

DRAFT CONDITIONS

Date of Determination:

Determination Notice No.: DA-41/2019

Property: Lot 1 DP 1246001, No. 10-20 High Street, Canterbury

Description of Development: Re-development of Canterbury South Public School including construction of a three storey building with a capacity of 690 students, one-way kiss and drop link road between Napier Street and France Street, expansion of the France Street car park and associated landscape works.

Planning Instrument: Canterbury Local Environmental Plan 2012

Zoning of Property: Part R3 Medium Density Residential, part R4 High Density Residential and part RE1 Public Recreation

Consent to Operate From:
Consent to Lapse On:

These conditions are imposed taking into account the matters for consideration in determining a Development Application pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 and other relevant Acts and Regulations.

Notes:

1. This Determination Notice operates or becomes effective from the endorsed date of Consent.
2. If you are dissatisfied with this decision, you may apply for a review of determination pursuant to Division 8.2 of the Environmental Planning and Assessment Act, 1979 or appeal to the Land and Environment Court pursuant to Sections 8.7 and 8.10 of the Environmental Planning and Assessment Act, 1979. Any application for a review of determination pursuant to Division 8.2 must be received, assessed and determined by Council within 6 months after the date of receipt of this Notice.
3. This consent will lapse 5 years from the endorsed date of consent unless the use has commenced, or any building works have physically commenced.
4. The applicant or any other person entitled to act on this Consent may apply to modify the Development Consent in accordance with Section 4.55 of the Environmental Planning and Assessment Act, 1979.

5. Failure to comply with a condition contained within this Development Consent may result in a fine or prosecution by Council.

CONDITIONS OF CONSENT

- 1) The proposal shall comply with the conditions of Development Consent. Work shall not commence until the plans and specifications meet the required technical standards and the conditions of this Development Consent are satisfied.

- 2) The building must comply with the Category 1 fire safety provisions as are applicable to the building's proposed use.

Note: The obligation to comply with the Category 1 fire safety provisions may require building work to be carried out even though none is proposed or required in relation to the relevant development consent.

- 3) The Assessment and final conclusions of the Geotechnical Investigation prepared by JK Geotechnics, dated 12 December 2017, Reference No 31040 SBprt shall form part of this consent.
- 4) Development shall take place in accordance with Development Application No.DA-41/2019, accompanied by the drawings as listed in the table below, and affixed with Council's approval stamp, except where otherwise altered by the specific amendments listed hereunder and/or except where amended by the conditions contained in this approval.

Drawing No.	Drawing Title	Revision	Dated	Prepared by
17343-NBRS-A-DA1-C01	Site Analysis Plan	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA1-C02	Site Demolition Plan	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA1-C03	Site Plan	3	6/11/2020	NBRS Architecture
17343-NBRS-A-DA2-C04	Block C Ground Floor Plan	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA2-C05	Block C Level 1 Floor Plan	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA2-C06	Block C Level 2 Floor Plan	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA2-C07	Block C Roof Plan	2	1/10/2020	NBRS Architecture

17343-NBRS-A-DA3-C08	Block C Elevations	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA3-C09	Block C Elevations	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA4-C10	Block C Sections	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA6-C13	Covered walkway	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA9-C18	Block c External finishes Schedule sheet 1	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA9-C19	Block C External finishes Schedule sheet 2	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA9-C20	Sample Board	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA9-C21	Signage Plan	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA9-C22	Waste area plan and new parking plan	2	1/10/2020	NBRS Architecture
17343-NBRS-A-DA9-C23	High Street elevation and signage	2	1/10/2020	NBRS Architecture
L-000	Cover page	L	1/10/2020	NBRS Architecture. Landscape
L-002	Landscape Analysis	H	1/10/2020	NBRS Architecture. Landscape
L-003	Landscape Demolition Plan	L	1/10/2020	NBRS Architecture. Landscape
L-004	Proposed Landscape Site Plan	M	1/10/2020	NBRS Architecture. Landscape
L-100	Materials and Finishes Palette & Schedule	L	1/10/2020	NBRS Architecture. Landscape
L-101	Planting Palette & Schedule	J	1/10/2020	NBRS Architecture. Landscape
L-200	Landscape Plan-Sheet One	L	1/10/2020	NBRS Architecture. Landscape
L-201	Landscape Plan-Sheet Two	L	1/10/2020	NBRS Architecture. Landscape

L-202	Landscape Plan-Sheet Three	L	1/10/2020	NBRS Architecture. Landscape
L-203	Landscape Plan-Sheet Four	L	1/10/2020	NBRS Architecture. Landscape
L-204	Landscape Plan-Sheet Five	L	1/10/2020	NBRS Architecture. Landscape
L-205	Landscape Plan-Sheet Six	L	1/10/2020	NBRS Architecture. Landscape
L-206	Landscape Plan-Sheet Seven	B	1/10/2020	NBRS Architecture. Landscape
L-300	Landscape Sections/Elevations 01	L	1/10/2020	NBRS Architecture. Landscape
L-301	Landscape Sections/Elevations 02	L	1/10/2020	NBRS Architecture. Landscape
L-400	Landscape Details 01	L	1/10/2020	NBRS Architecture. Landscape
L-401	Landscape Details 02	L	1/10/2020	NBRS Architecture. Landscape
L-402	Landscape Details 03	L	1/10/2020	NBRS Architecture. Landscape
-	Canterbury South Public School: DA (Homebase) Waste Management Plan	1	25/9/2020	MRA Consulting Group

The development plans shall be amended as follows:

- a) All parking associated with the development (for staff and drop-off and pick-up of students) is to be located on-site.
- b) Six (6) staff bicycle spaces shall be provided on site.
- c) A designated area for student bicycle parking shall be provided on site.
- d) An amended landscape plan to address the issues outlined below is to be submitted to the Certifier prior to the issue of the Crown Certificate;
 - i. Prior to the commencement of landscaping works, the Applicant shall provide evidence to the certifier confirming the landscape plan has been updated where practicable to include endemic species, including canopy species, generally consistent with the Sydney Turpentine Ironbark Forest ecological community.
 - ii. A Maintenance Schedule to be provide including:
 - replacement strategy for failures in plant materials and built works,

- maintenance schedule for watering, weeding and fertilizing during the establishment period
 - A maintenance period of 12 months is to be specified for this application. During this maintenance period, the landscaping must be maintained in accordance with the details specified on the submitted landscape plan.
- 5) The total number of staff is limited to fifty eight (58) which requires twenty nine (29) on site car spaces to be provided in accordance with Council's Development Control Plan 2012.

Based upon the approved plans, which show twenty seven (27) car spaces the total number of staff is initially limited to fifty four (54).

Prior to staff numbers increasing to the maximum of fifty eight (58), two (2) additional spaces will be provided adjacent to the approved loading dock which complies with AS2890.1.2004. Any variation to this condition will need to be considered as part of a modification application taking into account the effectiveness of the approved Green Travel Plan in that it negates the need to provide the two additional car spaces.

- 6) A bus stop for Canterbury South Public school is to be provided. Prior to the nomination of a bus stop location, the applicant must liaise with the bus company and consult with residents on the streets where the bus routes and bus stop locations are proposed. Evidence is to be provided of an agreement with the bus company outlining how the bus service will operate and proposed routes.
- 7) Appropriate pedestrian facilities and upgrades are to be provided to ensure safe pedestrian access to and from Canterbury South Public School. Origin and destination surveys are to be conducted to identify pedestrian routes to and from the site.
- 8) A Construction Traffic Management Plan will be required to be submitted to the Certifier for approval six months prior to the commencement of works for the site, for both the demolition and construction phases of the project. This Plan must be prepared by an RMS accredited Traffic Controller in consultation with Council's Traffic Section and a copy of the approved Construction Traffic Management Plan must be provided to Council for information prior to the commencement of works on-site. This plan must provide the proposed truck routes to/from the site. All truck movements must occur within the construction hours permitted under this consent,
- 9) Overhead Powerlines Safework NSW Document – Work Near Overhead Powerlines: Code of Practice, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction. Special consideration should

be given to the positioning and operating of cranes and the location of any scaffolding.

The “as constructed” minimum clearances to the mains should also be considered. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website, www.ausgrid.com.au

It remains the responsibility of the developer and relevant contractors to verify and maintain these clearances onsite.

"Should the existing overhead mains require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost. It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all types of vehicles that are expected be entering and leaving the site."

- 10) Underground Cables Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Safework Australia – Excavation Code of Practice, and Ausgrid’s Network Standard NS156 outlines the minimum requirements for working around Ausgrid’s underground cables. Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

- 11) All aspects of the landscaping must be completed according to the submitted landscape plan (drawn by NBRS Architecture Landscape, drawings no L-100-L-101, L-200- L-206, L-300-L-301 and L-400-L402 dated 1 October 2020) except where amended by the conditions of consent. The landscaping and deep soil areas are to be maintained at all times to the Council's satisfaction.
- 12) A hazardous building materials survey must be undertaken on the structures, to facilitate hazardous building material removal and obtaining clearance certificates, prior to demolition.
- 13) No combustible cladding is to be used for the construction of the building or any associated works.
- 14) No approval is granted for the siting of any additional substation on the site. A modification application must be lodged to Council if a substation is required. Any such application must demonstrate how the structure/ facility will be

integrated into the design of the building without relying on the front setback area.

- 15) All soils and material(s), liquid and solid, to be removed from the site must be analysed and classified by an appropriately qualified and experienced environmental consultant, in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and related guidelines, in particular the 'Waste Classification Guidelines' (NSW EPA, 2014), prior to off-site disposal.

The waste classification report, including the results of testing, must be compiled, or reviewed and approved by an appropriately qualified and certified consultant, and must be submitted to and approved by the Principal Certifying Authority before off-site disposal. A copy of the waste classification report must be submitted to Council prior to issuing of an Occupation Certificate.

All waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste. Receipts for the disposal of the waste must be submitted to Council prior to issuing of an Occupation Certificate.

All waste must be transported by a contractor licenced to transport the specific waste, and in vehicles capable of carting the waste without spillage and meeting relevant requirements and standards. All loads must be covered prior to vehicles leaving the site.

- 16) Any soils to be excavated and disposed of from the site must be analysed and classified by a suitably qualified environmental consultant, in accordance with relevant NSW EPA guidelines including the 'Waste Classification Guidelines' (NSW EPA, 2014) prior to off-site disposal.

Any waste material is to be transported to an appropriately licensed waste facility by an EPA licensed waste contractor in accordance with relevant NSW EPA guidelines.

- 17) The acoustic report submitted in support of this application prepared by Resonate Consultants Pty Ltd titled, Environmental Noise Impact Assessment, report number SI7560RP7 Revision G, dated 6 November 2020 and all the recommendations stated within the report, form part of the development consent.

The Principal Certifying Authority shall obtain a report from an appropriately qualified acoustic consultant, not previously involved with the development, stating that the recommendations outlined in the above stated report have been completed and that relevant noise criteria have been satisfied prior to the issue of any Occupation Certificate. A copy of the report is to be submitted to Council prior to the issue of any Occupation Certificate.

- 18) Should a noise issue (relating to the development) not previously identified arise (through complaint or otherwise), the owner/ occupier must, upon request by Council, employ the services of a qualified acoustic consultant who has not previously been involved with the development to undertake a post-occupation assessment of the development and complete an acoustic report with recommendations to rectify the situation. A copy of this acoustic assessment report must be submitted to Council for approval and from there noise attenuation works must be implemented. Submission of the acoustic report must be within 30 days from the date requested by Council.
- 19) The applicant must ensure that all activities within the premises comply with the relevant sections of the Protection of the Environment Operations Act 1997 and Regulations and the Noise Policy for Industry (NSW EPA, 2017).
- 20) The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage to other premises as defined in the 'Assessing Vibration: A Technical Guideline' (NSW Department of Environment and Conservation, 2006).
- 21) Music and other amplified sound played on the premises must not give rise to offensive noise as defined under the provisions of the Protection of the Environment Operations Act 1997. The sound level output must not exceed five (5) dB(A) above the ambient background level at the boundary of the premises.
- 22) Any activity carried out in accordance with this approval must not give rise to offensive odour, offensive noise or pollution of air, land or water as defined in the Protection of the Environment Operations Act 1997 and Regulations.
- 23) The operation of the development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, ash, dust, waste water, waste products, grit, oil or other harmful products.
- 24) Any lighting of the premises must be installed in accordance with AS/NZS 4282-2019, 'Control of the obtrusive effects of outdoor lighting', to avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads. Flashing, moving or intermittent lights or signs are prohibited. The intensity, colour or hours of illumination of the lights must be varied at Council's discretion if Council considers there to be adverse effects on the amenity of the area.
- 25) **Monitoring of Trees:** A qualified arborist - minimum Australian Qualification Framework (AQF) Level 5 Diploma of Horticulture (Arboriculture) and/or equivalent experience - shall be retained and regularly consulted throughout all

demolition, clearing and construction work to ensure protection of the trees retained and compliance of all work with Australian Standard AS4373-2007 Pruning of amenity trees and Australian Standard AS4970-2009 Protection of trees on development sites.

- 26) The Kiss and Ride facilities shall be reviewed within a period of 3 months after the operation of the link road between Napier and France Streets. This review shall constitute a report, undertaken by a suitably qualified traffic consultant, and be forwarded to Council's Traffic Section for consideration. Subsequent amendments to the operation of the Kiss and Ride facilities resulting from this review by Council shall be implemented by the school. These amendments, possibly by procedural and/or on ground civil improvements, shall be undertaken at the cost of the applicant.
- 27) Council considers pedestrian safety around schools as particularly important and it is considered that the link road will change the existing traffic patterns around the school. The intersections of High Street and Napier and High Street and France shall be assessed for pedestrian safety in conjunction with the Kiss and Ride Facilities Review. Subsequent improvements identified by the Council through the review shall be implemented, and all cost borne by the applicant
- 28) Street regulatory signage and associated line marking for the operation of the Kiss and Ride facilities shall be provided to Council Traffic committee for consideration prior to the commencement of operation of the link road between Napier Street and France Street. The full installation cost of signage and line marking shall be borne by the applicant.
- 29) The kerb and gutter on the side of the streets bounded by the site, being Napier Street, High Street and France Street shall be reconstruction at the cost of the applicant.
- 30) The concrete footpath paving on the side of the streets bounded by the site, being Napier Street, High Street and France Street shall be reconstruction at the cost of the applicant. Should the existing footpath be in a proposed Kiss and Ride location, this footpath shall be full width concrete footpath pavement with suitable provision for street trees. Footpath is to be provided in France Street from the school gate to the footpath leading across Pat O'Connor Reserve.
- 31) The Applicant is to liaise with Council's Road Safety Officer with a view to include the Officer on the GTP Committee.
- 32) The pedestrian kerb ramps in the immediate vicinity of the school, at the intersections of High Street and Napier, France, Canton, Howard and Cooks Streets shall be reconstructed in accordance with Council Standard Plan, S-003. The cost of this work shall be borne by the applicant.

CONDITIONS TO BE SATISFIED PRIOR TO DEMOLITION

- 33) Prior to demolition, the entire site (includes any structures) is to be assessed for hazardous materials, especially asbestos. A Hazardous Materials (HAZMAT) Report is to be prepared by a Type "A" inspection body accredited by NATA. All recommendations contained within this report are to be implemented and a clearance certificate issued by an appropriately qualified Occupational Hygienist is to be submitted to Council prior to any construction.
- 34) The demolition of structures currently existing on the development site must be undertaken, subject to strict compliance with the following:
- The developer is to notify adjoining residents seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite the demolition site.
 - Written notice is to be given to Canterbury-Bankstown Council for inspection prior to demolition. Such written notice is to include the date when demolition will commence and details of the name, address, business hours and contact telephone number and licence number of the demolisher. The following building inspections shall be undertaken by Canterbury-Bankstown Council:
 - A *precommencement* inspection shall be carried out by Council when all the site works required as part of this consent are installed on the site and prior to demolition commencing.
 - A *final* inspection shall be carried out by Council when the demolition works have been completed to ensure that the site is left in a satisfactory manner, in accordance with the conditions of this consent.

Note: Payment of an inspection fee at Council's current rate will be required prior to each inspection. Council requires 24 hours notice to carry out inspections. Arrangements for inspections can be made by phoning **9707 9410, 9707 9412 or 9707 9635**.

- Prior to demolition, the applicant must erect a sign at the front of the property with the demolisher's name, license number, contact phone number and site address.
- Prior to demolition, the applicant must erect a 2.4m high temporary fence or hoarding between the work site and any public place. Access to the site shall be restricted to Authorised Persons Only and the site shall be secured against unauthorised entry when the building work is not in progress or the site is otherwise unoccupied. Where demolition is to occur within 3m of a public place a Work Permit application for the construction of a Class A or Class B hoarding shall be submitted to Council for approval.
- The demolition plans must be submitted to the appropriate Sydney Water Office to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements. If the development complies with Sydney Water's requirements, the demolition plans will be stamped indicating that no further requirements are necessary.

- Demolition is to be carried out in accordance with the appropriate provisions of Australian Standard AS2601-2001.
- The hours of demolition work shall be limited to between 7.00am and 5.00pm on weekdays and on Saturdays. No work shall be carried out on Sundays and public holidays.
- Where materials containing asbestos cement are to be removed, demolition is to be carried out by licensed contractors who have current Workcover Accreditation in asbestos removal.
- Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of WorkCover NSW and the NSW EPA 'Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes 2004'.
- Demolition procedures shall maximise the reuse and recycling of demolished materials in order to reduce the environmental impacts of waste disposal.
- During demolition, the public footway and public road shall be clear at all times and shall not be obstructed by any demolished material or vehicles. The public road and footway shall be swept (NOT hosed) clean of any material, including clay, soil and sand. (NOTE: If required, Council will clean the public road/footway at the applicant's expense). On the spot fines may be levied by Council against the demolisher and or owner for failure to comply with this condition.
- All vehicles leaving the site with demolition materials shall have their loads covered and vehicles shall not track soil and other material onto the public roads and footways and the footway shall be suitably protected against damage when plant and vehicles access the site. All loading of vehicle with demolished materials shall occur on site.
- The burning of any demolished material on site is not permitted and offenders will be prosecuted.
- Care shall be taken during demolition to ensure that existing services on the site (ie. sewer, electricity, gas, phone) are not damaged. Any damage caused to existing services shall be repaired by the relevant authority at the applicant's expense.
- Suitable erosion and sediment control measures shall be erected prior to the commencement of demolition works and shall be maintained at all times.
- Prior to the demolition of any building constructed before 1970, a Work Plan shall be prepared and submitted to Council in accordance with Australian Standard AS2601-2001 by a person with suitable expertise and experience. The Work Plan shall outline the identification of any hazardous materials, including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.

CONDITIONS TO BE SATISFIED PRIOR TO CONSTRUCTION/ISSUE OF CROWN CERTIFICATE

- 35) Crown building work must ensure that any certified plans are not inconsistent with this Development Consent and accompanying plans.
- 36) Crown building work must not be commenced unless the building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws.
- 37) Prior to the issue of the Crown Certificate the WMP is to be amended to include the specific locations of construction and demolition waste and recycling. This is to be reviewed by Narelle Bowly Team Leader Major Projects Waste, Sustainable Future.

38) Bin Storage Room Construction

A design certificate and detailed plans are to accompany the Crown Certificate application which demonstrate that the waste storage room has been designed to be constructed in accordance with the following requirements:

- a) Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting.
 - b) The floors must be finished so that is non-slip and has a smooth and even surface.
 - c) The room is to be integrated within the building, a minimum 2.1m unobstructed room height is required in accordance with the Building Code of Australia;
 - d) The walls must be constructed of solid impervious material.
 - e) The ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned.
 - f) Walls, ceiling and floors must be finished in a light colour.
 - g) Is to be provided with an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock.
 - h) A self-closing door openable from within the room.
 - i) Must be constructed to prevent the entry of birds and vermin.
 - j) Be provided with adequate light and ventilation. Light source must be through controlled light switches located both outside and inside the room.
 - k) Any doorways must be 2m wide.
 - l) Designed to fit 4 x 1,100L recycling bins
 - m) Designed to fit 4 x 1,100L garbage bins
- 39) A Pedestrian Management Plan is required to ensure the safety of children and parents attending the school during the construction period.
 - 40) Proposal for any Works Zone as part of construction needs to be submitted three months prior to commencement of works on the site
 - 41) Written notice must be given to adjoining residents seven (7) days prior to the commencement of demolition advising of the commencement date.

Such written notice is to include the date when demolition work will commence and details of the name, address, contact telephone number and licence number of the demolisher.

The following inspections must be undertaken by the Crown:

- (i) A pre-commencement demolition inspection when all site works required as part of this consent are installed on the site and prior to demolition work commencing; and
- (ii) A final demolition inspection when the demolition works have been completed to ensure that the site is left in a satisfactory manner, in accordance with the conditions of this consent.

Prior to demolition work, a sign must be erected at the front of the property with the demolishers name, licence number and contact phone number.

Demolition work may only be carried out between 7.00am and 5.00pm on Monday to Saturday and no demolition work is to be carried out at any time on a Sunday or a public holiday.

All demolition work must be carried out in accordance with Australian Standard 2601-2001 - The demolition of structures.

Where asbestos containing materials are to be removed, demolition is to be carried out by contractors who have a current SafeWork NSW licence in asbestos removal.

An asbestos clearance certificate issued under the Work Health and Safety Act 2011 must be submitted to Council after the completion of demolition work.

Hazardous and intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of SafeWork NSW and the NSW Environment Protection Authority.

Demolition procedures must maximise the reuse and recycling of demolished materials in order to reduce the environmental impacts of waste disposal.

A copy of the final demolition inspection report is to be submitted to the Crown prior to the commencement of building work.

- 42) All the tree supply stocks shall comply with the guidance given in the publication *Specifying Trees: a guide to assessment of tree quality* by Ross Clark (NATSPEC, 2003).

- 43) All scheduled plant stock shall be **pre-ordered**, 3 months prior to the commence of landscape construction works, for the supply to the site on time for installation. Written confirmation of the order shall be provided to Council's Landscape Architect (Contact no: 9707 9000), prior work commencing. The order confirmation shall include name, address and contact details of supplier; and expected supply date.
- 44) An automatic watering system is to be installed in common areas at the applicant's cost. Details including backflow prevention device, location of irrigation lines and sprinklers, and control details are to be communicated to Council or certifier prior to Construction. The system is to be installed in accordance with the manufacturer's specification and current Sydney Water guidelines **OR** alternatively a landscape maintenance contractor be engaged to manually water the communal areas.
- 45) Prior to the execution of works associated with the built form of the development (excluding building work directly related to remediation) a Site Audit Statement is to be obtained from a NSW EPA Accredited Site Auditor. The Site Audit Statement must confirm that the site has been remediated in accordance with the approved Remediation Action Plan and that the site is suitable for the proposed use. Conditions on the Site Audit Statement must form part of the consent.
- 46) Where the Site Audit Statement is subject to conditions that require ongoing review by the Auditor or Council, these must be reviewed and approved by Council prior to the issue of a Site Audit Statement.
- 47) Prior to any work commencing, the site is to be remediated in accordance with:
- i. The approved Remedial Action Plan, prepared by Environmental Investigation Services Pty Ltd, titled Remedial Action Plan, dated September 2018, reference E31040KBrpt-RAP;
 - ii. The Addendum To Remediation Action Plan prepared by JKEnvironments Pty Ltd, Dated 22 September 2020, reference E31040Blet-ARAP-rev1
 - iii. *State Environmental Planning Policy No. 55 - Remediation of Land*;
 - iv. The guidelines in force under the *Contamination Land Management Act 1997*;

The applicant must engage an appropriately qualified and experience environmental consultant to supervise all aspects of site remediation and validation.

Any variations to the approved Remediation Action Plan must be submitted to and approved in writing by a NSW EPA Accredited Site Auditor and Council prior to the continuing of such work.

- 48) Prior to works commencing, the proponent must submit a detailed validation report to Council and the principal certifying authority.

The validation report must be prepared in accordance with:

- i. 'State Environmental Planning Guideline (SEPP) 55 – Remediation of Land' (Department of Urban Affairs and Planning and NSW EPA, 1998);
- ii. Relevant EPA Guidelines, noting in particular the 'Guidelines for Consultants Reporting of Contaminated Land 2020 and
- iii. National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013).

The validation report must be prepared, or reviewed and approved by an appropriately qualified environmental consultant.

The validation report must verify that the land is suitable for the proposed use(s), and that the remediation and validation of the site has been undertaken in accordance with the approved Remedial Action Plan

- 49) Where the Validation Report identifies the need for the implementation of an ongoing environmental management plan, the plan must be submitted to Council and the principal certifying authority. The ongoing environmental management plan must be prepared in accordance with:
- i. NSW Contaminated Land Planning Guidelines;
 - ii. Relevant EPA endorsed guidelines; and
 - iii. National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013).

The ongoing environmental management plan must be prepared, or reviewed and approved by a suitably qualified environmental consultant.

The ongoing environmental management plan must be submitted to, and approved by, Council prior to the issue of the Crown Certificate.

The ongoing environmental management plan must describe the nature and location of the contamination and prescribe how the contaminants will be managed/monitored and the responsible parties for this management/monitoring in the long-term.

The ongoing environmental management plan must specifically outline the construction details, and the requirements of management and monitoring of the containment cell to ensure it is maintained appropriately, its integrity remains intact, and to avoid migration of contamination. The ongoing environmental management plan must also include a contingency plan in the event that the systems fail.

- 50) This condition has been levied on the development in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and in accordance with Canterbury Development Contributions Plan 2013.

The amount of the contribution (as at the date of this consent) has been assessed as \$174,010.00.

Note: The contributions payable may be adjusted, at the time of payment, to reflect Consumer Price Index increases (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

The contribution is to be paid to Council in full prior to the release of the Construction Certificate, (or for a development not involving building work, the contribution is to be paid to Council in full before the commencement of the activity on the site) in accordance with the requirements of the Contributions Plan.

- 51) The 225mm sewer traversing the site has the capacity to service the proposed development. The traversing 225mm sewers will need to be relocated if any building's footprint is on them.
- 52) A section of the 1500mm-1800mm trunk sewer is traversing the north corner of the development site. The approximate length of this sections is 63m. An easement of these traversing sewers will be required.
- 53) The proposed school site is under the Malabar Sewerage System – specifically the Campsie SCAMP. This advice is not a formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 application.
- 54) The development shall comply with the Disability Discrimination Act (DDA) Compliance Report, dated 1 October 2020, Reference Number: 17199R04-Canterbury South PS, prepared by Metro Building Consultancy. The design shall demonstrate compliance and be verified prior to the Crown Certificate being issued.
- 55) The development shall comply with the recommendations of the Geotechnical Investigation, dated 12 December 2017, marked Ref: 31040SB rpt, prepared by JK Geotechnics. The design shall demonstrate compliance and be verified prior to the Crown certificate being issued.
- 56) The development shall comply with the recommendations of the Remediation Action Plan, dated September 2018, marked E31040KBrpt-RAP, prepared by JK Geotechnics. The design shall demonstrate compliance and be verified prior to the Crown certificate being issued.
- 57) A preliminary acid sulphate soil assessment must be undertaken prior to the commencement of any construction work due to the developments proximity to

a class 2 acid sulphate soil area. The recommendations of the report form part of this consent and must be implemented.

- 58) The Biodiversity Assessment Report dated October 2020, marked REF: A18NBRS04U, prepared by Travers states:

a) On page 21 of the Travers bushfire and ecology report, 5.6.(a) suggests a 2:1 offset for the removed trees, this should be minimum of 3:1

The recommendations of the report must be implemented as part of this development.

- 59) The landscape plan shall include the provision for the replacement of all boundary fencing. A new 1.8m fence is to be erected along all side and rear boundaries of the subject allotment where there is a shared boundary with a residential neighbour at full cost to the developer. The colour of the fence is to complement the development and the fence is to be constructed of lapped and capped timber paling, sheet metal or other suitable material unless the type of material is stipulated in any flood study prepared for the site. The selection of materials and colours of the fence is to be determined in consultation with the adjoining property owners.
- 60) An erosion control plan prepared by a qualified engineer or registered surveyor or in accordance with the 'Blue Book *Managing Urban Stormwater: Soils and Construction* (4th edition, Landcom, 2004)' is to be prepared.
- 61) Prior to the commencement of any works on site, including demolition or excavation, the plans must also be approved by Sydney Water. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Customers will receive an approval receipt which must be included in the Construction Certificate documentation. Please refer to the web site www.sydneywater.com.au. Prior to the issue of an Occupation Certificate (or if relevant, a Subdivision Certificate) a Compliance Certificate under Section 73 of the Sydney Water Act, 1994, must be submitted to Council by the Principal Certifying Authority. Sydney Water may require the construction of works and/or the payment of developer charges. This assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to the mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water Accredited Water Servicing Coordinator. Please make early contact with the Coordinator, since building of water / sewer extensions can be time-consuming and may impact on other services as well as building, driveway or landscaping design. Go to www.sydneywater.com.au/section73 or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

- 62) The Council approved building plans, including demolition plans, must be submitted to Sydney Water for assessment. This will determine if the proposed structure(s) would affect any Sydney Water infrastructure or if there are additional requirements. Building plan approvals can be submitted online via Sydney Water Tap in™.

Please refer to www.sydneywater.com.au/tapin

For Sydney Water's Guidelines for building over or next to assets, visit www.sydneywater.com.au 'Plumbing, building & developing' then 'Building Plan Approvals' or call 13000 TAPIN.

Prior to release of the Crown Certificate Sydney Water must issue either a Building Plan Assessment letter which states that your application is approved, or the appropriate plans must be stamped by a Water Servicing Coordinator.

- 63) A long service levy payment which is 0.35% of the total cost of the work is to be paid to the Building and Construction Industry Long Service Payments Corporation.
- 64) The Crown Certificate plans must demonstrate compliance with the requirements of the Building Code of Australia report prepared by METRO BUILDING CONSULTANCY Job number 17199 dated 01/10/2020, the Acoustic report revision E prepared by Resonate Project number S17560 dated 01/10/2020, and the Geotechnical report recommendations prepared by JK Geotechnics Ref 31040SBprt dated 12/12/2017. Details of any Fire Engineered Solutions and deemed-to-satisfy provisions must be provided in full to the Principal Certifier for approval prior to the issue of a Crown certificate.
- 65) Finished surface levels of all internal works and at the street boundary, including driveways, landscaping and drainage structures, must be as shown on the approved plans. The levels Napier Street at the street boundary must be consistent with the Street Boundary Alignment Levels issued by Council.
- 66) Stormwater drainage from the development shall be designed to comply with Council's Development Engineering Standards, the requirements of the BASIX Certificate and the relevant Australian Standards, including guidelines for WSUD.

The existing pipeline proposed to be used for the site connection and discharge to Cup and Saucer Creek, shall be designed to have the capacity as specified in Council's Development Engineering Standards for requirements of a new pipeline in the same location. A detailed design for pipeline shall demonstrate that there are no adverse hydraulic impacts on the proposed development and existing properties.

The final detailed stormwater drainage design shall be prepared by a suitably qualified and experienced Civil Engineer in accordance with the above

requirements and shall generally be in accordance with the concept stormwater plan No 17011155-VE-C009/Rev P5, dated 02 October 2020, and prepared by Jones Nicholson Consulting Engineers.

The final detailed stormwater drainage design shall be certified by the design engineer and certification must include a statement that the final detailed design complies with Council's Development Control Plan, the BASIX Certificate, conditions of this consent and the relevant Australian Standards.

The final detailed design and certification shall be submitted for approval to the Certifying Authority prior to any works commencing.

- 67) Where Council approved cut or fill exceeds 200mm and stable batter of 1 vertical to 3 horizontal maximum grade cannot be achieved, then a masonry or other proprietary material retaining wall, intended and suitable for that purpose, shall be constructed within the development site. Note, filling of the site needs specific approval from the Crown.

The retaining wall shall be located so that it will not impede or obstruct the natural flow of stormwater. Retaining walls exceeding 600mm in height shall be designed by a qualified professional Civil/Structural Engineer. Plans and details prepared and signed by the Engineer are to be submitted to the Crown/certifying authority prior to the Crown certificate being issued.

All works associated with the construction of the wall, including backfilling and drainage, is to be located wholly within the allotment boundaries.

- 68) An all weather pavement shall be designed to withstand the anticipated wheel loads for all areas subjected to vehicular movements. Internal pavements specification prepared and certified by all qualified professional Civil Engineer to comply with the relevant Australian Standards, shall be submitted to the Crown/certifying authority for approval prior to the Crown certificate being issued.
- 69) All proposed works within the public road and footway shall be designed and constructed to Council's standards and specifications and a copy of the details plans submitted to Council prior to works commencing. The applicant/developer shall arrange for necessary inspections by Council whilst the work is in progress.
- 70) If groundwater is encountered, it must not be captured by the drainage system of the basement. In this regard the basement must be tanked to at least 1000 mm above measured groundwater levels.
- 71) The capacity and effectiveness of erosion and sediment control devices must be maintained at all times.
- 72) A copy of the Soil and Water Management Plan must be kept on site at all times and made available to Council officers on request.

- 73) As any works within, or use of, the footway or public road for construction purposes requires separate Council approval under Section 138 of the Roads Act 1993 and/or Section 68 of the Local Government Act 1993, Council requires that prior to any Construction Certificate for this development being issued, evidence of lodgement of an application for a Works Permit and or a Roadway/Footpath Building Occupation Permit shall be obtained where one or more of the following will occur, within, on or over the public footway or public road:

A PRIVATE CERTIFIER CANNOT ISSUE THESE PERMITS

WORKS REQUIRING A 'WORKS PERMIT'

- a) Dig up, disturb, or clear the surface of a public footway or public road,
- b) Remove or interfere with a structure or tree (or any other vegetation) on a public footway or public road,
- c) Connect a road (whether public or private) to a classified road,
- d) Undertake footway, paving, vehicular crossing (driveway), landscaping or stormwater drainage works within a public footway or public road,
- e) Install utilities in, under or over a public road,
- f) Pump water into a public footway or public road from any land adjoining the public road,
- g) Erect a structure or carry out a work in, on or over a public road
- h) Require a work zone on the public road for the unloading and or loading of vehicles
- i) Pump concrete from within a public road,
- j) Stand a mobile crane within a public road
- k) Store waste and recycling containers, skips, bins and/or building materials on any part of the public road.
- l) The work is greater than \$25,000.
- m) Demolition is proposed.

Assessment of Works Permits (a to e) includes the preparation of footway design levels, vehicular crossing plans, dilapidation reports and issue of a Road Opening Permit.

All proposed works within the public road and footway shall be constructed under the supervision and to the satisfaction of Council. The applicant/developer shall arrange for necessary inspections by Council whilst the work is in progress.

For commercial or multi-unit residential developments within the designated CBD or an urban village area, footway design and construction and street tree supply, installation and tree hole detailing shall be as per the Council master plan for that area. Full width footways are to be supplied and installed at full cost to the developer to specification as supplied by Council. Layout plan of pavement to be submitted to Council for approval prior to the issue of the Works Permit.

All Council fees applicable, minimum restoration charges and inspection fees shall be paid prior to the assessment of the Work Permit in accordance with Council's adopted fees and charges. Note: Additional fees after approval will be charged where the Work Permit requires occupation of the Road or Footpath ie Hoardings, Work Zones etc.

In determining a Works Permit, Council can impose conditions and require inspections by Council Officers.

Forms can be obtained from Council's Customer Service counter located on the ground floor of Council's administration building at 66 - 72 Rickard Road, Bankstown or Council's website www.cbcity.nsw.gov.au

Part of any approval will require the person or company carrying out the work to carry public liability insurance to a minimum value of ten million dollars. Proof of the policy is to be provided to Council prior to commencing any work approved by the Work Permit including the Road Opening Permit and must remain valid for the duration of the works.

The commencement of any works on public land, including the footway or public road, may incur an on the spot fine of not less than \$1100 per day that work continues without a Works Permit and/or a Roadway/Footpath Building Occupation Permit.

All conditions attached to the permit shall be strictly complied with prior to occupation of the development. Works non-conforming to Council's specification (includes quality of workmanship to Council's satisfaction) shall be rectified by the Council at the applicant's expense.

- 74) Prior to the commencement of work, a fence must be erected around the area of the works, except where an existing 1.8m high boundary fence is in good condition and is capable of securing the area. Any new fencing shall be temporary (such as cyclone wire) and at least 1.8m high. All fencing is to be maintained for the duration of construction to ensure that the work area is secured.
- Where the work is located within 3.6m of a public place then a Type A or Type B hoarding must be constructed appropriate to the works proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval prior to the commencement of work.
- 75) Prior to the commencement of work, the builder shall prepare a photographic record of the road reserve which clearly shows its condition prior to works occurring on site. For the entirety of demolition, subdivision or construction works, there shall be no stockpiling of building spoil, materials, or storage of equipment on the public road, including the footway and the road reserve shall be maintained in a safe condition at all times. No work shall be carried out on the public road, including the footway, unless a Work Permit authorised by Council has been obtained.

- 76) Submission of a Soil and Water Management Plan, including details of:
- (a) property details (location, applicant, drawn by, date, scale)
 - (b) accurate property description (property boundary)
 - (c) contours
 - (d) access point and access control measures
 - (e) location and type of all sediment control measures
 - (f) location of existing vegetation to be retained and undisturbed ground
 - (g) any existing watercourse or drainage
 - (h) material stockpile areas and storage and control methods
 - (i) location of new drainage features (stormwater inlet pits)
 - (j) re-vegetation proposals, including specifications on materials used and methods of application

(NOTE: For guidance on the preparation of the Plan refer to the Soil and Water Management for Urban Development guidelines produced by the Southern Sydney Regional Organisation of Councils.)

- 77) The plans shall include details of the garbage receptacle area. The garbage receptacle area shall not be visible from the street. The garbage receptacle area shall be located within the building or screened from the street by dense landscaping.
- 78) Prior to the Crown Certificate being issued, the applicant must the Certifier's approval for a Site, Pedestrian and Traffic Management Plan (SPTMP). This Plan must be prepared by and RMS accredited Traffic Controller in consultation with council's Traffic Section and address the measures that will be implemented for pedestrian safety and traffic management as specified below.

This plan shall include details of the following:

- a) Proposed ingress and egress points for vehicles to and from the construction site;
- b) Proposed protection of pedestrians, adjacent to the constructions site;
- c) Proposed hoardings, scaffolding and/or fencing to secure the construction site;
- d) Proposed pedestrian management whilst vehicles are entering/exiting the construction site;
- e) Proposed measures to be implemented for the protection of all public roads and footway areas surrounding the construction site from building activities, crossings by heavy equipment, plant and

materials delivery and static load from cranes, concrete pumps and the like;

- f) Proposed method of loading and unloading excavation machines, building material, construction materials and waste containers during the construction period;
- g) Proposed traffic control measures such as advanced warning signs, barricades, warning lights, after hours contact numbers etc are required to be displayed and shall be in accordance with Council's and the NSW Roads and Traffic Authority's requirements and AS1742.3.
- h) Proposed method of support of any excavation, adjacent to adjoining buildings or the public road. The proposed method of support is to be certified by a Civil Engineer with National Professional Engineering Registration (NPER) in the construction of civil works.
- i) Proposed measures to be implemented in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the public road.
- j) Proposed measures for protection of the environment including procedures to control environmental impacts of work e.g. sediment control, proper removal, disposal or recycling of waste materials, protection of vegetation and control/prevention of pollution i.e. water, air noise, land pollution.

The approved Site, Pedestrian and Traffic Management Plan is to be implemented for the full duration of works on the construction site. The applicant will be required to pay for inspections by Council Officers in accordance with Council's adopted fees and charges.

In addition a RMS Approval / Road Occupancy Licence will be required for works on Regional or State Roads or within 100m of a traffic facility including roundabouts and traffic signals. Refer to Council's Development Engineering Standards for a list of Regional and State Roads.

- 79) Prior to works commencing for this development, the Crown must approve the Site Operations Management Plan (SOMP). This Plan must address the measures that will be implemented for the ongoing management of operations on and around the construction site, the protection of adjoining properties, and other requirements as specified below.

This plan shall include details of the following:

- a) Proposed hoardings, scaffolding and/or fencing to secure the construction site;
- b) Proposed measures to be implemented, under the separately approved Works Permit issued by Council, for the protection of all public roads and footway areas surrounding the construction site from building activities, crossings by heavy equipment, plant and materials delivery and static load from cranes, concrete pumps and the like;

- c) Proposed method of support of any excavation, adjacent to adjoining buildings or the public road. The proposed method of support is to be certified by a Civil Engineer with National Professional Engineering Registration (NPER) in the construction of civil works.
- d) Proposed measures to be implemented in order to ensure that no soil/excavated material is transported on wheels or tracks of vehicles or plant and deposited on the public road.
- e) Proposed measures for protection of the environment, according to the relevant provisions of the Protection of Environment Operations (POEO) Act, 1997 including procedures to control environmental impacts of work e.g. sediment control, proper removal, disposal or recycling of waste materials, protection of vegetation and control/prevention of pollution i.e. water, air noise, land pollution.

A number of the above matters may require separate approval from Council, particularly those relating to works on or adjacent to Council property. These may be covered by separate conditions of consent contained in this Determination Notice. Appropriate approvals will need to be obtained prior to the approval of this plan.

The approved Site Operations Management Plan is to be implemented prior to the commencement of any works on the site, and an approved copy provided to Council for information. Ongoing compliance with the matters detailed in the SOMP shall be monitored by the Crown.

- 80) The route for transportation to and from the development site of bulk and excavation materials shall generally be by the shortest possible route to the nearest "regional road", with every effort to avoid school zones on public roads. The applicant shall nominate the route for approval by Council prior to commencement of any work on the site. An Agreement to Council's satisfaction, signed by the applicant/owner specifying the approved route and acknowledging responsibility to pay Council for damages to public property adjacent to the site shall be lodged with Council prior to works commencing. All damage must be rectified upon completion of work.
- 81) A design and report for Water Sensitive Urban Design (WSUD) shall be prepared by a suitably qualified and experienced engineer and shall be incorporated with all other drainage details into the detailed stormwater drainage design. The design shall demonstrate that the stormwater discharge will be reduced as the WSUD has been incorporated to the maximum extent practicable for the proposed development.
The report shall demonstrate that the development will achieve the post-development pollutant reduction standards indicated as:
 - a) Litter and vegetation larger than 5mm: **90%** reduction on the Baseline Annual Pollutant Load,
 - b) Total Suspended Solids: **85%** reduction on the Baseline Annual Pollutant Load,
 - c) Total Phosphorous: **65%** reduction on the Baseline Annual Pollutant Load,

d) Total Nitrogen: **45%** reduction on the Baseline Annual Pollutant Load,

The report for WSUD shall promote the integration of stormwater, groundwater, water supply and wastewater management and shall be supported by the following principles:

1. To reduce both the peak flow and total volume of the stormwater runoff;
2. To control pollution and minimise influence on the downstream waterways and the environment;
3. To collect stormwater and reuse (stormwater harvesting);
4. To protect and enhance water systems (creeks and rivers);
5. Treat urban stormwater to meet quality objectives prior reuse and discharge to a public system or natural waterways;
6. Match the natural water runoff regime as closely as possible;
7. Reduce potable water demand through water efficient fittings and appliances, rainwater harvesting and wastewater reuse;
8. Integrate stormwater management into the landscape, creating multiple use corridors that maximise the visual and recreational amenity of urban development.

All designed WSUD elements that may hold water for periods of time shall be designed and located to ensure public safety (especially around children) and to restrict mosquito breeding and the impact of mosquitos on the residents. Stormwater drainage from the developed site shall be managed to achieve the load targets, and therefore all treatment must be within the development boundaries.

The final detailed design and the WSUD report shall be integrated within the detailed stormwater drainage design and shall be certified by the design engineer. The certification must include a statement that the final detailed design complies with Council's DCP and , the BASIX Certificate, conditions of this consent, and the relevant Australian Standards.

The detailed WSUD design and report as part of the final detailed stormwater design and both certifications shall be submitted for approval to Certifying Authority prior to works commencing.

- 82) The design of a new Access Road shall be in accordance with Council's DCP, and Austroads guidelines. The internal width of the road shall be designed to include an additional traffic lane for traffic passing through, that would minimise the waiting time of vehicles queuing to park and allow smooth circulation of vehicles during student pick up and drop off time.

The road design shall comply with requirements for the minimum width of the road and the maximum cross fall to be 3% towards the gutter/dish drain. Any sag point within the road shall be designed to allow road surface run off to be directed in a safe manner for all storms up to 1:100 ARI to grated kerb inlet pit. Every kerb inlet pit within the road shall be designed to have sufficient capacity for drainage requirements of the site and shall be prioritised on the

maintenance program and regularly checked by School maintenance personnel.

A separation between the proposed parking bays (dedicated to the student drop off & pick up zone) and the road carriageway shall be made in a form of a dish drain.

The final detailed design of the Access Road and all associated civil work shall be certified by the design engineer. The engineer certification must include a statement that the final detailed design complies with the Council DCP and Austroads guidelines, conditions of the consent, and the relevant Australian Standards. The final detailed design and certification shall be submitted for approval to the Certifying Authority prior to any works commencing

- 83) An application is to be submitted to Sydney Water to assess the impact of the proposed development over the existing Sydney Water asset. All conditions imposed by Sydney Water shall be strictly complied with and incorporated into the approved plan. Final plans shall be submitted for approval to the Certifying Authority prior to the issue of the Crown Certificate.
- 84) Stormwater runoff from all areas proposed for development shall be collected and connected to the existing stormwater system within the site, subject to the existing system being evaluated by a qualified professional Civil Engineer and found to be structurally adequate and to have the required hydraulic capacity, as required in Council's Development Engineering Standards. The existing system shall be upgraded or replaced as necessary to comply with the requirements above. The plan for the proposed drainage system together with the hydraulic evaluations shall be submitted for approval to the Certifying Authority prior to the issue of the Crown Certificate.
- 85) The proposed internal parking layout associated with the subject development including driveway's grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions, should be in accordance with the Australian Standard AS 2890 parking series. The final detailed design shall be certified by appropriately qualified and experienced engineer and the design and certification shall be submitted for approval to the Certifying Authority prior to the issue the Crown Certificate.
- 86) All Civil and Hydraulic engineering works on site must be carried out in accordance with Council's Canterbury Development Control Plan 2012 Part B5. All Civil and Hydraulic engineering works associated with Council's assets and infrastructure must be carried out in accordance with Council's Work Permit requirements and Council's satisfaction.
- 87) All excavations and backfilling must be executed safely and in accordance with the relevant Australian Standards

- 88) If soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions must be made for drainage. Separate approval may be required for retaining walls should they be required.
- 89) If an excavation extends below the level of the base of the footings of an adjoining building or a building on an adjoining allotment of land, the person causing the excavation to be made:
- a) if necessary, must underpin and support the building in an approved manner, and
 - b) must, at least 7 days before excavating below the level of the base of the footings of a building give notice of intention to do so to the owner of that building and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - c) must take all precautions to protect all of the structures from damage.

The owner of any affected buildings is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on an adjoining allotment of land.

- 90) The stormwater drainage system shall be constructed in accordance with Canterbury Development Control Plan 2012 Part B5 and the engineering plans and details approved by the Crown. Should the developer encounter any existing, live, underground stormwater drainage pipes, which carry flow from upstream properties, the developer must maintain the stormwater flow and re-route the stormwater pipes around the subject building or structures at the developer's expense.
- 91) Existing trees within the vicinity of the construction works or paths of travel for construction vehicles accessing the development that are to be retained shall be protected with temporary fencing of a style non injurious to tree roots, placed 2m from the trunk base of the existing tree to prevent damage during construction, and retained in accordance with Council's Tree Preservation Order. There is to be no stockpiling of materials within the 2m fenced zone.
- 92) Suitable erosion and sediment control measures shall be erected in accordance with the plans accompanying prior to the commencement of construction works and shall be maintained at all times.
- 93) Council warning sign for Soil and Water Management must be displayed on the most prominent point of the site, visible to both the street and site works. The sign must be displayed throughout the construction period.
- 94) A section 73 compliance certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Make early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Building and Developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

- 95) A sign shall be displayed on the site indicating the name of the person responsible for the site and a telephone number of which that person can be contacted during and outside normal working hours or when the site is unattended.
- 96) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- a. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - b. stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- 97) Prior to the commencement of work, the applicant must provide a temporary on-site toilet if access to existing toilets on site is not adequate. Prior to the commencement of work, a fence must be erected around the area of the works, except where an existing 1.8m high boundary fence is in good condition and is capable of securing the area. Any new fencing shall be temporary (such as cyclone wire) and at least 1.8m high. All fencing is to be maintained for the duration of construction to ensure that the work area is secured.

Where the work is located within 3.6m of a public place then a Type A or Type B hoarding must be constructed appropriate to the works proposed. An application for a Work Permit for such hoarding must be submitted to Council for approval prior to the commencement of work.

CONDITIONS TO BE SATISFIED DURING CONSTRUCTION

- 98) The hours of site works shall be limited to between 7.00am and 5.00pm on weekdays and on Saturdays. No work shall be carried out on Sundays and public holidays.
- 99) The building work must be carried out in accordance with the requirements of the Building Code of Australia.
- 100) The building work in accordance with the development consent must not be commenced until:
- a) a Crown certificate for the building work has been issued by the council or certifier, and

- b) the person having benefit of the development consent has:
 - i. appointed a principal certifier for the building work, and
 - ii. notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case, and
- c) the person having the benefit of the development consent, if not carrying out the building work as an owner-builder, has:
 - i. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - ii. notified the principal certifier of any such appointment, and
 - iii. unless the person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d) the person having the benefit of the development consent has given at least 2 days' notice to the council of the person's intention to commence the building work.

101) Requirements of the approved WMP shall be complied with during all site preparation works, demolition (if proposed) and throughout all construction works.

When implementing the WMP the developer is to ensure:

- a) The disposal of any demolition and construction waste must be undertaken in accordance with the requirements of the *Protection of Environment Operations Act 1997*
- b) All waste on site is to be stored, handled and disposed of in such a manner as to not create air pollution, offensive noise or pollution of land and water as defined by the *Protection of Environment Operations Act 1997*
- c) Generation, storage, treatment and disposal of hazardous waste is conducted in accordance with the relevant waste legislation administered by the EPA and relevant Occupational Health and Safety legislation administered by WorkCover NSW
- d) All waste generated (including excavated materials) which cannot be reused or recycled must be transported to a facility which can lawfully accept it
- e) Records are required regarding the details and location of the disposal of all demolition and construction waste (including excavated material), description of waste and are to be kept on site as evidences of lawful disposal. Records are to include receipts and weighbridge dockets which verify material types and volumes, time and date of disposal, waste vehicle rego, and confirmation of the waste disposal facility. Records/details are also to be kept of person removing the waste.
- f) All materials and resources that are to be stored on site during construction works are contained on the site, The provisions of the *Protection of Environment Operations Act 1997* must be complied with when placing/stock piling loose material, disposal of concrete waste or activities which have potential to pollute drains and water courses

- g) The storage of waste and recycling containers must be within the boundaries of the development site at all times. Public footways and roads must not be used for the storage of any waste and must be kept clear of obstructions during all construction works
- 102) Any excavation works carried out on site should be closely monitored to ensure no signs of potential acid sulfate soil or actual acid sulfate soil are observed. Indicators may include grey to greenish blue clays, unusual gold-yellow mottling or 'rotten egg' odours. If any of these indicators are observed, excavation of the site must be stopped, and Council is to be notified immediately. A suitably qualified environmental consultant must be contracted to further assess the site.
- 103) An identification report by a registered surveyor must be submitted to the Crown prior to the ground floor slab being poured to verify the buildings wall setbacks and floor level conform to the approved plans.
- 104) If soil conditions require it, retaining walls or other approved methods of preventing movement of the soil must be provided, and adequate provisions must be made for drainage. Separate approval may be required for retaining walls should they be required.
- 105) If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- a. protect and support the adjoining premises from possible damage from the excavation, and
 - b. where necessary, underpin the adjoining premises to prevent any such damage.
- 106) The capacity and effectiveness of erosion and sediment control devices must be maintained at all times.
- 107) Materials must not be deposited on Council's roadways as a result of vehicles leaving the building site.
- 108) Drains, gutters, roadways, and access ways must be maintained free of soil, clay and sediment. Where required, gutters and roadways must be swept regularly to maintain them free from sediment. Do not hose down.
- 109) Any new information which comes to light during demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Crown immediately.
- 110) Any site water discharged to Council's stormwater system must have a suspended solid level of less than 50 mg/L, pH 6.5 - 8.5, turbidity level of less than 50 NTU, no oil or grease and conform to relevant ANZEC guidelines for other contaminants. This may require treatment such as transfer to settling

ponds, use of approved chemicals to settle out sediment or passing the contaminated water through a treatment device. Site water may also be disposed of through the services of a licensed liquid waste transporter. The Crown must be notified prior to the commencement of any pump out of site water and provided with a copy of the test results which confirm that the above condition has been complied with.

- 111) Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.
- 112) In the event of Council receiving complaints resulting from odour from the mechanical ventilation system, the owner must at his/her own cost, engage an accredited Air Pollution Control Consultant to upgrade their mechanical ventilation system until the odour and/or air impurity emissions have been mitigated. Details of all mechanical ventilation system upgrades must be provided to Council and all upgrades to the mechanical ventilation system must be completed within 45 days from the date Council requested an accredited Air Pollutant Consultant be engaged.
- 113) Any fill imported onto the site must be virgin excavated natural material or excavated natural material, classified as such in accordance the 'Waste Classification Guidelines' (NSW EPA, 2014) or excavated natural material meeting the requirements of the Excavated Natural Material Exemption (NSW EPA, 2014).

Certificates verifying that imported fill is virgin excavated natural material or excavated natural material must be included within the validation report; or provided to the Crown prior to the occupation of the building; or provided to the Crown prior to filling.

All imported fill must be compatible with the existing soil characteristics of the site.

- 114) In the instance works cause the generation of odours or uncovering of unexpected contaminants works are to immediately cease, Council is to be notified and a suitably qualified environmental consultant appointed to further assess the site. The exposed material/excavation is to be evaluated by the supervising environmental consultant and an appropriate response determined in consultation with the applicant, which OEH Accredited Site Auditor is involved to assist with the assessment of any unexpected finds, review any contamination information and prepare a Site Audit Report and Site Audit Statement. The applicant must adhere to any additional conditions which may be imposed by the NSW OEH Accredited Site Auditor.
- 115) Redundant driveways across the frontage of the site, are to be removed and replaced with new kerb and gutter, and turf to match the existing areas, and footpath reconstructed at Applicant's cost.

116) A Work Permit shall be applied for and obtained from Council for the following engineering works in front of the site, at the applicant's expense:

- a) A new heavy duty VFC - service access of maximum width of 3.5 metres at the property boundary on Napier Street.
- b) A new heavy duty VFC of maximum width of 5.5 metres at the end of Napier Street and connection of a new Access Road.
- c) A new heavy duty VFC of maximum width of 4.5 metres at the France Street roundabout connection of a new Access Road
- d) A new heavy duty VFC of maximum width of 6.0 metres at the property boundary on Frances Street and access to the internal parking.
- e) A new heavy duty VFC - Emergency Access of maximum width of 3.5 metres at the property boundary on High Street.
- f) A new concrete footway paving, same width as existing, for a minimum of 3 footway panels on each side of every new VFC.
- g) Full depth road shoulder on Napier Street and France Street along every new VFC, including necessary transition area on both sides of the VFC, to match existing levels.
- h) Concrete kerb and gutter for the minimum length of road shoulder construction at every new VFC on Napier Street and France Street.
- i) Removal of all driveway surfaces, reinstatement of laybacks to kerb and gutter and reshaping of the footway, all associated with redundant VFCs.
- j) Repair of any damage to the public road including the footway occurring during development works.
- k) Reinstatement of the footway reserve and adjustment or relocation of existing public utility services to match the footway design levels as proposed on the approved Work Permit. Adjustment or relocation to any public utility services shall be carried out to the requirements of the public utility authority.

Note: As a site survey and design is required to be prepared by Council in order to determine the necessary information, payment for the Work Permit should be made at least twenty-one (21) days prior to the information being required and must be approved prior to the issue of the Crown Certificate.

117) A suitably qualified Professional Civil or Structural Engineer shall be engaged by the developer to carry out inspections relating to construction of internal driveways, parking areas and the Access Road. The work shall be carried out in accordance with the approved plans and specifications. The Civil or Structural Engineer shall provide certification of satisfactory completion to the Certifying Authority prior to the issues of any Compliance Certificate from Council

118) The existing internal stormwater drainage system, and the stormwater drainage system draining the site shall be cleaned out, tested for leaks and repaired as necessary. A licensed plumber is to certify that this work has been

carried out and the certificate shall be submitted to the Certifying Authority prior to the issue of Hydraulic Engineer's Certification.

CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION

- 119) An identification report by a registered surveyor must be submitted to the Crown to verify the buildings wall and roof eaves setback, floor level and height conform to the approved plans.
- 120) The occupation or use of the building must not be commenced unless an occupation certificate has been issued for the building.
- 121) A section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained and submitted to the Crown before the building is occupied.
- 122) A registered surveyor shall prepare a Work As Executed Plan. A suitably qualified Hydraulic Engineer shall provide certification of the constructed stormwater system and a suitably qualified Civil Engineer shall provide certification of constructed Access Road and all associated civil works.

The Works as Executed plan prepared by a registered surveyor, signed and dated, shall indicate in red any deviation from the approved plan issued for Construction Certificate, and shall include all information as specified in Council's Development Engineering Standards. The Work As Executed plan shall be submitted to the Hydraulic Engineer and Civil Engineer for review prior to the issue of engineering certificates.

A copy of the Work As Executed Plan, Hydraulic Engineer's Certification and Civil Engineer's Certification shall be submitted to Council for information prior to the issue of the Occupation Certificate.

- 123) The developer shall register, on the title of the subject property, a Restriction on the Use of Land and Positive Covenant, in accordance with the standard terms for "Registration of **WSUD** on title", making sure that appropriate terms are applied as outlined in Council's Development Engineering Standards and in accordance with the appropriate provisions of the Conveyancing Act.

Note: The location of the "WSUD System" shall be shown on an A4 size site plan attached to the Section 88E Instrument and registered on the title prior to the issue of the Occupation Certificate.

The developer shall submit to Council evidence of the final registration of the Restriction and Positive Covenant on the title of the property.

The engineer's certification of the WSUD system should be carried out similar to Council's standard form "On-Site Stormwater Detention System - Certificate of Compliance", contained in Council's Development Engineering Standards.

A copy of the Work As Executed Plan and Hydraulic Engineer's Certification shall be submitted to Council for information prior to issue of the Occupation Certificate.

- 124) Landscaping is to be installed in accordance with the approved landscape plan (as amended by conditions). All works and methods nominated and materials and plants specified on the approved landscape plan are to be completed prior to the occupation of the building. The landscaping shall be maintained for the life of the development.
- 125) That the Landscape DA Package, dated 1 October 2020 by NBR Architecture is fully implemented.
- 126) A suitably qualified Professional Civil Engineer shall certify that the driveways, parking bays, service areas and the Access Road have been constructed in accordance with the approved plans and specifications. Such Certification shall be submitted to Certifying Authority prior to the issue of the Occupation Certificate or occupation of the site.
- 127) A Copy of the Work Permit Compliance Certificate shall be submitted to the Certifying Authority prior to the issue of the Occupation Certificate.
- 128) Lighting must be provided to the entries, driveways and parking areas when the school is in use during evening hours to promote a high level of safety and security at night and during periods of low light. Lighting provided should be hooded, shielded or directed away from neighbouring dwellings to minimise glare and associated nuisances to residents.

129) Private Waste Collection Service – Commercial Waste

Prior to the issue of any OC, the owner is to enter into a formal agreement with a licenced private waste contractor to service the commercial portion of the development. The contract is to ensure the removal of all waste from the development site.

Prior to entering into an agreement for a private commercial waste collection service, the owner is to ensure that:

- (a) The service is functional and meets the operational needs of the development
- (b) The service minimises environmental nuisances including noise and other adverse impacts on the safety and amenity of residents and the public.

A copy of the contract is to be forwarded to Council prior to the issue of any OC.

- 130) A Final Fire Safety Certificate approved under Part 9 of the Environmental Planning and Assessment Reg 2000, must be submitted to the principal

certifying authority and the Council before an Occupation Certificate will be issued.

CONDITIONS OF CONSENT – ON-GOING USE

131) Waste Management Plan Implementation

The ongoing management section of the WMP is to be adhered to and updated throughout the life of the development. Advances in technology and waste policy should be followed.

132) On-Site Collection Point

The nominated on-site collection point is to be utilised to facilitate the collection of waste and recycling bins for the development. The on-site collection point is always to be kept clear of obstructions so not to restrict the collection of waste and recycling bins.

133) Licenced Waste Collection

All businesses must have written evidence on site of a valid and current contract with a licenced waste collector for waste and recycling collection disposal and be able to show the waste collection contract if it is requested by a Council Enforcement Officer.

134) Maintenance and Management

Contracts (or agreements) with cleaners, building managers and tenants must clearly outline the waste management and collection system and must clearly identify everyone's role and responsibility. This is to include:

- (a) Responsibility for cleaning and maintaining waste storage bins and containers
- (b) Responsibility for cleaning and maintaining waste storage room
- (c) Responsibility for the transfer of bins to the nominated collection point
- (d) Method of communication to new tenants and residents concerning the developments waste management system.
- (e) Cleaning up and management of bulky waste
- (f) Responsibility for maintaining the compost bin or worm farm

Where the development incorporates strata title subdivision, the by-laws are to clearly set out the management responsibilities for the developments waste and recycling system.

135) Waste Storage Bins

No waste storage bins are to be located or placed outside the approved waste storage room at any time except for collection purposes.

136) Signage shall be provided along the kiss and drop link road that stipulates the speed limit is 10km/hr shared zone.

- 137) The gates to the kiss and drop link road shall remain closed at all times with the exception of the school drop off times of 8:00am to 9:30am and pick up time 2:30pm and 4:00pm during school terms.

SCHEDULE A: ADVICE TO APPLICANTS

The use of the land currently licenced to Council, for school use as part of the “kiss and drop link” (between France and Napier Streets) will require notice of revocation of the licence from the Minister for Education (either wholly or in part). The Applicant shall provide Council with Notice to the changes in the Permissive Occupancy Agreement.

Also, before you dig, call “Dial before you Dig” on 1100 (listen to the prompts) or facsimile 1300 652 077 (with your street no./name, side of street and distance to nearest cross street) for underground utility services information for any excavation areas.

For further information regarding this notice please contact Haroula Michael in Development on 9707 9562.