

Conditions of consent (draft)

Proposed development	Demolition of a portion of a school building and removal of demountable classrooms, removal of trees and construction of a new 3-storey school building with outdoor roof terrace and connection into an existing 2-storey building.
Property description	Lot 1 DP 1275210, 30-40 Metella Road, Toongabbie

1 **ADVISORY NOTES**

1.1 **Scope of Consent**

- 1.1.1 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.

1.2 **Other Approvals**

- 1.2.1 A separate valid Construction Certificate shall be issued prior to commencement of any construction works.
- 1.3.2 The applicant's attention is drawn to the need to obtain separate appropriate approval for any ancillary development not approved by this consent, including:
- (a) the removal of any tree(s) not indicated on the approved plans and any tree(s) located greater than 3 m 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, and
 - (d) the installation of vehicular footway crossings servicing the development, and
 - (e) the use of any crane that swings over public air space. If a crane is used to construct this development that swings over public air space, separate Council approval under the Roads Act 1993 and Local Government Act 1993 is required.

1.3 **Services**

- 1.3.1 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.

- 1.3.2 Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.
- 1.3.3 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.
- 1.3.4 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.
- 1.3.5 The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.
- 1.4 **Identification Survey**
 - 1.4.1 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.
- 1.5 **Payment of Engineering Fees**
 - 1.5.1 If the applicant wishes for Council to issue the Construction Certificate or Subdivision Works Certificate as nominated in the 'Prior to Construction Certificate/Subdivision Works Certificate please:

- (a) Complete application form
- (b) Submit all relevant plans produced by a suitably qualified person and in accordance with Councils Standards.

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:

Name	Revision	Date
Proposed overall site plan DA001	01	15.07.2022
Proposed site plan DA002	01	14.07.2022
Proposed Demolition Plan DA010	01	15.07.2022
Proposed Ground Floor Plan DA100	01	15.07.2022
Proposed First Floor Plan DA101	01	15.07.2022
Proposed Second Floor Plan DA102	01	15.07.2022
Proposed Roof Plan DA103	01	15.07.2022
Proposed Elevations – Sheet 1 DA200	02	11.10.2022
Proposed Elevations – Sheet 2	01	15.07.2022
Part Elevations & External Finishes Schedule DA210	02	02.11.2022
Proposed Section – Sheet 1 DA300	01	15.07.2022
Landscape Plan L001	1	15.07.2022
Landscape Planting L002	1	15.07.2022

2.2 Natural Resource Access Regulator

- 2.2.1 **The attached GTA issued by Department of Planning and Environment – Water do not constitute an approval under the Water Management Act 2000.** The development consent holder must apply to the department for a Controlled Activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity.

A complete application must be submitted to department together with any required plans, documents, application fee and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

Applications for controlled activity approval should be made to the department, by lodgement of a Controlled Activity Approval – New approval application on the NSW Planning Portal at: <https://www.planningportal.nsw.gov.au/>

2.3 Engineering Matters

2.3.1 Design and Works Specification

2.3.1.1 All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:

- (a) Blacktown City Council's Works Specification - Civil (Current Version)
- (b) Blacktown City Council's Engineering Guide for Development (Current Version)
- (c) Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management
- (d) Blacktown City Council On Site Detention General Guidelines, S3QM online tool and standard drawing A(BS)175M

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

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

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

2.3.2 Other Necessary Approvals

2.3.2.1 A separate application will be required for the following approvals, under the *Local Government Act 1993* and/or the *Roads Act 1993*.

- (a) Vehicular Crossing
- (b) Works on or occupation of existing public roads (Not including works covered by a Roads Act Approval)

2.4 Other Matters

2.4.1 No construction preparatory work (such as, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued.

2.4.2 Any future substation, temporary drainage works or other utility installation required to service the approved subdivision/development shall not be sited on future or existing Council land, including road reservations and/or public reserves.

2.4.3 The registered proprietor/lessee is to provide to Council's WSUD Compliance Officer a report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices in accordance with the approved maintenance schedule. 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 WSUD@blacktown.nsw.gov.au

2.4.4 Each year the registered proprietor/lessee is to provide to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au a report outlining all non-potable water used annually and the percentage of non-potable reuse.

- 2.4.5 Council will not be responsible for any damage to the building, or its contents, or its operation and/or any injuries to the owners, occupants or visitors as a result of flooding.
- 2.4.6 The Flood Management Plan is to be maintained for the life of the development.
- 2.4.7 The Floodway Warning Signs are to be maintained for the life of the development.

3 PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

3.1 DA Plan Consistency

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

3.2 Footpath/Road Condition Assessment Fee

- 3.2.1 A footpath/road condition assessment fee is to be paid prior to the issue of any Construction Certificate. The applicable fee will be charged in accordance with Council's [Goods and Services Pricing Schedule](#).

Council will undertake an initial inspection of civil assets outside the development site. The applicant will be held liable for any damage arising from construction activities. Council will undertake reinstatement works and recover the costs from the applicant, which will be charged in accordance with Council's current Goods and Services Pricing Schedule in effect at the time of the work.

3.3 Development Control Plan

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

3.4 Services/Utilities

- 3.4.1 The following documentary evidence shall accompany any Construction Certificate:
 - (a) 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.
 - (b) 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.

3.5 Acoustic impact

- 3.5.1 The recommendations of the Acoustic Report prepared by Day Design Pty Ltd dated 21 September 2022 is to be implemented prior to the release of the Construction Certificate.

4 PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)

4.1 Section 7.11 Contributions under Section 7.17 Directions (not capped)

- 4.1.1 Before the issue of a Construction Certificate (for building works) or Subdivision Certificate (for subdivision works), whichever occurs first, contributions under Section 7.11 of the *Environmental Planning & Assessment Act 1979* must be paid.

These payments contribute to the provision of the local infrastructure specified in the contribution/s plan specified below.

The amounts below are as at 21 March 2023. They WILL BE INDEXED from this date to the date of payment. Payment of the indexed amounts must be made prior to the issue of a Construction Certificate (for building works) or Subdivision Certificate (for subdivision works) either by Council or any accredited certifier, whichever occurs first.

PLEASE NOTE: Indexed payments must be made by BANK CHEQUE IF IMMEDIATE CLEARANCE IS REQUIRED and payments made by credit card attract a % surcharge as detailed in Council's Goods and Services Pricing Schedule.

Contribution Item	Amount
Stormwater Quality	\$35,523.00

The contribution(s) will be indexed according to index specified in the contributions plan.

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:

Section 7.11 Contributions Plan No. 19 – Blacktown Growth Precincts

The Section 7.11 contribution(s) have been based on the total developable area 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: 0.3481 hectares

4.2 Access/Parking

- 4.2.1 A minimum of 125 car parking spaces are required to be provided on site and are to be designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1.
- 4.2.2 The design of the car parking area is to ensure that all vehicles must enter and leave the development in the forward direction.
- 4.2.3 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 and AS1428.1 - 2009.
- 4.2.4 The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) are to be designed in accordance with Australian Standard 2890.1 – 2004 and AS 2890.2 – 2002 for heavy vehicles.

4.3 Tree protection

- 4.3.1 Trees 1-7 are approved for removal as identified in the Arboricultural Impact Assessment prepared by Jacksons Nature works dated 2 August 2022.

Trees 8 and 9 are to be retaining and transplanted as per the recommendation of the Arboricultural Impact assessment.

All other trees on this site and surrounding the site are to be retained and protected. Tree protection measures are to be implemented in line with Australian Standard AS4970-2009.

4.4 Biodiversity Matters

- 4.4.1 Council requires that the applicant adheres to the guidelines set out in the Flora and Fauna Report by Land Eco Consulting 11/2022, including the creation and strict adherence to a fully costed, Vegetation Management Plan (VMP), for further restoration works to 'make good' the riparian zone outside of the Lot boundaries following the works and sediment control works.

At all times Council requires the applicant to adhere to appropriately implemented erosion and sedimentation controls shown in the 'Erosion and Sediment Control Plan by Paynter Dixon 09/22 Rev A1'.

4.5 NSW Local Police Matters

- 4.5.1 Prior to the issue of a Construction Certificate, liaise with Cumberland Police Area Command to confirm that all crime prevention through environmental design (CPTED) principles have been addressed through security and safety measures. Any requirements/advice from the Police shall be incorporated in the documentation for the Construction Certificate.

4.6 Site contamination

- 4.6.1 Prior to the release of any construction certificate, an EPA recognised certified geoscientist is to validate the site as suitable for residential development and accessible soils in accordance with the strict residential use criteria as set out in the National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999 as amended 2013.

5 PRIOR TO CONSTRUCTION CERTIFICATE (ENVIRONMENTAL HEALTH)

- 5.1 An OOSH kitchen is proposed for the Ground Level of the new building. Plans and specifications must be submitted for issue of a construction certificate and a food business registration form must be submitted prior to occupation.
- 5.2 The recommendations outlined within the hazardous materials survey (prepared by McCaskill Parry Consulting, dated October 2022) must be complied with.
- 5.3 All areas contaminated shall be remediated. Upon completion of remediation an appropriately qualified environmental consultant shall prepare a validation report. The validation report shall be carried out in accordance with;
- (a) NSW Environment Protection Authority's *Guidelines for Consultants Reporting on Contaminated Sites* (2020)
 - (b) NSW Environment Protection Authority's *Contaminated Sites Sampling Design Guidelines* (1995).
 - (c) NSW Environmental Protection Authority's Contaminated Sites: Guidelines for NSW Site Auditor Scheme 3rd edition (2017)
 - (d) National Environment Protection Council (NEPC) 1999 *National Environment Protection (Assessment of Site Contamination Measure)* as amended 2013
 - (e) NSW Environment Protection Authority's *Waste Classification Guidelines, Part 1: Classifying Waste* (2014)
- A NSW Environment Protection Authority accredited Site Auditor shall review the validation report and submit to Council a Site Audit Statement. The Site Audit

Statement shall verify that the investigation, remediation and validation was carried out in accordance with the aforementioned guidelines and that the site is suitable for the proposed use.

5.4 Food Premises

- 5.4.1 Plans and specifications submitted for issue of a Construction Certificate shall demonstrate compliance with the requirements of;
- (a) Food Act 2003 and Regulations there under.
 - (b) Australian Standard 4674-2004 Design, construction and fit-out of food premises.
- 5.4.2 All works carried out shall comply with the requirements of;
- (a) Food Act 2003 and Regulations there under.
 - (b) Australian Standard 4674-2004 Design, construction and fit-out of food premises.
- 5.4.3 The walls and floor of the premises are to be constructed with an approved durable, smooth, impervious material capable of being easily cleaned.

6 PRIOR TO CONSTRUCTION CERTIFICATE (BUILDING)

6.1 Building Code of Australia Compliance

- 6.1.1 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).
- 6.1.2 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.

6.2 Site Works and Drainage

- 6.2.1 Any required retaining wall(s) and/or other effective method to retain excavated or filled ground (not being Exempt Development under the Blacktown Local Environmental Plan), together with any associated groundwater drainage system, shall be designed by an appropriately qualified person. Details of such site works shall accompany the Construction Certificate.
- 6.2.2 Stormwater drainage from the site shall be designed to satisfactorily drain rainfall intensities of 159 mm per hour over an average recurrence interval of 20 years. The design shall:
- (a) be in accordance with Australian Standard 3500.3, and
 - (b) provide for drainage discharge to an existing Council drainage system, and
 - (c) ensure that the development, either during construction or upon completion, does not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties.

- 6.2.3 Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy. Details shall accompany any Construction Certificate.
- 6.2.4 Should any proposed excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), separate details prepared by a suitably qualified person shall be prepared indicating how that building or structure is to be:
- (a) Preserved and protected from damage, and
 - (b) Underpinned and supported.

Such details shall accompany the Construction Certificate.

7 PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

7.1 General

- 7.1.1 All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate or Subdivision Works Certificate can be issued.
- 7.1.2 The engineering drawings referred to below are not for construction. The Construction Certificate drawings shall be generally in accordance with the approved drawings and conditions of consent. Any significant variation to the design shall require a section 4.55 application

Construction Certificate plans shall be generally in accordance with the following drawings and relevant Consent conditions:

Prepared By	Project No.	Drawing No.	Sheet No.	Revision	Dated
Siteplus Pty Ltd	22109	C01-C07	7	A	07/07/22

7.2 Construction Certificate Requirements

- 7.2.1 Under the *Environmental Planning and Assessment Act 1979* a Subdivision Works/Construction Certificate is required. These works include but are not limited to the following:
- (a) On-site stormwater detention
 - (b) Inter-allotment drainage (created within the subject lot)

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

7.3 Local Government Act Requirements

- 7.3.1 Under *Section 68 of the Local Government Act 1993* an approval for engineering work is required. These works include but are not limited to the following:
- (a) Any works on adjoining land (outside the subject site boundaries)
 - (b) Inter-allotment drainage on adjoining land

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

7.4 Roads Act Requirements

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

- (a) Vehicular crossings
- (b) Path Paving

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

7.5 Other Engineering Requirements

7.5.1 If the estimated cost is \$25,000 or greater proof of long service levy payment is required.

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

7.5.3 Submit written permission from the affected property owner for any works proposed on adjoining land.

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

7.6 Drainage

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

7.6.2 The existing depression/watercourse through the site must be piped and/or channelled to contain stormwater discharges up to the 1% A.E.P. (100 year Average Recurrence Interval) event.

7.6.3 Any overland or stormwater flows must be intercepted at the property boundary, conveyed through the site in a piped or channelled drainage system and discharged in a satisfactory manner.

7.6.4 The minimum habitable floor level for the proposed School Building is to be RL 33.03 metres (this includes 500 mm freeboard) to Australian Height Datum (AHD), in accordance with Council's Engineering Guide for Development 2005.

7.6.5 The finished Sports storage floor level is to be RL 32.63 metres to Australian Height Datum (AHD) (this includes 100 mm freeboard), in accordance with Council's Engineering Guide for Development 2005.

7.6.6 All electrical switches and power points externally are above RL 33.03 m AHD.

7.6.7 Structural design certification is required by an experienced chartered structural engineer registered on NER, indicating that the structure has been designed to withstand all flood impacts prior to release of the Construction Certificate. The certificate should consider scour, impact of debris, hydrodynamic pressure, hydrostatic and buoyancy forces in a 1% AEP storm plus 500 mm event. Allow for a velocity adjacent to the structures of twice the average velocity.

7.6.8 A Flood Management Plan is to be prepared by an experienced Chartered hydraulic engineer registered on NER, to address emergency flood management of the site including the use as appropriate of warning signs and notices of procedures. The Plan is to recommend whether to shelter-in-place or evacuate. The Plan is to incorporate

maintenance free measures into the development to ensure the timely, orderly and safe evacuation of people from the area if required should a flood occur. Detail the evacuation route. Any requirements of the Plan are to be implemented prior to occupation. A colour laminated copy of the Flood Management Plan is to be permanently affixed within each of the buildings to the community notice board, staff notice board and form part of a management procedures for the School.

- 7.6.9 Provide details for a permanent coloured interpretive signage minimum A2 size to be installed to highlight the water quality, water conservation and on-site detention process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures the Rainwater tank, Gross pollutant trap and On-site detention 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 in an area accessible by the public. The wording and detail are to be generally in accordance with Section 13 of Council's WSUD developer handbook and be approved by Council.
- 7.6.10 Amended architectural plans are required for buildings, or parts of buildings, that are not affected by BASIX, to demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
- (a) 4 star dual-flush toilets;
 - (b) 3 star showerheads;
 - (c) 5 star taps (for all taps other than bath outlets and garden taps);
 - (d) 3 star urinals; and
 - (e) 3 star water efficient washing machines and dishwashers are to be specified.
- 7.6.11 An experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply and Irrigation Plan for non-potable water uses on the site including all toilet/urinal flushing and landscape watering and that all Sydney Water requirements have been satisfied. The plan is to show the rainwater pipe and tank arrangement including:
- (a) a first flush or pre-treatment system (typically 0.2 litres / m² of roof area going to the tank for a first flush),
 - (b) a pump with isolation valves;
 - (c) a solenoid controlled mains water bypass;
 - (d) flow meters on the solenoid controlled mains water bypass line and the pump outflow line, to determine non-potable usage and actual percentage reuse;
 - (e) an inline filter;
 - (f) a control panel with warning light to indicate pump failure;
 - (g) a timer and control box for landscape watering and
 - (h) an irrigation watering plan allowing for a minimum of 144 kL/yr and accounting for seasonal variations. Alternatively show a series of taps to allow localised hand watering connected to the rainwater tank;
 - (i) providing a minimum tank size before overflow;
 - (j) ensuring all the rainwater reuse pipes and taps are coloured purple.
 - (k) All reuse taps accessible by children are to be lockable or have removable handles;
 - (l) fitting rainwater warning signs to all external taps using rainwater.
- 7.6.12 An experienced Drainage Engineer registered with NER and supported by a DRAINS or other hydraulic modelling is to certify that the internal drainage system is capable of carrying the 1% AEP flows without surcharge at any pits and that the 1% AEP flows can reach the respective detention basin by surface and/or pipe flows.

7.6.13 Amended Architectural plans by Paynter Dixon Issue 02 dated 2/11/2022 are to be provided to meet the requirements under Councils DCP Part J 2015 and Councils Engineering Guide for Development 2005. The amended plans must address the following:

- (a) The minimum habitable floor level for the proposed School Building is to be RL 33.03 metres (this includes 500 mm freeboard) to Australian Height Datum (AHD), in accordance with Council's Engineering Guide for Development 2005.
- (b) The finished Sports storage floor level is to be RL 32.63 metres to Australian Height Datum (AHD) (this includes 100 mm freeboard), in accordance with Council's Engineering Guide for Development 2005.
- (c) Revised architectural plans are to be provided for all structures to have flood compatible building components up to the 1% AEP flood level plus 500 mm freeboard. As a minimum the following materials are to be specified.
 - i. Supporting Piers/Columns – Galvanised steel with concrete footings.
 - ii. Floor – Suspended concrete slab or fibre cement sheet supported by steel bearers and joists.
 - iii. Walls – Galvanised steel frame with fibre cement walls.
 - iv. Floor Coverings – Tiles with waterproof adhesive or marine grade carpet (no timber).
 - v. Doors – aluminium or galvanised steel frames with glass, or solid panel with waterproof adhesive.

7.6.14 Amended Stormwater Management plans from Site Plus Rev B dated 16/2/2023 are to be provided to meet the requirements under Councils DCP Part J 2015 and Councils Engineering Guide for Development 2005. The amended plans must address the following:

- (a) The minimum habitable floor level for the proposed School Building is to be RL 33.03 metres (this includes 500 mm freeboard) to Australian Height Datum (AHD), in accordance with Council's Engineering Guide for Development 2005.
- (b) The finished Sports storage floor level is to be RL 32.63 metres to Australian Height Datum (AHD) (this includes 100 mm freeboard), in accordance with Council's Engineering Guide for Development 2005.
- (c) Detail Confined space entry warning signs on the drainage plans adjacent to all entries into the detention tank and the Gross Pollutant Trap device, in accordance with Council's Engineering Guide for Development 2005.
- (d) Provide Floodway Warning Signs at regular intervals adjacent to the channel for the overland flow path in accordance with Plan A(BS)114S from Council's Engineering Guide for Development 2005.
- (e) There are insufficient access grates for the below ground detention tank. Access grates are to be 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.
- (f) The minimum rainwater tank volume needs to be reviewed using Music software. The revised rainwater tank size determined in Music is to include a 10% increase in rainwater tank size volume to allow for anaerobic zones, mains water top up levels and overflow levels.
- (g) Provide a new additional pit (Pit B/8) and extend pipeline B with a new pipe. This pit is to be located on the western side of the new building to ensure that this area does not bypass the OSD.

- (h) Details are to be provided for all structures to have flood compatible building components up to the 1% AEP flood level plus 500 mm freeboard.

7.7 Erosion and Sediment Control

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

7.8 On-Site Detention

- 7.8.1 On-site detention system shall be designed in accordance with the parameters set out in Council's Water Sensitive Urban Design Standard Drawings A(BS)175M On-site detention requirements - Sheet 20, or an S3QM Certificate
- 7.8.2 The on-site detention system shall be generally designed to achieve the following:
 - (a) All systems shall use at least 2 orifice plates to control flows:
 - i. The 1.5 year ARI orifice shall be designed to convey a maximum of 40/L/s/ha
 - ii. The 100 year ARI orifice shall be designed to convey a maximum of 190 L/s/ha
 - (b) Storage shall be provided as follows:
 - i. Volume up to 1.5 year ARI TWL = 300 m³/ha
 - ii. Volume up to 100 year ARI TWL = 455 m³/ha
 - (c) Orifice flow rates will be adjusted for bypass with a maximum site bypass of 15% as per the following table:

Total OSD BYPASS (%)	ENVIRONMENTAL DISCHARGE (1.5 YEAR ARI ORIFICE) (L/s/ha)	ENVIRONMENTAL STORAGE (BELOW 1.5 YEAR ARI WEIR) (m ³ /ha)	FLOOD DISCHARGE (100 Year ARI ORIFICE) (L/s/ha)	FLOOD STORAGE (BELOW EMERGENCY WEIR) (m ³ /ha)
0	40.0	300	190	455
2.5	38.5	300	176	455
5	37.0	300	162	455
7.5	35.5	300	148	455
10	34.0	300	134	455
12.5	32.5	300	120	455
15	31.0	300	106	455

- 7.8.3 A registered engineer (NER) must certify that:

- (a) The structures associated with the on-site stormwater detention system have been designed to withstand all loads likely to be imposed on them during their lifetime.
- (b) The on-site stormwater detention system will perform to meet the on-site stormwater detention requirements and function hydraulically in general accordance with Council's Engineering Guide for Development, DCP [Part J - Water Sensitive Urban Design and Integrated Water Cycle Management](#), S3QM Deemed to comply tool and Councils Standard Drawing A(BS)175M.

- 7.8.4 The following documents shall be submitted to accompany the on-site detention design in accordance with the design:

- (a) Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
- (b) On-site detention detailed design submission and calculation summary sheet

- (c) S3QM Deemed to Comply On-site detention summary details

7.9 Vehicular Crossings

- 7.9.1 Plans to demonstrate the construction of a commercial and industrial vehicular crossing to Council's standard A(BS)103S.

8 PRIOR TO DEMOLITION WORKS

8.1 Safety/Health/Amenity

- 8.1.1 Security fencing shall be provided around the perimeter of the demolition site to prevent unauthorised entry to the site. Notices complying with AS 1319-1994 and displaying the words "DANGER - DEMOLITION IN PROGRESS", or similar message shall be fixed to the fencing at appropriate places to warn the public.
- 8.1.2 A sign shall be erected in a prominent position on the land indicating the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- 8.1.3 Should the demolition work:
 - (a) be likely to be a danger to pedestrians in a public place or occupants of any adjoining land or place,
 - (b) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (c) involve the enclosure of a public place,

A hoarding or protective barrier shall be erected between the work site and the public place or adjoining land or place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy 2017 under the *Local Government Act 1993*.

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

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

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

Each toilet provided shall be:

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

- 8.1.5 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.

8.2 Tree Protection

Any tree not indicated on the approved Development Application plans as being removed shall be effectively protected against damage.

8.3 Other Matters

- 8.3.1 The Applicant is to advise all adjoining neighbours, and those located opposite the subject development site, by letter, of their intention to commence demolition work. The letter shall be distributed at least 2 days prior to the intended work and include the following information:

- date/s, hours and duration of the works.
- contact name and phone number of the applicant
- contact name and phone number of the licensed demolisher
- SafeWork NSW contact number 131050, and email address contact@safework.nsw.gov.au

9 During Demolition Works

9.1 Safety/Health/Amenity

- 9.1.1 Security fencing shall be maintained around the perimeter of the demolition site to prevent unauthorised entry to the site at all times during the demolition works. Notices lettered in accordance with AS 1319-1994 and displaying the works "DANGER - DEMOLITION IN PROGRESS", or similar message shall be maintained on the fencing at appropriate places to warn the public.
- 9.1.2 A sign shall be maintained in a prominent position on the land indicating the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- 9.1.3 Any hoarding or protective barrier required to be erected between the work site and the public place on adjoining land or place shall be maintained in an effective condition.
- 9.1.4 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.
- 9.1.5 Soil erosion and sediment control measures shall be maintained in accordance with Council's Soil Erosion and Sediment Control Policy.
- 9.1.6 Any excavation and/or backfilling associated with the demolition works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.
- 9.1.7 All demolition work and handling of materials shall be in accordance with *Australian Standard 2601-2001 (Demolition of Structures)* and all applicable SafeWork NSW requirements including the Code of Practice for the Safe Removal of Asbestos" – National Occupational Health and Safety Commission:2005 (if applicable)
- 9.1.8 The remaining portions of each structure being demolished shall be maintained in a stable and safe condition at all stages of the demolition work. Temporary bracing, shoring, bracing or guys, or any combination of these, shall be provided for stability, where necessary.

- 9.1.9 All plant and equipment used on the land shall be operated by a competent person. Cranes used for hoisting and lowering of materials shall comply with AS 1418.1 and AS 1418.5 and be fitted with a load indicator and hoist limited device.
- 9.1.10 At least one access and egress route shall be made available connecting any undemolished floor to an open space well clear of the structure being demolished. The egress route shall be clearly identified as an emergency exit and maintained clear of obstructions at all times.
- 9.1.11 A valid public liability insurance policy of at least \$10,000,000 shall be maintained throughout the demolition works.
- 9.1.12 Demolished materials, plant, equipment and the like shall not be stored or placed at any time on Council's footpath, roadway or any public place.
- 9.1.13 Should any excavation associated with the demolition works extend below the level of the base of the footings of a building on an adjoining allotment of land, including a public road or place, the person causing the excavation to be made:
- (a) must preserve and protect the building from damage, and
 - (b) if necessary, must underpin and support the building in an approved manner, and
 - (c) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
- 9.1.14 All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- 9.1.15 The demolisher has an obligation to ensure that the adjoining buildings and property are not damaged.

9.2 Nuisance Control

- 9.2.1 Any objectionable noise, dust, concussion, vibration or other emission from the demolition works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
- 9.2.2 Any noise generated during demolition shall not exceed those limits specified in the Protection of the Environment Operations Act 1997 and shall be limited to between 7 am and 6 pm, Monday to Friday, and 8 am to 1 pm, Saturday, with no demolition work being undertaken on Sundays or public holidays.
- 9.2.3 The waste material sorting, storing and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation Development Control Plan shall be implemented during the course of the demolition works.

10 COMPLETION OF DEMOLITION WORKS

10.1 Hazardous Materials and Waste

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

10.1.2 Submit the receipt from the trade waste depot for disposal of the asbestos from the removal/demolition of the existing dwelling.

10.1.3

11 PRIOR TO DEVELOPMENT WORKS

11.1 Safety/Health/Amenity

11.1.1 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.

11.1.2 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.

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

11.1.4 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.

11.1.5 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 40 mm or larger aggregate placed 150 mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.

- 11.1.6 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.

11.2 Notification to Council

- 11.2.1 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.

11.3 Sydney Water Authorisation

- 11.3.1 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.

11.4 Tree protection

- 11.4.1 Trees 1-7 are approved for removal as identified in the Arboricultural Impact Assessment prepared by Jacksons Nature works dated 2 August 2022.

Trees 8 and 9 are to be retaining and transplanted as per the recommendation of the Arboricultural Impact assessment.

All other trees on this site and surrounding the site are to be retained and protected. Tree protection measures are to be implemented in line with Australian Standard AS4970-2009.

- 11.4.2 Any tree not approved for removal or more than 3 m from the building perimeter is to be effectively protected against damage.

11.5 Use of Crane

- 11.5.1 Any crane used in the construction of this development to swing over public air spaces must have approval under the *Roads Act 1993* and *Local Government Act 1993* from Council's Manager, Civil and Open Space Maintenance.
- 11.5.2 The crane used must be provided with a light in accordance with the requirements of

the Civil Aviation Authority (CASA) requirement. This may require a separate approval from CASA.

12 DURING CONSTRUCTION (BUILDING)

12.1 Safety/Health/Amenity

12.1.1 The required toilet facilities shall be maintained on the land at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the site.

12.1.2 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.

12.1.3 Soil erosion and sediment control measures (including the connection of roofwater downpipes to stormwater drainage lines upon fixing of roof covering) shall be maintained during the development works.

12.1.4 All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.

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

12.1.6 Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.

12.2 Building Code of Australia Compliance

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

12.3 Surveys

12.3.1 The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifier to verify the approved position of each structure in relation to the property boundaries.

12.3.2 A registered surveyor's report confirming the approved design ground and/or floor levels, shall be lodged with the Principal Certifier prior to work proceeding above floor level.

12.4 Nuisance Control

12.4.1 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.

- 12.4.2 The hours of any offensive noise-generating development works shall be limited to between 7 am to 6 pm, Mondays to Fridays: 8 am to 1 pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

12.5 **Stormwater Drainage**

- 12.5.1 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 225 mm above the adjoining finished ground level, and/or
- (b) being drained to an effective drainage system.
- (c) if draining to kerb use an approved kerb outlet and sewer grade PVC or RHS

13 **DURING CONSTRUCTION (ENGINEERING)**

13.1 **Notification of Works**

- 13.1.1 A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works required by this consent. This must be submitted a minimum 5 business days prior to commencement of engineering works.
- 13.1.2 A notification of works flyer (letter drop) is to be provided to all residential housing, businesses and organisations adjacent to any engineering works approved by this consent. This is for works undertaken on Council controlled lands such as roads, drainage reserves and parks. The notification of works flyer must contain details of the proposed works, locality map of works, contact details and the anticipated time period. A signed copy of the notice is to be provided to Council's Engineering Approvals Team and is to show the date of the letter drop as well as highlight the area that received the notification.

13.2 **Insurances**

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

13.3 **Service Authority Approvals**

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

13.4 **Boundary Levels**

- 13.4.1 Any construction at the property boundary, including but not limited to fences, retaining walls and driveways shall not be carried out until boundary alignment levels have been fixed.

13.5 Soil Erosion and Sediment Control Measures

- 13.5.1 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 13.5.2 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.
- 13.5.3 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.

13.6 Inspection of Engineering Works - Environmental Planning and Assessment Act 1979.

- 13.6.1 Comprehensive inspection compliance certificate(s) to be issued for all engineering works required by this consent and the approved construction certificate. The inspection compliance certificate(s) can only be issued by Council or an accredited certifier, under *Part 4A of the Environmental Planning and Assessment Act 1979* as amended. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

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

13.7 Inspection of Engineering Works - Roads Act 1993 or Local Government Act 1993

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

Inspections must be pre-booked with a minimum 24 hours' notice. Councils Development Overseers may be contacted on 02 9839 6586 between 6 am – 7 am, Monday to Friday. Note: A site inspection is required prior to commencement of work. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

13.8 Public Safety

- 13.8.1 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.

13.9 Site Security

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

13.10 Traffic Control

- 13.10.1 Any "Traffic Control Plan" utilised for engineering works required by this consent must be prepared by a person who holds a current Roads and Maritime Services (RMS) Work Zone Traffic Management Plan accreditation and photo card for all works that are carried out in or adjacent to a public road. This Plan must satisfy all the requirements of AS 1742.3 - 2009.
- 13.10.2 Traffic control devices/facilities (i.e. barricades, signs, lights, etc.) required by the certified Traffic Control Plan must be setup, installed, monitored and maintained and by a person who holds a current Roads and Maritime Services (RMS) accreditation and photo card to implement Traffic Control Plans.
- 13.10.3 Persons undertaking the control of traffic through or around work sites on Council controlled roads must hold a current Roads and Maritime Services (RMS) Traffic Controller accreditation and photo card and carry it with them.
- 13.10.4 The applicant is advised that prior to implementation of any traffic control system and during the entire course of construction suitably qualified Roads and Maritime Services (RMS) accredited work site traffic controllers will ensure a smooth transition with other nearby traffic control setups. The coordination, communication and cohesion between adjacent traffic control systems shall be addressed by the applicant and must satisfy all the requirements of AS 1742.3 - 2009.
- 13.10.5 Where the Traffic Control Plan may change during the course of construction to facilitate new works, a revised traffic control plan shall be prepared and certified by a person who holds a current Roads and Maritime Services (RMS) accreditation to prepare a Work Zone Traffic Management Plan. This Plan must satisfy all the requirements of AS 1742.3 – 2009 and the current version of the RMS *Traffic Control at Work Sites* manual and shall be submitted to Council prior to implementation.

13.11 Other Matters - Drainage

- 13.11.1 The required ground floor building slab levels shall be checked and certified by a Registered Surveyor confirming that the minimum floor levels have been achieved before pouring the concrete slabs.
- 13.11.2 A plumber licensed with NSW Fair Trading is to undertake flow testing of the non-potable water reuse system to certify that all the toilets are capable of being supplied by rainwater and that there is no cross mixing or cross contamination with the potable water supply.
- 13.11.3 The Vortsentry HS12 Gross Pollutant Trap device by Ocean Protect is not to be reduced in size, nor replaced with an alternate manufacturer's product.

14 DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)

- 14.1 The recommendations made in the *Construction Noise & Vibration Management Plan* (ref: 7332-4.1R) prepared by Day Designs Pty Ltd, dated 16 November 2022 are to be implemented.
- 14.2 A site specific 'Unexpected Finds Protocol' is to be prepared, implemented and made

available for reference for all occupants and/or site workers in the event unanticipated contamination is discovered, including asbestos.

- 14.3 Any fill material imported onto the site must be classified as Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM) and must be analysed and validated by an appropriately qualified and experienced environmental consultant in accordance with relevant NSW EPA guidelines, including the 'Waste Classification Guidelines' 2014 and the NSW EPA Contaminated Land Guidelines: Sampling design (2022).

All waste generated on the site during the construction must be classified in accordance with the NSW EPA's *Environmental Guidelines: Assessment, Classification and management of Liquid and Non-Liquid Waste* and disposed of at a facility that may lawfully accept the waste.

- 14.4 Any asbestos material is to be handled and treated in accordance with the WorkCover document "*Your Guide to Working With Asbestos - Safety guidelines and requirements for work involving asbestos*" dated March 2008.

15 **PRIOR TO OCCUPATION CERTIFICATE**

15.1 **Road Damage**

- 15.1.1 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.

15.2 **Compliance with Conditions**

- 15.2.1 An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.
- 15.2.2 Prior to commencement of the occupation or use of the whole or any part of a new building, or commencement of a change of building use for the whole or any part of an existing building, it is necessary to obtain an Occupation Certificate from the Principal Certifier in accordance with the provisions of Section 6.9 of the Environmental Planning and Assessment Act 1979.

15.3 **Service Authorities**

- 15.3.1 The applicant shall obtain a Trade Waste Approval from the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.
- 15.3.2 A final written clearance shall be obtained from Sydney Water Corporation, Energy provider and Telstra (or any other recognised communication carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc.) has not previously been issued.
- 15.3.3 The following documentary evidence shall be obtained and forwarded to the Principal Certifier prior to the release of any Occupation Certificate:
- (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. A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifier to the Construction Certificate being issued. The Section 73 Certificate must be submitted to the Principal Certifier prior to the occupation of the development/release of the plan of subdivision, whichever occurs first.

- (b) A "Notification of Arrangement" Certificate from energy provider, or any other recognised energy provider, stating that arrangements have been made with the servicing 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.

15.4 Plan of Management

15.4.1 A Plan of Management shall be prepared for each use on the site and a copy provided to Council. The Plan of Management is to manage hours of operation, noise, loitering, anti-social behaviour, rubbish collection, theft, safety and security for staff and outline incident management process.

- a) The plan of management must also specifically address the requirements to not allow Year 12 students to drive to school and providing alternative transport options.

15.5 Fire Safety Certificate

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

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

15.6 Landscaping/Car Parking

15.6.1 All landscaping shall be completed in accordance with approved landscaping design plan. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.

15.6.2 Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.

15.6.3 All common open space areas and internal driveways shall be appropriately illuminated by the use of bollard lighting or the like to provide for the safety and convenience of occupants and other people resorting to the land at night.

15.6.4 All power boards should be housed within a locked cabinet to restrict tampering with the power supply. The lock set must be approved by the electricity authority.

15.6.5 Entrance/exit points are to be clearly signposted and visible from the street and the site

at all times.

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

15.6.7 All required internal driveways and car parking spaces shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.

15.6.8 Any future substation or other utility installation required to service the approved development shall not under any circumstances be sited on future or existing Council land, including road reservations and/or public or drainage reserves.

15.7 **Fee Payment**

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

15.8 **Temporary Facilities Removal**

15.8.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.

15.8.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.

15.8.3 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.

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

15.8.5 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.

15.9 **Engineering Matters**

15.9.1 **Surveys/Certificates/Works As Executed plans**

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

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

15.9.1.3 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the On-Site Detention System as constructed will perform to

meet the on-site stormwater detention requirements in accordance with the approved design plans.

- 15.9.1.4 A certificate from a Registered Engineer (NER) must be lodged with Council verifying that the structures associated with the On-Site Detention System(s) have been constructed to withstand all loads likely to be imposed on them during their lifetime.
- 15.9.1.5 A Certificate shall be submitted by a Registered Surveyor indicating that all pipelines and associated structures lie wholly within any easements required by this consent.
- 15.9.1.6 This development requires separate approvals under the Roads Act 1993 and / or Local Government Act 1993. Prior to the issue of an Occupation Certificate, the applicant must obtain written confirmation from Council that these works have been completed to its satisfaction.

15.9.2 **Easements/Restrictions/Positive Covenants**

- 15.9.2.1 Any covenant(s) easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release, vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:
 - (a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).
 - (b) The standard format for covenants, easements and restrictions as accepted by the Land Registry Services (LRS).
- 15.9.2.2 The creation of easement(s) related to inter-allotment drainage with a minimum width in accordance with Councils Engineering Guide for Development (current issue).
- 15.9.2.3 Each of the proposed lots serviced by the existing inter-allotment drainage easements shall have this burden and benefit created pursuant to Section 88B of the Conveyancing Act 1919.
- 15.9.2.4 All Section 88B restrictions and covenants created, as part of this consent shall contain a provision that they cannot be extinguished or altered except with the consent of Blacktown City Council.

15.9.3 **Inspections**

- 15.9.3.1 Any additional Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

15.9.4 **Other Matters – Drainage**

- 15.9.4.1 Conditions Prior to Occupation: These points can also be included as part of prior to occupation conditions:
 - (a) A Chartered Hydraulic Engineer registered with NER is to certify that all the requirements of the Flood Management Plan have been implemented including the installation of all signage and notices.
 - (b) A registered surveyor is to certify that:

- i. the finished habitable floor level for the School building is at or above the minimum required of RL 33.03 m AHD (tolerance -0.025 to +0.2 m);
 - ii. the Sports storage floor level is to be RL 32.63m AHD (tolerance - 0.025 to +0.2 m);
 - iii. all electrical switches and power points externally are above RL 33.03 m AHD.
 - (c) Certification is to be provided that the building has been constructed with flood compatible building products.
 - (d) A plumber licensed with NSW Fair Trading is to certify that the buildings, or parts of buildings that are not affected by BASIX, comply with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings are:
 - i. 4 star dual-flush toilets;
 - ii. 3 star showerheads;
 - iii. 5 star taps (for all taps other than bath outlets and garden taps);
 - iv. 3 star urinals; and
 - v. 3 star Water efficient washing machines and dishwashers have been used.
- 15.9.4.2 A plumber licensed with NSW Fair Trading, or experienced hydraulic engineer, is to certify that:
- (a) All the non-potable water uses are being supplied by rainwater;
 - (b) All the requirements of the detailed Non-Potable Water Supply & Irrigation Plan have been installed to the required location;
 - (c) The flow meters have been installed on the pump outflow and the solenoid controlled mains water bypass to determine non-potable usage and actual percentage of reuse;
 - (d) The initial flow meter readings are detailed in the certificate;
 - (e) The pumps, alarms and all other systems are working correctly;
 - (f) The water from at least one garden tap and two toilets have been tested to show no chlorine residual;
 - (g) All external reuse taps accessible by children are lockable or have removable handles;
 - (h) Rainwater warning signs are fitted to all external taps using rainwater;
 - (i) A signed, works-as-executed Non-Potable Water Supply & Irrigation Plan is to be provided to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au
- 15.9.4.3 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 116.5 m³ has been provided below the 50% AEP weir and a total of 176.7 m³ has been provided below the 1% AEP emergency overflow weir;
 - (c) the orifice size matches the approved construction certificate plans;
 - (d) the rainwater tanks have been provided as per the approved construction certificate plans collecting all of the roof area;
 - (e) the interpretative water quality sign has been correctly installed;
 - (f) all signage and warning notices have been installed;
 - (g) any proprietary water quality devices have been installed for the site as per the manufacturer's recommendations;
 - (h) a copy of the certification and the works-as-executed drainage plan has been provided to the certifier, who shall provide it to Council.
- 15.9.4.4 Prior to the issue of the Occupation certificate, the applicant shall provide a Positive covenant and Restriction on the use of land over the WSUD system installed on the

property. The Positive covenant and Restriction on the use of land is to be accordance with Appendix F of Council's Engineering Guide for Development. The Positive covenant and Restriction on the use of land is to be endorsed by Council and lodged with New South Wales Land Registry Services. The applicant shall submit documentary evidence of the lodgement and execution of the Positive covenant and Restriction on the use of land to Council prior to the issue of the final Occupation certificate.

15.9.4.5 Prior to the issue of the Occupation certificate, the applicant shall submit to Council documentation that identifies the correct locations, types, models, and model numbers of assets that form the WSUD system installed on the property. The documentation is to include the final version of the Stormwater management report and certified and signed stormwater Works-as-executed plans.

15.9.4.6 Prior to the issue of the Occupation certificate, the Applicant shall provide a Maintenance schedule for the WSUD system installed on the property. The Maintenance schedule is to be prepared in accordance with the Maintenance schedule template and WSUD inspection and maintenance guidelines available on Council's website. The Applicant shall submit the Maintenance schedule to Council for approval.

15.9.4.7 For the purpose of Water Sensitive Urban Design, Council has assessed the following: Rainwater tank, Gross Pollutant trap and On-Site Detention System.

15.10 **Other Matters**

15.10.1 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 an Environmental Planning Instrument), together with any associated groundwater drainage system, shall be constructed and/or provided in accordance with the plans attached to the Construction Certificate.

15.11 **Emergency Procedures**

15.11.1 Instructions concerning procedures to be adopted in the event of an emergency shall be clearly displayed on the premises for both public and staff information at all times to the satisfaction of Council.

16 **OPERATIONAL (PLANNING)**

16.1 **Access/Parking**

16.1.1 All required off-street car parking spaces and internal driveways shall be maintained to a standard suitable for the intended purpose.

16.1.2 All loading and unloading operations shall take place at all times wholly within the confines of the land.

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

16.1.4 A minimum of 125 car parking spaces are required to be provided on site.

16.2 **Specific Uses**

16.2.1 The approved use as an Education Establishment shall comply with the definition within the Blacktown Local Environmental Plan 2015.

16.3 Numbers of student

16.3.1 The maximum number of students is 1,100.

16.4 Landscaping

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

16.6 Lighting and Security

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

16.6.2 All intruder alarms shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.

16.6.3 The maintenance of all external lighting is to be managed by way of an annual service agreement to ensure the security of the building and persons within are not compromised from dark or uncontrolled public areas.

16.7 Crime Prevention Through Environmental Design

16.7.1 Vandal proof and security lighting, CCTV and security measures endorsed by this consent shall be met and maintained at all times.

16.8 Plan of Management

16.8.1 The Plan of Management Plan prepared pursuant to Condition 14.4 and endorsed by Council is to be implemented at all times.

17 OPERATIONAL (ENVIRONMENTAL HEALTH)

17.0.1 Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the Department of Environment and Conservation's Environmental Noise Management - NSW Industrial Noise Policy and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant that is a member of the Association of Australian Acoustic Consultants and shall be submitted to Council for consideration.

17.0.2 Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.

17.0.3 All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997.

17.0.4 In accordance with the requirements of Part 5.7 Protection of the Environment Operations Act 1997, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

17.0.5 The premises shall be registered with Council's Environmental Health Unit. The attached application form shall be used for registration purposes.

- 17.0.6 The installation of any grease arrestor shall comply with the requirements of the Sydney Water Corporation. A copy of the Corporation's Trade Waste Agreement, shall be submitted to Council.

Attachment 1 – General Terms of Approval