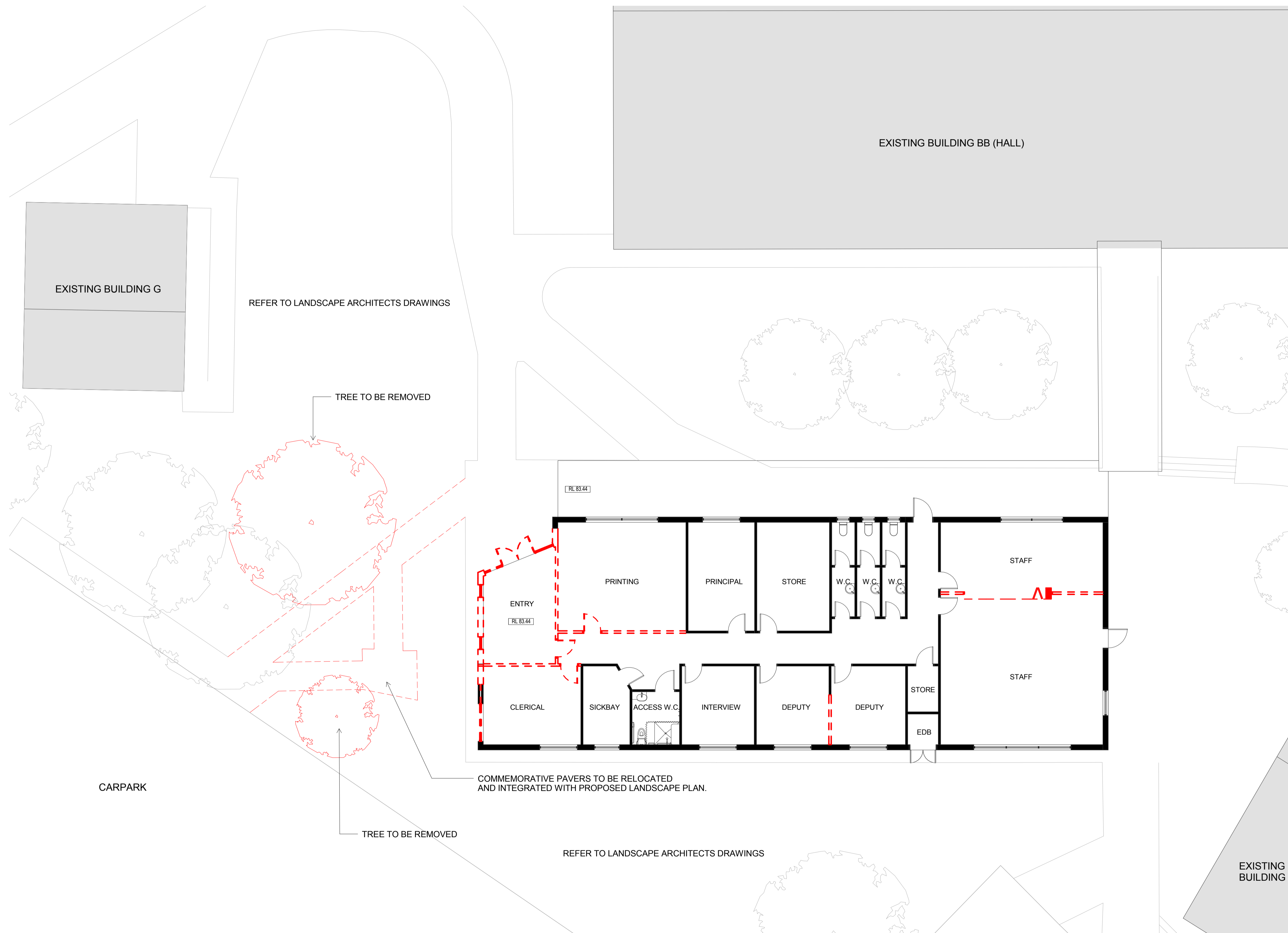
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CUT AND FILL PLAN

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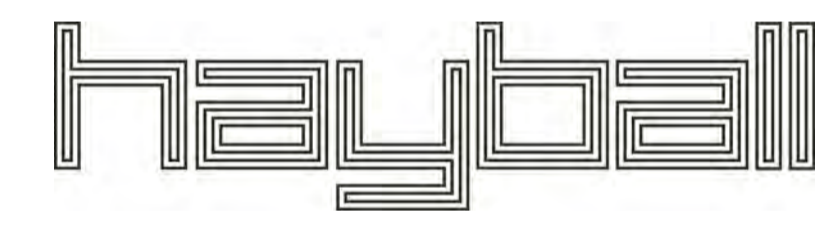
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TREES TO BE REMOVED
 TO BE DEMOLISHED



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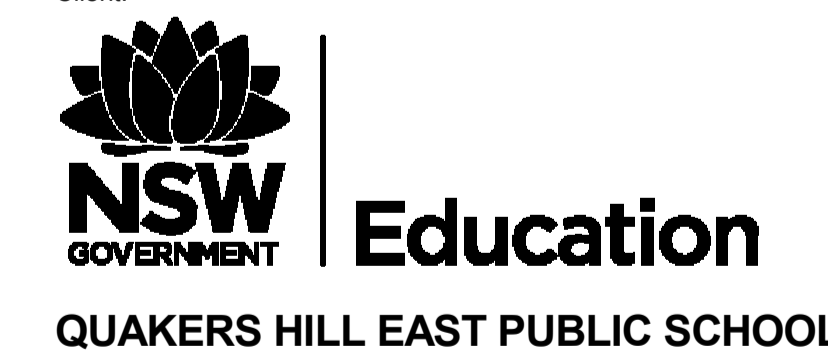
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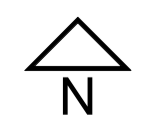
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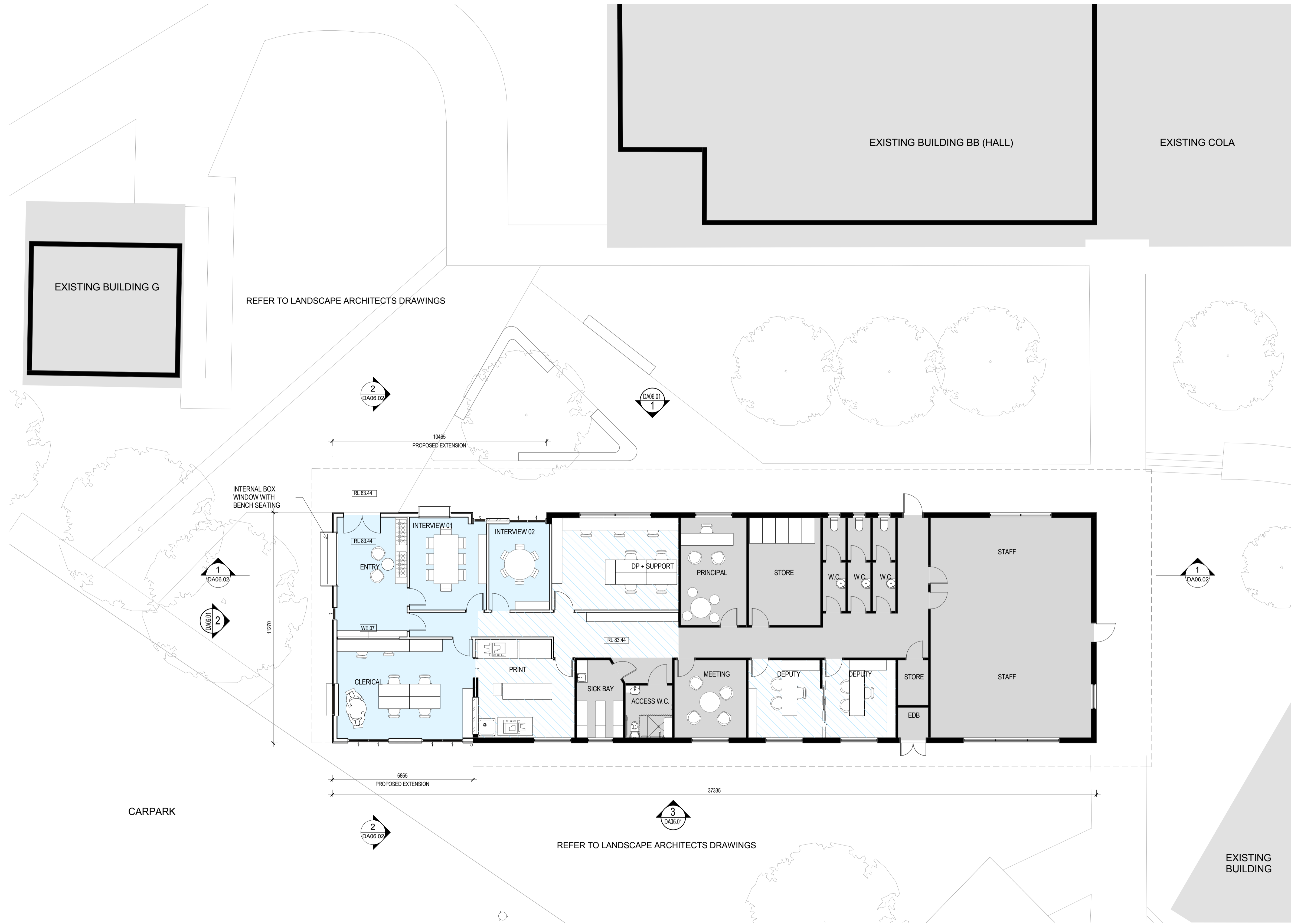
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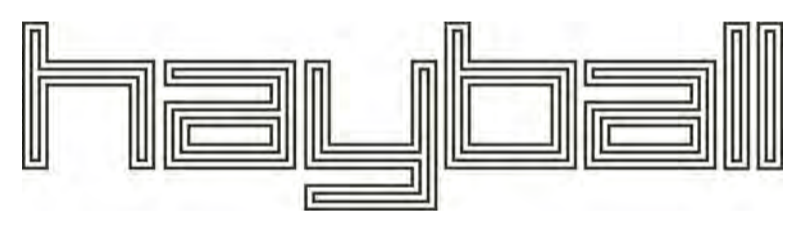
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- LEGEND:**
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 - NEW BUILD



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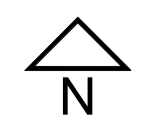


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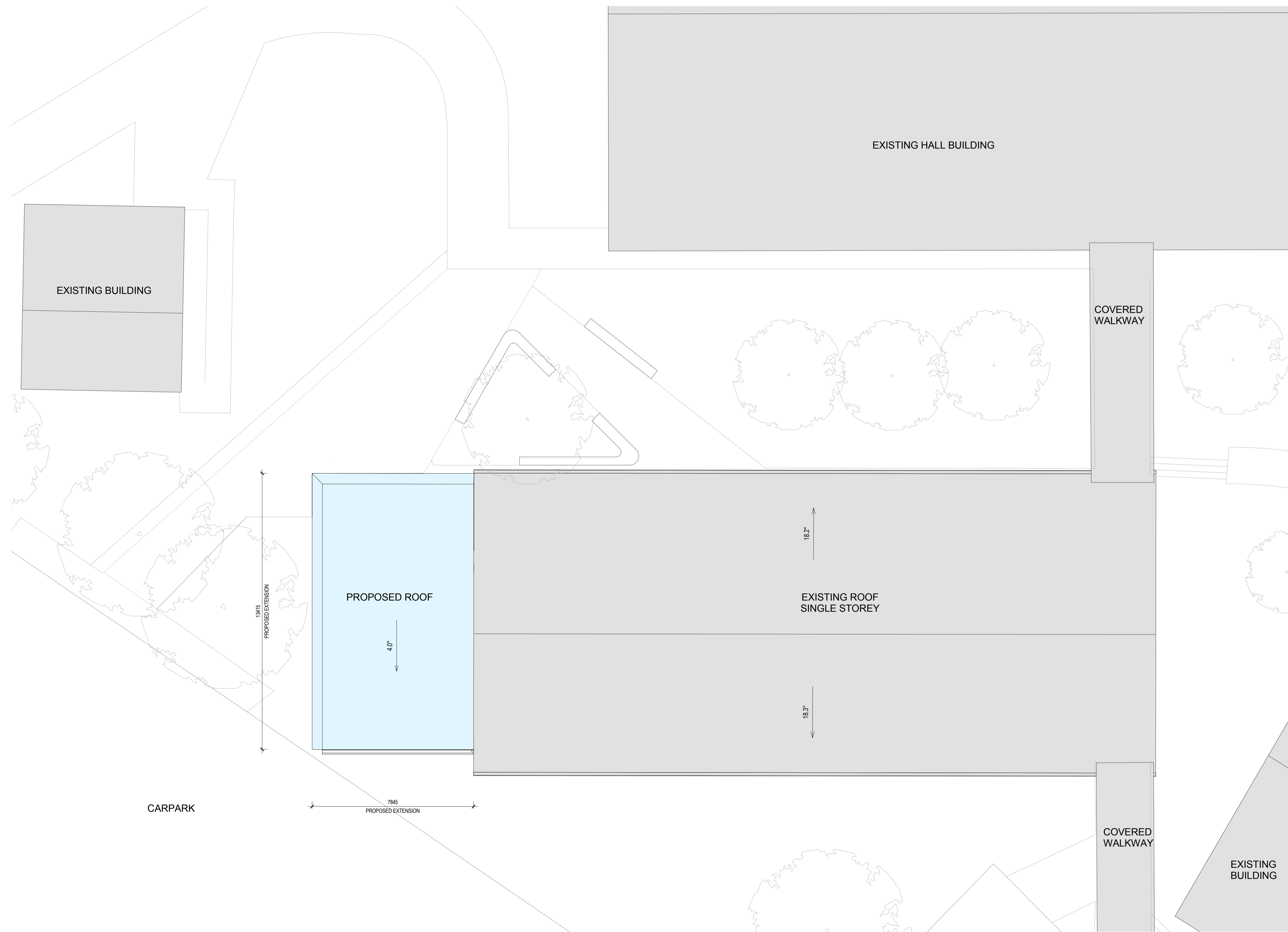


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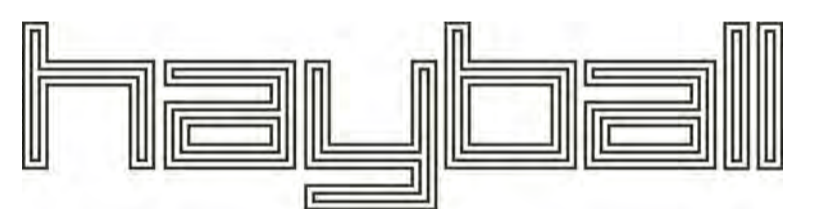
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- EXISTING BUILDING
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- NEW BUILD



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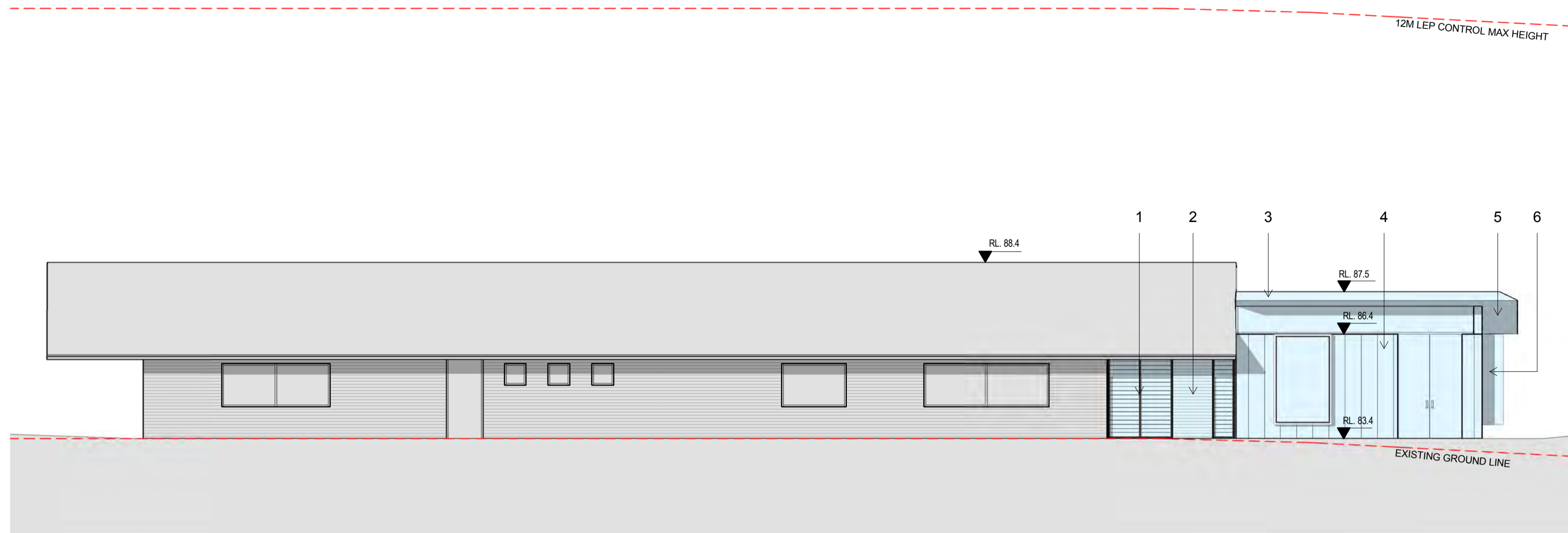
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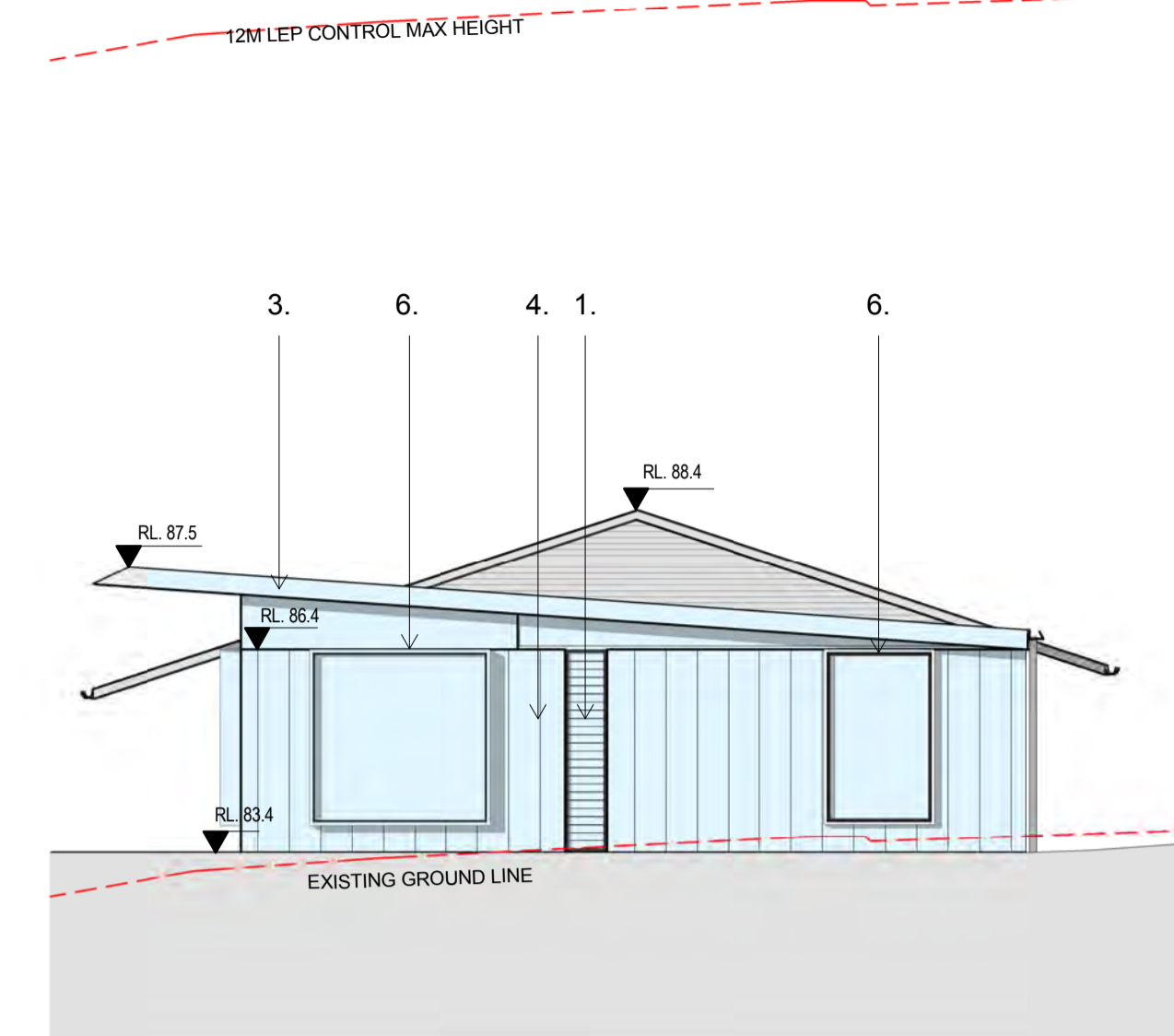
NOTES:

PATCH AND MAKE GOOD AND PAINT ALL EXISTING AREAS WITHIN CONTRACTORS COMPOUND AND ANY AREAS EFFECTED DURING CONSTRUCTION. COLOUR TBC BY ARCHITECT

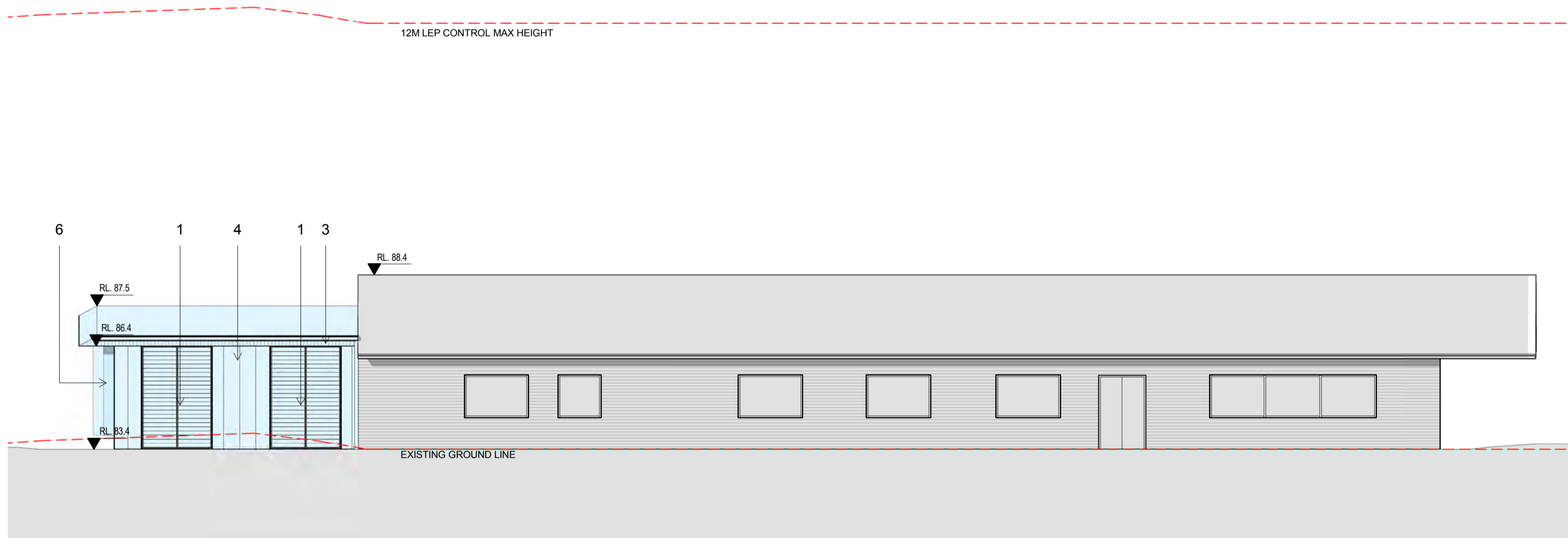
-  EXISTING
-  REFURBISHMENT
-  PROPOSED WORKS



1 NORTH ELEVATION
DA03.05 1:100



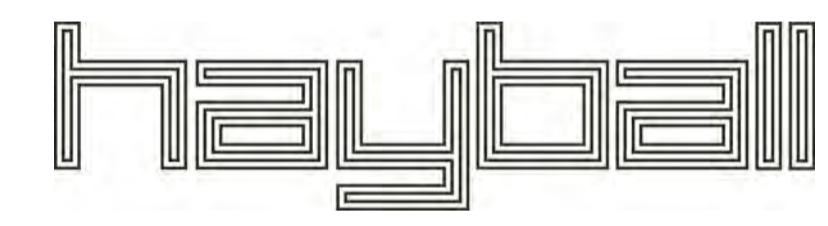
2 WEST ELEVATION
DA03.05 1:100



3 SOUTH ELEVATION
A03.05 1:100

Rev	Description	Date
1	DEVELOPMENT APPLICATION REVIEW	13/10/17

DEVELOPMENT APPLICATION



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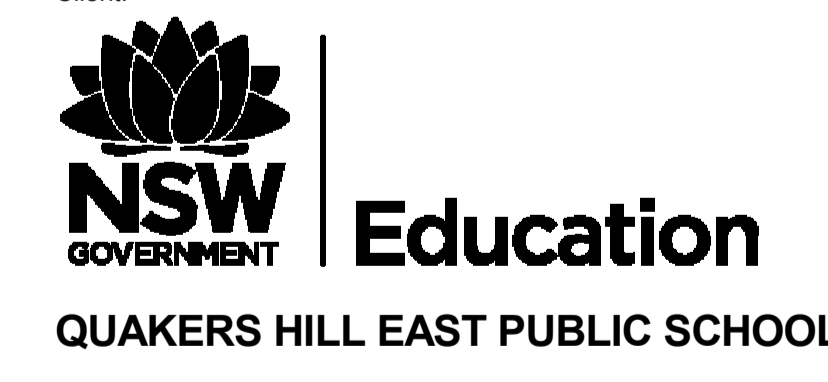
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Brisbane
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T +61 7 3211 9821

NSW Nominated Architects:
Tom Jordan 7521, Richard Leonard 7522, David Tordoff 8028
ABN 84 006 394 261

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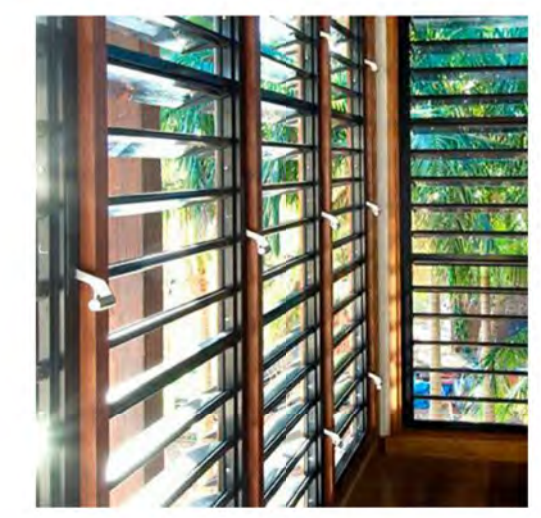


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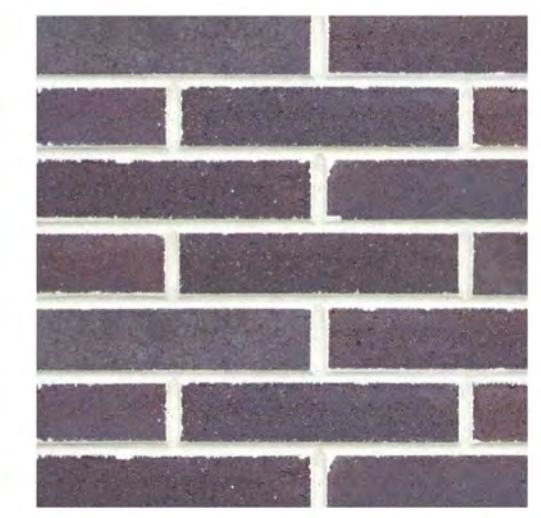
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DRAWN BY: KL
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DATE PRINTED: 12/10/2017 5:50:05 PM
SCALE: 1:100@A1

PROJECT NUMBER	DWG NO	REVISION
2141.08	A08.DA06.01	1



1. ALTAIR GLASS LOUVRE SYSTEM



2. PGH MOWBRAY BLUE SPLITS BRICK



3. BLUESCOPE ZINCALUME ROOFING - SPANDEK PROFILE



4. CSR CEMINTEL - BARESTONE FINISH



5. PRODEMA - PRODEX PALE



6. POWDERCOATED FOLDED ALUMINIUM

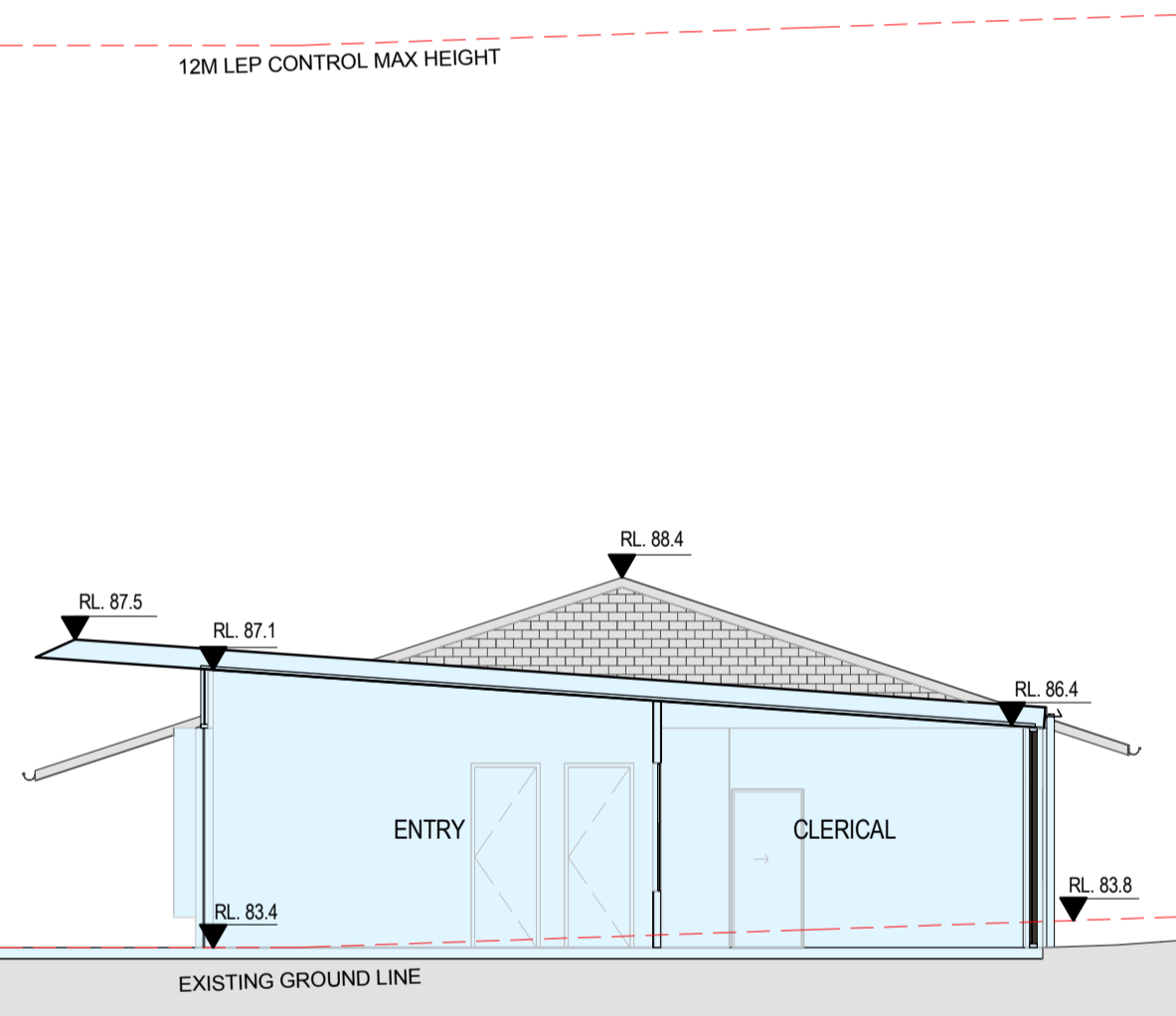
NOTES:

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- EXISTING
- REFURBISHMENT
- PROPOSED WORKS



1 SECTION 01
DA03.05 1:100



2 SECTION 02
DA03.05 1:100

Rev	Description	Date
1	DEVELOPMENT APPLICATION REVIEW	13/10/17

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ADMIN SECTIONS

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PROJECT NUMBER DWG NO REVISION

2141.08 A08.DA06.02 1



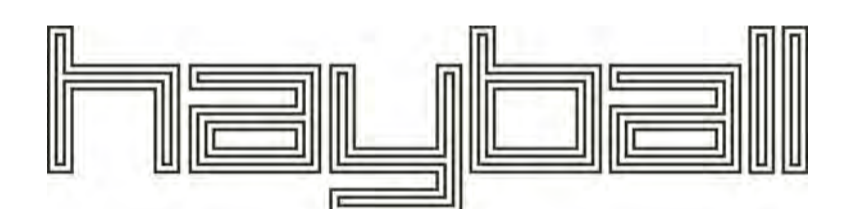
1 ADMIN



2 ADMIN

Rev	Description	Date
1	DEVELOPMENT APPLICATION REVIEW	13/10/17

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2141.08	A08.DA10.01	1

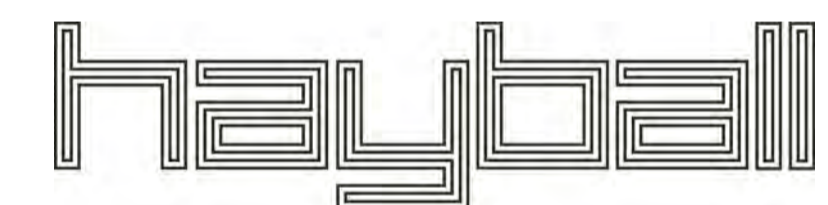


1 GROUND FLOOR
A06.01 1:100

REFER TO LANDSCAPE ARCHITECT'S DRAWINGS

Rev	Description	Date
1	DEVELOPMENT APPLICATION REVIEW	13/10/17

DEVELOPMENT APPLICATION



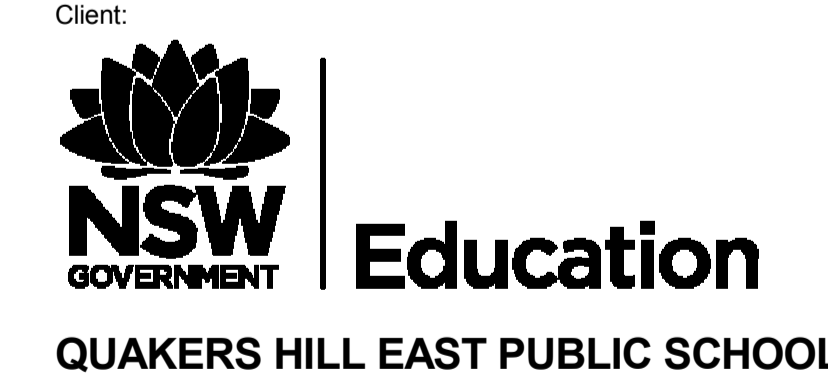
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GROUND FLOOR

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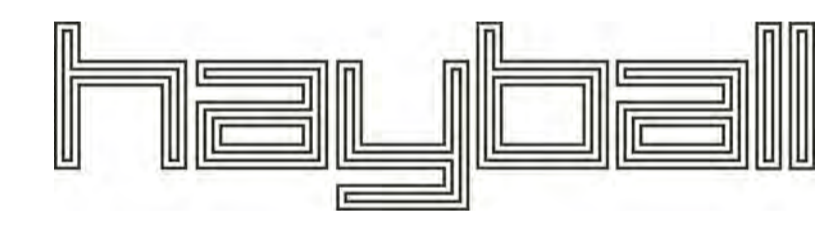
PROJECT NUMBER DWG NO REVISION
2141.08 B08.DA03.05 1



1 FIRST FLOOR
A06.01 1:100

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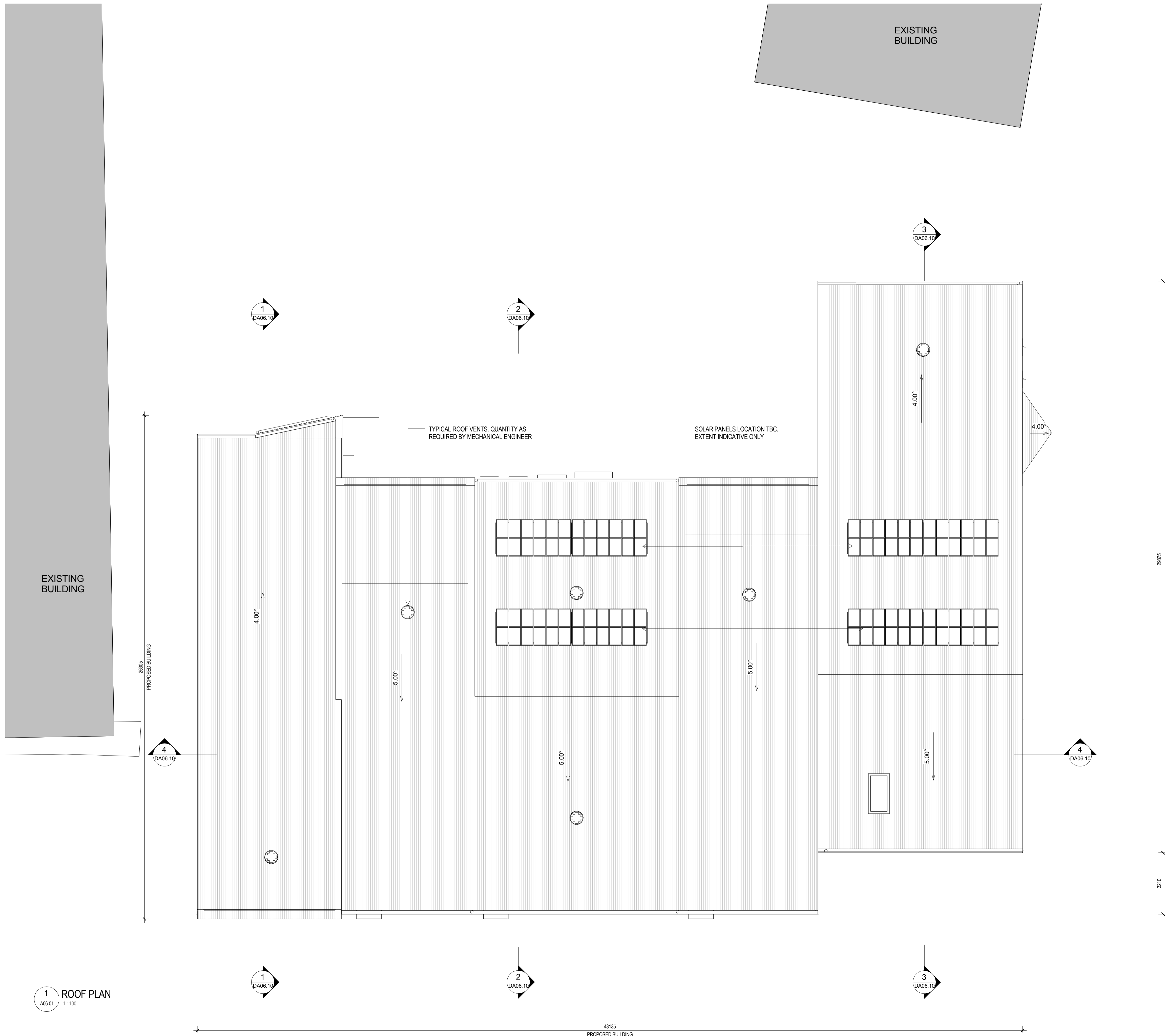
NSW GOVERNMENT Education
QUAKERS HILL EAST PUBLIC SCHOOL

14 Chase Drive, Acacia Gardens, NSW 2763

DRAWING/TITLE
LEVEL 1

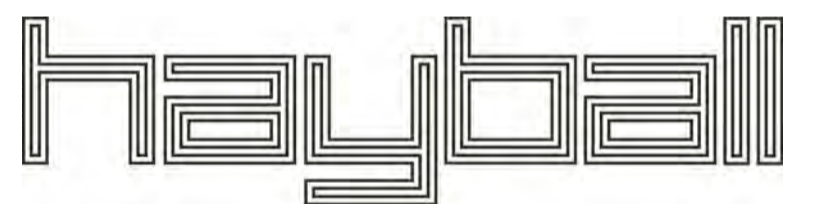
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PROJECT NUMBER DWG NO REVISION
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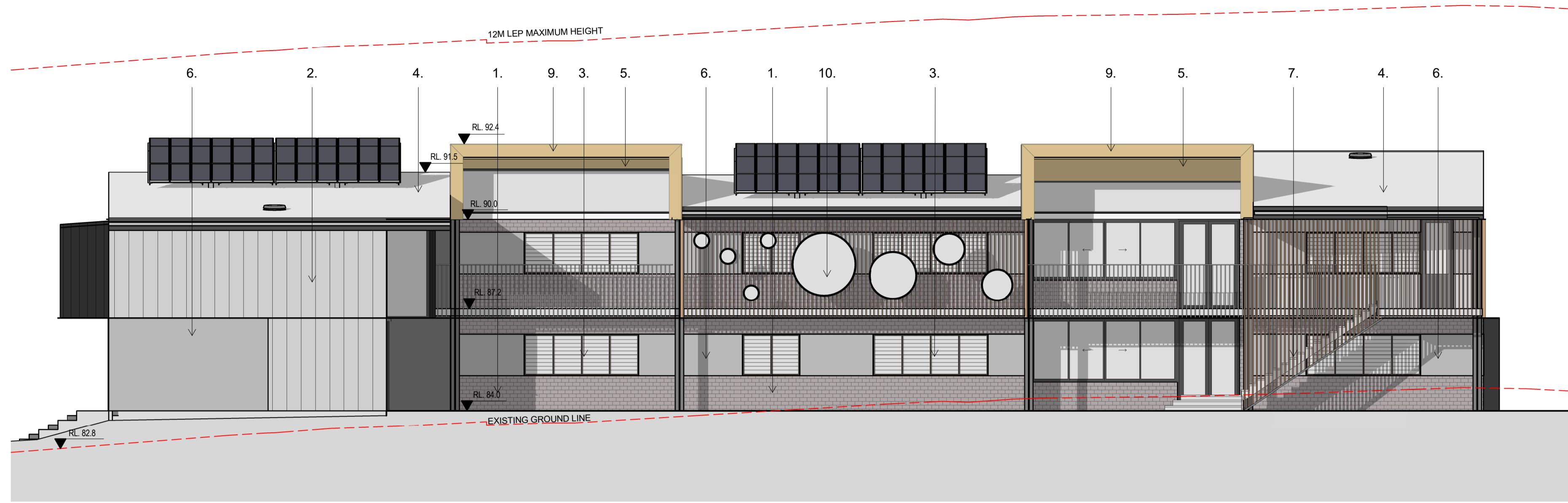
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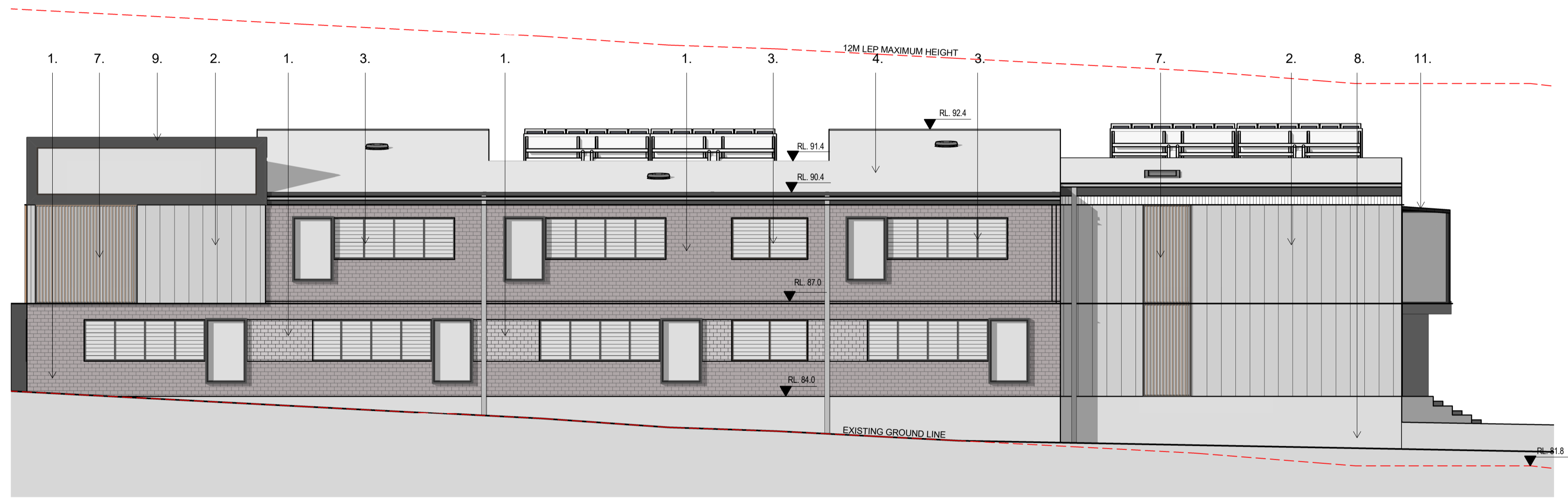


PROJECT NUMBER DWG NO REVISION

2141.08 B08.DA03.10 1



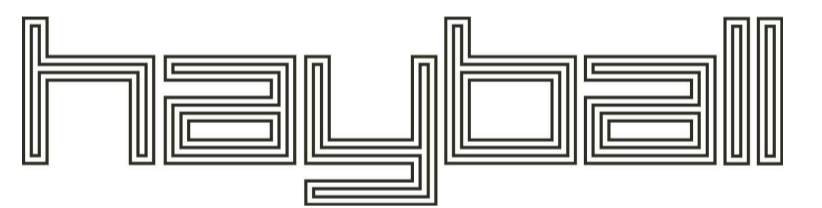
1 WEST ELEVATION
A03.05 1:100



2 EAST ELEVATION
A03.06 1:100

2	DEVELOPMENT APPLICATION	19/10/17
1	DEVELOPMENT APPLICATION REVIEW	13/10/17
Rev	Description	Date

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PROJECT NUMBER DWG NO REVISION

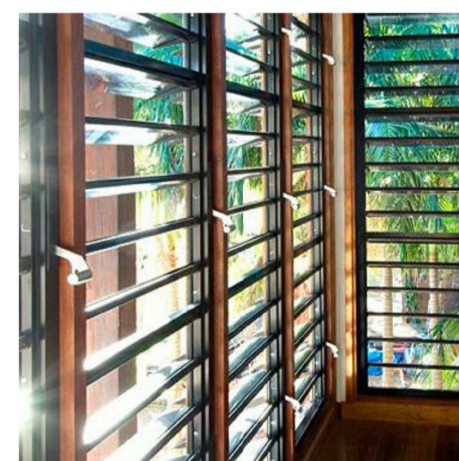
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BLUE SPLITS BRICK



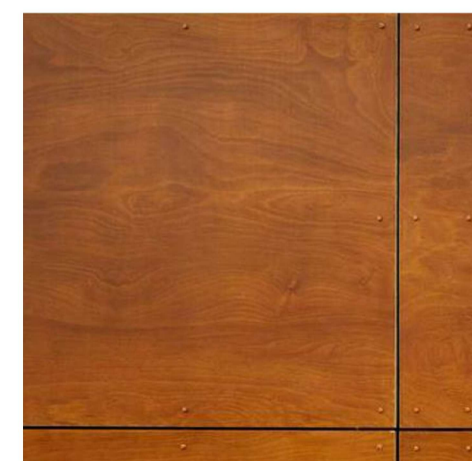
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BARESTONE FINISH



3. ALTAIR GLASS
LOUVRE SYSTEM



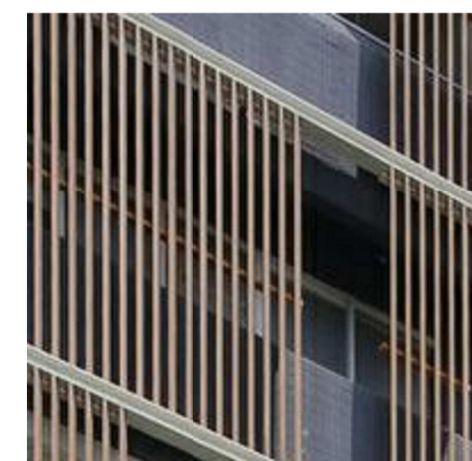
4. BLUESCOPE
ZINCALUME ROOFING -
SPANDEK PROFILE



5. PROXIMA -
PRODEX PALE



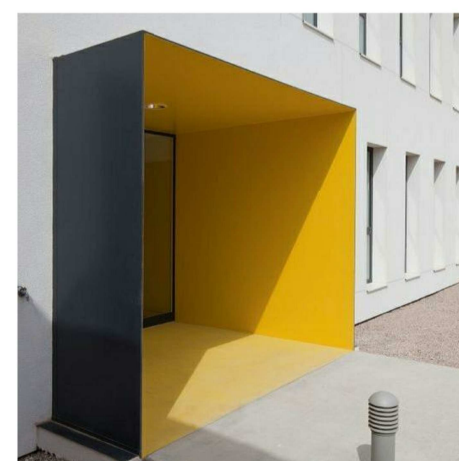
6. WRITABLE SURFACE



7. ALUMINIUM
LOUVRES - ELLIPSOID
BLADES



8. CONCRETE-IN SITU



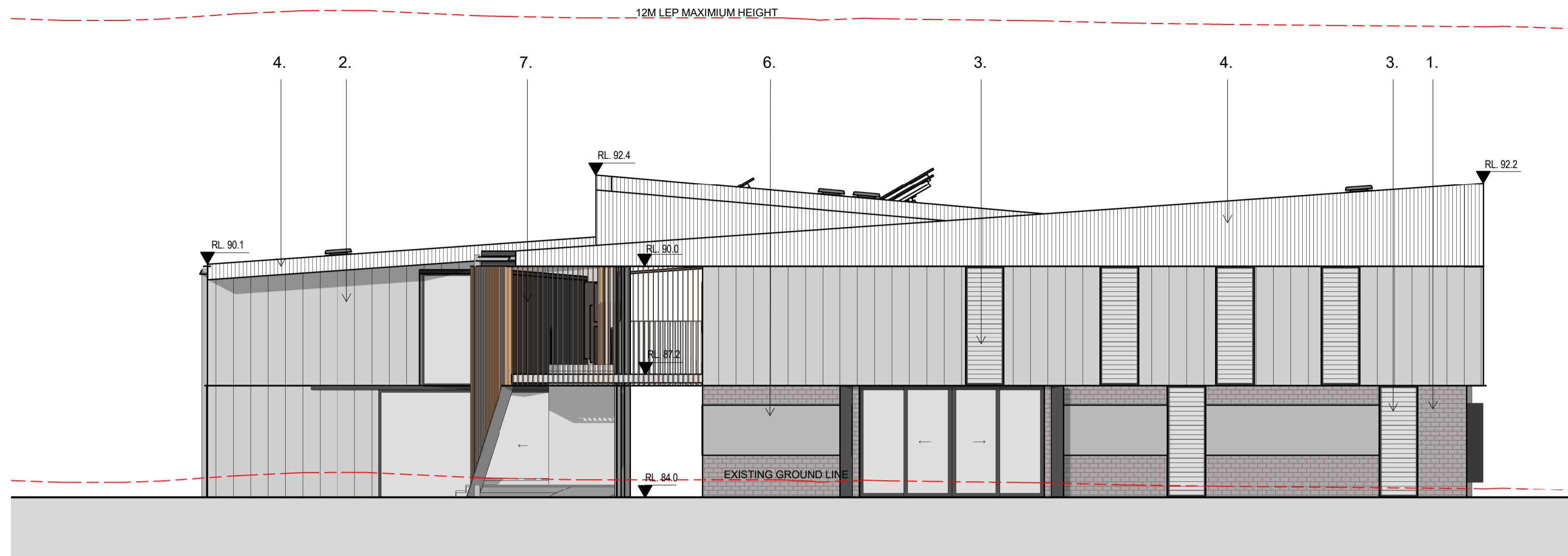
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FOLDED ALUMINIUM



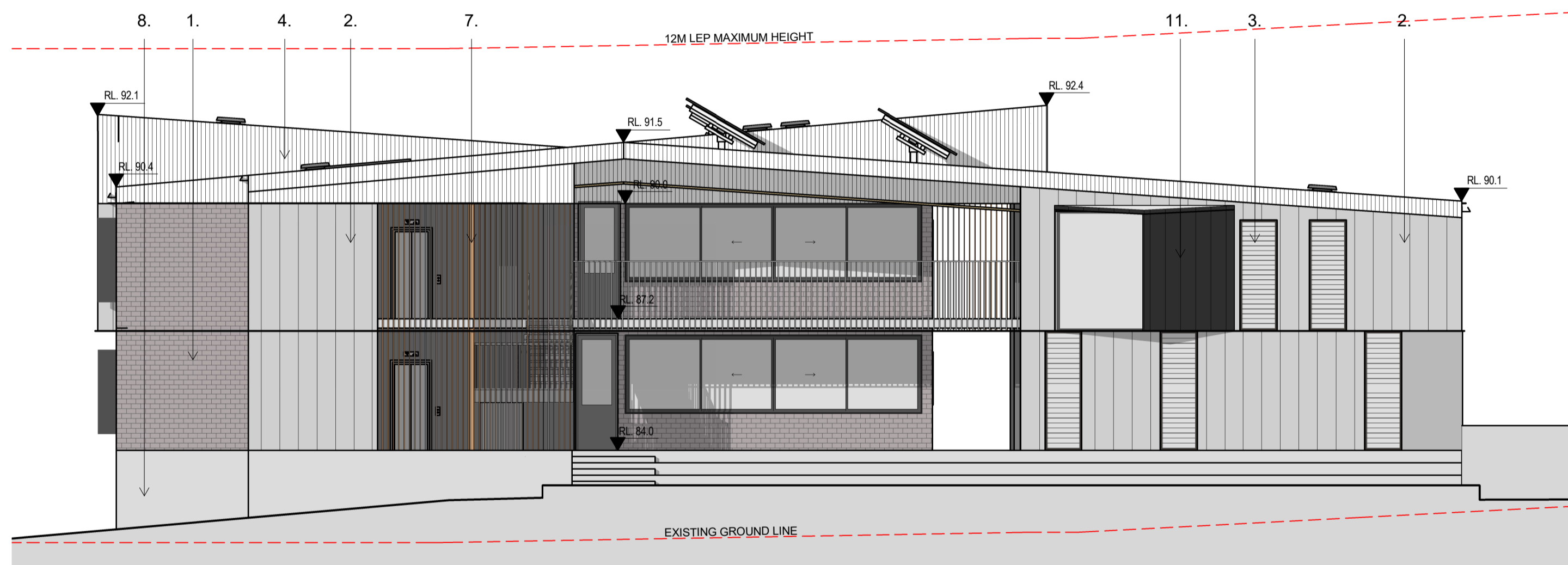
10. ROUND STEEL
FRAMED WINDOW



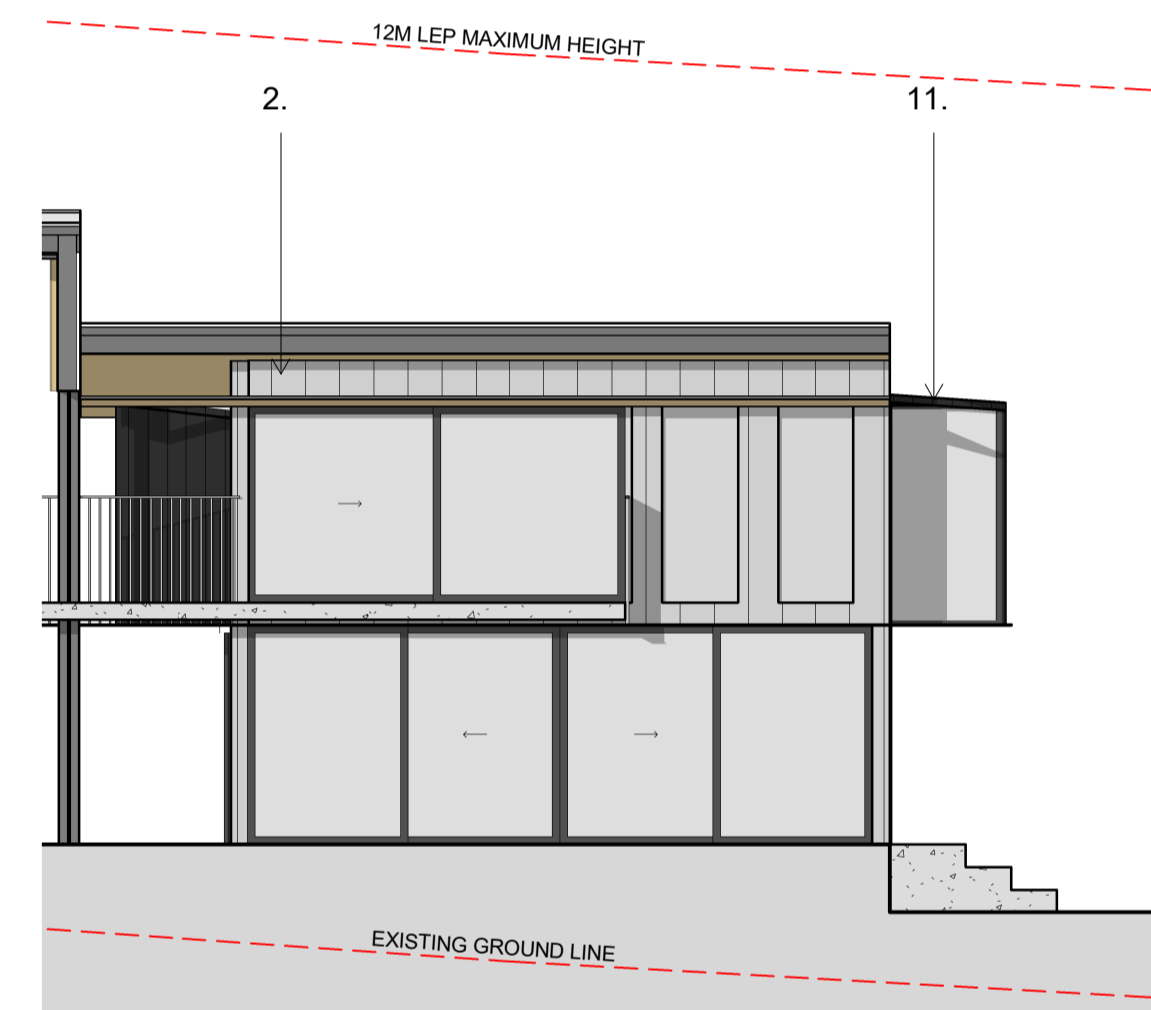
11. ARCHCLAD
METAL CASSETTE
PANEL SYSTEM



1 SOUTH ELEVATION
A03.05 1:100



2 NORTH ELEVATION
A03.05 1:100



3 STEAM FRONT ELEVATION
A03.05 1:100

2	DEVELOPMENT APPLICATION	19/10/17
1	DEVELOPMENT APPLICATION REVIEW	13/10/17
Rev	Description	Date

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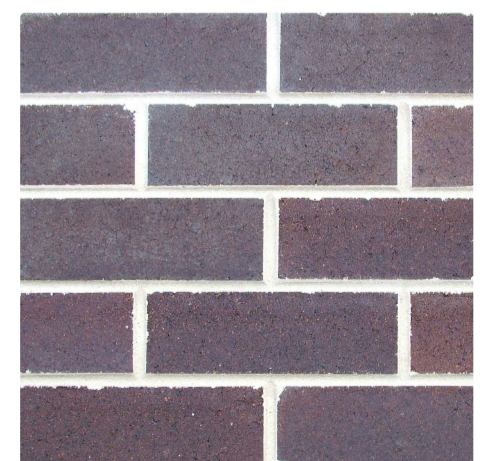
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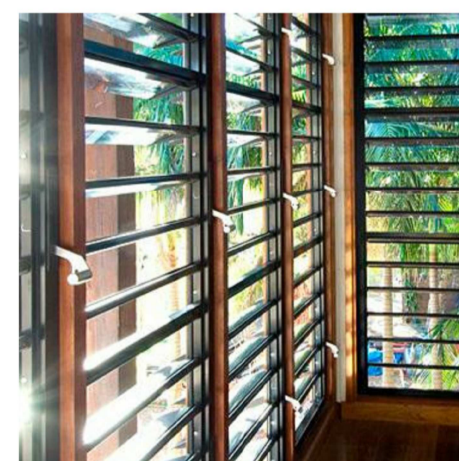
2141.08 B08.DA06.02 2



1. PGH MOWBRAY BLUE SPLITS BRICK



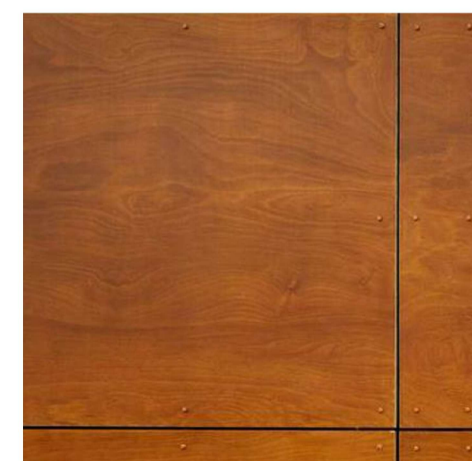
2. CSR CEMINTEL - BARESTONE FINISH



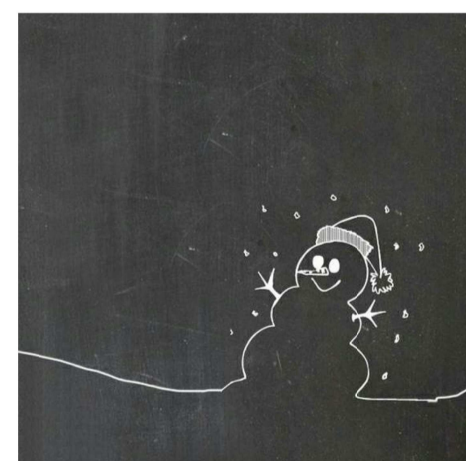
3. ALTAIR GLASS LOUVRE SYSTEM



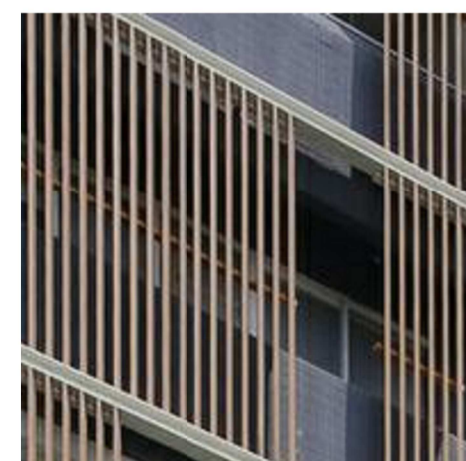
4. BLUESCOPE ZINCALUME ROOFING - SPANDEK PROFILE



5. PRODEMA - PRODEX PALE



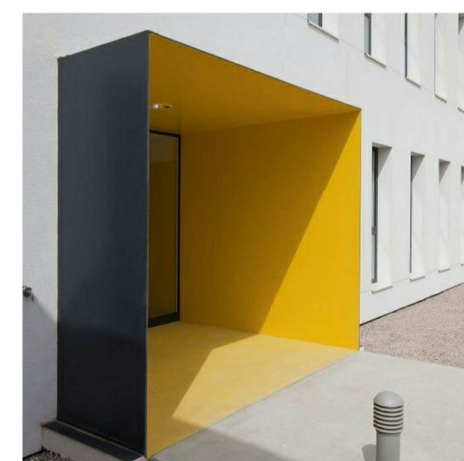
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7. ALUMINIUM LOUVRES - ELLIPSOID BLADES



8. CONCRETE-IN SITU



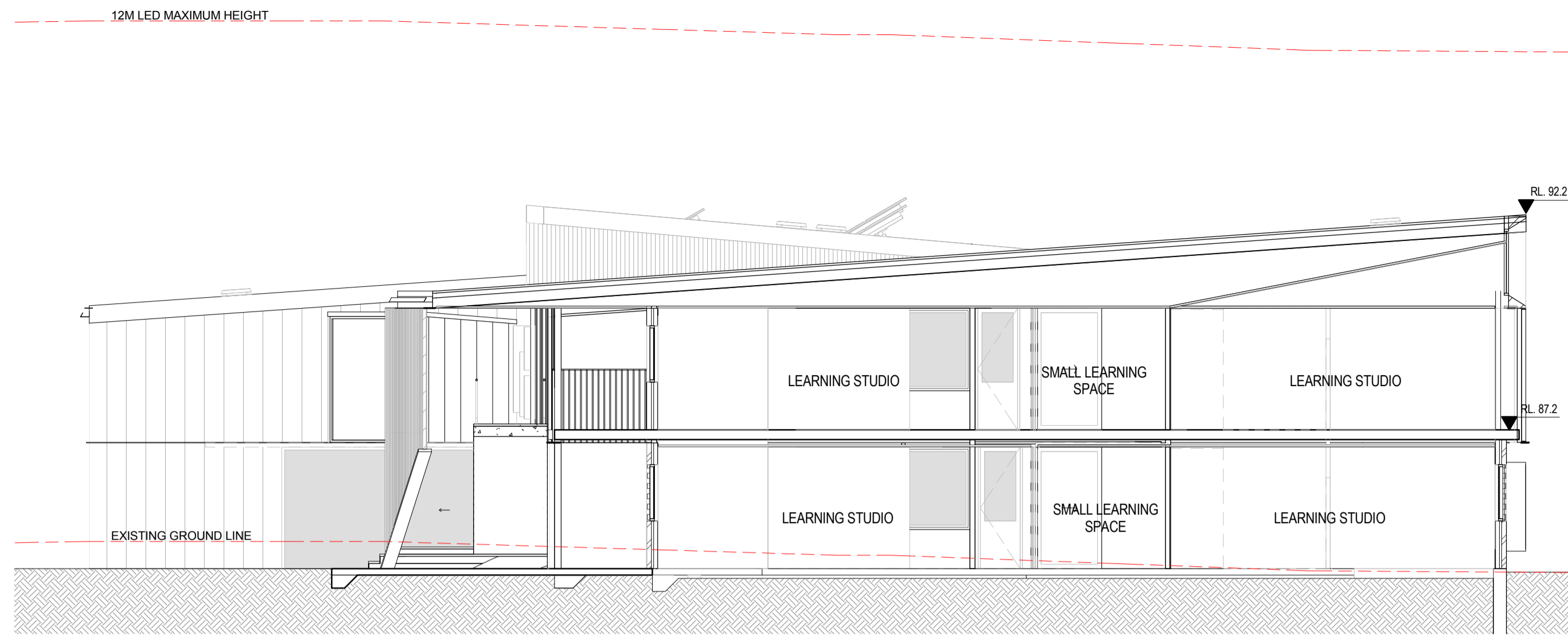
9. POWDERCOATED FOLDED ALUMINIUM



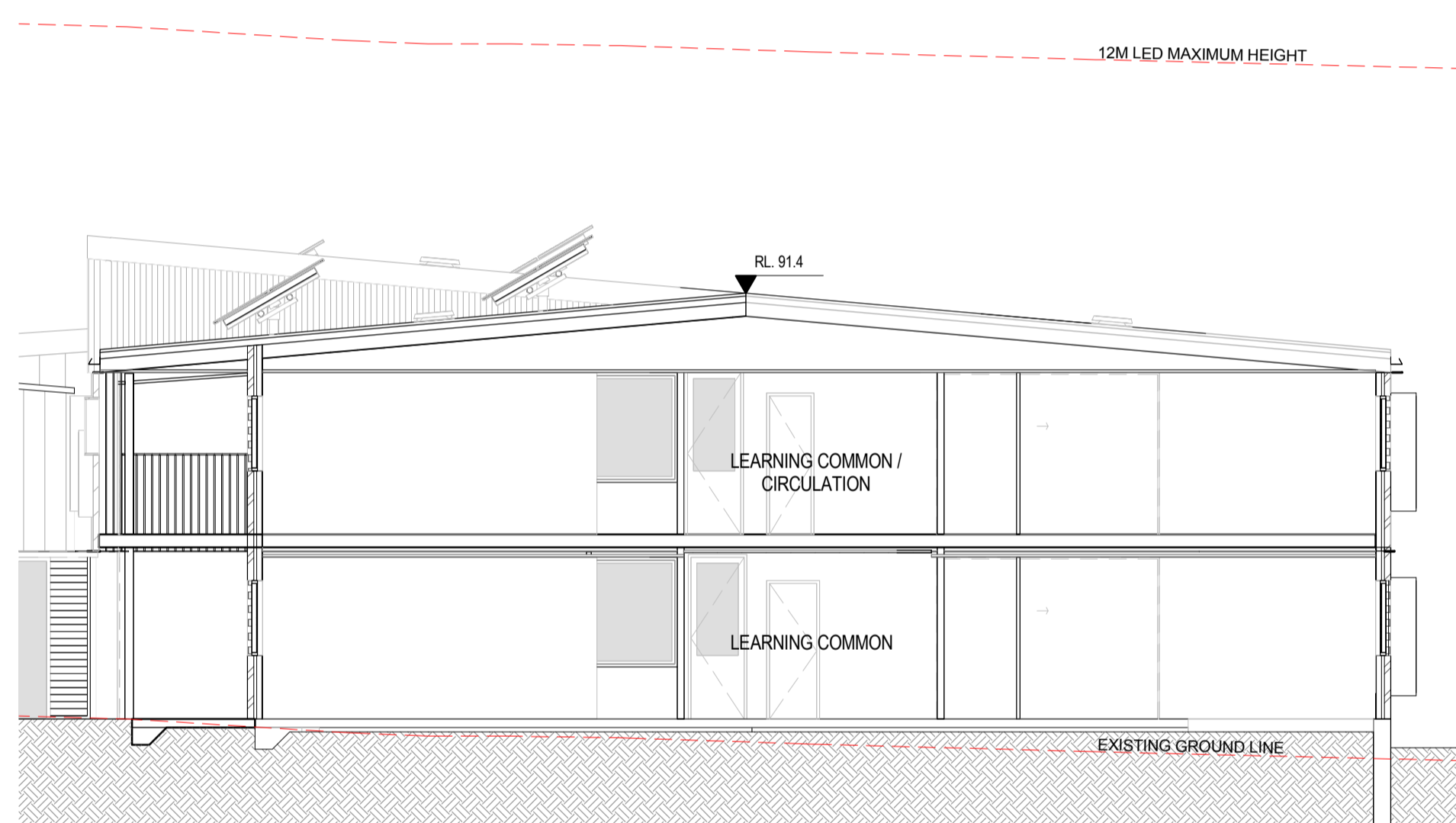
10. ROUND STEEL FRAMED WINDOW



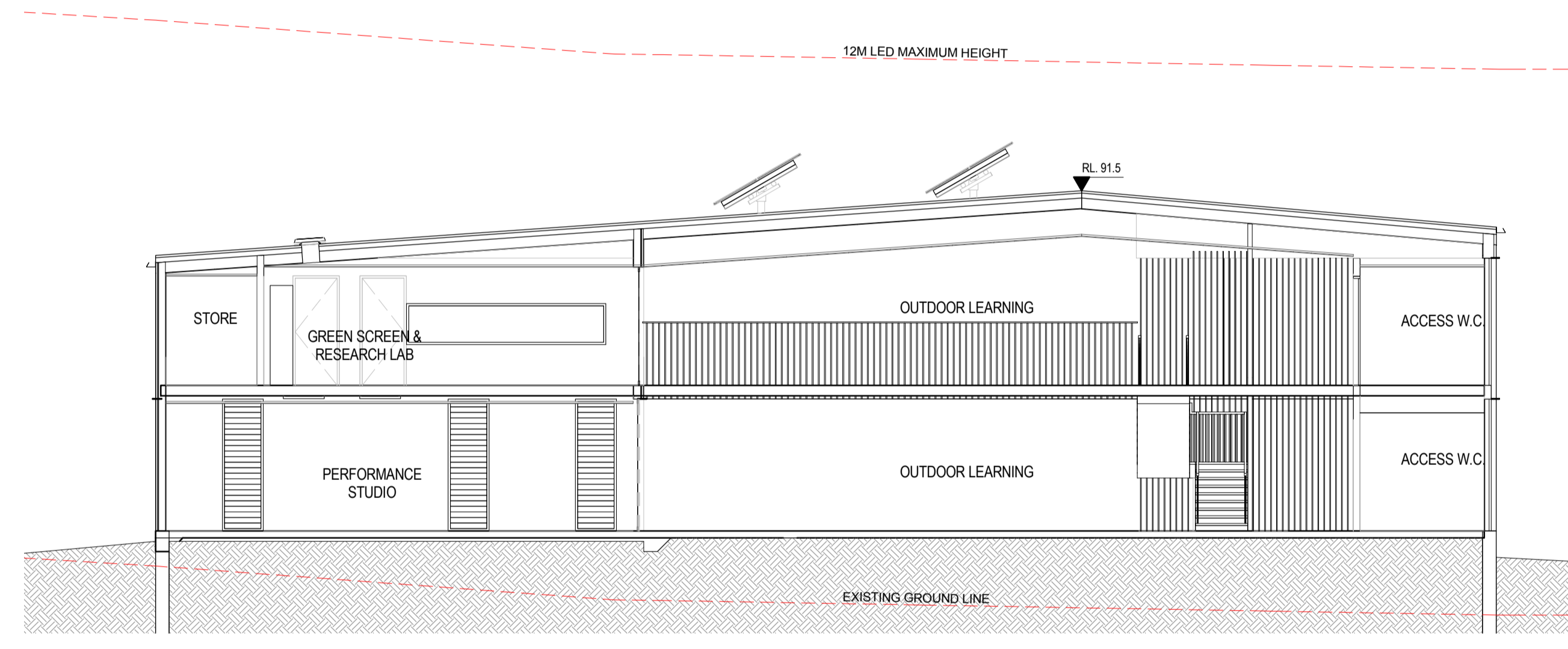
11. ARCHCLAD METAL CASSETTE PANEL SYSTEM



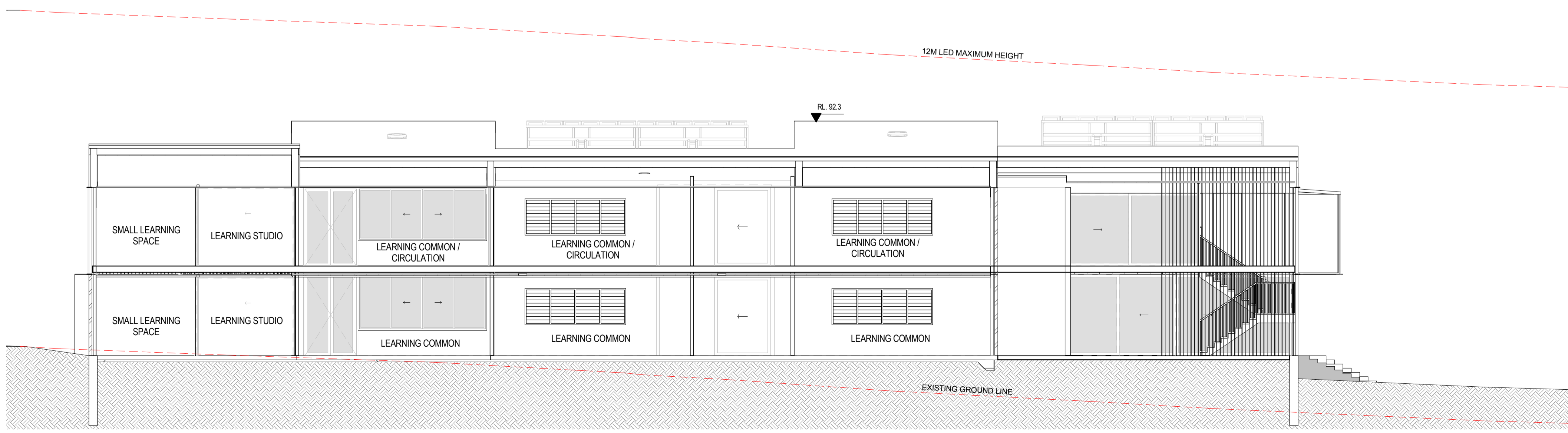
1 SECTION 1
DA03.05 1:100



2 SECTION 2
DA03.05 1:100



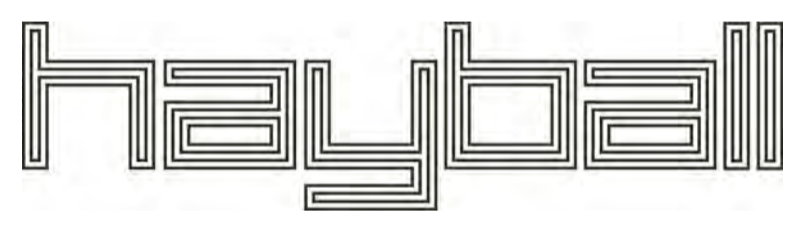
3 SECTION 3
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4 SECTION 4
DA03.05 1:100

Rev	Description	Date
1	DEVELOPMENT APPLICATION REVIEW	13/10/17

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PROJECT NUMBER	DWG NO	REVISION
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1 NEW TEACHING SPACE BUILDING



2 NEW TEACHING SPACE BUILDING

Rev	Description	Date
1	DEVELOPMENT APPLICATION REVIEW	13/10/17

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Education

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1 NEW TEACHING SPACE BUILDING



2 NEW TEACHING SPACE BUILDING

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Assessment against planning controls

1 Environmental Planning and Assessment Act 1979

The development satisfies the matters for consideration under Section 4.15 of the Act as detailed below.

Heads of Consideration s4.15	Comment	Complies
<p>a. The provisions of:</p> <p>(i) any environmental planning instrument (EPI)</p> <p>(ii) any proposed instrument that is or has been the subject of public consultation under this Act</p> <p>(iii) any development control plan (DCP)</p> <p>(iii)a) planning agreement</p> <p>(v) the regulations</p>	<p>The proposal is considered to be consistent with the relevant EPIs, including SREP No. 20 – Hawkesbury- Nepean River, SEPP (State and Regional Development) 2011, SEPP No. 55 – Remediation of Land, SEPP (Vegetation in Non-Rural Areas) 2017, SEPP (Educational Establishments and Child Care Facilities) 2017 and its 7 'design quality principles' and the Central City District Plan 2018.</p> <p>The proposed development is a permissible land use within the SP2 Educational Establishment zone and satisfies the zone objectives outlined under Blacktown LEP 2015.</p> <p>There are no draft instruments relevant to the application.</p> <p>Blacktown DCP 2015 applies to the site. The proposed development is compliant with the relevant controls established under the DCP, except for parking provision.</p> <p>The application is accompanied by a Voluntary Planning Agreement. A condition of consent is recommended that the VPA be executed prior to works commencing.</p> <p>There are no relevant provisions applicable.</p>	<p>Satisfactory</p> <p>Satisfactory</p> <p>Not applicable</p> <p>No, but acceptable</p> <p>Yes</p>
<p>b. The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality</p>	<p>It is considered that the likely impacts of the development, including traffic, parking and access, design, bulk and scale, overshadowing, noise, privacy, waste management, flora and fauna, salinity, contamination and stormwater management, have been satisfactorily addressed.</p> <p>A site analysis was undertaken to ensure that the proposed development will have minimal impacts on surrounding properties.</p> <p>In view of the above, it is accepted that the proposed development will not have any unfavourable social, economic or environmental impacts. The proposed works will enhance the utility of the existing school without introducing any detrimental impacts.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>c. The suitability of the site for the development</p>	<p>The subject site is zoned SP2 Educational Establishment. There is no maximum height or FSR limits applicable to the site. Schools are permissible on the site with development consent.</p>	<p>Yes</p>

Heads of Consideration s4.15	Comment	Complies
	The site has an area and configuration that is suited to this form of development. The design solution is based on sound site analysis and responds positively to the existing development on and adjoining the site.	
d. Any submissions made in accordance with this Act or the regulations	The application was advertised for comment for a period of 14 days. One submission was received. Refer to discussion in attachment 7 to this report.	Satisfactory
e. The public interest	It is considered that no adverse matters relating to the public interest arise from the proposal. The proposal provides additional high quality learning and administration space for the school to meet the needs of the local community.	Yes

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

The Sydney Central City Planning Panel (SPP) is the consent authority for Crown Development with a capital investment value (CIV) of over \$5 million. The proposed development has a CIV of \$11,621,452. As such, Council is responsible for the assessment of the DA and determination of the application is to be made by the Sydney Central City Planning Panel.

3 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 aims to ‘provide a State wide planning approach to the remediation of contaminated land’. Clause 7 requires a consent authority to consider whether the land is contaminated and if it is suitable or can be remediated to be made suitable for the proposed development, prior to the granting of development consent.

A Stage 1 Site Contamination Report prepared by Environmental Investigation Services (EIS) was submitted with the application and appropriate conditions of consent will be applied. The report confirmed that the site can be made suitable for the proposed use subject to conditions of consent which have been incorporated in **attachment 8**.

4 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

This SEPP aims to ‘protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.’ Consent from council is required for the removal of vegetation.

A Preliminary Tree Assessment Report has been submitted with the application as the proposal requires the removal of 24 trees. The report incorporates conditions of consent for the protection of the trees to be retained which have been incorporated in **attachment 8**.

The proposal will remove up to 0.09 ha of Shale Plains Woodland. However, the vegetation does not meet the condition criteria for listing under the EPBC Act and the assessment of significance concluded that the proposal would not result in a significant impact.

5 SEPP (Educational Establishments and Child Care Facilities) 2017

This SEPP aims to facilitate the effective delivery of educational establishments and early education and care facilities across the State and establishes design quality principles for consideration. The table below provides comments on the assessment of the 7 design principles of the Design Guide for Schools.

5.1 Design quality principles

The development satisfies the 7 design principles.

Principle	Control	Town Planning comment
Context, built form and landscape	<p>Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage.</p> <p>The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.</p> <p>Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.</p> <p>School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area, and located and designed to minimise the development's visual impact on those qualities and the natural environment.</p>	<p>The built form of the proposal is suitable for the site and will involve additions to the existing administration building, a new learning building to replace demountable classrooms and associated landscaping throughout the site.</p> <p>The design and layout of the proposed works is appropriate to existing school buildings, and landscaping and will not result in any negative or detrimental impacts.</p> <p>The proposal is well resolved and will greatly enhance the utility of the school and is appropriate for the site's context.</p>
Sustainable, efficient and durable	<p>Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.</p> <p>Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.</p>	<p>The proposal includes solar panels for energy efficiency and will provide social and economic benefits through job creation and additional student opportunities and facilities in the absence of any detrimental impacts.</p>
Accessible and inclusive	<p>School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.</p> <p>(Note: Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space.)</p>	<p>The proposed development is capable of meeting accessibility requirements as confirmed in the Accessibility Review Report submitted with the application.</p>

Principle	Control	Town Planning comment
	Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.	
Health and safety	Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.	CPTED measures have been incorporated into the design of the new building and the addition to the administration building will improve passive surveillance of Chase Drive and the entry to the school.
Amenity	<p>Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.</p> <p>Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.</p> <p>Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.</p>	<p>The proposed learning building will provide modern classrooms, performance spaces, labs and learning areas to improve the facilities at the school. Outdoor learning areas are also proposed which provide great learning environments and student amenity as alternate learning spaces.</p> <p>The new building will have good access to light and ventilation and provide the requisite ancillary storage and service areas in the learning building and administration building.</p>
Whole of life, flexible and adaptive	<p>School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning.</p> <p>Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.</p>	The proposal includes alterations and additions to the existing administration building and the new learning building will eliminate the need for the demountable classrooms currently used at the school.
Aesthetics	<p>School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements.</p> <p>Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood.</p> <p>The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.</p>	The proposed development is considered to be appropriate in terms of the composition of building elements, textures, materials, finishes and colours and reflect the use, internal design and structure of the buildings.

6 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

A consent authority must take into consideration the general planning considerations set out in Clause 5 of Sydney Regional Environmental Plan No. 20 and the specific planning policies and recommended strategies in Clause 6.

As the site is already developed, and only minor additions are proposed, there is no need to further consider this regional planning instrument.

7 Central City District Plan 2018

Although the *Environmental Planning and Assessment Act 1979* does not require consideration of District Plans in the assessment of Development Applications, an assessment of the Central City District Plan has been undertaken.

Outlined below is where the Development Application is consistent with the overarching planning priorities of the *Central City District Plan 2018*:

a. Infrastructure

- Infrastructure adapts to meet future needs
- Creating great places
- Contributing to the provision of services to meet communities' changing needs.

8 Blacktown LEP 2015

BLEP 2015 applies to the site. The following table outlines the proposal's compliance with the LEP:

Controls/requirements		Proposal	Complies
SP2 Educational Establishment	<p>The objectives of the zone are:</p> <ul style="list-style-type: none"> • To provide for infrastructure and related uses. • To prevent development that is not compatible with or that may detract from the provision of infrastructure. • To ensure that development does not have an adverse impact on the form and scale of the surrounding neighbourhood. <p>Educational establishments are permissible with consent under the zone.</p>	<p>The proposal meets the objectives of the zone by providing additional learning areas and administration facilities to enable an increase in student numbers at the school and allow the replacement of demountable classrooms on the site.</p> <p>The proposal will have no adverse impact on neighbouring properties.</p>	Yes
Clause 7.2 Terrestrial Biodiversity	<p>The objective of this clause is to maintain terrestrial biodiversity by:</p> <ol style="list-style-type: none"> a. protecting native fauna and flora b. protecting the ecological processes necessary for their continued existence c. encouraging the conservation and recovery of native fauna and flora and 	<p>The site is identified as containing Terrestrial Biodiversity.</p> <p>The proposal requires the removal of 24 trees from the site to accommodate the additional learning</p>	No, but justified in circumstances of no viable alternatives on the site.

Controls/requirements	Proposal	Complies
	<p>their habitats.</p> <p>This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map.</p> <p>In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider:</p> <ul style="list-style-type: none"> a. whether the development is likely to have: <ul style="list-style-type: none"> i. any adverse impact on the condition, ecological value and significance of the fauna and flora on the land ii. any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna iii. any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land iv. any adverse impact on the habitat elements providing connectivity on the land. b. any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. <p>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> a. the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or b. if that impact cannot be reasonably avoided by adopting feasible alternatives - the development is designed, sited and will be managed to minimise that impact, or c. if that impact cannot be minimised - the development will be managed to mitigate that impact. 	<p>building, associated outdoor learning areas and landscaped area.</p> <p>A Flora and Fauna Assessment Report has been submitted with the application and reviewed by Council staff. There is no objection to the tree removal subject to the imposition of a condition of consent requiring a Vegetation Management Plan being submitted to Council for approval prior to the issue of the Construction Certificate.</p>

9 Blacktown Development Control Plan (BDCP) 2015

BDCP 2015 applies to the site with regard to the proposed development. The following table outlines the proposal's compliance with BDCP.

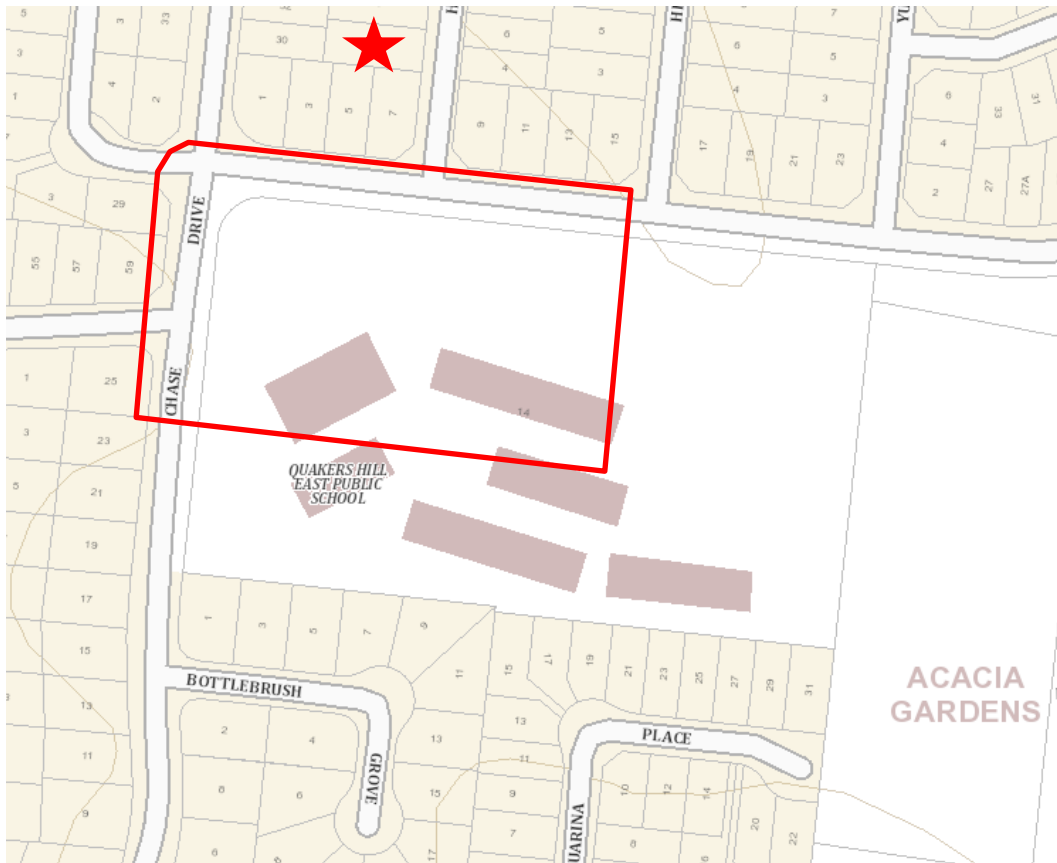
Controls/requirements	Proposal	Complies	
Part A Section 4 Environmental Protection			
4.3 Tree Preservation	<p>Legal provisions for the preservation of trees are in force under Blacktown LEP 2015.</p> <p>These provisions require the consent of Council for the removal of trees as well as for the lopping or topping of trees. However, where development approval has been given, trees within 3 m of the perimeter of a building may be removed without further approval.</p>	Refer to discussion in Section 4 in relation to SEPP (Vegetation in Non-Rural Areas) 2017	Yes
6.3 Car parking	<p>1 space/staff</p> <p>1 space/100 students</p> <p>1 space for delivery vehicles</p> <p>Drop-off area for buses</p>	<p>The proposed development would require:</p> <p>Increased number of students: 51</p> <p>Additional staff: 2 (full-time), 2 (part-time)</p> <p>Spaces required: 5</p> <p>The existing 42 spaces on the site are to be retained with no provision for additional parking.</p> <p>The provision of parking is guided by the Department's Educational Facilities Standards and Guidelines.</p>	No - acceptable on merit (refer to discussion in Section 7 of Assessment Report.
8.1 Solar Access	New development should retain reasonable levels of solar access to neighbouring properties and the public domain.	The shadows cast by the new learning building do not impact on any adjoining properties.	Yes
Part G Site Waste Management and Minimisation			
Appendix 1	Waste Management Plan	A Waste Management Plan has been submitted with the application.	Yes

Controls/requirements	Proposal	Complies
Part J Water Sensitive Urban Design and Integrated Water Cycle Management		
	<p>The applicant has offered to enter into a Water Sensitive Urban Design Voluntary Planning Agreement with Council, in order to comply with the requirements of Part J of the DCP, based on a 'disturbed area' of 2,600 m². The contribution rate is \$62,890 per ha subject to CPI as at the date of payment, plus 1.5% administration fee.</p>	

Concerns raised in the public submission

1 Location of submitter

1.1 During the notification period, 1 submission was received from the property shown below.



 3 Hickory Place, Acacia Gardens

2 Consideration of issues raised in the submission

2.1 The following table provides our response to the issues raised:

Issue	Council's response
<p>Parking and traffic around the school</p>	<p>The objection was referred to Council's Traffic Engineer who provided the following comments:</p> <p><i>"The comments are related to traffic congestion during pick-up and drop-off times as there is not sufficient parking within the school. We manage roads and have no control over parking within the school.</i></p> <p><i>This matter needs to be raised with the Department of Education to provide additional parking and pick-up and drop-off area within the school site".</i></p>

Issue	Council's response
	<p>The site contains extensive frontages to Chase Drive and Tamarind Drive with available on-street parking. Traffic congestion in and around schools is inevitable during the peak drop-off and pick-up times. The proposed works will facilitate additional enrolments to the school, however private parking within the school is not provided currently and not required to be provided. No school could accommodate all parking and collection within the school grounds, and in any case this approach would be contrary to the Department's Education Facilities Standards and Guidelines that seek on-site parking to be kept to a minimum.</p> <p>The above concerns raised in the public submission are not considered to be sufficient to warrant the refusal of this application.</p>

Draft conditions of consent

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.

1.2 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.

1.3 Other Approvals

- 1.3.1 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.

1.4 Services

- 1.4.1 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, 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.

- 1.4.2 Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.
- 1.4.3 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 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.
- 1.4.4 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.

1.5 Identification Survey

- 1.5.1 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.

1.6 Engineering Notes

- 1.6.1 Any 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

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:

Project Number	Drawing No.	Drawing Title	Dated
2141.08	08.DA00.01 Revision 1	Site Analysis	13/10/17
2141.08	08.DA01.02 Revision 1	Site Plan	13/10/17
2141.08	08.DA04.00	Site Section	13/10/17

Project Number	Drawing No.	Drawing Title	Dated
	Revision 1		
2141.08	08.DA05.01 Revision 1	Cut and Fill Plan	13/10/17
2141.08	A08.DA03.01 Revision 1	Admin Ground Floor - Existing & Demolition	13/10/17
2141.08	A08.DA03.05 Revision 1	Admin Ground Floor	13/10/17
2141.08	A08.DA03.10 Revision 1	Admin Roof Plan	13/10/17
2141.08	A08.DA06.01 Revision 1	Admin Elevations	13/10/17
2141.08	A08.DA06.02 Revision 1	Admin Sections	13/10/17
2141.08	B08.DA03.05 Revision 1	Ground Floor	13/10/17
2141.08	B08.DA03.06 Revision 1	Level 1	13/10/17
2141.08	B08.DA03.10 Revision 1	Roof Plan	13/10/17
2141.08	B08.DA06.01 Revision 2	Elevations	19/10/17
2141.08	B08.DA06.02 Revision 2	Elevations	19/10/17
2141.08	B08.DA06.10 Revision 1	Sections	13/10/17

2.2 Tree Assessment Report

2.2.1 The removal of any trees shall be in accordance with the recommendations of the Preliminary Tree Assessment Report dated 22 June 2017.

2.3 Flora and Fauna Assessment Report

2.3.1 The proposal shall be carried out in accordance with the recommendations of the Flora and Fauna Assessment Report prepared by Alphitonia Pty Ltd and dated 4 September 2017.

2.4 Suburb Name

2.4.1 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: Acacia Gardens

2.5 Engineering Matters

2.5.1 Design and Works Specification

2.5.1.1 All 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 Soil Erosion and Sediment Control Policy (Current Version)
- (e) Blacktown City Council On Site Detention General Guidelines and Checklist

2.6 General Drainage

- 2.6.1 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 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.

3 PRIOR TO CONSTRUCTION WORK COMMENCING (GENERAL)

- 3.1 Prior to construction work commencing, a Vegetation Management Plan (VMP) must be developed for the long-term protection and re-creation of Cumberland Plain Woodland which aims to enhance the viability of the patch within and adjacent to the subject site, to the satisfaction of Council.

3.2 DA Plan Consistency

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

4 PRIOR TO CONSTRUCTION WORK COMMENCING (PLANNING)

4.1 Section 7.11 Contributions under Section 94E Directions

- 4.1.1 The following monetary contributions pursuant to *Section 7.11 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 commencement of building works.

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	Indexed amount	Relevant C.P
i. Trunk drainage	\$5,343.00	CP 5
ii. Major roads	\$5,519.00	CP 5
iii. Local roads	\$1,746.00	CP 5
iv. Trunk drainage – Catchment No.1	\$1,277.00	1CP 1

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:

S.7.11 CP No. 5 Parklea Release Area
S.7.11 CP No. 1 1980;s Release Area – Quakers Hill

The Section 7.11 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 7.11 contribution(s) will be adjusted accordingly.

Developable area: 0.10330ha

4.2 Aesthetics/Landscaping

- 4.2.1 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.
- 4.2.2 The reflectivity index of glass used in the external facade of the building is not to exceed 20 percent.
- 4.2.3 Any bathroom, w.c. or laundry window in the external wall of the building shall be fitted with translucent glazing.
- 4.2.4 The development approval is to be constructed in accordance with the schedule of materials, finishes and colours.

4.3 Access/Parking

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

4.4 Site Contamination

- 4.4.1 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 PRIOR TO CONSTRUCTION WORK COMMENCING (BUILDING)

5.1 Building Code of Australia Compliance

- 5.1.1 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).

5.1.2 The structural alterations to the building shall not unduly reduce or compromise:

- (a) the existing level of fire protection afforded to persons accommodated in or resorting to the building, or
- (b) the existing level of resistance to fire of the building, or
- (c) the existing safeguards against the potential spread of fire to adjoining buildings.

5.2 **Site Works and Drainage**

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

5.2.2 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.

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

5.3 **Building Additions**

5.3.1 The design of the building addition or attachment shall not compromise the Building Code of Australia structural design criteria of any portion of the existing building.

6 **PRIOR TO CONSTRUCTION WORK COMMENCING (ENGINEERING)**

6.1 The following monetary contributions under the Voluntary Planning Agreement (VPA) must be paid. The amounts below are BASE contributions which WILL BE INDEXED from the nominated base date to the date of payment. Payment of the indexed amounts must be made (BY BANK CHEQUE IF IMMEDIATE CLEARANCE IS REQUIRED; NOTE Council DOES NOT accept payment of VPA Contributions by credit card or EFTPOS) prior to works commencing.

Contribution Item	Base Amount	Base Date
(i) Water Quality	\$16,729	01/03/2015
(ii) Administration Fee	\$ 271	01/03/2015

The contribution(s) will be indexed according to the Australian Bureau of Statistics' Implicit Price Deflator for Gross Fixed Capital Expenditure (Private Dwellings) and the Consumer Price Index (Sydney Dwellings).

The VPA Contribution(s) have been based on the total developable area. Should the final plan of survey indicate any change in the total developable area, the VPA Contribution(s) will be adjusted accordingly.

Developable Area: 0.266 hectares

6.2 Amended engineering plans are to be provided to address the following:

- a) On-site detention is to be provided for the site in accordance with the Blacktown City Council Water Sensitive Urban Design (WSUD) Standard Drawings Plan No. A(BS)175M. The on-site detention system is to be designed using the Blacktown City Council – On-site Detention Deemed to Comply Tool collecting a minimum area of 2660 m². (Excel spreadsheet available upon request)
- b) The on-site detention system is to be designed to provide a minimum of 79.8m³ storage below the 1.5 year ARI Overflow Weir and 121.0 m³ below the Emergency Overflow Weir.
- c) The on-site detention system is to be designed to provide a discharge of 10.64 l/s in the 1.5 year ARI event and 50.5 l/s in the 100 year ARI event.
- d) Detail Confined space entry warning signs on the drainage plans adjacent to all entries into the rainwater tanks, detention tank and Stormfilter chamber in accordance with Council's Engineering Guide for Development 2005.
- e) Provide on-site detention (OSD) warning signs as per the Upper Parramatta River Catchment Trust guidelines.
- f) Access grates to the 1.5 year and 100 year orifice are to be 1200 x 1200. All other access grates to the below ground detention tank must be a minimum 900 mm by 900 mm and are positioned such that the maximum distance from any point in the tank to the nearest grate is not greater than 1.5 m for clear heights less than 0.7 m, 2 m for clear heights less than 1.0 m, 3 m for clear heights less than 1.5 m, 4 m for clear heights less than 2.0 m, 5 m for clear heights less than 2.5 m and 6 m for clear heights greater than 2.5 m. Secure each grate with childproof locks.
- g) The minimum grade for the base of the detention tank is to be 2% in accordance with Council's Engineering Guide for Development 2005. For larger tanks this can be in the form of a 2% cross-slope to a central "V" drain with 2% longitudinal slope along the "V" drain to achieve the minimum required volume of 557 m³.
- h) Where storage is provided below ground the detention tank is to be constructed using concrete or masonry.
- i) Provide galvanised or equivalent step irons or ladders for all entry points to the tanks.
- j) 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. Secure each grate with childproof locks.
- k) Provide a kerb or mound along the low side of the proposed development to direct the surface flows in to the detention tank.

6.3 Provide details for permanent coloured interpretive signage minimum A2 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 the detention

tank and 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.

6.4 An experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply and Landscape Watering Plan for non-potable water uses on the site including all 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,
- 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) detailing how the various demands and uses will be balanced with the size of each rainwater tank.
- x) how the system is designed to automatically achieve a minimum average usage rate of 0.4 kL/yr/m² including increasing the frequency of watering by a minimum 50% above average for the hotter months;
- xi) fitting rainwater warning signs to all external taps using rainwater.

6.5 Other Engineering Requirements

6.5.1 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.

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

6.6 Stormwater Quality Control

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

Note: Council acknowledges the applicant's proposal to enter into a Voluntary Planning Agreement in order to satisfy this requirement. The applicant is required to satisfy this matter in a separate application to Council.

6.7 Drainage

6.7.1 Drainage from the site must be connected into Council's existing drainage system and generally in accordance with the following drawings:

Prepared By	Project No.	Drawing No.	Sheet No.	Revision	Dated
WSP		4785	C010	P1	11.10.2017
WSP		4785	C020	T2	11.10.2017

6.8 Erosion and Sediment Control

- 6.8.1 Provide a sediment and erosion control plan in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development.
- 6.8.2 Retaining walls shall be designed by a registered structural engineer (NER). The design shall verify that the wall has been designed to withstand all loads likely to be imposed on it during the intended lifetime and in accordance with the relevant Australian standards.
- 6.8.3 The proposed rainwater tank shall be designed by a registered structural engineer (NER). The design shall verify that the tank has been designed to withstand all loads likely to be imposed on it during the intended lifetime and in accordance with the relevant Australian standards.

7 PRIOR TO DEVELOPMENT WORKS

7.1 Safety/Health/Amenity

- 7.1.1 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.

- 7.1.2 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.

- 7.1.3 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.
- 7.1.4 All soil erosion and sedimentation control measures indicated in the documentation accompanying the Construction Certificate shall be installed prior to the commencement of development works.
- 7.1.5 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.

- 7.1.6 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.

7.2 **Notification to Council**

- 7.2.1 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.

7.3 **Tree Protection**

- 7.3.1 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.

7.4 **Sydney Water Authorisation**

- 7.4.1 Sydney Water Corporation's approval, in the form of appropriately stamped Construction Certificate plans, shall be obtained and furnished to the Principal Certifying Authority 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 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 must be appropriately stamped and all amended plans will require restamping. For further information please refer to the "Developing Your Land" section of the website: www.sydneywater.com.au, or telephone 1300 082 746 for assistance.

8 **DURING CONSTRUCTION (BUILDING)**

8.1 **Safety/Health/Amenity**

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

8.2 **Building Code of Australia Compliance**

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

8.3 **Surveys**

- 8.3.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifying Authority to verify the approved position of each

structure in relation to the property boundaries.

8.4 Nuisance Control

8.4.1 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.

8.4.2 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.

8.5 Stormwater Drainage

8.5.1 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.

8.6 Waste Control

8.6.1 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.

8.7 Tree Protection

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

8.8 Construction Inspections

8.8.1 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 of the building.

9 DURING CONSTRUCTION (ENGINEERING)

9.1 Tree Protection and Preservation

- 9.1.1 Existing vegetation and trees shall be left undisturbed except where roads, stormwater drainage infrastructure, site filling and/or building works are proposed.
- 9.1.2 There is to be no storage of materials, stockpiling of excavated material or parking of plant/machinery within the drip line of the crown of any retained trees.

9.2 Soil Erosion and Sediment Control Measures

- 9.2.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 9.2.2 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.
- 9.2.3 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.
- 9.2.4 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.
- 9.2.5 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.

9.3 Public Safety

- 9.3.1 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.

9.4 Site Security

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

10 PRIOR TO OCCUPATION (ENGINEERING)

- 10.1 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 minimum detention storage of 79.8.0 m³ below the 1.5 year ARI Overflow Weir has been provided;

- c. the minimum detention storage of 121.0 m³ below the Emergency Overflow Weir has been provided;
 - d. the orifice sizes match the approved construction certificate plans;
 - e. For the detention basin the 1.5 year ARI discharge does not exceed 10.64 l/s and the 100 year ARI discharge does not exceed 50.50 l/s.
 - f. the rainwater tanks have been provided as per the approved construction certificate plans collecting all of the roof area;
 - g. all the signage and warning notices have been installed;
 - h. the interpretative water quality sign has been correctly installed;
 - i. The non-potable water uses are being sourced using rainwater;
 - j. a copy of the certification and the works-as-executed drainage plan has been provided to the certifier, who shall provide it to Council
- 10.2 A plumber, licensed with NSW Fair Trading, or experienced hydraulic engineer registered with NER, is to certify that all the non-potable water uses 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 .
- 10.3 An experienced irrigation specialist is to certify that all the requirements of the detailed Landscape Watering Plan have been installed as per the approved plan and are working correctly. Provide a signed, works-as-executed Landscape Watering Plan to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au .
- 10.4 Provide maintenance requirements for the rainwater tank and detention basin. Where these devices are located in roadway/parking areas these are to include traffic management requirements. The designer of the stormwater treatment system must prepare the Maintenance schedule and this schedule must show the designer's name, company, signature and date on it.
- 10.5 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.

11 **PRIOR TO OCCUPATION OF THE DEVELOPMENT**

11.1 **Compliance with Conditions**

- 11.1.1 Prior to occupation of the development 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.

11.2 **Temporary Facilities Removal**

- 11.2.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
- 11.2.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.
- 11.2.3 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.

11.2.4 Any temporary builder's sign or other site information sign shall be removed from the land.

11.2.5 Any temporary site access provided for the purpose of development works shall be removed and the kerb and gutter and/or previous roadworks 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.

11.3 **Fire Safety Certificate**

11.3.1 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).

11.4 **Other Matters**

11.4.1 Retaining wall(s) and/or other effective methods to retain excavated or filled ground (other than those sites works which may be Exempt Development under any environmental planning instrument), together with any associated groundwater drainage system, shall be constructed and/or provided in accordance with the approved plans.

11.4.2 The vegetation Management Plan must be fully implemented prior to occupation of the development.

11.5 **Services/Utilities**

11.5.1 The following documentary evidence shall be obtained prior to construction works commencing:

- (a) A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Applications must be made through an authorised Water Servicing Coordinator. Please refer to the "Building Plumbing and Developing" Section of the website 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.
- (b) 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.
- (c) 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 PRIOR TO OPERATION

12.1 Road Damage

- 12.1.1 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.

12.2 Engineering Matters

12.2.1 Surveys/Certificates/Works As Executed plans

- 12.2.1.1 A Work-as-Executed (WAE) plan signed by a Registered Engineer (NER) or a Registered Surveyor must be submitted to Council when the 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.

- 12.2.1.2 A certificate from a Registered Engineer (NER - Structural) must be lodged with Council verifying that the following items have been constructed in accordance with all relevant Australian standards and in accordance with Council's Engineering Guide for Development and shall note that the as-built product is structurally adequate;

- i. Retaining wall
- ii. Rainwater tank

13 OPERATIONAL (PLANNING)

13.1 Access/Parking

- 13.1.1 All required off-street car parking spaces and internal driveways shall be maintained to a standard suitable for the intended purpose.
- 13.1.2 All loading and unloading operations shall take place at all times wholly within the confines of the land.
- 13.1.3 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 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 13.2.2 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.
- 13.2.3 Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 13.2.4 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.

- 13.2.5 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.

13.3 Use of Premises

- 13.3.1 The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.

- 13.3.2 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" under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other NSW or Council planning instrument.