

1.2 DA-23-00507 Demolition of existing structures, alterations and additions to an existing educational establishment (St Agnes Catholic High School)

Assessment report to

Sydney Central City Planning Panel

Panel reference: PPSSCC-451

Development application DA number DA-23-00507 **Date of lodgement** 1 June 2023 Kalinda Li c/o The Planning Hub Applicant **Owner** Catholic Education Office Diocese of Parramatta Proposed Demolition of buildings and at-grade carpark, alterations and additions to an educational establishment, restoration of 'Fairholme' local heritage item, development construction of basement carpark, covered outdoor learning areas, removal of trees, associated works and an increase in number of students and staff. Street address 24 Evans Road Rooty Hill 7 Notification period 15 to 29 June 2023 Number of submissions Assessment **Panel criteria** Capital investment value over \$5 million for private infrastructure and community facilities Schedule 6 of the State **Environmental Planning** The proposal for alterations and additions to the existing non-government Policy (Planning Systems) educational establishment has a CIV of \$12,257,625 excluding GST. 2021 **Relevant section** Environmental Planning and Assessment Act 1979 4.15(1)(a) matters State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Blacktown Local Strategic Planning Statement 2020 Central City District Plan 2018 Blacktown Local Environmental Plan 2015 Blacktown Development Control Plan 2015 Report prepared by Smriti A. Jasuja **Report date** 18 June 2024 Recommendation Approval, subject to conditions listed in attachment 8.

Checklist

Summary of section 4.15 matters

Have all recommendations in relation to relevant section 4.15 matters been summarised in Yes the Executive summary of the Assessment report?



Legislative clauses requiring consent authority satisfaction	
Have relevant clauses in all applicable environmental planning instruments, where the consent authority must be satisfied about a particular matter, been listed and relevant recommendations summarised in the Executive Summary of the Assessment report?	Yes
Clause 4.6 Exceptions to development standards	
If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the Assessment report?	Not applicable
Special Infrastructure Contributions	No
Does the DA require Special Infrastructure Contributions conditions (section 7.24)?	
Housing Productivity Contribution (for DA lodged on or after 1 October 2023)	Na
Does the DA require Housing Productivity Contribution Condition?	No
Conditions	
Have draft conditions been provided to the applicant for comment?	Yes
Attachments	

- 1. Location map [**1.2.1** 1 page]
- 2. Aerial image [1.2.2 1 page]
- 3. Zoning extract [1.2.3 1 page]
- 4. Detailed information about proposal and submissions [1.2.4 6 pages]
- 5. Development Plans [1.2.5 33 pages]
- 6. Assessment against planning controls post 1 March 2022 [**1.2.6** 10 pages]
- 7. Summary of residents concerns and Councils response [1.2.7 7 pages]
- 8. Draft Conditions [**1.2.8** 33 pages]



1 Executive summary

- 1.1 The key issues that need to be considered by the Panel in respect of this application are:
 - the deferred commencement conditions are recommended by Council's Heritage Planner relating to the proposed basement carpark. This is due to perceived impact of the new basement carpark on the existing local heritage-listed building 'Fairholme' on the site, which will also be restored as part of this development application. In our view, the recommendations do not warrant deferring the consent. These have instead been included in the draft consent as 'prior to release of the construction certificate' stage
 - the management of an at-grade pedestrian crossing, extension of the existing bus bay to accommodate 4 buses and proposal for line marking on streets within 200 m of the school boundary is yet to be finalised. These traffic measures are necessary mainly to address issues raised in public submissions concerning traffic management. These measures will be presented to the Local Traffic Committee at its next available meeting. In the meantime, these measures will be conditioned as a 'prior to construction certificate' condition and do not necessitate deferral of this application
 - the proposed increase in student and staff numbers is significant, but there are no development controls under any environmental planning instruments that prescribe the maximum number of students and staff. The school will rely on the NSW Department of Education to issue the relevant licence to operate based on its criteria for school operations and the onsite car parking in the basement will be increased to cater for the increase in school population.
- 1.2 Assessment of the application against the relevant planning framework and consideration of matters by our technical departments have not identified any issues of concern that cannot be dealt with by conditions of consent.
- 1.3 The application is considered to be satisfactory when evaluated against Section 4.15 of the Environmental Planning and Assessment Act 1979.
- 1.4 This report recommends that the Panel approve the application subject to the recommended conditions listed in attachment 8.

2 Location

- 2.1 The site is located on the southern side of Evans Road in Rooty Hill with primary access being from Evans Road and a secondary access off St Agnes Avenue to the east.
- 2.2 The surrounding area is characterised by low-density residential development to the north, east and south, primarily consisting of single and 2-storey detached dwelling houses. A seniors housing development is located adjacent to the site to the west.
- 2.3 The site is located approximately 1.3 km by road from Rooty Hill Railway Station. Bus stops for routes 728 and 729 are in front of the site with a bus bay accommodating 3 buses.
- 2.4 The location of the site is shown at attachment 1.

3 Site description

3.1 The site legally known as Lot 25, DP 1266777. It is an irregular shaped lot with an area of 23,540 m². It has a 95.135 m frontage to Evans Road and a depth of approximately 267 m. The highest elevated point is around the centre of the site, sloping towards the rear boundary



to the south by approximately 10 m, and towards the street to the north by approximately 9 m.

- 3.2 The site is operational as a co-educational high school with 720 students in Years 7-12.
- 3.3 The site is currently occupied by several buildings, including locally listed heritage building 'Fairholme', various site improvements and play areas developed over time. At-grade parking for 55 cars is located along the western boundary. The site also comprises established fencing and landscaping.
- 3.4 The site is not mapped as prone to flooding or bushfire.
- 3.5 An aerial image of the site and surrounding area is at attachment 2.

4 Background

- 4.1 The site is zoned part SP2 Educational Establishment and Place of Public Worship, and part R2 Low Density Residential under Blacktown Local Environmental Plan 2015. The proposed development relates to that part of the land zoned SP2, and is permissible in the zone with development consent. The zoning plan for the site and surrounds is at attachment 3.
- 4.2 Our records show that the site has been subject to approximately 18 tree removal applications, 36 development applications and complying development certificates since 1987.

5 The proposal

- 5.1 The development application was lodged by Kalinda Li representing The Planning Hub on behalf of the owner Catholic Education Office Diocese of Parramatta.
- 5.2 The applicant seeks approval for the:
 - demolition of an existing at-grade carpark to the north-west, internal elements of Block A (heritage item 'Fairholme'), all of blocks B, C and G, as well as associated ramps, retaining walls, paths and stairs
 - restoration and conservation works to existing 'Fairholme' local heritage item (Block A)
 - construction of a new administration extension building that is behind and adjoins Block
 A
 - construction of outdoor play areas replacing Block C (proposed to be demolished)
 - construction of basketball court replacing Block G (proposed to be demolished)
 - construction of a new basement carpark with 123 car parking spaces and 14 bicycle parking spaces, replacing the at-grade carpark to the west of the site (proposed to be demolished)
 - construction of approximately 3,350 m2 artificially turfed outdoor play space with 8 planter boxes for mature trees above the new basement carpark
 - extension of north-eastern carpark to accommodate 6 car parking spaces and 52 bicycle parking spaces
 - increase in number of students from 720 to 1,360, including 200 students in Year 12
 - increase in teaching and non-teaching staff from 44 to 75
 - increase in provision of car parking from 55 to 129



- removal of 2 trees, replacement of 1 tree and retention of 6 trees in the area impacted by development works
- landscaping and associated works.
- 5.3 Other details about the proposal are at attachment 4 and a copy of the development plans is at attachment 5.

6 Assessment against planning controls

- 6.1 A full assessment of the development application against relevant planning controls is provided at attachment 6, including:
 - Environmental Planning and Assessment Act 1979
 - State Environmental Planning Policy (Planning Systems) 2021
 - State Environmental Planning Policy (Resilience and Hazards) 2021
 - Chapter 4 Remediation of land
 - State Environmental Planning Policy (Transport and Infrastructure) 2021
 - Chapter 3 Educational establishments and childcare facilities
 - Part 3.4 Schools specific development controls
 - Part 3.7 Traffic-generating development
 - Schedule 8 Design quality principles in schools
 - Blacktown Local Strategic Planning Statement 2020
 - Central City District Plan 2018
 - Blacktown Local Environmental Plan 2015
 - 5.10 Heritage Conservation
 - Blacktown Development Control Plan 2015
 - Part A Introduction and general guidelines
 - Section 4.4.2 Development in the vicinity of a heritage item
 - Section 6.3 Specific land use requirements car parking

7 Issues raised by the public

- 7.1 The proposed development was notified to 45 property owners in the locality between 15 and 29 June 2023. We received 7 submissions.
- 7.2 The issues raised by the residents relate to:
 - vehicular and pedestrian traffic congestion
 - alleged non-cooperation of the school with the residents regarding traffic and parking issues
 - increase in the number of cars parked in the surrounding streets
 - properties on Evans Road not being notified
 - implementation and efficiency of traffic management plan



- management of vegetation on school's property overgrowing into the neighbouring yards over the boundary fencing
- mismanagement of pick-up and drop-off by cars encroaching private property
- whether pedestrian or vehicular access is proposed via St Agnes Avenue
- car parking and traffic management not in proportion to the significant increase in the student and staff numbers
- increase in school capacity leading to increased uncontrolled use of the existing pedestrian crossing and therefore resulting in longer traffic queues
- buses significant factor in blocking traffic in Evans Road
- disturbance to the adjacent residential aged care facility and obstruction in access to emergency vehicles
- noise, dust and dirt due to construction works
- entry and exit from the basement carpark resulting in queueing of vehicles
- provision of parking onsite during construction
- operation of the existing illuminated variable message sign adjacent to Evans Road driveway within nominated hours
- request for parallel parking line marking on surrounding streets to prevent obstruction of private driveways
- 7.3 We advised the applicant of all the issues raised by the community. A summary of each issue, the applicant's response and our approach for resolution is at attachment 7. The objections are not considered sufficient to warrant refusal of the development application, subject to conditions.

8 Key issues

8.1 Concerns raised by Heritage Planners to minimise visual impact on locally listed heritage building 'Fairholme' can be conditioned accordingly

- 8.1.1 'Fairholme' is a late Victorian homestead that retains part of its original estate and some of its outbuildings. 'Fairholme' is listed as a house on Blacktown Local Environment Plan 2015 as part of St Agnes Catholic High School and No. 198 on the Significant Item list. The house has been heavily altered in the conversion to the school administration block and modern extensions to the south and west were added later. The interiors have also been altered with installation of dividing walls. The restoration works currently proposed in 'Fairholme' building include:
 - internal reconfiguration to the front office and reception
 - internal reconfiguration of the rear wings
 - demolition of the rear section of the eastern wing
 - new covered links to the rear and west
 - new handrails to the front entry steps
 - new basement carpark intended to conceal the existing at-grade carpark in front of 'Fairholme' presenting to the street.



- 8.1.2 Our Heritage Planners have raised a number of concerns for the preservation of 'Fairholme'. Whilst the applicant has addressed some of the heritage issues raised, the following heritage concerns relayed to the applicant in October 2023, January 2024 and March 2024 have not been addressed in the proposal presently being assessed:
 - visual impact of the proposed basement carpark (perceived as at-grade roofed carpark) entry
 - location of the mechanical plant above the carpark entrance area adding to the bulk and height
 - raised planters above the carpark and lack of deep soil areas for mature tree planting
 - artificial turf proposed above the basement carpark
- 8.1.3 The heritage curtilage on Blacktown Local Environmental Plan 2015's Heritage Map covers the building but not the existing bitumen carpark at the front of 'Fairholme'. However, the provisions of Part A, section 4.4.2 of the Blacktown Development Control Plan 2015 relate to development in the vicinity of a heritage item. These objectives of this section are to:
 - (a) ensure that development does not adversely affect the heritage significance of heritage items, heritage groups or archaeological sites as well as their settings, distinctive streetscape, landscape and architectural styles
 - (b) ensure that development in the vicinity of a heritage item is responsive and respectful in terms of height, setback, form and overall design.

Important objectives relevant to the current proposal are:

- (a) the design and siting of new works must complement the form, orientation, scale and style of the heritage item
- (*b*) development must maintain significant or historic public domain views to and from the heritage item
- (*c*) development must have effective screen planting on side and rear boundaries adjoining a heritage item, with planting to achieve a minimum mature height of 10m
- 8.1.4 Our Heritage Planners have been consistent in their advice since the time of prelodgement meeting with the applicant in December 2022. The applicant's basis for justification of the carpark's bulk, synthetic turf and lack of deep soil for planting, as currently proposed, is that the requested changes would make the carpark more expensive to construct. However, the requested changes are needed to lessen the heritage impact on the historic building and to comply with heritage controls in Part A of Blacktown Development Control Plan 2015.
- 8.1.5 Our Heritage Planners advise:

The vehicle entry from Evans Road is an unnecessarily bulky structure largely because the mechanical plant is concealed behind the parapet wall. The design is a smooth concrete carpark roof sloping from the house down towards Evans Road with visually obtrusive, raised concrete or brick planters incapable of sufficient deep soil for visually appropriate trees and the concrete roof slab is carpeted with artificial grass.

8.1.6 To comply with the development controls of Part A of Blacktown Development Control Plan 2015, our Heritage Planners have recommended that a deferred commencement consent be issued, so that the requested and necessary heritage amendments at 8.1.2 of this report are adhered to in the construction of the proposed alterations and additions. The recommended deferred commencement conditions are:



- lower the carpark as much as possible particularly at the edges of the site and street frontage to reduce the visual impact of the (proposed basement carpark perceived as) at grade roofed carpark
- relocate the mechanical plant from above the carpark entrance area to enable the portal structure to be scaled down in height
- delete all the raised planters above the carpark and provide some areas of deep soil for tree planting
- delete the artificial grass and provide enough soil cover to the carpark roof to recreate the natural ground contours and to relay real grass.
- 8.1.7 In response, we have included the recommended conditions as 'pre-construction certificate' stage in the draft consent instead, so that the applicant can continue to progress the associated works. Additional conditions have also been recommended, including:
 - that the height of the basement carpark entry portal be limited to a maximum of 3.7m
 - that the proposed planter boxes, if approved, are to be stone clad and made suitable for additional use as seating spaces for the students.

8.2 New traffic management measures will be referred for consideration by Local Traffic Committee

- 8.2.1 Many of the issues raised in the public submissions relate to traffic management, such as:
 - adequacy of the existing bus bay length to accommodate buses without interrupting traffic flow for other vehicles on Evans Road
 - parking nuisance on the surrounding streets at peak school hours due to obstruction of driveways to private properties
 - uncontrolled use of the pedestrian crossing on Evans Road
 - entry to and exit from the proposed basement carpark such that the queueing of vehicles in waiting is minimised.
- 8.2.2 The submissions are valid and reasonable, including suggestions from the community for positive changes, and the following conditions are recommended for effective traffic management:

Co	ondition	Reason		
•	Remove the existing chicane structure (blister island) and sign located on Evans Road, near the north- east corner of the site frontage.	This will allow 4 buses (instead of 3) to be parked in the bus bay along the school's front boundary at any given time, facilitating improved traffic flow.		
•	Line mark parallel parking spaces along Albert Parade and Evans Road within the vicinity of 200m from the school's boundaries.	This will assist in a more regulated parking arrangement in the nearby streets that normally absorb most of the pressure of school related traffic.		
•	Mandatory Traffic Marshalls to manage the pedestrian crossing near the school boundary on Evans Road	This will assist in a balanced and better managed vehicular and pedestrian traffic movement.		



and entry to the basement carpark for the duration of the school zone hours in the mornings and afternoons.

•	Entry and exit to and from the	This will minimise the conflict points for
	proposed basement carpark shall be	vehicular and pedestrian traffic over
	left in and left out only.	double line road markings.

- 8.2.3 These matters will be determined by the Local Traffic Committee at its next available meeting. In the meantime, this will be made a 'prior to the release of construction certificate' condition.
- 8.2.4 The school commences lessons at 8.00 am and finishes at 2.30 pm. Accordingly, the school zone in the area is between 7.30 am and 9.00 am and 2.00 pm and 3.30 pm.
- 8.2.5 The school currently does not allow vehicular entry to the parking area between 7.45 am and 8.30 am or between 2.00 pm and 2.45 pm. This practice prevents the use of the onsite car parking spaces during the peak hours, thereby defeating the very purpose of the onsite parking provision.
- 8.2.6 An operational condition is also included in this consent which will require the vehicular entry to the basement carpark to be open and accessible to parents, teachers and students between 7.30 am and 3.30 pm on school days. It is anticipated that this new basement parking arrangement will significantly reduce parking issues experienced in the surrounding streets.

8.3 The increase in student and staff numbers complies with Council's parking requirements

- 8.3.1 The current student enrolments and staff numbers are 720 and 44 respectively. The proposal is to increase the school capacity up to 1,360 students and 75 staff.
- 8.3.2 We requested the applicant to demonstrate availability of associated facilities to accommodate the increase in school population. Various complying development certificate works for the remainder of the school are currently under construction. When these works are complete, the school will have:
 - refurbished blocks E, F, H as general learning areas
 - new blocks I, J and K as general learning areas (senior classes), performing arts and creative hubs, roof level courts, canteen, technology and applied science learning areas.

A master plan for the school has been included in the development plans at attachment 5.

8.3.3 The total of 129 parking spaces proposed to cater for both the existing and the increased school population will comply with the parking requirements in Blacktown Development Control Plan 2015. There are no planning controls limiting the number of students and staff that a school can enrol.

9 External referrals

9.1 The development application was referred to the following external authorities for comment:

Authority Com	
Policy	pplication was referred in line with State Environmental Planning (Transport and Infrastructure) 2021 s3.58 Traffic generating opment - educational establishment. port for NSW advised that the proposal is acceptable, subject to



Authority	Comments
	conditions provided on 23 June 2023. The conditions require the applicant to submit an updated Green Travel Plan to Transport for NSW for their endorsement prior to the issue of an Occupation Certificate.
Department of Education	The application was referred in line with State Environmental Planning Policy (Transport and Infrastructure) 2021 s3.36 Schools - development permitted with consent.
	The Department's advice, dated 9 June 2023, is that a decision is not required as the proposal is not related to a child care centre.
Heritage NSW	The application was referred in line with Blacktown Local Environmental Plan 2015 Clause 5.10 Heritage conservation.
	Heritage NSW's reply of 8 June 2023 included comments that the project area does not adjoin (nor is it in the vicinity of) a site listed on the State Heritage Register nor it is subject to an Interim Heritage Order or a State Heritage Register nomination.
	Also, the information provided does not indicate that there are known, or suspected historical archaeological relics located within the project area.
Blacktown District and Mount Druitt Local Historical Society	The application was referred to the historical society (outside of the Portal) for comment.
	Comments received on 21 August 2023 raising concerns for the preservation of locally listed heritage building 'Fairholme' (Listed on Blacktown Local Environment Plan 2015 as part of St Agnes Catholic High School and No. 198 on the Significant Item list). The concerns of the historical society have been addressed by way of conditions of consent and plan amendments.
Busways	The application was referred to Busways (outside of the Portal) for comment on Council's engineering section's recommendation for provision of an extended bus bay on Evans Road.
	Our development engineers were exploring the possibility of the existing bus bay being moved into the school, such that the traffic flow on Evans Road could continue past waiting buses uninterrupted. The buses on routes 728 and 729 in front of the school are under the control and care of the transport company Busways, thus a referral was sent to Busways.
	We received comments from Busways on 29 December 2023 advising that an internal bus bay is not ideal as in general, this will produce a mix of parents (kiss and ride) vehicles and buses. Such circumstances almost always result in congestion and delays to bus services across the south Blacktown and Mount Druitt school and route bus networks, and is therefore, not supported.
	Removing the existing blister island and sign on Evans Road to the east of the site is a more appropriate solution to extend the existing bus bay, such that it accommodates 4 buses, without traffic queueing up behind the buses at peak hours. This has been included as a condition of consent.

10 Internal referrals

10.1 The development application was referred to the following internal sections of Council for comment:



Section	Comments
Building	Proposal acceptable, subject to conditions included in the draft consent.
Traffic	Amended information requested on 13 July 2023 and 4 October 2023. Proposal acceptable, subject to conditions included in the draft consent.
Drainage Engineering	 Amended information requested on 3 August 2023. Proposal acceptable, subject to conditions included in the draft consent.
Environmental Health	Proposal acceptable, subject to conditions included in the draft consent.
Greenspace Services	Proposal acceptable, subject to conditions included in the draft consent.
Heritage	Amended information requested on 4 October 2023, 18 January 2024, 5 March 2024 and 22 March 2024, and a meeting held between Council and the applicant's heritage consultants on 13 March 2024. Deferred commencement conditions recommended for 3 key heritage- related issues mainly relating to visual impact because the entry from Evans Road is the main entry and offers a significant presentation to 'Fairholme'. These recommendations have been included instead as pre- construction certificate stage conditions for the Panel's consideration. This has been discussed in detail at section 8.1 of this report.
Development Engineering	Proposal acceptable, subject to conditions included in the draft consent.
S7.11 Contributions	The site falls under Contributions Plan CP 3 – Open Space in Residential Areas, which only levies residential development. S7.11 contributions do not apply to non-residential development in this area.

11 Conclusion

11.1 The proposed development has been assessed against all relevant matters and is considered to be satisfactory. It is considered that the likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. The site is considered suitable for the proposed development subject to conditions.

12 Disclosure of political donations and gifts

- 12.1 Under Section 10.4 of the Environmental Planning and Assessment Act 1979, a disclosure statement must be lodged in certain circumstances in relation to any planning application, i.e. a development application, an application to modify a consent and an application to make an environmental planning instrument or development control plan.
- 12.2 A disclosure statement of a reportable political donation or gift must accompany a planning application or submission (including a submission either objecting to or supporting the proposed development) if the donation or gift is made within 2 years before the application or submission is made. If the donation or gift is made after the lodgement of the application, a disclosure statement must be sent to Council within 7 days after the donation or gift is made. The provision also applies to an associate of a submitter.



- 12.3 A disclosure statement may be made available for viewing upon a written request to Council in line with Section 12 of the Local Government Act 1993.
- 12.4 Disclosures:

•	Po litical	Has a Disclosure statement been received in relation to this application?	No
	donations	If yes, provide Disclosure statement register reference	Ref: N/A
,	Gif	Have staff received a 'gift', that needs to be disclosed, from anyone involved with this application?	No

13 Recommendation

- 13.1 Approve DA-23-00507 for the reasons listed below, and subject to the conditions listed in attachment 8.
 - a The additions and alterations to an existing school is a permissible form of development in the zone, SP2 Educational Establishment and Place of Public Worship, and the proposal complies with the requirements of State Environmental Planning Policy (Transport and Infrastructure) 2021 and relevant controls of Blacktown Development Control Plan 2015. [Section 4.15(1)(a)(i)(iii) of the Environmental Planning and Assessment Act 1979]
 - b The development is unlikely to unreasonably impact the natural or built environments, or have any such impacts on social and economic impacts of the locality [Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979]
 - c The site is considered suitable for the proposed development (Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979).
 - d The development is an appropriate response to a significant need to provide additional educational facilities for secondary school aged children. As such, the development is consistent with the strategic context and statutory control objectives established for the site and is in the public interest. (Section 4.15(1)(c) and (e) of the Environmental Planning and Assessment Act 1979).
- 13.2 Council officers notify the applicant and submitters of the Panel's decision.

14 Declaration and endorsement

We, the undersigned, declare, to the best of our knowledge that we have no interest, pecuniary or otherwise, in this development application or persons associated with it; and we have provided an impartial assessment.

Smriti A. Jasuja Town Planner

San Motomi

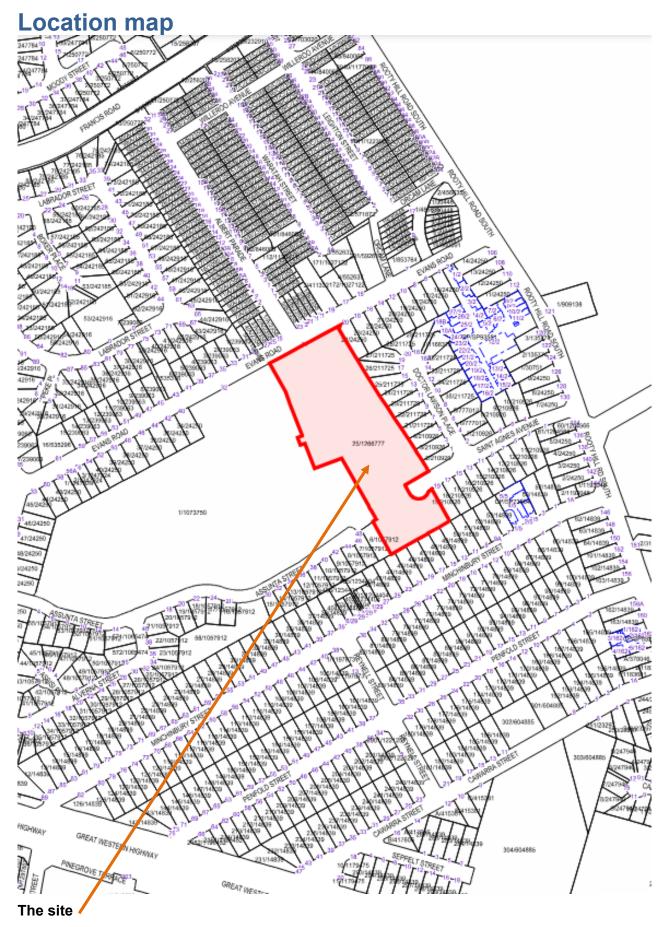


Alan Middlemiss Coordinator Planning Assessment

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Judith Portelli Acting Director City Planning and Development

Attachment 1

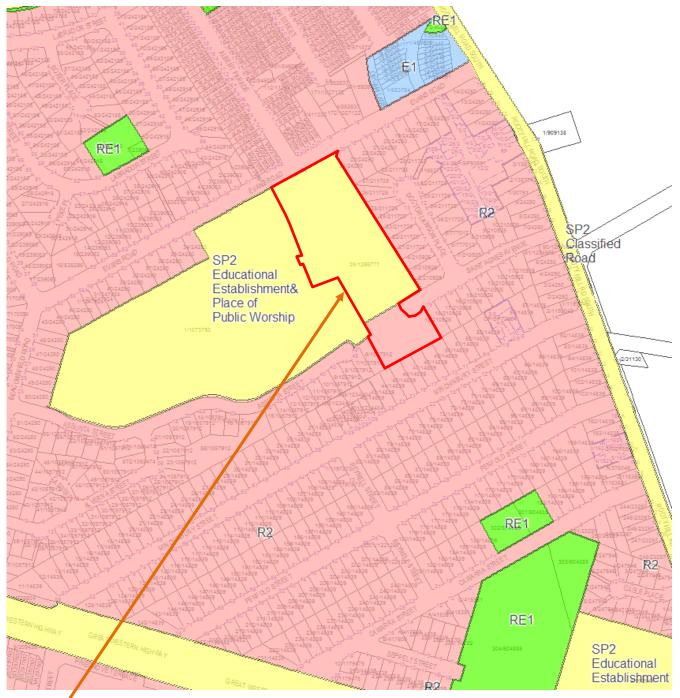


Attachment 2 **Aerial image** (as at 29 May 2024)



The Site

Attachment 3 Zoning extract



The Site



Parcel Extent Torrens Title Extent Suburb.Gazetted Boundary Local Government Area.Gazetted Boundary EP-LZN Land Zoning.C3 LEP Extent EP-LZN Land Zoning.R2 LEP Extent EP-LZN Land Zoning.R3 LEP Extent



EP-LZN Land Zoning.RE1 LEP Extent EP-LZN Land Zoning.SP1 LEP Extent EP-LZN Land Zoning.SP2 LEP Extent EP-LZN Land Zoning.W1 LEP Extent EP-LZN Land Zoning.E1 LEP Extent EP-LZN Land Zoning.UL SEPP Extent EP-LZN Land Zoning.C3 LEP Boundary EP-LZN Land Zoning.R2 LEP Boundary
 EP-LZN Land Zoning.R3 LEP Boundary
 EP-LZN Land Zoning.R4 LEP Boundary
 EP-LZN Land Zoning.RE1 LEP Boundary
 EP-LZN Land Zoning.SP1 LEP Boundary
 EP-LZN Land Zoning.SP2 LEP Boundary
 EP-LZN Land Zoning.W1 LEP Boundary

Attachment 4

Detailed information about proposal and DA submission material

1 Overview

- 1.1 The development application was lodged by Kalinda Li representing The Planning Hub on behalf of the owner of the site Catholic Education Office Diocese of Parramatta.
- 1.2 The applicant proposes:
 - demolition of an existing at-grade carpark to the north-west, internal elements of Block A (heritage item - 'Fairholme'), all of blocks B, C and G, as well as associated ramps, retaining walls, paths and stairs
 - construction of a new administration building (Block AA) adjoining Block A as its extension, replacing Block B, which is to be demolished
 - construction of outdoor play areas, replacing Block C, which is to be demolished
 - construction of basketball court 30 m long and 20 m wide of standard material and covered outdoor learning area (COLA), replacing Block G, which is to be demolished
 - construction of a new basement carpark with 123 car parking spaces and 14 bicycle parking spaces, replacing the existing at-grade carpark with 55 car parking spaces, which is to be demolished
 - construction of a landscaped outdoor play space with planter boxes above the new basement carpark
 - extension of the north-eastern carpark to accommodate 6 additional car parking spaces and 52 bicycles
 - increase in number of students from 720 to 1,360, including 200 students in Year 12
 - increase in teaching and non-teaching staff numbers from 44 to 75
 - removal of 2 trees, replacement of 1 tree and retention of 6 trees in the area impacted by development works
 - re-landscaping of the front gardens of 'Fairholme', eastern court of the rear wings, around the new COLA, to the rear of 'Fairholme' and adjacent to the Performance Hub including new planter beds, shrubs and trees
 - associated works.
- 1.3 Pedestrian and vehicular access to the site will be off Evans Road.
- 1.4 'Fairholme' is a late Victorian homestead that retains part of its original estate and some of its outbuildings. The house has been heavily altered in the conversion to the school administration block and modern extensions to the south and west were added later. The interiors have also been altered with installation of dividing walls. The works currently proposed in 'Fairholme' building as part of this development application include:
 - internal reconfiguration to the front office and reception
 - internal reconfiguration of the rear wings
 - demolition of the rear section of the eastern wing
 - new covered links to the rear and west
 - new handrails to the front entry steps

- new basement carpark intended to conceal the existing at-grade carpark in front of 'Fairholme' presenting to the street.
- 1.5 The new 2 storey administration building (Block AA) adjoining existing Block A ('Fairholme') will have a maximum height of approximately 9.55 m above existing ground level. Upon completion, this building will become the tallest building in the campus, being 1.14 m taller than the adjoining heritage building 'Fairholme'. There is no maximum building height prescribed for the site under Blacktown Local Environmental Plan 2015.
- 1.6 The at-grade car parking for 55 cars in the north-west will be replaced with a new basement carpark to the front of the site. The works proposed for the new carpark include:
 - site clearance
 - excavation
 - parking spaces for 123 cars and 14 bicycles
 - new access stair and lift to the north-east of 'Fairholme'
 - new access stair, ramp and steps to the north-west of 'Fairholme'.
- 1.7 The carpark will be accessed off Evans Road. A pedestrian path will be provided separately and to the west of the vehicular access driveway connecting the southern Evans Road footpath and providing access along the internal set-down / pick-up area to ultimately provide access to the school. The front levels will be graded in an embankment to the roof level of the carpark that will be re-landscaped, sloping up to 'Fairholme'. The new lift and stairs will be covered with flat roofs on steel posts.

The carpark entry portal will be rendered in brick, with a steel roller shutter to the driveway and steel gate to the pedestrian ramp.

- 1.8 A 5.520 m x 300 mm sign showing the name of the school in powder-coated aluminium lettering on the entry to the basement carpark, with planter box and mechanical housing for the roller shutter on top of the carpark entry.
- 1.9 Approximately 3,350 m² of artificially turfed outdoor play area with 8 planter boxes for new trees will be located above the basement carpark. The raised planters will be of varying sizes and asymmetrical quadrilateral shapes, the smallest being 5.3 m x 3.8 m. They will have soil depth and area to accommodate canopy trees with a mature height of 10 m to 15 m.
- 1.10 There will be minor modifications to the existing pedestrian access gate connecting with the southern Evans Road footpath, approximately central to the northern boundary of the site and to the east of the proposed vehicular access driveway to connect with a proposed internal pedestrian path.

2 Supporting documents

- 2.1 Statement of Environmental Effects dated 21 April 2023 prepared by The Planning Hub includes:
 - a description of the subject site and the surrounding area
 - a description of the proposed development
 - a summary and description of the relevant planning controls that apply to the land and the proposed development
 - identification and discussion of the key assessment issues
 - an assessment of the proposal in accordance with Section 4.15 of the Environmental Planning and Assessment Act, 1979.

Attachment 1.2.4 Detailed information about proposal and submissions

3 Waste management

- 3.1 A Waste management plan dated March 2023 prepared by DTA Architects on behalf of the applicant was submitted with the application.
- 3.2 The plan outlines methods of waste management and disposal throughout the demolition, construction and operational (ongoing management) phase of the school.
- 3.3 General waste bins, recycling waste bins, green waste bins and the waste collection will be facilitated by private contractors.

4 Traffic and parking

- 4.1 A Traffic and parking assessment dated April 2023 prepared by Stanbury Traffic Planning on behalf of the applicant was submitted with the application.
 - 4.1.1 The report has been prepared to address the traffic and parking impacts of the proposed development relating traffic generation, proposed car parking, set down/pick-up activities and access.
 - 4.1.2 The consultants conclude that the surrounding road network is capable of accommodating the additional traffic projected to be generated by the proposal in a safe and efficient manner. The proposed site access, implementation of the proposed off-street internal set-down / pick-up arrangement, parking and servicing arrangements associated with the upgrading of the existing off-street parking areas are anticipated to:
 - provide safe and efficient internal circulation arrangements for school users
 - significantly reduce existing on-street kerb-side parking demand thereby noticeably improving parking capacity within Evans Road and Albert Parade
 - improving surrounding residential amenity and reducing potential through traffic impedance.
 - 4.1.3 Out of the total 129 car parking spaces, 123 spaces are proposed in the new basement carpark and 6 spaces are proposed in the north-eastern at-grade carpark extension. The proposed 129 on-site car parking spaces and manoeuvring areas will be provided to accommodate access to and from these spaces by staff, students and visitors. They allow forward vehicle entry/exit of the site at Evans Road, in line with Council's current development control plan and AS/NZ 2890.1 and AS 2890.5 requirements.
- 4.2 An updated Traffic management plan Ref 19-049-2 dated August 2023 prepared by Stanbury Traffic Planning, was subsequently submitted.
 - 4.2.1 The updated plan provides a description of the traffic management measures to be incorporated during the operation of St Agnes Catholic High School.
 - 4.2.2 The consultant concludes that the traffic and pedestrian management measures proposed to be implemented are appropriate to satisfy the local traffic and pedestrian demands associated with the operation of the expanded secondary school.
- 4.3 A Green Travel Plan (GTP) dated April 2023 prepared by Stanbury Traffic Planning was submitted with the application.
 - 4.3.1 The Green Travel Plan provides a series of measures aimed at promoting and encouraging sustainable travel by staff of the proposed development and reducing reliance on the private car.

- 4.3.2 The main objectives of this Green Travel Plan are to:
 - reduce vehicle kilometres travelled to and from the school, particularly single occupancy vehicle trips
 - increase staff and student use of sustainable transport modes (walking, cycling and public transport)
 - ensure that the staff and students of the school are informed on the opportunities and benefits of using sustainable modes of transport
 - promote the school and surrounding areas as an innovative and environmentally aware location.

5 Accessibility

- 5.1 An Access design assessment report dated 19 April 2023 prepared by Design Confidence for the applicant was submitted with the application.
- 5.2 The consultant concludes that the development is capable of achieving compliance with the relevant accessibility provisions of the National Construction Code Building Code of Australia Volume 1, Edition 2022, subject to the comments provided in Section 3.0 and the design detail contained in Appendix 2.
- 5.3 Compliance can be achieved either by meeting the deemed-to-satisfy requirements of the Building Code, as are principally contained within parts D4, E3D7, E3D8, F4D5, F4D6, F4D7 and F4D12 as applicable to the subject development.
- 5.4 The consultant's recommendation contains design guidance and other items, which shall be coordinated by the relevant stakeholders as design progresses to ensure compliance with the deemed-to-satisfy accessibility provisions of the Building Code are achieved.

6 Acoustics

- 6.1 An Acoustic Assessment dated 15 March 2023 prepared by Rodney Stevens Acoustics Pty Ltd for the applicant was submitted with the application.
- 6.2 The acoustic assessment includes providing noise limits and acoustic recommendations for the proposed development to ensure the suitable reverberation, noise transmission and internal noise limit are achieved.
- 6.3 Recommendations are made in Sections 4 and 5 of the report to reduce the noise emission to within acceptable limits. The noise control measures include the following:
 - Half of the carpark ceiling should be fitted with absorption material/panels with a Noise Reduction Coefficient of 0.7 to absorb noise emission from the carpark
 - Parents and guardians should be informed of the importance of noise minimisation when entering the site, dropping off or picking up children. This includes avoiding raising voices within the school's carpark or beeping car horns
 - The eastern at-grade carpark should only be used between 7 am and 10 pm
 - The operation of mechanical plant must meet the relevant regulations such as the Building Code of Australia (BCA Vol.1, Part 4.5 Ventilation of rooms) and AS1668.2-2002
 - An appropriately qualified acoustic consultant should review the mechanical plant associated with the development at the detailed design stage when final plant selections have been made.

- Provide a window glass and frame system having a laboratory tested acoustic performance meeting the requirements in Table 4-6 of the report.
- The entire frame associated with the glazing must be sealed into the structural opening using acoustic mastics and backer rods.
- All proposed lightweight cladding external walls must have a minimum reduction weighting value (Rw) 45 rating.
- 6.4 The consultant concludes that, subject to its recommendations being followed, the development will meet the relevant acoustic requirements of Blacktown City Council and the EPA Noise Policy for Industry.

7 Hazardous materials

- 7.1 A Hazardous materials inspection and management report dated 20 June 2019 prepared by Banksia Enviro Sciences Pty Ltd was submitted with the application.
- 7.2 The inspection report was prepared as a management re-inspection to summarise the results of a hazardous materials inspection of the buildings, and no sampling was conducted during the investigation of the site.
- 7.3 The consultant concludes that asbestos in the eave and awning linings, fibre cement, synthetic mineral fibre in water heaters, on air conditioning ducting, in insulation in the ceiling cavities, lead based paints, lead flashing in water-proofing and biological hazards in the sewer lines may be present on site.
- 7.4 The consultant recommends undertaking a detailed hazardous materials survey, including material testing, on any area where refurbishment or demolition is planned prior to work commencing.

8 Tree removal and management

- 8.1 An Arboricultural Impact Statement report dated 28 November 2022 prepared by Mark Bury Consulting was submitted with the application.
- 8.2 The Arborist advises and concludes that 2 trees located on the property at St Agnes will have to be removed for the proposed development and 1 Cedrus deodara Himalayan Cedar to be preserved and transplanted to more suitable location on the site. Six trees will be required to be preserved as part of the development.

9 Heritage

- 9.1 A revised Heritage impact statement dated April 2024 prepared by John Oultram Heritage and Design was submitted with the application.
- 9.2 The report was prepared in line with the NSW Heritage Manual 'Statements of Heritage Impact' and 'Assessing Heritage Significance Guidelines' and the Blacktown City Council guidelines for the preparation of heritage impact statements. The report addresses only the European significance of the place.
- 9.3 Works impacting heritage item 'Fairholme' (Building A) include:
 - The at-grade car parking will be replaced with an underground carpark to the front of the site. This will remove an intrusive element in the setting of 'Fairholme' and allow for a landscaped area at the front.

- The carpark is set back from Evans Road to allow for planting along the street edge that is on an embankment to effectively set the carpark in the ground. The entry point is to the east as per the existing carpark entry with an opening in a new brick wall that rises above the new garden level to afford safety.
- The new entry is limited in scale and sensibly detailed and will only limit views to the item in a narrow view cone from the west.
- The 'roof' to the carpark slopes with the current site levels providing a similar setting to 'Fairholme' from Evans Road and this area will be laid with artificial turf giving a green aspect that is dotted with new trees in raised planters.
- There are a number of seating/shade areas but these are limited and will not block views and replace the existing, intrusive structures to the front of 'Fairholme', with very strong benefit to the landscaped setting of 'Fairholme' and its primary presentation to Evans Road. The works will return the front landscape to some semblance of the original open setting to the house.
- 9.4 With respect to these works, the consultant concludes that:
 - The proposal will have a limited and acceptable impact on the setting and significance of the item 'Fairholme' and will maintain its cultural significance. The works will have no impact on the heritage item in the vicinity and are in line with the heritage provisions of the Blacktown Local Environmental Plan 2015 and the Blacktown Development Control Plan 2015.
 - Block B to be archivally recorded in accordance with the Heritage NSW guidelines for digital capture and the record lodged with a suitable archive, as it will be demolished.

10 Synthetic turf

- 10.1 The proposed landscape design includes synthetic turf to the proposed play areas including the elevated slab over the proposed staff and visitor basement carpark.
- 10.2 This selection is to meet the high traffic use and unique heritage setting requirements of the project.
- 10.3 This product was selected by the applicant to provide an ongoing natural looking setting for the heritage building, whilst providing an accessible play area for outdoor learning, exercise, play and relaxation for the students. Natural turf in this setting is considered at risk of degrading quickly resulting a dusty / muddy slope in the front area of the school.
- 10.4 There are usually 3-4 different types of yarn used for landscape grasses to achieve real look and give colour variation. Landscape surfaces come in different colours (lighter and darker green) as well as yarn thicknesses and shapes which allows for different types of applications.

Attachment 5

Development application plans

ALTERATIONS & ADDITIONS TO ST AGNES COLLEGE ADMINISTRATION & BASEMENT CAR PARKING 21 St Agnes Ave Rooty Hill NSW 2766



Satellite Imagery



Attachment 1.2.5 Development Plans

	DRAWING SCHEDULE
DA01	COVER PAGE
DA02	SITE ANALYSIS PLAN
DA03	EXISTING SITE PLAN
DA04	DEMOLITION PLAN
DA05	BF SITE PLAN
DA06	GF SITE PLAN
DA07	BASEMENT PLAN
DA08	CARPARK
DA09	GROUND FLOOR PLAN
DA10	FIRST FLOOR PLAN
DA11	ROOF PLAN
DA12	ELEVATIONS
DA13	ELEVATIONS
DA14	SECTIONS
DA15	EXTERNAL FINISHES
DA16	SHADOW DIAGRAMS

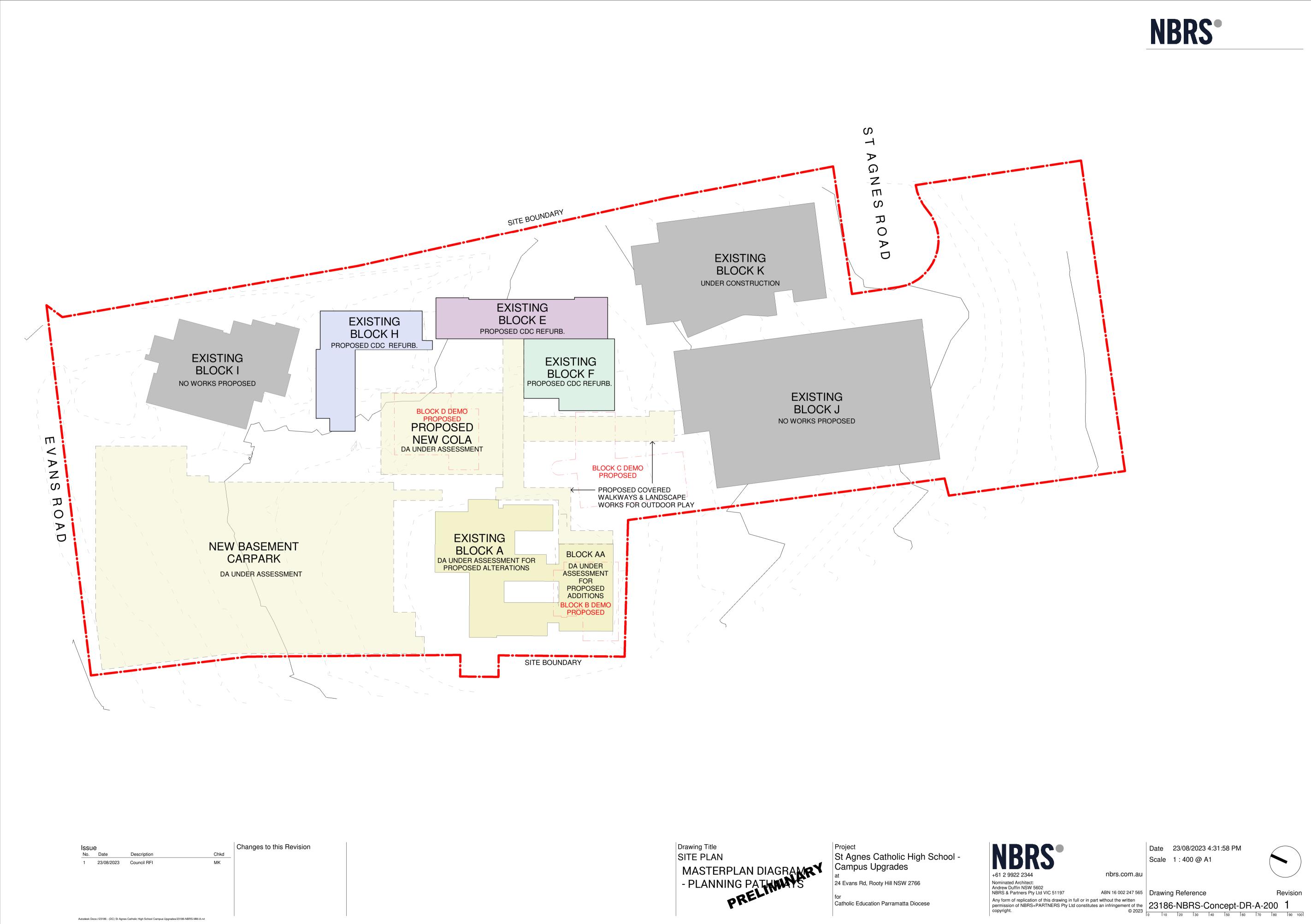
NBRS NOTE:

NBRS REFER ALSO ADDITIONAL DRAWINGS 23186-NBRS-A-SK-001-GF SITE PLAN 23186-NBRS-A-SK-001-BLOCK A - GROUND FLOOR PLAN 23186-NBRS-A-SK-002-CARPARK NORTH ELEVATION 23186-NBRS-A-SK-003-EVANS ROAD PERSPECTIVE 1 23186-NBRS-A-SK-004-EVANS ROAD PERSPECTIVE 2 23186-NBRS-A-SK-005-EVANS ROAD PERSPECTIVE 3 23186-NBRS-A-SK-007-BLOCK A GROUND FLOOR DEMOLITION PLAN

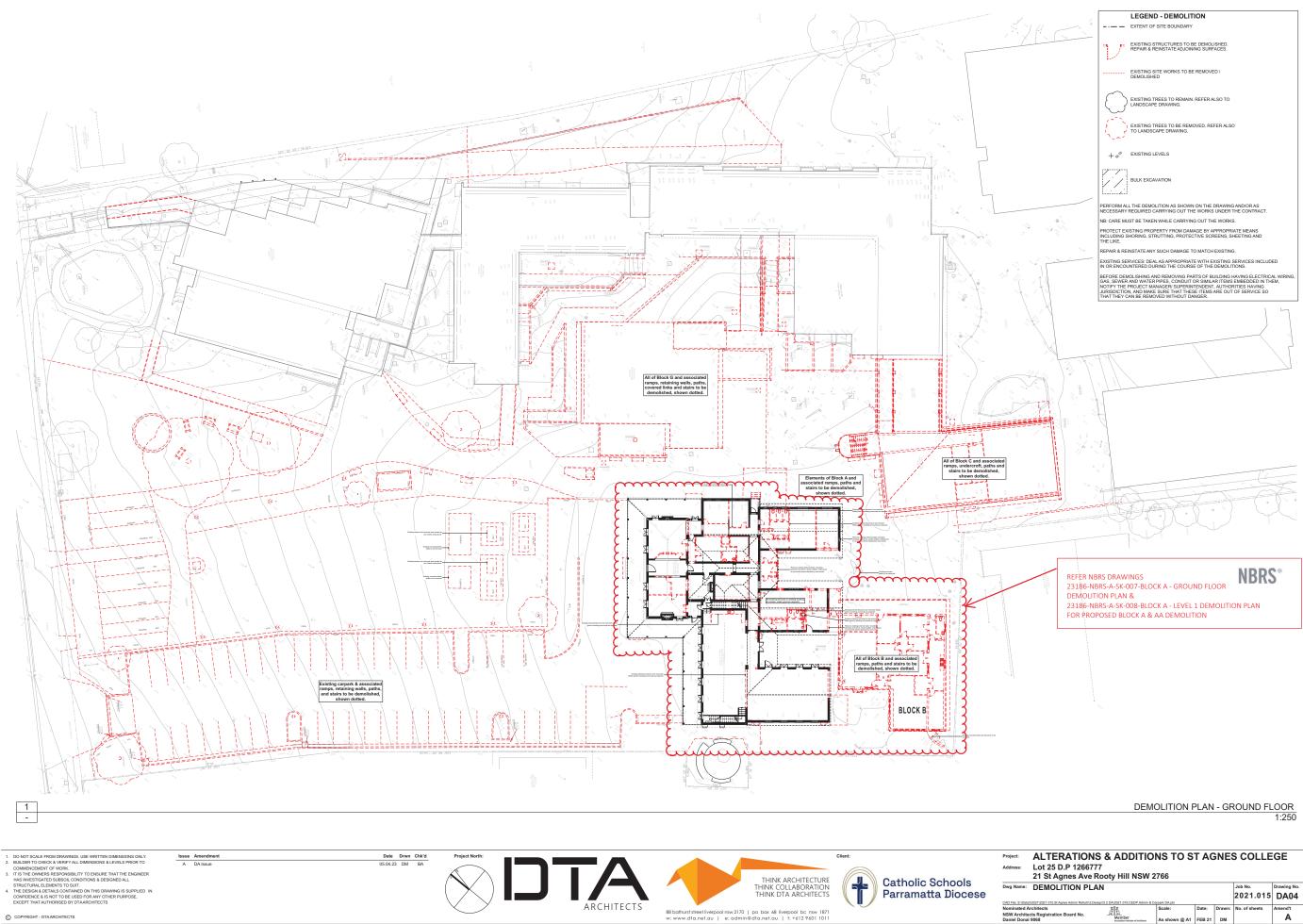
23186-NBRS-A-SK-008-BLOCK A LEVEL 1 DEMOLITION PLAN 23186-NBRS-A-SK--009- BASEEMNT BOUNDARY ALIGHMENT PLAN 23186 NBRS-A-SK--200 SITE PLAN MASTERPLAN DIAGRAM

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Attachment 1.2.5 Development Plans

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LEGEND:

EXISTING WALLS

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DEMOLITION NOTES:

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TREE REMOVAL REFER TO LANDSCAPE PACKAGE FOR THE REMOVAL OF TREES. REFER ALSO ARBORIST REPORT.

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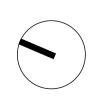
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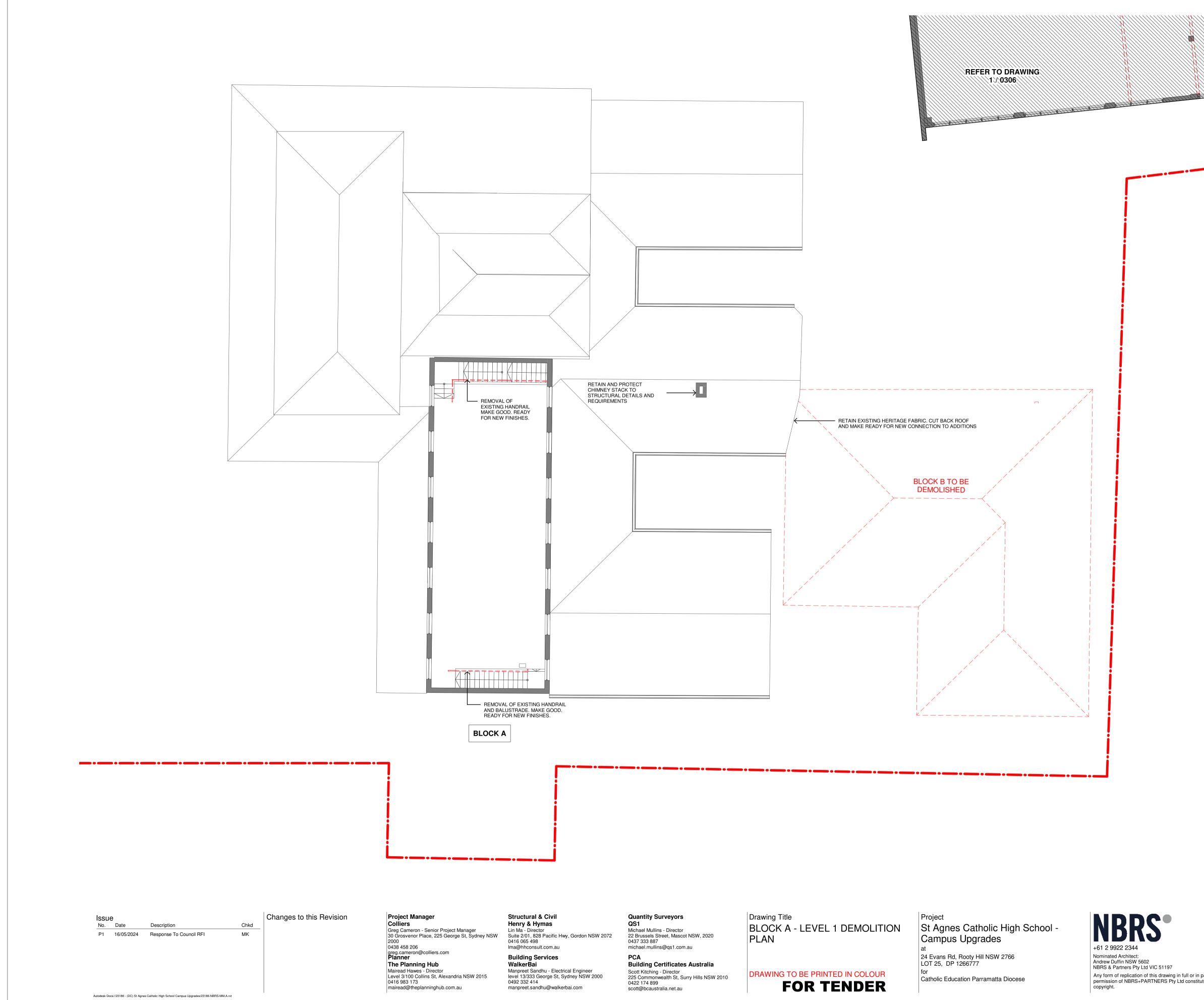
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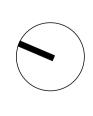
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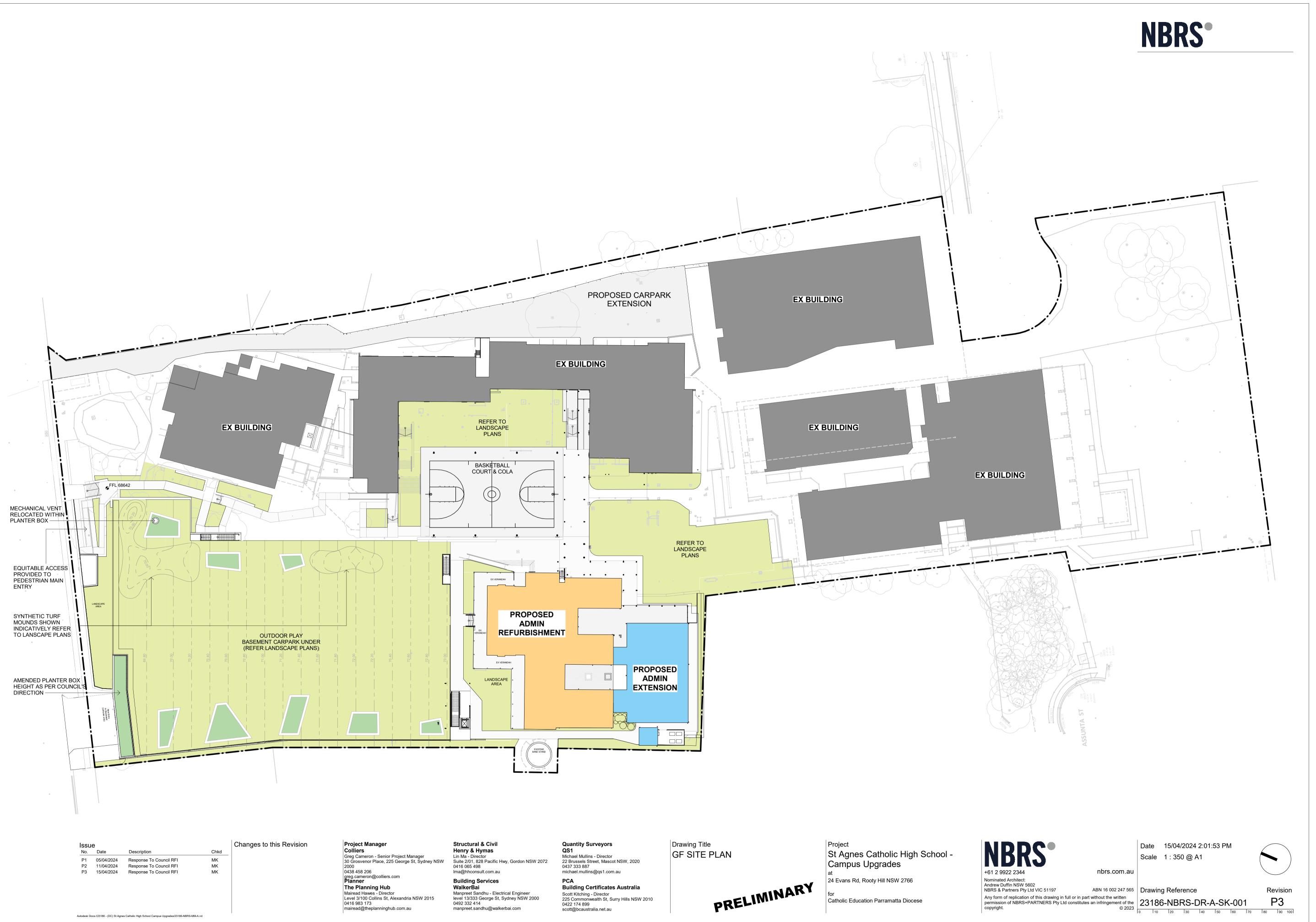
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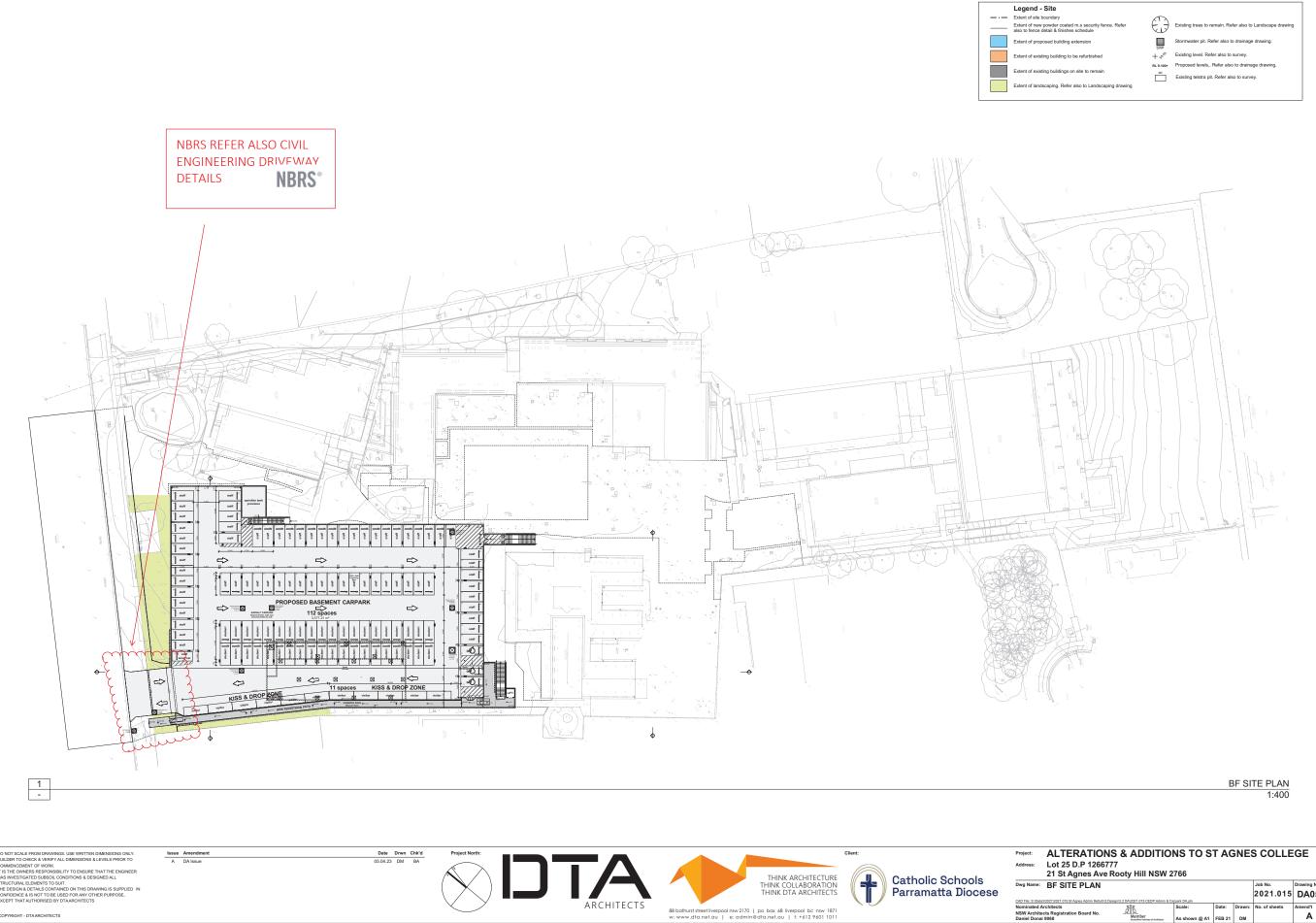
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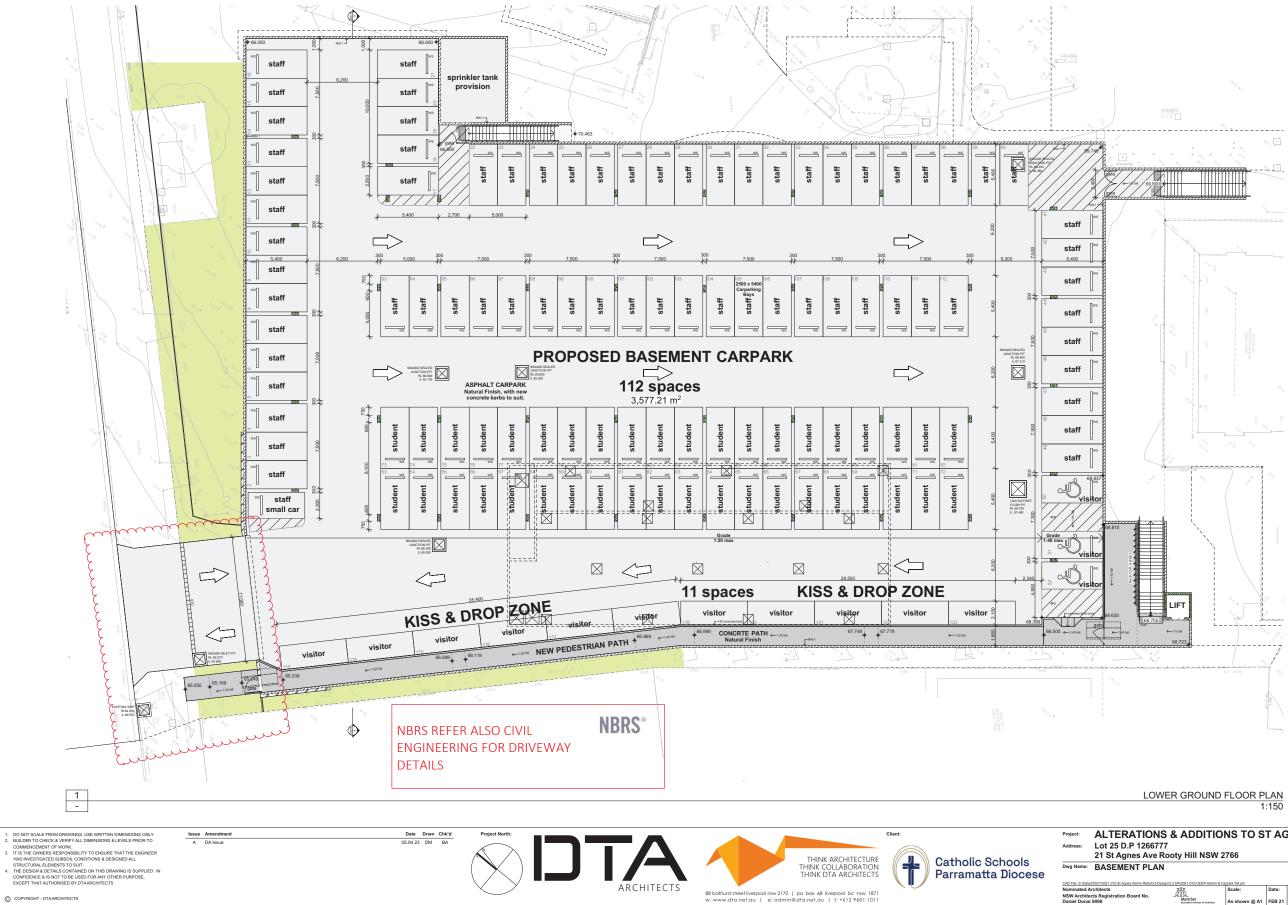
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Attachment 1.2.5 Development Plans



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Attachment 1.2.5 Development Plans

Project: ALTERATIONS & ADDITIONS TO ST AGNES COLLEGE

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Keynote Legend						
Key Value	Keynote Text					

REFER TO TRAFFIC REPORT FOR CARPARK SIGNAGE

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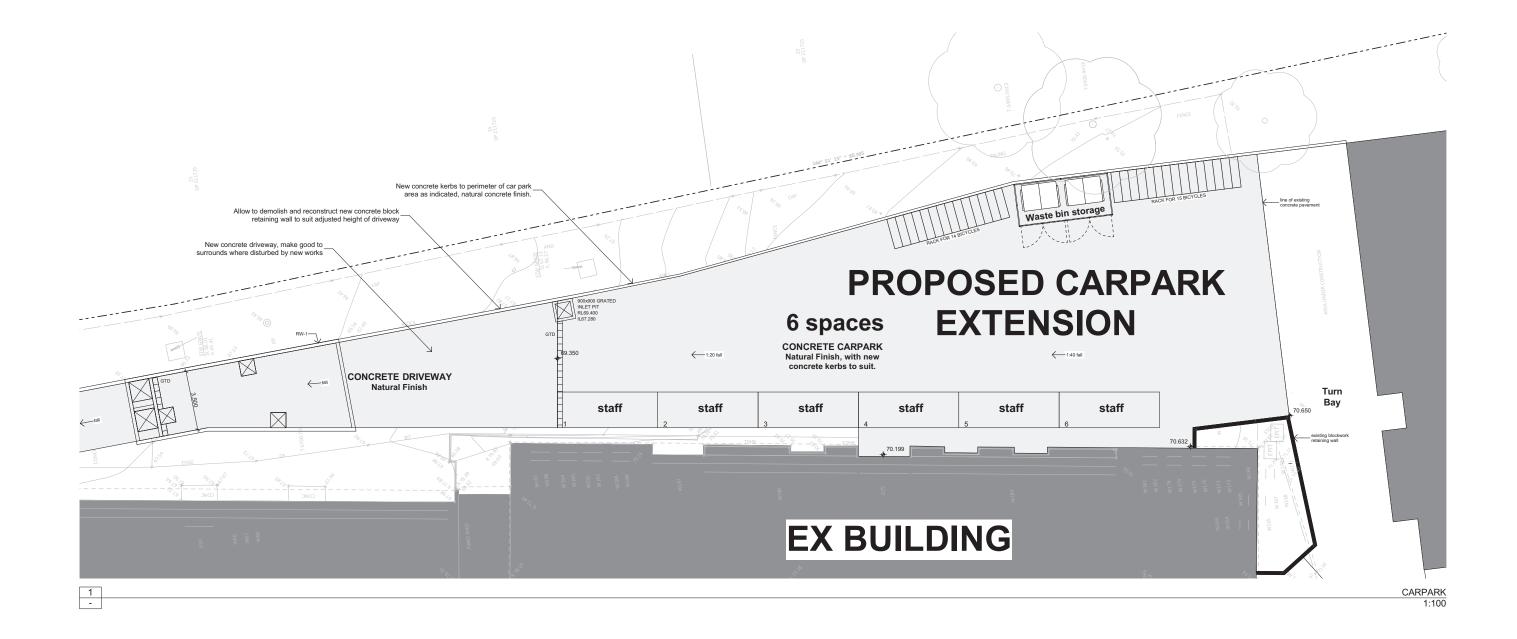
NOTE: CONTRACTOR'S PROGRAM TO ALLOW FOR 56 DAYS MINIMUM AFTER PT SLAB POUR BEFORE FILLING GROUT TUBES TO THE TOP OF THE SHORING VALLS. REFER TO STRUCTURAL ENGINEER'S DRAWINGS FOR DETAILS.

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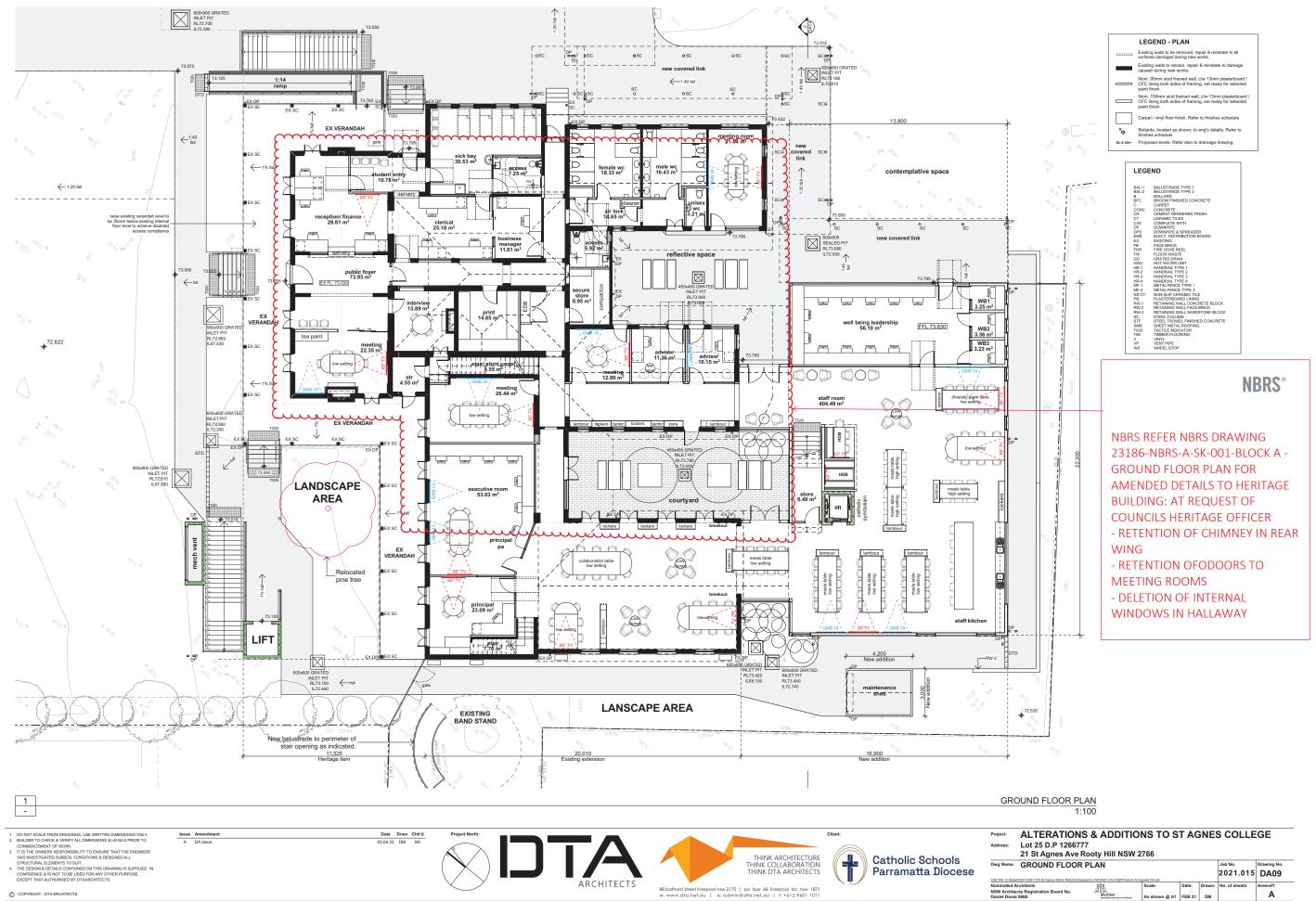
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Attachment 1.2.5 Development Plans

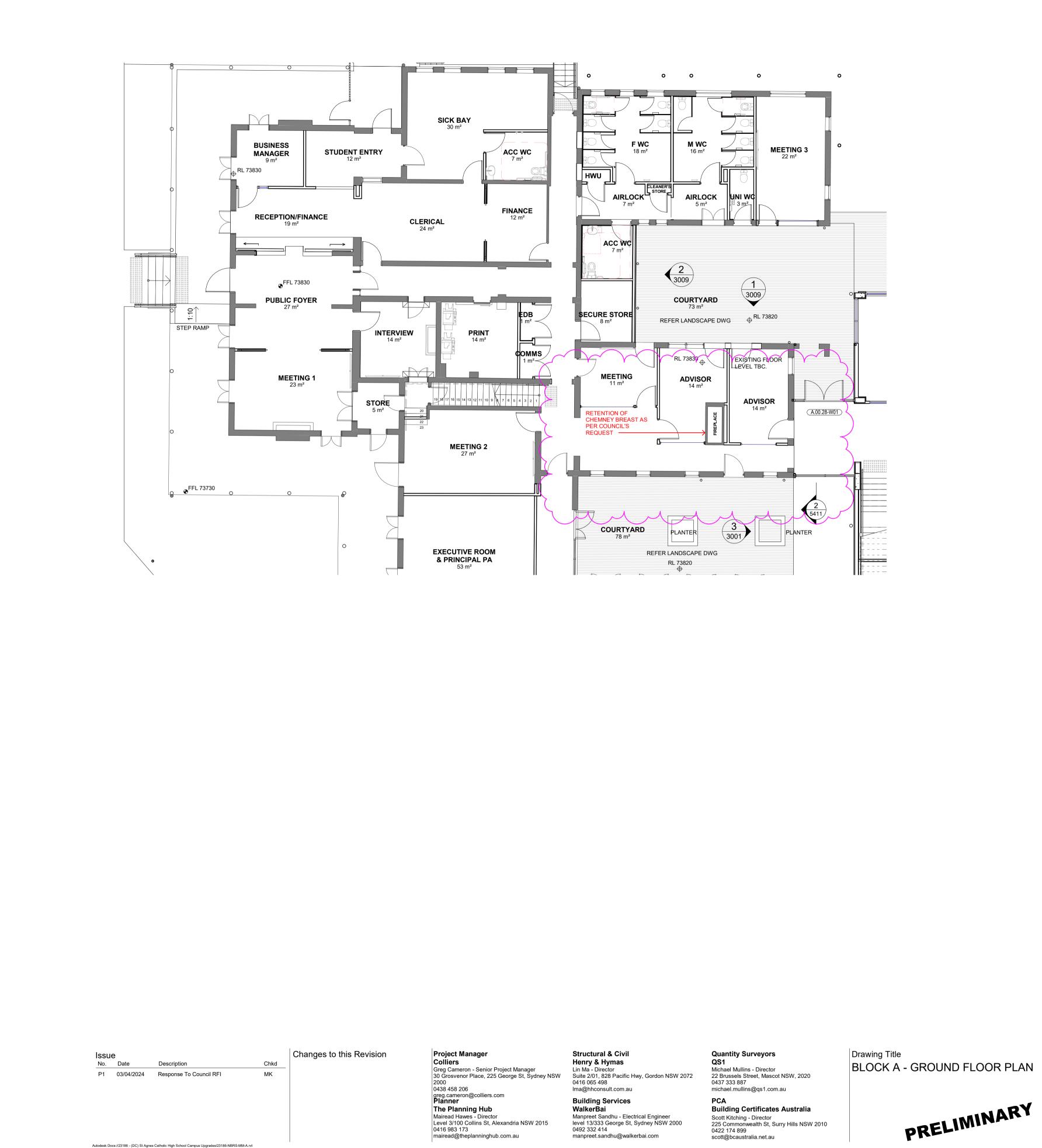
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Catholic Education Parramatta Diocese

Project

St Agnes Catholic High School -Campus Upgrades at 24 Evans Rd, Rooty Hill NSW 2766



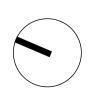




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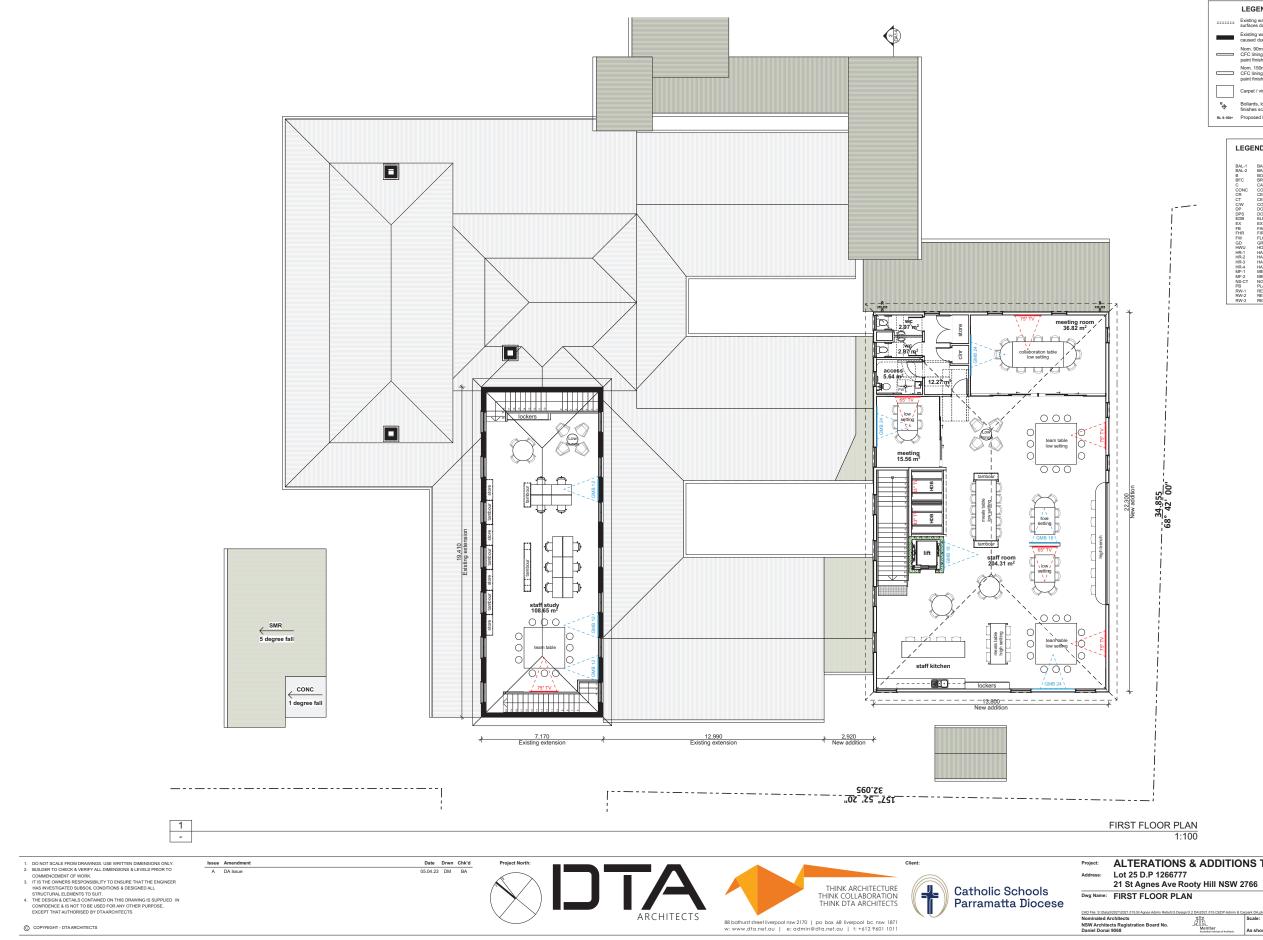
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Revision

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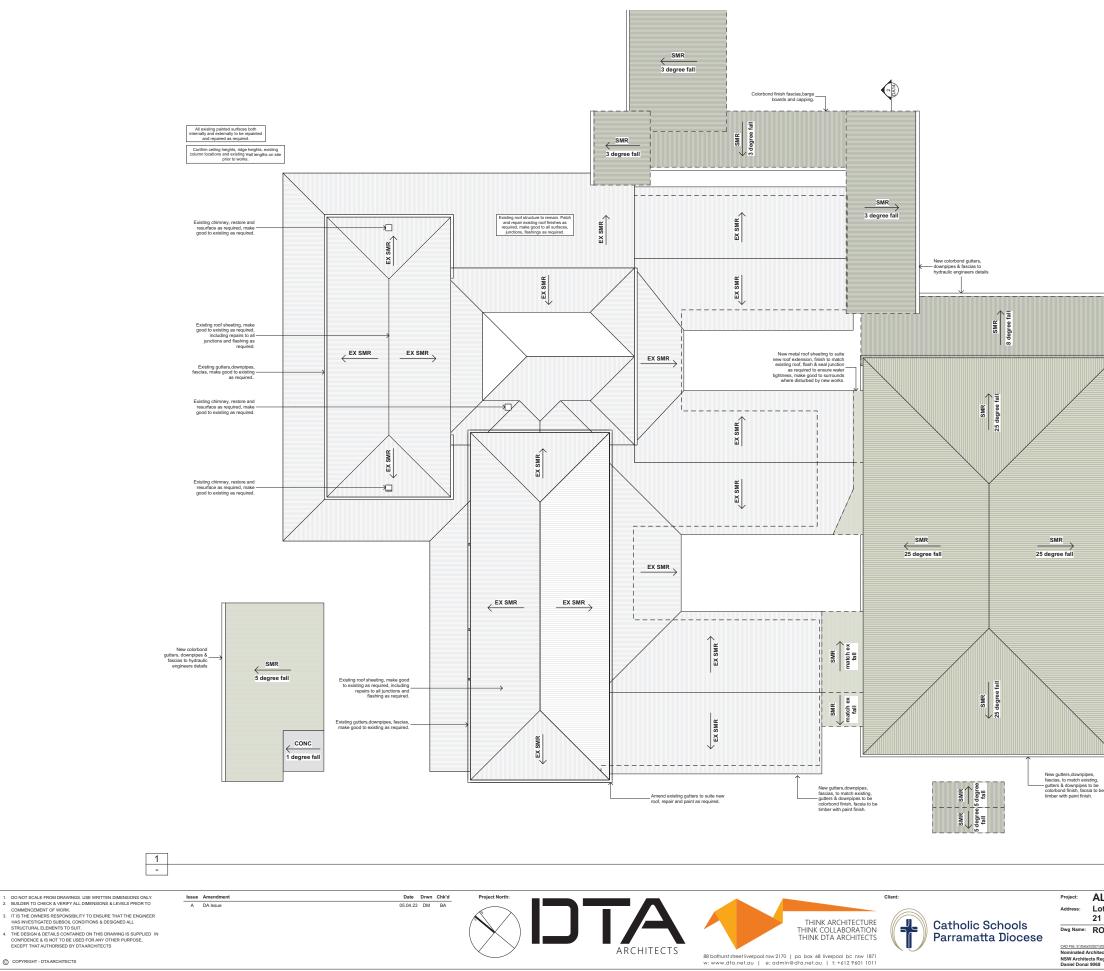
Attachment 1.2.5 Development Plans





Project: ALTERATIONS & ADDITIONS TO ST AGNES COLLEGE

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Project: ALTERATIONS & ADDITIONS TO ST AGNES COLLEGE

Address: Lot 25 D.P 1266777 21 St Agnes Ave Rooty Hill NSW 2766

ROOF PLAN

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ural & Civil & Hymas Director 01, 828 Pacific Hwy, Gordon NSW 2072 498 onsult.com.au

g Services sai t Sandhu - Electrical Engineer 333 George St, Sydney NSW 2000 414 .sandhu@walkerbai.com

Quantity Surveyors QS1 Michael Mullins - Director 22 Brussels Street, Mascot NSW, 2020 0437 333 887 michael.mullins@qs1.com.au

PCA Building Certificates Australia Scott Kitching - Director 225 Commonwealth St, Surry Hills NSW 2010 0422 174 899 scott@bcaustralia.net.au

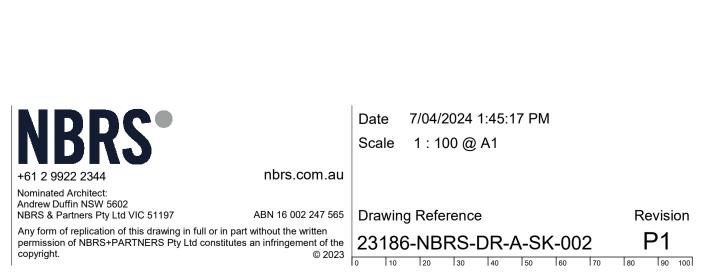


Project St Agnes Catholic High School -Campus Upgrades at PRELIMINARY 24 Evans Rd, Rooty Hill NSW 2766

for Catholic Education Parramatta Diocese









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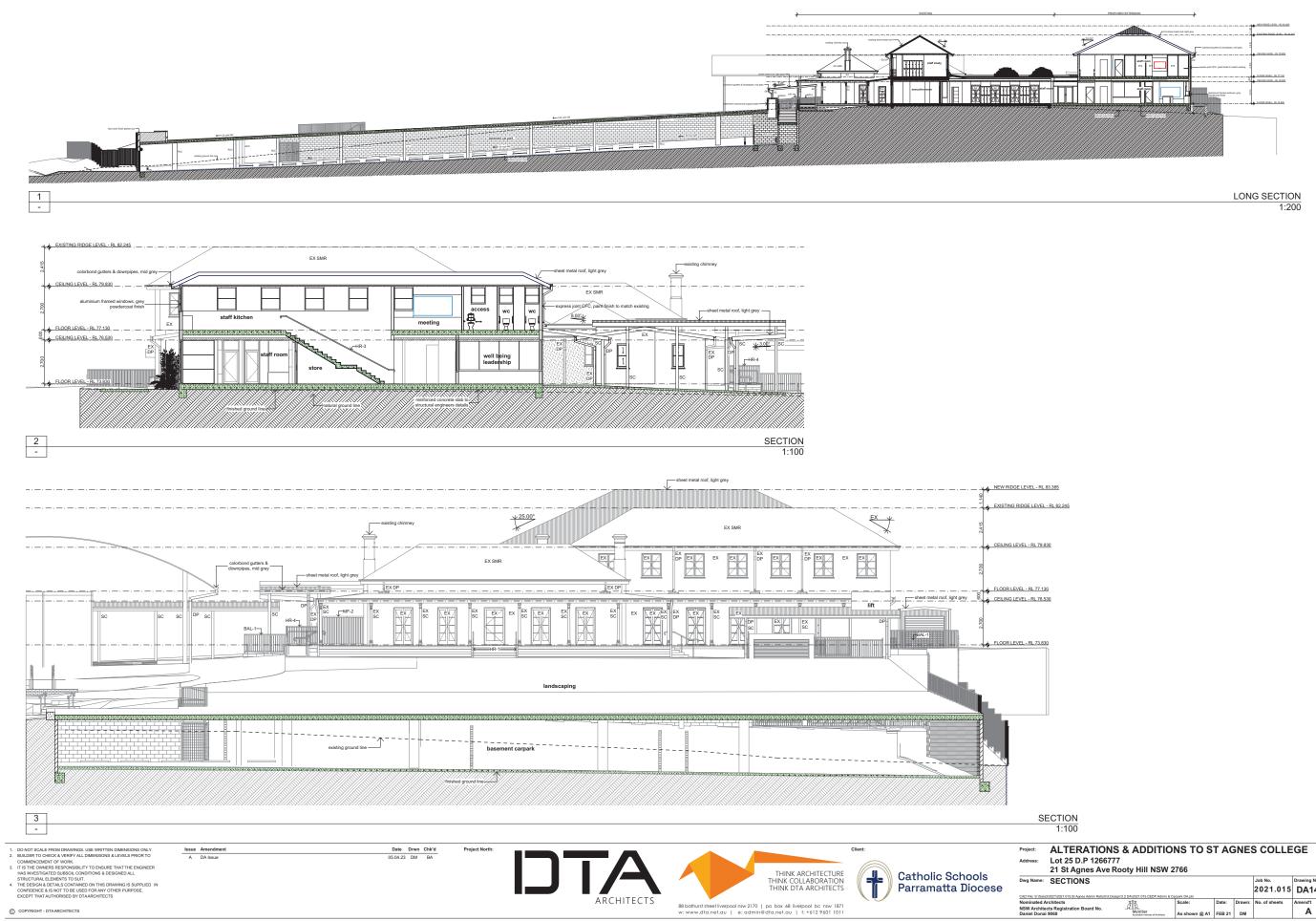




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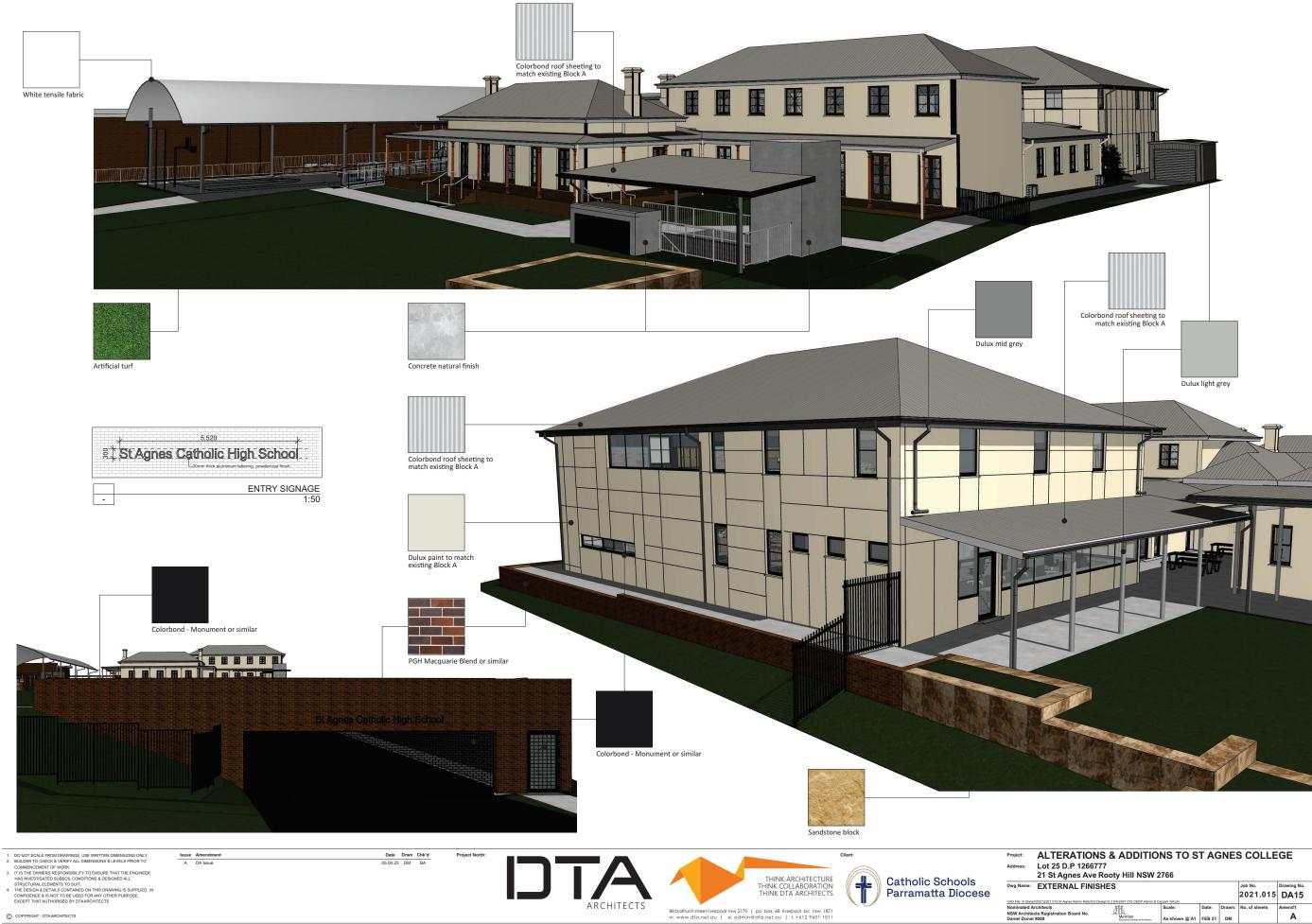
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Issue	;			Changes to this Revision	Project Manager	Sti
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P1	05/04/2024	Response To Council RFI	MK		Greg Cameron - Senior Project Manager	Lin
P2	05/04/2024	Response To Council RFI	MK		30 Grosvenor Place, 225 George St, Sydney NSW 2000	Su 04
12	00/04/2024		NII (0438 458 206	Ima
					greg.cameron@colliers.com Planner	Βι
					The Planning Hub	Wa
					Mairead Hawes - Director	Ma
					Level 3/100 Collins St, Alexandria NSW 2015	lev
					0416 983 173	04
					mairead@theplanninghub.com.au	ma
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Building Services WalkerBai Manpreet Sandhu - Electrical Engineer level 13/333 George St, Sydney NSW 2000 0492 332 414 manpreet.sandhu@walkerbai.com

Michael Mullins - Director 22 Brussels Street, Mascot NSW, 2020 0437 333 887 michael.mullins@qs1.com.au

PCA Building Certificates Australia Scott Kitching - Director 225 Commonwealth St, Surry Hills NSW 2010 0422 174 899 scott@bcaustralia.net.au

EVANS ROAD PERSPECTIVE 1

Project St Agnes Catholic High School -Campus Upgrades at

24 Evans Rd, Rooty Hill NSW 2766

fo Catholic Education Parramatta Diocese





Scale 1:1@A1 nbrs.com.au ABN 16 002 247 565 Drawing Reference Revision

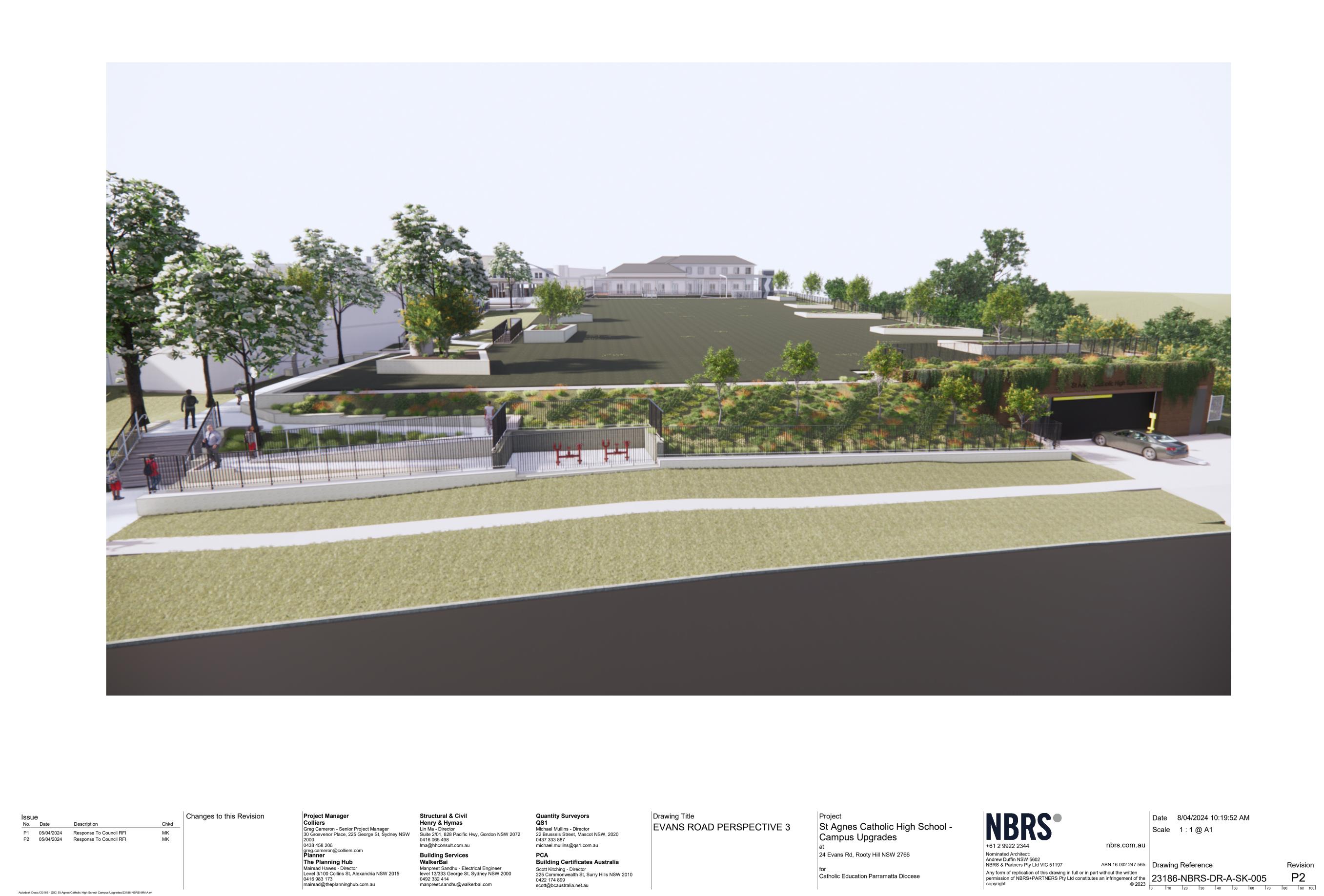
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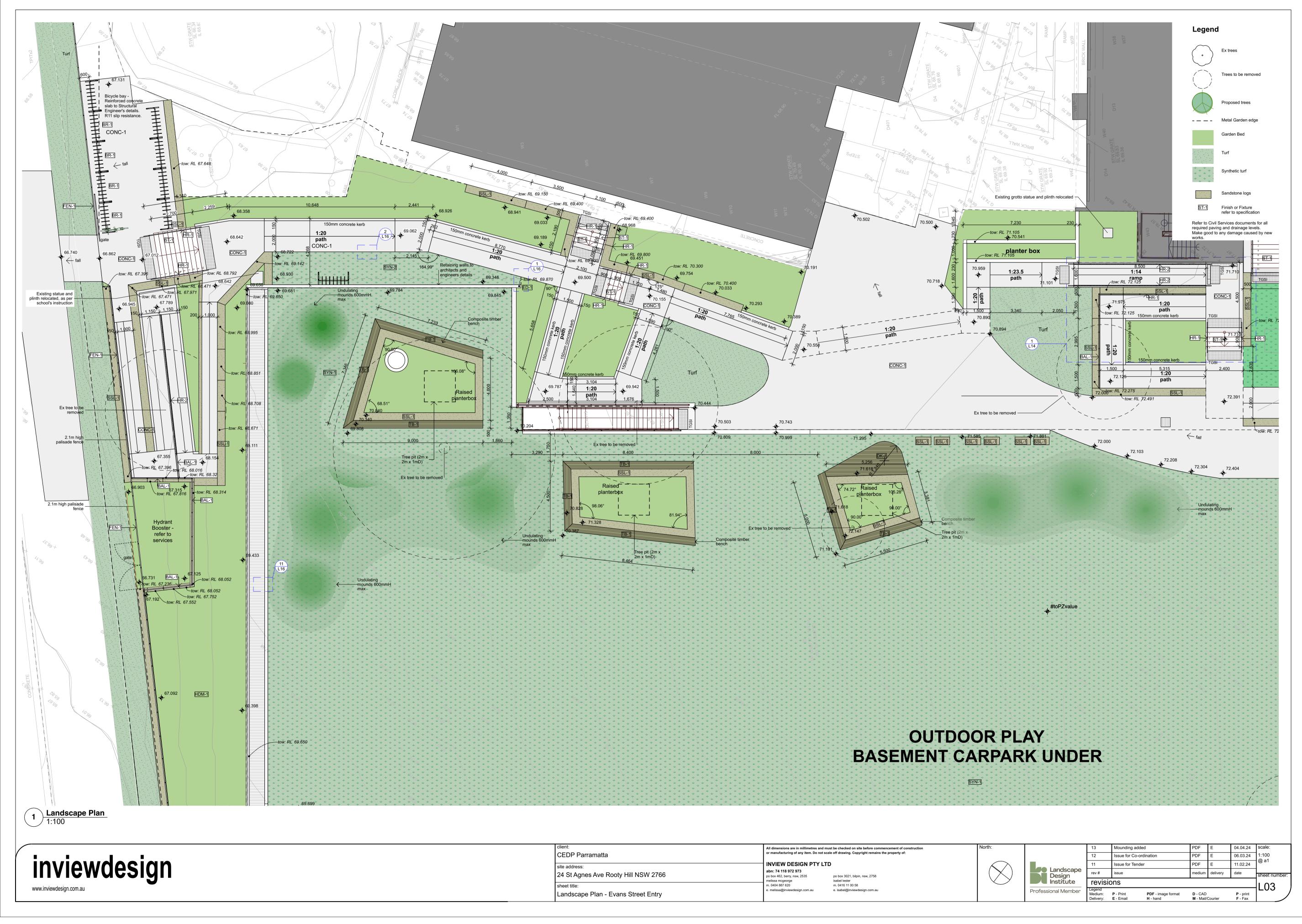




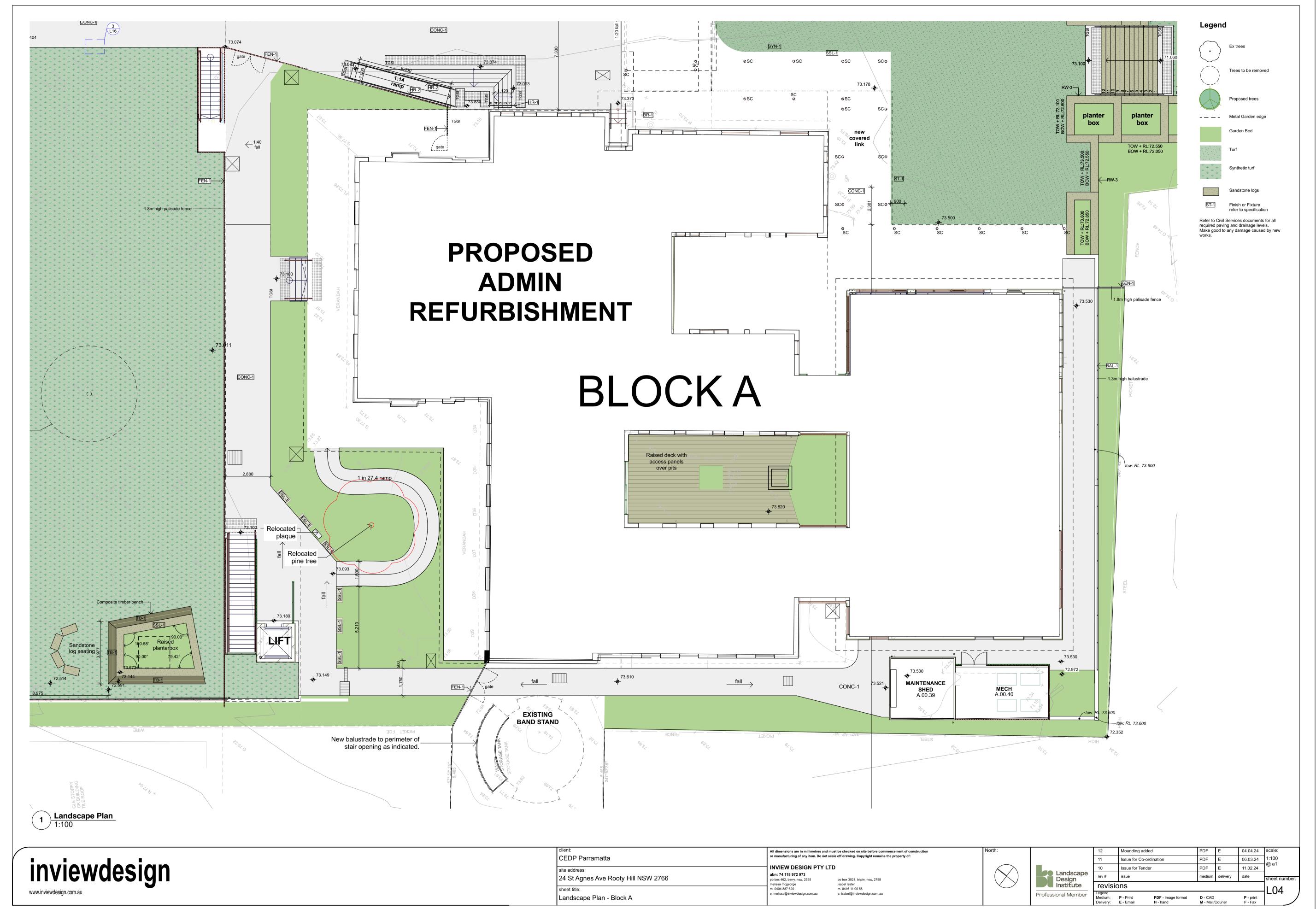
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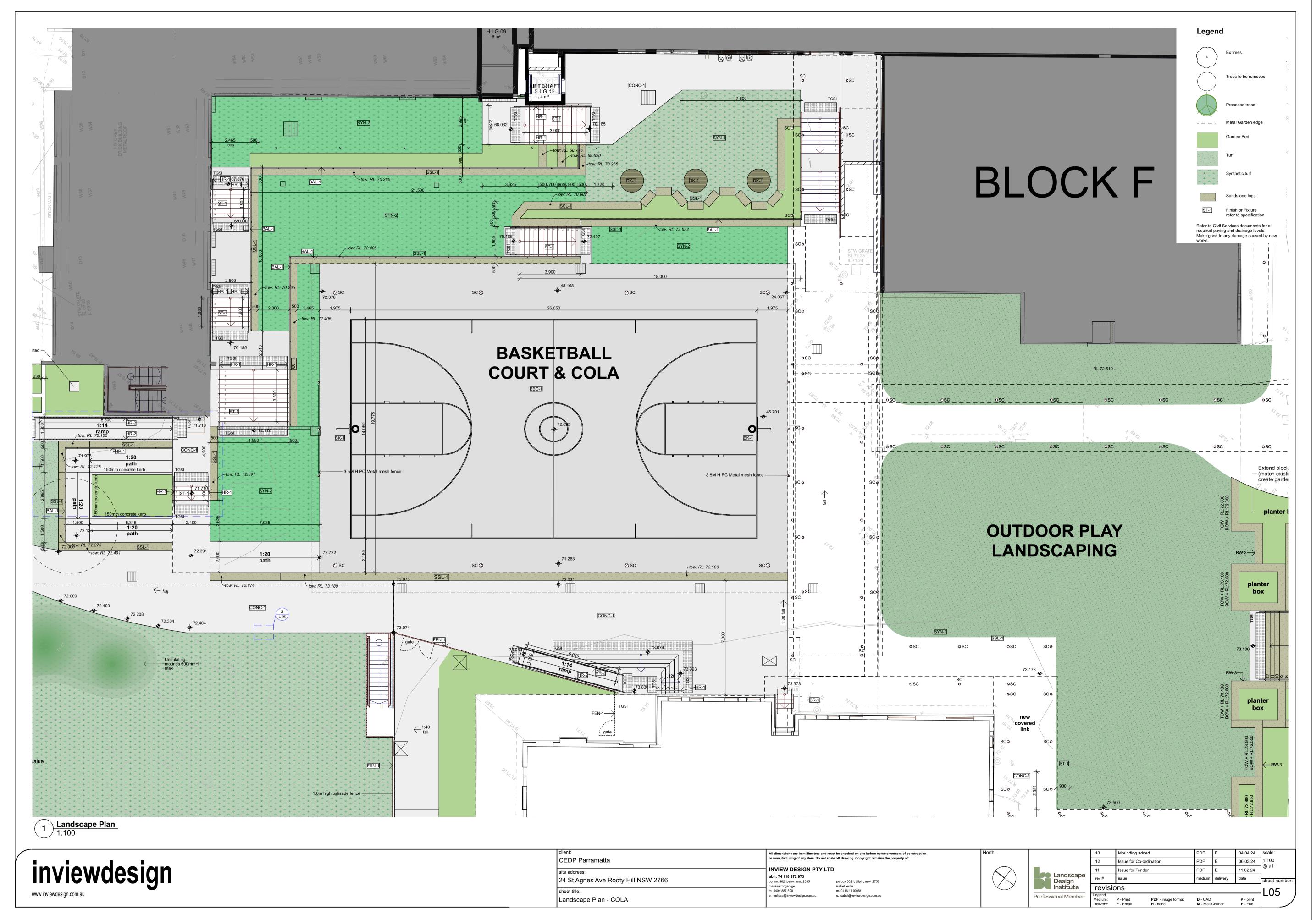
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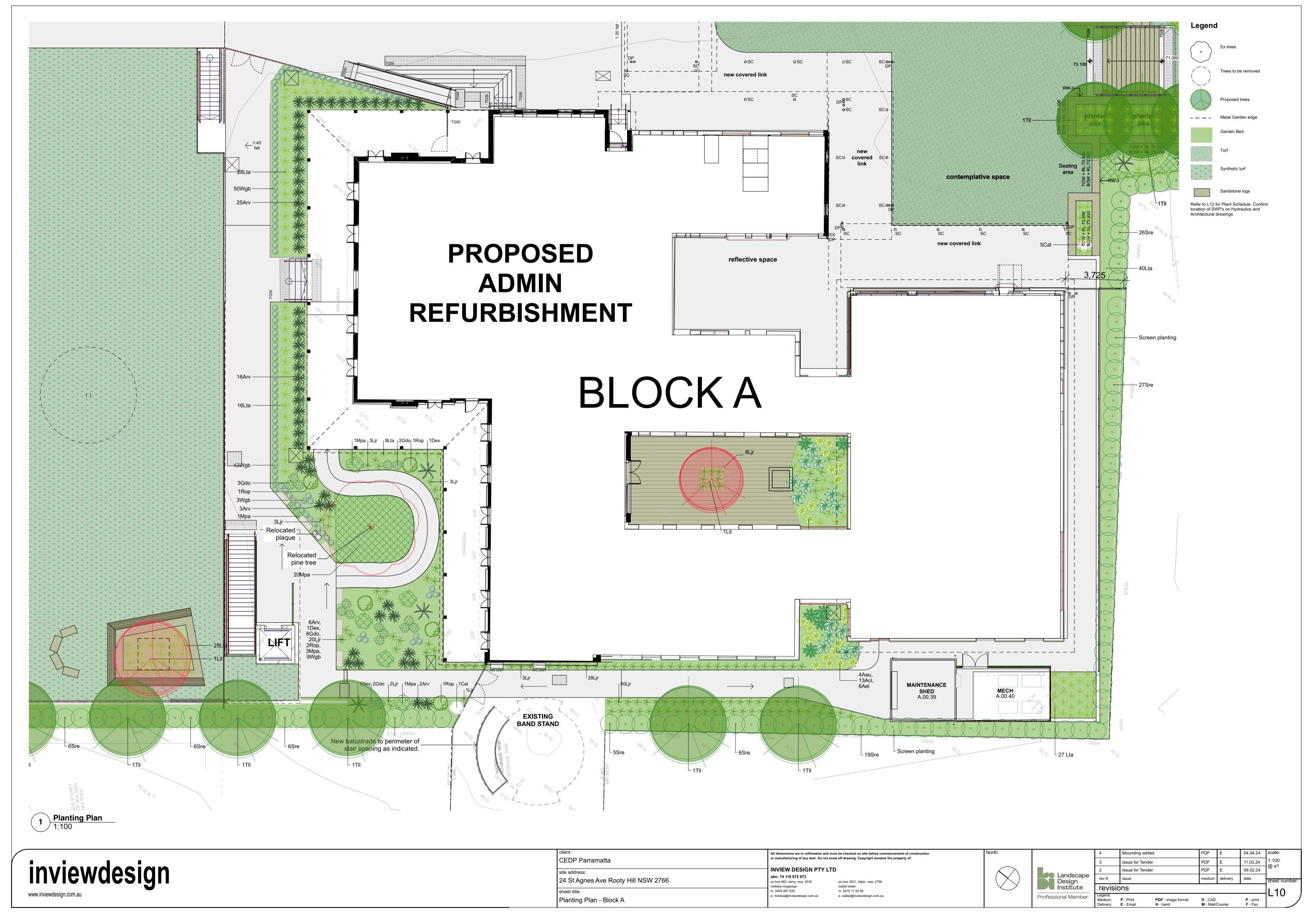
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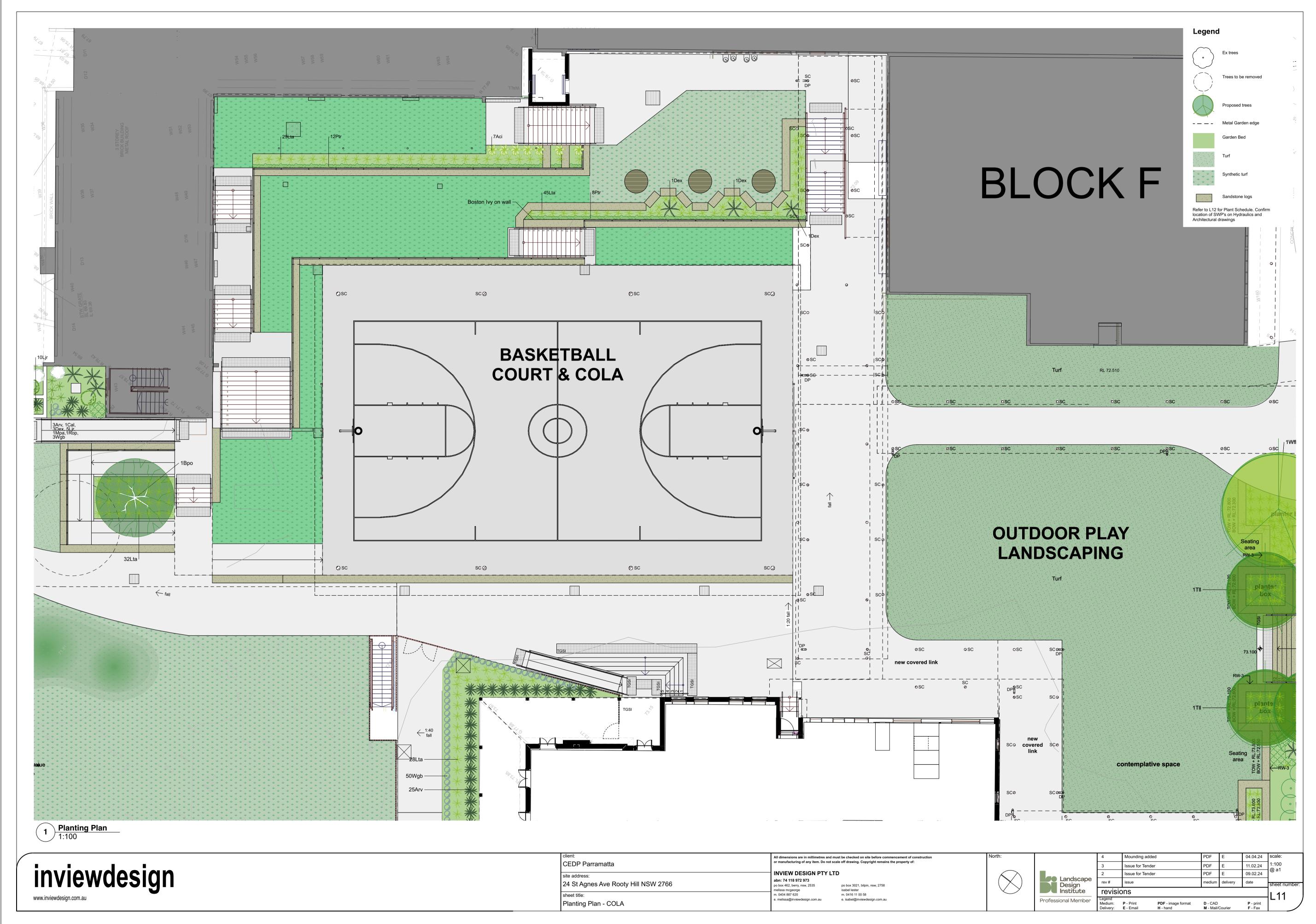
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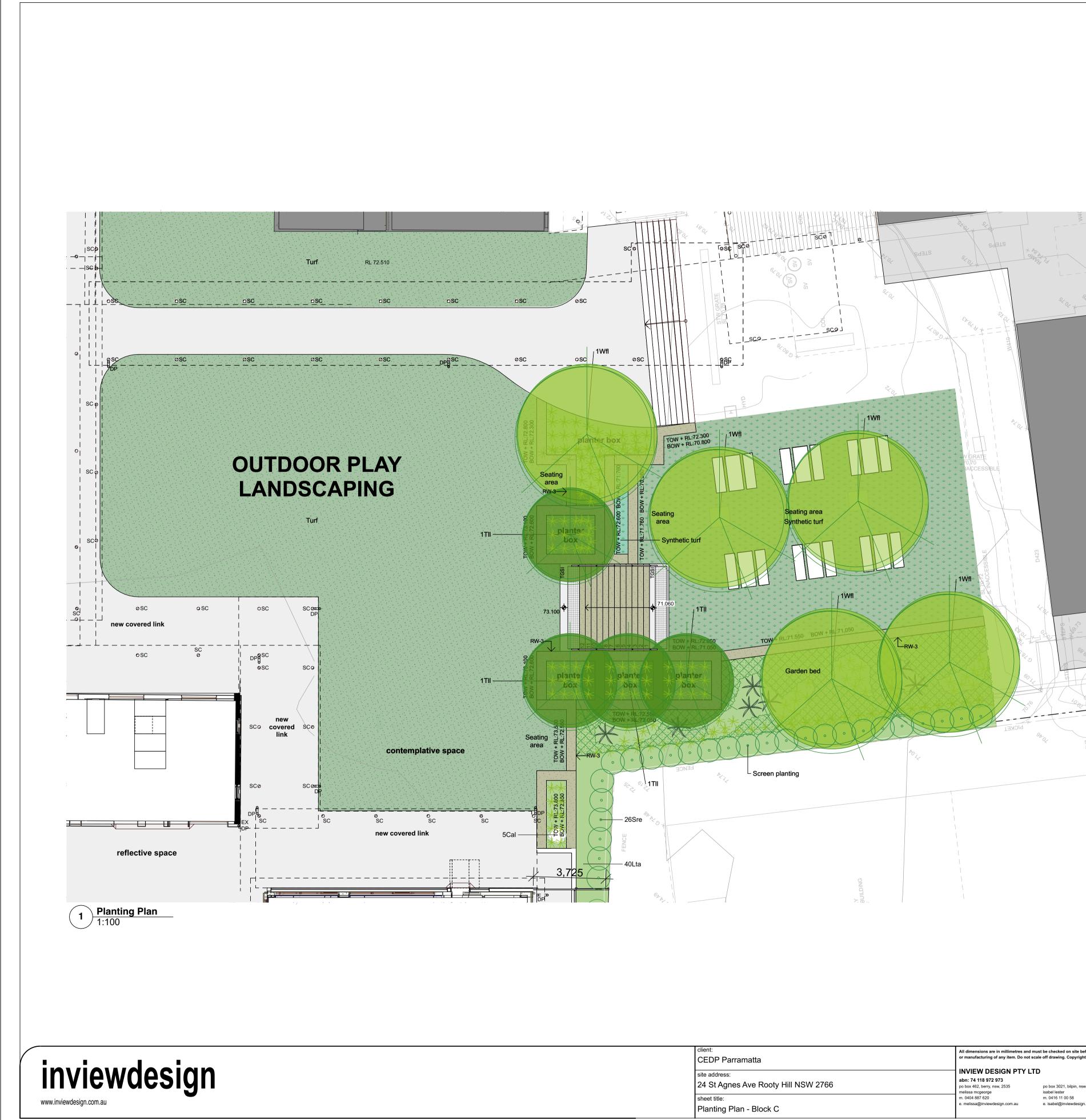
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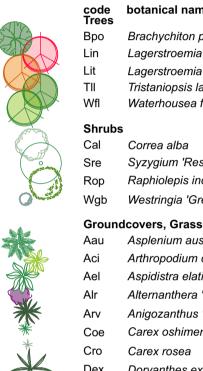
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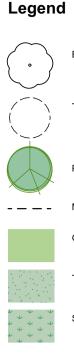
Plant Schedule



NOTE:

Plant quantities indicated on the planting plan take precedence over quantities identified in the plant schedule Arborist to be consulted annually to ensure trees in planter boxes are pruned and maintained to ensure total weight of tree remains under 1 (one) tonne, as per structural engineers requirements

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Planting Plan - Block C	e. melissa@inviewdesign.com.au	e. isabel@inviewdesign.com.au		Professional Member	Legend Medium: Delivery:	P - PrintPDF - image formatE - EmailH - hand	D - CAD M - Mail		P - print F - Fax	



Ex trees

Trees to be removed

Proposed trees

– – – – Metal Garden edge

Garden Bed

Turf

Synthetic turf

Sandstone logs

Refer to L12 for Plant Schedule. Confirm location of SWP's on Hydraulics and Architectural drawings

code Trees	botanical name	common name	mature height	pot size	stake
Вро	Brachychiton populneus	Kurrajong	15.0m	75L	yes
Lin	Lagerstroemia indica 'Natchez'	Crepe Myrtle	8.0m	75L	yes
Lit	Lagerstroemia indica 'Tuscarora'	Crepe Myrtle	6.0m	75L	yes
TII	Tristaniopsis laurina 'Luscious'	Water Gum	10.0m	75L	yes
Wfl	Waterhousea floribunda 'Green Avenue'	Weeping Lilly Pilly	15.0m	75L	yes
Shrubs	3				
Cal	Correa alba	White Correa	1.5m	200mm	no
Sre	Syzygium 'Resilience'	Lilly Pilly	3.5m	200mm	no
Rop	Raphiolepis indica 'Oriental Pearl'	Indian Hawthorne	1.0m	200mm	no
Wgb	Westringia 'Grey Box'	Coastal Rosemary	0.4m	200mm	no
Groun	dcovers, Grasses and Feature Plants				
Aau	Asplenium australasicum	Birds Nest Fern	1.0m	200mm	no
Aci	Arthropodium cirratum	NZ Rock Lily	0.75m	200mm	no
Ael	Aspidistra elatior	Cast Iron Plant	0.8m	200mm	no
Alr	Alternanthera 'Little Ruby'	Little Ruby	0.5m	200mm	no
Arv	Anigozanthus 'Ruby Velvet'	Kangaroo Paw	1.0m	200mm	no
Coe	Carex oshimensis 'Everillo'	Carex	0.4m	140mm	no
Cro	Carex rosea	Carex	0.3m	140mm	no
Dex	Doryanthes excelsa	Gymea Lilly	1.2m	200mm	no
Gdo	Gazania 'Double Gold'	Gazania	0.2m	140mm	no
Ljr	Liriope 'Just Right'	Just Right Liriope	0.5m	140mm	no
Lta	Lomandra longifolia 'Tanika'	Dwarf Mat Rush	0.6m	140mm	no
Мра	Myoporum parvifolium 'Yarena'	Creeping Boobiala	0.1m	140mm	no
Ptr	Parthenocissus tricuspidata	Boston Ivy	10m	140mm	no
Pla	Poa labillardieri 'Kingsdale'	Blue Tussock Grass	0.4m	140mm	no

Attachment 6

Assessment against planning controls: section 4.15, summary assessment and variations to standards

1 Environmental Planning and Assessment Act 1979

1.1 Section 4.15 'Heads of Consideration'

Heads of Consideration	Comment	Complies
 a. The provisions of: i. Any environmental planning instrument 	 State Environmental Planning Policy (Planning Systems) 2021 Schedule 6 Section 5 (b) Private infrastructure and community facilities over \$5 million Capital investment value is of over \$5 million, being \$12,257,625 for private educational establishment. Council is responsible for the assessment, but determination of the application is to be made by the Sydney Central City Planning Panel. 	Yes
 b. The provisions of: i. Any environmental planning instrument 	 State Environmental Planning Policy (Resilience and Hazards) 2021 4.6 Contamination and remediation to be considered in determining a development application. The site can be made suitable after completion of demolition works. 	Yes, subject to conditions
	 State Environmental Planning Policy (Transport and Infrastructure) 2021 Chapter 3 Educational establishments and child care facilities 3.8 Consultation with councils—development with impacts on council-related infrastructure or services 3.9 Consultation with councils—development with impacts on local heritage 3.36 Schools—development permitted with consent 3.58 Traffic-generating development Part 3.7 General development controls Schedule 8 Design quality principles in schools 	Yes
	 Blacktown Local Environmental Plan 2015 The site is zoned SP2 Infrastructure - Educational Establishment and Place of Public Worship under this LEP. Part 4 Principal development standards: There are no height, FSR, minimum lot size or density controls for this land. 5.10 Heritage Conservation 	Yes, subject to conditions
ii. Any proposed instrument that is or has been the subject of public consultation under this Act	N/A	N/A

Heads of Consideration	Comment	Complies
iii. Any development control plan	Blacktown Development Control Plan 2015 Part A Introduction and General Guidelines 6.3 Specific land use requirements - Parking	Yes
iv. any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4	No related planning agreement	N/A
v. the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	Environmental Planning and Assessment Regulation 2021 Part 4 Division 1 Clause 61 Demolition of a building: The consent authority must consider the Australian Standard AS 2601-2001 - The Demolition of Structures.	Yes
c. The likely impacts of the development, including environmental impacts on both the natural and built environments, and	It is considered the likely impacts of the development include traffic, parking, heritage and noise matters pertaining to the Local Traffic Committee require separate approval and an assessment against the 7 Principles of 'Design quality in schools'. These issues have been considered and all related impacts are satisfactorily addressed, subject to conditions.	Yes, subject to conditions
social and economic impacts on the locality	In view of the above it is considered that the proposed development will not have any unreasonable social, economic or environmental impacts, provided the traffic management measures are implemented and the basement carpark is open and accessible to parents, teachers and students between 7.30 am and 3.30 pm on school days.	
d. The suitability of the site for the development	The subject site is zoned SP2 Infrastructure – Education Establishment and Place of Public Worship under Blacktown Local Environmental Plan 2015. The SP2 zone permits educational establishments with consent. As an existing school on a specially zoned site, the proposed additions and alterations are suitable for this site. The local heritage item 'Fairholme' will also be restored as part of this proposal. It is consistent with the relevant state environmental planning policies and Blacktown Development Control Plan 2015. The proposal for additions and alterations to an existing and operational educational establishment should not have an	Yes

Heads of Consideration	Comment	Complies
	provided all the conditions of consent are met, including traffic management measures.	
e. Any submissions made in accordance with this Act, or the regulations	The application was notified to property owners and residents in the locality for a period of 14 days, in line with Council's community participation plan. We received 7 submissions. The issues raised in the submissions do not warrant refusal of the application, however, conditions have been recommended to address key concerns.	Yes
f. The public interest	The proposed development is in public interest. It provides for the restoration of the heritage item, the increase in on-site parking, better traffic control measures for the expansion of an existing school. The changes to the school should not adversely affect the amenity of the neighbourhood, provided that the conditions imposed are adhered to.	Yes, subject to conditions

2 State Environmental Planning Policy (Planning Systems) 2021

Summary comment	Complies
The Sydney Central City Planning Panel is the consent authority for all regionally significant development with a capital investment value of over \$30 million or private infrastructure and community facilities of over \$5 million.	Yes
As this development application is for private infrastructure and involves a development with a capital investment value of over \$12 million, Council is responsible for the assessment of the development application and determination of the application is to be made by the Panel.	

3 State Environmental Planning Policy (Resilience and Hazards) 2021

Summary comment	Complies
The State Environmental Planning Policy aims to 'provide a State-wide planning approach to the remediation of contaminated land'. Clause 4.6 requires a consent authority to consider whether the land is contaminated and if it is suitable or can be remediated to be made suitable for the proposed development, prior to the granting of development consent.	Yes, conditions recommended.
The development proposal is for further additions and alterations to the existing school. Our Environmental Health Unit has reviewed the proposal and has recommended appropriate conditions for remediation and validation post demolition. Conditions, including a protocol for any unexpected finds, have been included in the consent.	
Therefore, the site can be made suitable for the proposed works in line with the requirements of Clause 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021, following completion of demolition works.	

4 State Environmental Planning Policy (Transport and Infrastructure) 2021

Summary comment	Complies
State Environmental Planning Policy (SEPP) Chapter 3 Educational establishments and child care facilities applies to the site. Chapter 3 includes provisions for educational establishments and requirements to notify Transport for NSW (Roads & Maritime) for certain developments.	Yes
Schedule 3 Clause 3.58 - traffic generating development of the SEPP requires development for the purpose of an educational establishment with 50 or more additional students to be referred to Transport for NSW. The proposed works include increasing the school population from 720 to 1,360 students. Accordingly, a referral was sent to Transport for NSW, which raised no objection to the expansion of the school, recommending conditions to be included in any consent.	
Before determining an application for this development, Clause 3.36 (6) of the SEPP requires the consent authority to take into consideration the 7 design quality principles for schools set out in Schedule 8. These are considered below.	

4.1 Design quality principles

Principle	Control	Comment
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4.1.1 Design quality principles

The proposed development is consistent with the 7 design quality principles, as set out below.

1 Context built form and landscape	Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate. Landscaping should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites. School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to	There is an existing local heritage item on site (Block A – 'Fairholme'). The new basement carpark has been designed such that the access to it is located at the far west of the site, to preserve and enhance the visual vistas to the heritage building. All of the area above the carpark will be landscaped, including 8 planter boxes for mature trees, artificial turfed play space for aesthetics and relatively easier maintenance. Our Heritage Planners recommend all artificial turf to be replaced by natural grass and planter boxes be removed, such that the proposed development satisfactorily responds to the existing built and natural environment on the site.
	recognise and protect the special	environment on the site.

Pr	inciple	Control	Comment
		visual qualities and natural environment of the area and located and designed to minimise the development's visual impact on those qualities and that natural environment.	Conditions of consent are recommended.
2	Sustainable, efficient and durable	Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling. Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.	The proposed 2-storey extension behind Building A has been designed to maximise natural light penetration and cross flow ventilation with a long expanse of façade facing north. The ground floor of the extension building will likely be overshadowed by Building A. Therefore, windows have been proposed on all 4 elevations of the extension building to maximise natural light penetration. Openable windows for all rooms facilitate suitable ventilation. The school will also have air conditioning. The finish of the extension building is consistent with the existing buildings on site.
3	Accessible and inclusive	School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities. Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.	Accessible paths of travel are provided from the site's street boundary of Evans Road to school facilities. The site incorporates appropriate wayfinding signage to assist visitors and first-time users identifying key buildings, vehicular entry, pedestrian entry and outdoor spaces.
4	Health and Safety	Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.	The proposal provides delineation through a combination of landscaping, fencing and signage to the 'public' areas of the site when the school is operating.
5	Amenity	Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of	The school provides a variety of internal and external learning places that are suitable for formal and informal educational opportunities for students.

Principle	Control	Comment
	adjacent development and the local neighbourhood. Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants. Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.	The new extension building incorporates meeting rooms, collaboration areas, staff room, dining and kitchen for the staff. The new basement carpark to the west and the extension to the carpark to the east will provide 129 car parking spaces and 52 bicycle stands. Noise mitigation measures have been recommended as conditions of consent. The school provides a variety of internal and external learning places that are suitable for formal and informal educational opportunities for students. The extension building and entry to the basement carpark have been located to minimise visual impact on surrounding properties, and will provide an acceptable, landscaped outlook from both within the site and for views into the site.
6 Whole of life, flexible and adaptive	School design should consider future needs and take a whole-of-lifecycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.	The school has a range of room sizes to cater for small group learning and includes adaptable elements.
7 Aesthetics	School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood. The built form should respond to the existing or desired future context, particularly positive elements from the site and surrounding	The existing at-grade carpark will be replaced by basement carpark, covered by expansive landscaped outdoor play areas presenting to the street. The proposal is envisaged to improve the aesthetics and enhance the streetscape. The 'Fairholme' local heritage item will also be restored and conserved as part of the proposal, which is in the public interest.

Principle	Control	Comment
	neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.	

5 Blacktown Local Strategic Planning Statement 2020

Summary comment	Complies
The Blacktown Local Strategic Planning Statement outlines a planning vision for the City over the next 20 years to 2041. The Blacktown Local Strategic Planning Statement contains 18 Local Planning Priorities based on themes of Infrastructure and collaboration, Liveability, Productivity, Sustainability and Implementation. The Development Application is consistent with the following priorities:	Yes
 LPP1: Planning for a city supported by infrastructure LPP3: Providing services and social infrastructure to meet peoples changing needs LPP10: Growing targeted industry sectors 	

6 Central City District Plan 2018

Summary comment	Complies
While the Act does not require consideration of District Plans in the assessment of development applications, the Development Application is consistent with the following overarching planning priorities of the Central City District Plan:	Yes
Infrastructure	
Planning for a city supported by infrastructure	
Infrastructure aligns with forecast growth	
Infrastructure adapts to meet future needs	
Infrastructure use is optimised	
Liveability	
Providing services and social infrastructure to meet people's changing needs	

7 Blacktown Local Environmental Plan 2015

Summary comment	Complies
Blacktown Local Environmental Plan 2015 applies to the site. The following table outlines the proposal's compliance with the relevant sections of the LEP:	Yes

Control	Proposal	Complies
 Part 5 Miscellaneous provisions 5.10 Heritage Conservation Objectives - The objectives of this clause are as follows: to conserve the environmental heritage of Blacktown, to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, to conserve Aboriginal objects and Aboriginal places of heritage significance. 	The proposed development includes the following works on local heritage item no.198 'Fairholme' on part of Lot 2 in DP 579138 listed in Schedule 5 Part 1 of the LEP: (a) demolishing or altering the exterior of the heritage item, making changes to its detail.	Conditions recommended by our Heritage Planners for plan amendments.

8 Blacktown Development Control Plan 2015

Summary comment		Complies
Clause 3.36(9) State Environmental Planning Policy (Transport and Infrastructure) 2021 specifically excludes the application of Development Control Plans in the assessment of an application for a school made under the SEPP. However, the relevant provisions of the Blacktown Development Control Plan 2015 that would otherwise apply, have been considered and the proposal found to be compliant, subject to conditions.		Yes
Control	Complies	

Part A Introduction and General Guidelines

 4.4.2 Development in the vicinity of a heritage item (a) Development applications on land adjacent to and/or adjoining a heritage item must be accompanied by a Heritage 	Revised Heritage Impact Statement dated April 2024 prepared by John Oultram Heritage and Design was provided by the applicant, addressing some of the issues previously raised. The revisions include:	Yes
 Impact Statement that addresses: 1 the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item, 2 the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works, and 3 any modifications that are needed to reduce the impact of the proposed development on the heritage significance of the heritage item. (b) the design and siting of new works must complement the form, orientation, scale and style of the heritage item 	 retention of the chimneybreast to the south wing, retention of the arched opening and roof to the southeast corner of the south wing, reduction in the width of the link to the new administration block, reduction in the height of the carpark entry, mounding to the west of the open green space to the front of 'Fairholme', and confirmation of the ramp access at the main student entry. For the remaining items relating carpark height, location of mechanical equipment, 	Conditions recommended by

Control	Proposal	Complies
c) development must maintain significant or historic public domain views to and from the heritage item	provision of artificial turf and planter boxes, plan amendments have been conditioned. The Pre-lodgement meeting held between Council Officers and the Applicant in December 2022 initially presented the proposal to construct an under-ground/ basement carpark with a discrete entry from Evans Road. The principle was generally agreed, as it overcame some of the surface parking issues, but needed to achieve a visually low-key outcome from Evans Road and importantly a natural landscaped setting and frontage to 'Fairholme'. The Pre-DA and DA documents indicated naturally re- established ground level contours and grassy lawns up to the house. Our Heritage Planners note that: <i>"the vehicle entry from Evans Road is an unnecessarily bulky structure largely because the mechanical plant is concealed behind the parapet wall. The design is a smooth concrete carpark roof sloping from the house ('Fairholme') down towards Evans Road with visually obtrusive, raised concrete or brick planters incapable of sufficient deep soil for visually appropriate trees and the concrete roof slab is carpeted with artificial grass."</i>	our Heritage Planners for plan amendments. These have beer included at 'prior to construction certificate' stage in the consent.
(f) materials and colours of the facade of new developments must be complementary to an adjoining and/or adjacent heritage item,	The roof material and façade finish of the new extension Building AA is proposed to match with those of the existing heritage Building A.	Yes
(g) development must have effective screen planting on side and rear boundaries adjoining a heritage item, with planting to achieve a minimum mature height of 10m,	The applicant has provided a Planting Plan Block A (Sheet no. L10 Revision 4 dated 4 April 2024 prepared by Inviewdesign Pty Ltd.) The plan indicates provision of trees and screen planting along the side and rear site boundaries adjoining the heritage building and its extension.	Yes
(h) front and side fences are to be no higher than the fence on an adjoining heritage item. Front fences should be open and transparent, such as timber picket or metal palisade. Side fences should be timber. No metal panel fencing	No fencing is proposed as part of this application.	Not applicable

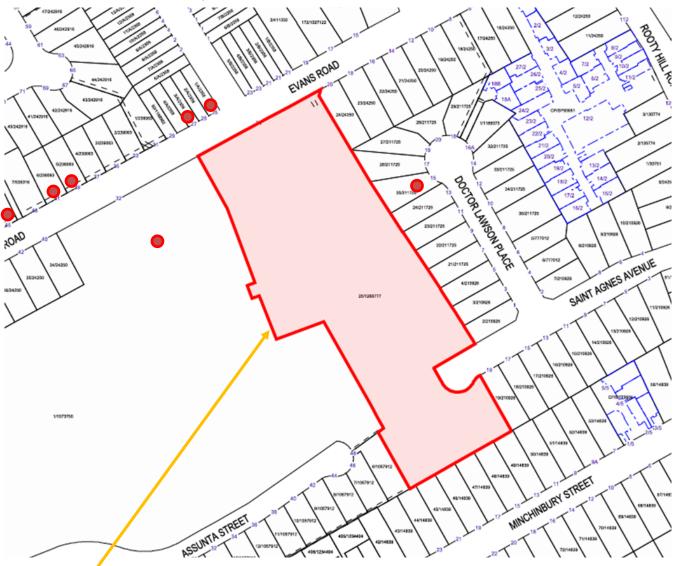
Control	Proposal	Complies
is to be constructed on the boundary of any heritage item.		
6.3 Specific land use requirements		
Car parking is to be provided for specific types of development in accordance with the standards shown in Table 6.1. Parking is to be provided off-street and is to be readily identifiable and accessible from public roads. Educational establishment • For primary and secondary schools 1 space per staff member, Plus 1 space per 100 students, Plus 1 space for delivery vehicles, drop-off area and buses as appropriate	The proposed development will result in an increase in students to 1360 students (including 200 Year 12 students) and 75 staff members. The proposed school population therefore requires 14+40+75=129 parking spaces in accordance with the DCP. The proposed works consist of the construction of a basement carpark (123 parking spaces) and the extension of the north-eastern carpark (6 spaces) and provides a total of 129 car parking spaces and is therefore compliant with the DCP.	Yes
 For senior high schools only In addition to the above, 1 space per 5 students in Year 12 	Separate space is also available for delivery and waste vehicles.	

Attachment 7

Summary of residents' concerns and Council response

1 Location of submitters

- 15 Doctor Lawson Place Rooty Hill
- 25 Evans Road Rooty Hill
- 27 Evans Road Rooty Hill
- 32 Evans Road Rooty Hill
- 39 Evans Road Rooty Hill
- 41 Evans Road Rooty Hill
- 45 Evans Road Rooty Hill



Subject land

Figure 1: Location of individual submitters shown as o with respect to the site, mapped on extract from Blacktown City Council GIS

2 Consideration of issues raised

lss	ue	Planning comment/response
1	Increased vehicular and pedestrian traffic congestion	The applicant submitted a Parking and Traffic Impact Assessment dated April 2023 and a Green Travel Plan prepared by Stanbury Traffic Planning with the development application.
		The consultants conclude that the surrounding road network is capable of accommodating the additional traffic projected to be generated by the proposal in a safe and efficient manner. The proposed site access, implementation of the proposed off-street internal set-down / pick-up arrangement, parking and servicing arrangements associated with the upgrading of the existing off-street parking areas are anticipated to:
		 provide safe and efficient internal circulation arrangements for school users
		 significantly reduce existing on-street kerb-side parking demand thereby noticeably improving parking capacity within Evans Road and Albert Parade
		 improve surrounding residential amenity and reducing potential through-traffic impedance.
		Proposed on-site car parking spaces and manoeuvring areas will be provided in a new basement carpark and north-eastern carpark extension to accommodate access to and from these spaces by staff, students and visitors. They allow forward vehicle entry/exit of the site at Evans Road, and are in line with Council's current development control plan and AS/NZ 2890.1 and AS 2890.5 requirements.
		The application was referred to Council's Co-ordinator Traffic Management. They support the application on traffic and parking grounds, given it satisfies Council's requirements with respect to traffic, road safety, manoeuvrability, sight distance requirements and parking provision.
		The following conditions are recommended for effective traffic management, referred for consideration by the Local Traffic Committee:
		 remove the existing chicane structure (blister island) and sign located on Evans Road, near the north-east corner of the site frontage, all associated costs to be borne by the school
		 line mark parallel parking spaces along Albert Parade and Evans Road within the vicinity of 200m from the school's boundaries
		 mandatory Traffic Marshalls to manage the pedestrian crossing near the school boundary on Evans Road and entry to the basement carpark for the duration of the school zone hours in the mornings and afternoons
		• entry and exit to and from the proposed basement carpark shall be left in and left out only.
		An operational condition is also included in the consent which will require the vehicular entry to the basement carpark to be open and accessible to parents, teachers and students between 7.30 am and 3.30 pm on school days.
2	Alleged non-cooperation of the school with the	We raised the concerns received during the public notification with the applicant. The applicant responded to each issue and expressed

Issue	Planning comment/response
residents regarding traffic and parking issues	 willingness to accept conditions, where necessary, to facilitate better management of school related traffic. In the 3 months prior to the opening of the new parking spaces, there will be multiple operational communications with the parents and community on the proper occupation of the school. The ongoing traffic management, as well as suggested practice for school drop offs, pickups and out of hours visits, as well as deliveries, and school teachers' parking protocols have already been included as part of the school's Traffic Management Plan. A number of additional measures have been recommended to be included as operational conditions of consent to this effect. These
	measures are discussed in detail below.
3 Increase in the number of cars parked in the surrounding streets	Blacktown Development Control Plan 2015 requires 1 space per staff member, plus 1 space per 100 students, plus 1 space for delivery vehicles, drop-off area and buses as appropriate, plus 1 space per 5 students in Year 12 for senior high school.
	The proposed development will result in an increase in the number of students from 720 to 1,360 (including 200 year 12 students) and staff members from 44 to 75. The proposed school population therefore requires 14+40+75 = 129 parking spaces under the Blacktown Development Control Plan.
	The proposed works consist of the construction of a basement carpark (123 parking spaces including 11 kiss and drop spots) and the extension of the north-eastern carpark (6 spaces) and provides a total of 129 car parking spaces. This proposal will provide 74 parking spaces in addition to the existing 55 parking spaces available on site.
	The vehicular crossover is proposed to be 11 m wide, which will be sufficient to allow both for the entry and exit of vehicles to and from the basement carpark concurrently. The off-street car parking proposal satisfies Council's requirements and is considered acceptable.
	Whilst on-street parking cannot be assigned to any particular existing or proposed development, we have recommended line marking of parallel parking spaces along Albert Parade and Evans Road within the vicinity of 200m from the school's boundaries, for Local Traffic Committee's consideration.
	A condition has been recommended in the consent which will require the vehicular entry to the basement carpark to be open and accessible to parents, teachers and students between 7.30 am and 3.30 pm on school days. It is anticipated that this new basement parking arrangement will significantly reduce parking issues experienced in the surrounding streets.
4 Non-notification to certain properties on Evans Road, public was not consulted at	The development application was placed on public notification for 14 days between 15 and 29 June 2023 in line with the relevant provisions of the Environmental Planning and Assessment Act 1979.
any step of this project	Written notice of the development application was sent to properties in the vicinity who appear to Council to own or occupy adjoining land and neighbouring land if, in Council's opinion, the enjoyment of that land may be detrimentally affected or impacted by the development proposal.
	A total of 45 properties on Evans Road, Doctor Lawson Place, Minchinbury Street, Assunta Street and Albert Parade were notified in

Issue	Planning comment/response
	line with Council's notification protocol (<i>Community Engagement</i> <i>Strategy and Community Participation Plan 2022-2024</i>). This included all properties from 15 - 35 Evans Road, being 200 m long opposite the school frontage.
	Any submissions received from outside the notification area have also been considered in the assessment of the development application.
5 Implementation and efficiency of traffic	A number of conditions are recommended in the consent for effective traffic management. These include, but are not limited to the following:
management plan	• Remove the existing chicane structure (blister island) and sign located on Evans Road, near the north-east corner of the site frontage. This will assist in allowing 4 buses (instead of 3) to be parked in the bus zone along the school's frontage at any time, facilitating improved traffic flow.
	• Line-mark parallel parking spaces along Albert Parade and Evans Road, within 200m of the school's boundaries. This will assist in a more regulated parking arrangement in nearby streets that normally absorb most of the pressure of school related traffic.
	• Mandatory Traffic Marshalls to manage the pedestrian crossing near the school boundary on Evans Road and entry to the basement carpark for the duration of the school zone hours in the mornings and afternoons. This will assist in a balanced and better managed vehicular and pedestrian traffic movement.
	• Entry and exit to and from the proposed basement carpark shall be left in and left out only. This will minimise the conflict points for vehicular and pedestrian traffic over double line road markings.
	These matters will be determined by the Blacktown Local Traffic Committee at its next available meeting. In the meantime, these measures will be included as a 'prior to the release of construction certificate' condition in the consent.
	A condition has also been recommended in the consent which will require the vehicular entry to the basement carpark to be open and accessible to parents, teachers and students between 7.30 am and 3.30 pm on school days.
	In addition to all of the above, and updated Green Travel Plan and Traffic Management Plan will be implemented as an operational condition of consent.
6 Management of vegetation on school's property overgrowing into the neighbouring yards over th boundary fencing	
7 Mismanagement of pick up and drop off by cars encroaching private property	One of the primary expected outcomes of the proposed development works is to relocate existing, largely uncontrolled student set-down / pick-up activity demand from Evans Road to the school site in a controlled manner.
	The proposal requires all set-down / pick-up activity to occur within the dedicated on-site area in the basement where a substantial queueing area will be provided.

lss	ue	Planning comment/response
		The proposed relocation of student set-down / pick-up activity will ensure that this activity can occur without impeding external public road traffic flow.
		The proposal should considerably improve existing conditions on Evans Road and other nearby public roads.
8	Car parking and traffic management not in proportion to the significant increase in the student and staff numbers	The off-street car parking provision for 129 vehicles satisfies Council's Development Control Plan requirements and is considered acceptable.
		The proposed basement parking area provides capacity for queueing on approach to the formalised student set-down / pick-up area within the site during school hours, therefore minimising the potential for this queueing to occur on the public road.
		Implementation of the Traffic Management Plan Ref 19-049-2 dated August 2023 prepared by Stanbury Traffic Planning will require all vehicles to enter the site before allowing students to enter or exit vehicles.
9	Whether pedestrian or vehicular access is proposed via St Agnes	No regular pedestrian or vehicular access is proposed via St Agnes Avenue. The existing driveway and gate connecting the site to St Agnes Avenue is to be used for emergency vehicles access only.
	Avenue	All student drop-off / pick-up activity is to occur within the proposed on- site basement parking area accessed via Evans Road, and not on St Agnes Avenue. This is detailed in the updated Traffic Management Plan (TMP) Ref 19-049-2 dated August 2023 prepared by Stanbury Traffic Planning. Implementation of this TMP has been included as a condition of consent.
10	Increase in school capacity leading to increased uncontrolled use of the existing pedestrian crossing and therefore resulting in longer traffic queues	As a condition of consent we have recommended that Traffic Marshalls manage the pedestrian crossing near the school boundary on Evans Road for the duration of the school zone hours in the mornings and afternoons. They will also manage the entry to the basement carpark to direct parents to the drop off and pick up spaces in the basement. This will ensure improved management of vehicular and pedestrian traffic movement during peak hours.
11	Buses - significant factor in blocking traffic in Evans Road	The applicant submitted a Parking and Traffic Impact Assessment dated April 2023 prepared by Stanbury Traffic Planning with the development application. The assessment undertook detailed analysis of existing and post development bus occupation and 'Bus Zone' capacity, concluding that the existing 'Bus Zone' capacity is satisfactory. However, the proposed amendments to the eastern site access driveway will also necessitate the removal of the existing blister and central median islands on Evans Road situated immediately to the west and north-west of the driveway.
		These works will facilitate the extension of the bus zone, allowing for additional capacity of the bus zone by 1 more bus to service the school, without impeding westbound traffic flow on Evans Road. This will be conditioned accordingly.
12	Disturbance to the adjacent residential aged care facility and obstruction in access to emergency vehicles	All required car parking and kiss-and-drop spaces are proposed within the site such that the student set-down / pick-up activity will be able to occur without impeding public road traffic flow. So the arrangement will be better than it is at the moment.

Issue	Planning comment/response
	The updated Traffic Management Plan (TMP) Ref 19-049-2 dated August 2023 prepared by Stanbury Traffic Planning requires that:
	 all traffic associated with student set-down / pick-up is to observe all road rules and prohibits illegal vehicle movements such as U- turns on Evans Road
	 vehicles associated with student set-down / pick-up are not to obstruct access to surrounding properties at any time.
	The condition for Traffic Marshalls will ensure the orderly management of traffic during the peak hours of the school operations.
	The implementation of the updated Traffic Management Plan has been included as a condition of consent to improve management of traffic on Evans Road. Disturbance due to noise has been addressed below.
13 Noise, dust and dirt due to construction works and operations	An Acoustic Assessment dated 15 March 2023 prepared by Rodney Stevens Acoustics Pty Ltd was submitted with the development application. The acoustic assessment includes providing noise limits and acoustic recommendations for the proposed development to ensure the suitable reverberation, noise transmission and internal noise limits are achieved.
	Recommendations are made in Sections 4 and 5 of the report to reduce the noise emission to within acceptable limits. The noise control measures include the following:
	 Half of the carpark ceiling to be fitted with absorption material/panels with a Noise Reduction Coefficient (NRC) of 0.7 to absorb noise emission from the carpark.
	• Parents and guardians should be informed of the importance of noise minimisation when entering the site, dropping off or picking up children. This includes avoiding raising voices within the carpark or beeping car horns.
	• The eastern carpark should only be used between 7am and 10pm.
	• Mechanical ventilation may be installed at the proposed development, the operation of such mechanical plant must be in accordance with the relevant regulations such as the Building Code of Australia (BCA Vol.1, Part 4.5 <i>Ventilation of rooms</i>) and AS1668.2-2002 <i>The use of ventilation and air conditioning in buildings</i> will be required.
	• An appropriately qualified acoustic consultant is to review the mechanical plant associated with the development at the detailed design stage when final plant selections have been made.
	• A window glass and frame system having a laboratory tested acoustic performance meeting the requirements in Table 4-6 of the report is to be provided.
	• The entire frame associated with the glazing must be sealed into the structural opening using acoustic mastics and backer rods.
	• All proposed lightweight cladding external walls must have a minimum reduction weighting value (Rw) 45 rating.
	The consultants conclude that subject to their recommendations being followed, the development will meet the relevant acoustic requirements of Council and the EPA Noise Policy for Industry.

Issue	Planning comment/response
	The application was referred to our Environmental Health Officer for assessment and they raised no objections to the proposal, subject to conditions of consent.
	Key conditions related to any objectionable noise, dust, concussion, vibration or other emission generated during construction have been included in the consent, which require compliance with the Protection of the Environment Operations Act 1997. The hours of any offensive noise-generating development works shall be limited to between 7 am to 6 pm Mondays to Fridays and 8 am to 1 pm on Saturdays; and no such work to be undertaken at any time on Sundays or public holidays. Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, the applicant will also have to prepare an acoustical assessment 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 to respond to any complaints.
14 Entry and exit from the basement carpark resulting in queueing of vehicles	The proposal requires all set-down / pick-up activity to occur in the dedicated on-site area in the basement where a queueing area is provided. Entry and exit to and from the proposed carpark shall be left in and left out only. This will minimise the conflict points for vehicular and pedestrian traffic over double line road markings. Traffic Marshalls will also have to direct cars into and out of the basement to ensure it is managed correctly.
15 Provision of parking onsite during construction	Timing of the construction works is critical in school infrastructure projects. As a common practice, the school will endeavour to start construction works for the basement during school holidays when the onsite parking demand is at its lowest. While all works are not expected to be completed within the short span of school holidays, the majority of the works are expected to be carried out in a managed way with traffic controls in place to minimise the impact on the residents opposite the school and in surrounding streets.
16 Operation of the existing illuminated variable message sign adjacent to Evans Road driveway within nominated hours	The development application does not include reference to any illuminated variable message sign, whether existing or proposed. We are unable to impose conditions on works retrospectively that are not a part of this application. Any changes to the signage provision will require the school to lodge a separate application for our consideration.
17 Request for parallel parking line marking on surrounding streets to prevent obstruction of private driveways	As a condition of consent we have included a requirement that parallel parking spaces along Albert Parade and Evans Road within the vicinity of 200 m from the school's boundaries shall be line marked. This will assist in a more regulated parking arrangement in the nearby streets that normally absorb most of the pressure of school related traffic. These measures will be determined by the Local Traffic Committee at its next available meeting. In the meantime, this will be included as a 'prior to the release of construction certificate' condition in the consent.

Attachment 8 Conditions of consent (draft)

Proposed development Demolition of buildings and at-grade carpark, alterations and additions to an educational establishment, restoration of Fairholme local heritage item, construction of basement carpark, covered outdoor learning areas, removal of trees, associated works and an increase in number of students and staff

Property description 24 Evans Road Rooty Hill NSW 2766 (Lot 25 in DP 1266777)

1. ADVISORY NOTES

1.1. Terminology

- 1.1.1. Any reference in this document to a "consent" means a "development consent" defined in the Environmental Planning and Assessment Act 1979.
- 1.1.2. Any reference in this consent to a Construction, Compliance or Occupation Certificate is a reference to a certificate as defined by Section 6 of the Environmental Planning and Assessment Act 1979.

1.2. Scope of Consent

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

1.3. Other Approvals

- 1.3.1. A separate valid Construction Certificate shall be issued prior to commencement of any construction works.
- 1.3.2. The applicant's attention is drawn to the need to obtain separate appropriate approval for any ancillary development not approved by this consent, including:
 - (a) the removal of any tree(s) not indicated on the approved plans
 - (b) any fence, retaining wall, land excavation or filling, advertising structure
 - (c) demolition of any existing buildings and associated structures
 - (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.
- 1.3.3. This consent does not authorise the encroachment or overhang of any building or structure over or within any easement.

1.4. Services

- 1.4.1. The applicant is advised to consult with:
 - (a) Sydney Water Corporation Limited
 - (b) Energy provider
 - (c) Natural Gas Company

(d) The relevant local telecommunications carrier

regarding any requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on the land or on the adjacent public road(s).

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

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

- 1.4.2. Prior to any demolition works, all services or utilities should be disconnected in consultation with the relevant service provider.
- 1.4.3. Underground assets may exist in the area that is subject to your application. In the interests of health, safety, and in order to protect damage to third party assets, please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (this is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset holders a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- 1.4.4. Telstra (and its authorised contractors) is the only company that is 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 1800 810 443.
- 1.4.5. 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.

1.5. Identification Survey

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

1.6. Tree Planting and Service Locations (After all other services)

1.6.1. Street tree planting must not impact on public utilities. The applicant should liaise with the relevant service authorities on the location and use of services within the public road reserve. These authorities may be able to lay their services on the opposite side of the road, thereby providing larger areas for tree planting.

1.6.2. Street tree planting must not interfere with street light spill. The applicant is to provide documentation to confirm there is no conflict between proposed vegetation at maturity and street lighting. This confirmation must be received before a Construction Certificate can be issued.

1.7. Engineering Notes

1.7.1. All works requiring approval under the *Roads Act* 1993 (except standard vehicular crossings) or *Local Government Act* 1993 must be approved PRIOR to the issue of any Construction Certificate or Subdivision Works Certificate.

1.8. Road Damage

1.8.1. 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.

1.9. Demolition

- 1.9.1. Where any work on an older building is proposed, the applicant should ascertain whether the building contains any contaminants that may present a potential health risk to humans (including asbestos, lead-based paint and the like) and apply appropriate precautions during the work. Further information regarding safe working methods may be obtained from the following organisations and publications (including those which may supersede such publications):
 - (a) Safework NSW (Ph: 13 10 50) "Short Guide to Working with Asbestos",
 - (b) NSW Office of Environment & Heritage (Ph: 9995-5000) "A Guide to Keep Your Family Safe from Lead", "A Renovators Guide to the Dangers of Lead",
 - (c) "Code of Practice for the Safe Removal of Asbestos" 2nd Edition– National Occupational Health and Safety Commission:2002 (2005),
 - (d) Australian Standard 4361.1-1995 Guide to Lead Paint Management (Industrial Applications),
 - (e) Australian Standard 4361.2-2017 Guide to hazardous paint management Lead paint in residential, public and commercial buildings, and
 - (f) Australian Standard 2601-2001 The demolition of structures.

2. GENERAL

2.1. Scope of Consent

- 2.1.1. This consent authorises the use of the completed approved buildings for a high school with a maximum of 1360 students and 75 staff.
- 2.1.2. This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:

Drawing No. and Revision (All plans at Council Records D24/303102)	Dated	Prepared by
DA01 Revision A Cover Page	05/04/2023	DTA Architects
DR-A-200 Revision 1 Site Plan – Masterplan Planning Pathways	23/08/2023	NBRS
DA04 Revision A Demolition Plan	05/04/2023	DTA Architects
DR-A-SK-007 Revision P1 Block A Ground Floor Demolition Plan	16/05/2024	NBRS
DR-A-SK-008 Revision P1 Block A Level 1 Demolition Plan	16/05/2024	NBRS
DR-A-SK-001 Revision P3 GF Site Plan	15/04/2024	NBRS

DA05 Revision A BF Site Plan	DTA Architects		
DA07 Revision A Basement Plan	DTA Architects		
DR-A-SK-009 Revision P1 Carpark Plan	NBRS		
DA08 Revision A Carpark (extension)	05/04/2023	DTA Architects	
DA09 Revision A Ground Floor Plan	05/04/2023	DTA Architects	
DR-A-SK-001 Revision P1 Block A Ground Floor Plan	03/04/2024	NBRS	
DA10 Revision A First Floor Plan	05/04/2023	DTA Architects	
DA11 Revision A Roof Plan	05/04/2023	DTA Architects	
DA12 Revision A Elevations (West, North, South)	DTA Architects		
DR-A-SK-002 Revision P1 Carpark North elevation	NBRS		
DA13 Revision A Elevations (East)	DTA Architects		
DA14 Revision A Sections	DTA Architects		
DA15 Revision A External Finishes	DTA Architects		
DR-A-SK-003 Revision P2 Evans Road Perspective 1	05/04/2024	NBRS	
DR-A-SK-004 Revision P2 Evans Road Perspective 2	DR-A-SK-004 Revision P2 Evans Road Perspective 2 05/04/2024		
DR-A-SK-005 Revision P2 Evans Road Perspective 3	DR-A-SK-005 Revision P2 Evans Road Perspective 3 05/04/2024		
Landscape Plans prepared by Inviewdesign Pty Ltd	·		
Sheet no.L01 Revision 13 Landscape Plan (Entire Site)		04/04/2024	
Sheet no.L02 Revision 12 Landscape Plan - Carpark Entry		04/04/2024	
Sheet no.L03 Revision 13 Landscape Plan - Evans Street Entry	04/04/2024		
Sheet no.L04 Revision 12 Landscape Plan – Block A	04/04/2024		
Sheet no.L05 Revision 13 Landscape Plan – COLA	04/04/2024		
Sheet no.L08 Revision 4 Planting Plan – Carpark entry	04/04/2024		
Sheet no.L09 Revision 4 Planting Plan – Evan Street Entry	04/04/2024		
Sheet no.L10 Revision 4 Planting Plan – Block A	04/04/2024		
Sheet no.L11 Revision 4 Landscape Plan – COLA	04/04/2024		
Sheet no.L12 Revision 4 Planting Plan – Block C	04/04/2024		

* All the plans are subject to relevant conditions of this consent

2.2. Plan Amendments

2.2.1. The following amendments must be made:

- 1. lower the carpark such that the carpark entry portal will be a maximum of 3.7 m in height from the finished ground level particularly at the edges of the site and street frontage to reduce the visual impact of the basement carpark
- 2. relocate the mechanical plant from above the carpark entrance area to enable the portal structure to be scaled down in height
- 3. delete all the raised planters above the carpark and provide some areas of deep soil for tree planting
- 4. delete the artificial grass and provide enough soil cover to the carpark roof to recreate the natural ground contours and to relay real grass, and
- 5. all planter boxes are to be finished in stone and rendered in earthy colours/ neutral palette to complement the heritage building. The planter boxes shall be stepped such that they are made suitable for use as sitting spaces for students.

These details shall be shown on amended architecturals and landscape plans and shall be submitted to Council's Heritage officer for approval prior to a construction certificate being issued.

2.3. Services

2.3.1. Low voltage electricity and telecommunications services for the approved development shall be reticulated underground.

2.4. Engineering Matters

- 2.4.1. Design and Works Specification
- 2.4.1.1. All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:
 - (a) Blacktown City Council's Works Specification Civil (Current Version)
 - (b) Blacktown City Council's Engineering Guide for Development (Current Version)
 - (c) Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management
 - (d) Blacktown City Council On Site Detention General Guidelines, S3QM online tool and standard drawing A(BS)175M
 - (e) On Site Stormwater Detention Handbook Upper Parramatta River Catchment Trust FOURTH Edition.

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.

2.4.1.2. Written notice must be provided to adjacent properties, at least 5 days prior to works commencing, where works are approved by this consent and located within Council controlled lands (i.e. Roads, drainage reserves, parks, etc.). A copy of this notice must be provided to Council's Co-ordinator of Engineering Approvals.

2.5. Other Necessary Approvals

- 2.5.1. A separate application will be required for the following approvals, under the *Local Government Act* 1993 and/or the *Roads Act* 1993.
 - Vehicular crossing
 - Works on or occupation of existing public roads (Not including works covered by a Roads Act Approval)
- 2.5.2. Each year the registered proprietor/owner's corporation 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 from the rainwater tank. Based on modelling it is agreed that for non-potable reuse, the rainwater tank is achieving a minimum 80% reuse with a minimum reuse supplied of 0.85 ML/yr.
- 2.5.3. If the external works relating to pedestrian crossings, bus stops, drop off/pick up zones, ramps and the like are approved by the Local Traffic Committee and Blacktown Council, the applicant must obtain a written copy of the related resolution and submit this to the Principal Certifying Authority prior to commencement of any works.

2.6. Other Matters

- 2.6.1. No construction preparatory work (such as, excavation, filling, and the like) shall be undertaken on the land prior to a Construction Certificate being issued.
- 2.6.2. Any future substation, temporary drainage works or other utility installation required to service the approved development shall not be sited on future or existing Council land, including road reservations and/or public reserves.

3. PRIOR TO CONSTRUCTION CERTIFICATE (GENERAL)

3.1. DA Plan Consistency

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

3.2. Traffic Matters

- 3.2.1. Provision for adequate sight distance needs to be made for both pedestrian and vehicular movement at the proposed driveway in accordance with Section 3.2.4 AS 2890.1 and Figure 3.2 of AS 2890.1 to ensure safety of pedestrians on the footpath and motor vehicles along the new driveway.
- 3.2.2. A separate application is to be made to Council with associated fees paid seeking Local Traffic Committee approval for the following:
 - (i) the existing chicane structure (blister island) and sign located on Evans Road, near the north east corner of the site's frontage to be removed, all associated costs to be borne by the school
 - (ii) parallel parking spaces along Albert Parade and Evans Road within the vicinity of 200m from the school's boundaries to be line marked
 - (iii) mandatory Traffic Marshalls to manage the pedestrian crossing near the school boundary on Evans Road and entry to the basement carpark for the duration of the school zone hours in the mornings and afternoons
 - (iv) entry and exit to and from the proposed basement carpark shall be left in and left out only.

4. PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING)

4.1. General

- 4.1.1. All relevant conditions within the 'Prior to Construction Certificate' section of this consent shall be satisfied before any Construction Certificate can be issued.
- 4.1.2. 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 Nos.	Revision	Dated
Sparks and		DA1101 to 4721	3	18/8/2023
Partners		(11 sheets)		

Note: Existing bus bay and removal of splitter island shall be noted and addressed on the Construction Certificate plans.

4.2. Construction Certificate Requirements

- 4.2.1. Under the *Environmental Planning and Assessment Act* 1979 a Construction Certificate is required. These works include but are not limited to the following:
 - Road and drainage construction
 - On-site stormwater detention
 - Water quality treatment
 - Earthworks
 - Inter-allotment drainage (created within the subject lot)
 - Path paving

4.3. Local Government Act Requirements

- 4.3.1. 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:
 - Any works within a Council reserve
 - Any works on adjoining land (outside the subject site boundaries)
 - Inter-allotment drainage on adjoining land

4.4. Roads Act Requirements

- 4.4.1. 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:
 - Any works within Council's road reserve
 - Kerb inlet pit connections or construction
 - Vehicular crossings
 - Path paving

4.5. Other Engineering Requirements

- 4.5.1. If the estimated cost is \$25,000 or greater proof of long service levy payment is required.
- 4.5.2. Any ancillary works undertaken shall be at no cost to Council.
- 4.5.3. Submit written permission from the affected property owner for any works proposed on adjoining land.
- 4.5.4. Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc.

4.6. Roads

- 4.6.1. Submit a traffic management plan (TMP) including but not limited to a Traffic Control Plan (TCP) and Pedestrian Management Plan, for any works within public road reserves. The TCP shall be approved, signed and dated by a person who holds a current Roads and Maritime Services (RMS) Work Zone Traffic Management Plan accreditation and photo card.
- 4.6.2. Indicate the replacement of any redundant layback and footway crossing with Council's standard kerb and gutter. The footway area shall be restored with pavement and/or turf in accordance with Council's specifications.

4.7. Drainage

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

- 4.7.2. Amended engineering stormwater drawings are required from Sparks and Partners Consulting Engineers and be generally in accordance with project number 20322 drawing number DA1101 Rev 3, DA1201 Rev 3, DA2101 Rev 2, DA2701 Rev 2, DA4101 Rev 4, DA4111 Rev 5, DA4301 Rev 3, DA4311 Rev 1, DA4701 Rev 3, DA4711 Rev 2, DA4721 Rev 3 and integrated water cycle management report revision 3 reference number 20322_C_RTP IWCM addressing the following items:
 - a. Detail confined space entry warning signs on the drainage plans adjacent to all entries into the OSD tank and rainwater tanks in accordance with Council's Engineering Guide for Development 2005.
 - b. Provide on-site stormwater detention (OSD) warning signs as per the Upper Parramatta River Catchment Trust guidelines.
 - c. The ocean protect stormfilter chamber oil baffle shall be relocated to the filter bay area side of the weir.

All pits with ocean guard baskets shall be 600x600 minimum.

- 4.7.3. Demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings. Minimum WELS ratings or other requirements 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 water efficient washing machines and dishwashers are to be specified.
- 4.7.4. 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.
- 4.7.5. Where the internal driveway cannot be drained to an internal pit a grated trench drain shall be provided at the property boundary.

4.8. Signage and Line Marking

- 4.8.1. A formal submission must be made to the Local Traffic Committee (LTC) through Council's Traffic Engineering department for all signage and line marking details proposed as part of these works. A determination will be required prior to implementing all signage and line marking works.
- 4.8.2. Prior to the implementation of any road line marking and traffic signage required by this development, the applicant shall acquire an approved construction certificate for the line marking and traffic signage plan arrangement.

In this regard, the applicant shall provide evidence to the certifying authority in order to demonstrate that the proposed line marking and traffic signage plan has approval from the local traffic committee and has been adopted by Ordinary Council Meeting.

Note: all recommendations by the local traffic committee and Ordinary Council Meeting shall be reflected within the construction certificate for line marking and traffic signage.

4.8.3. The cost for removing the blistered island in front of north-east boundary of the site as approved must be borne by the Applicant/ school. The cost of relocating the 40km/hr school zone sign currently installed on the island must be borne by the Applicant/school.

- 4.8.4. According to Council's current goods and services pricing schedule, an hourly fee will be charged to review signs and line marking applications. The fees must be paid before submitting a report to Council' Local Traffic Committee on the proposed parking signage and line-marking with updated plans.
- 4.8.5. A written statement shall be provided by the school administration that the management measures recommended in the updated Traffic Management Plan Ref 19-049-2 dated August 2023 prepared by Stanbury Traffic Planning (TMP) for governing students pick up and drop off activities onsite and on-street will be implemented.

4.9. Erosion and Sediment Control

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

4.10. On-Site Detention

- 4.10.1. 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, and an S3QM Certificate.
- 4.10.2. The on-site detention system shall be generally designed to achieve the following:
 - i. All systems shall use at least 2 orifice plates to control flows:
 - The 1.5 year ARI orifice shall be designed to convey a maximum of 40/L/s/ha
 - The 100 year ARI orifice shall be designed to convey a maximum of 190 L/s/ha
 - ii. Storage shall be provided as follows:
 - Volume up to 1.5 year ARI TWL = 300 m^3/ha
 - Volume up to 100 year ARI TWL = 455 m^3/ha
 - iii. 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)	FLOOD DISCHARGE (100 Year ARI ORIFICE	FLOOD STORAGE (BELOW EMERGENCY
(70)	(E/0/nd)	(m^3/ha)	(L/s/ha)	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

4.10.3. A registered engineer (NER) must certify that:

- The structures associated with the on-site stormwater detention system have been designed to withstand all working loads likely to be imposed on them during their lifetime.
- 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.

- 4.10.4. The following documents shall be submitted to accompany the on-site detention design in accordance with the design:
 - Comprehensive drainage drawings with cross-sectional details of the storage area, pit numbers, pipe sizes, catchment plan, etc.
 - On-site detention detailed design submission and calculation summary sheet
 - S3QM Deemed to Comply On-site detention summary details
- 4.10.5. A Chartered Engineer, registered with NER, is to certify that the water from the rainwater Tank used for irrigation and toilet flushing after application of all necessary treatment meets the criteria for the appropriate level in table 6.4 of *Managing Urban Stormwater: harvesting and reuse* by the Department of Environment and Conservation NSW Dec 2006 and is of a standard appropriate for its intended use. Where UV disinfection is required, a designer experienced in the use of UV treatment, is to provide details of the system arrangement. The arrangement is to include the size and configuration of UV lamps required, level of filtration as pre-treatment, together with design flowrate. Provide maintenance details.
- 4.10.6. The proposed 170 kL rainwater tank, 17 x 690 ZPG storm filters, 18 ocean guard baskets and 2 on-site detention tanks shall not be replaced with other product or smaller size unit.
- 4.10.7. Provide details for permanent coloured interpretive signage minimum A2 size to be installed to highlight the water quality improvement process. The sign is to incorporate a simplified drainage layout of the site and detail through words and pictures all the different water quality devices including the rainwater tank and explain the benefit to the site and community. The sign is to be supported by a steel post or on a wall and is to be located adjacent to the major water quality device. The wording and detail are to be generally in accordance with Section 14 of Council's WSUD developer handbook and be approved by Council.
- 4.10.8. An experienced chartered hydraulic engineer is to prepare and certify a detailed Non-Potable Water Supply and Irrigation Plan for non-potable water uses. Such use includes landscape watering, washdown and all toilet flushing 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
 - 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 and preferably an automatic backwash inline filter
 - f) a control panel with warning light to indicate pump failure
 - g) provide external taps at a rate of one tap for each 200 m² of landscape area that require watering evenly spread across the site for landscape watering or wash down and to be supplied from the rainwater tank. Some taps shall be located closer to parking areas to allow for car washdown
 - h) connection of all proposed toilets to the rainwater tank

- i) providing a minimum rainwater tank/s size of 170 kL below overflow, servicing all toilets and landscaping/washdown
- j) ensuring all the rainwater reuse pipes and taps are coloured purple
- k) rainwater warning signs are fitted to all external taps using rainwater
- I) all rainwater reuse taps are to be lockable or have removable handles.
- 4.10.9. 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*.

4.11. Stormwater Quality Control

- 4.11.1. Stormwater quality treatment system shall be designed in accordance with Council's Engineering Guide for Development and DCP Part J Water Sensitive Urban Design and Integrated Water Cycle Management.
- 4.11.2. Bio-retention basin(s) to be designed in accordance with Council's Water Sensitive Urban Design standard drawings and Council's Engineering Guide for Development and DCP Part J Water Sensitive Urban Design and Integrated Water Cycle Management.

4.12. Vehicular Crossings

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

4.13. Footpaths

4.13.1. Path paving is to be provided generally in accordance with Council's Path Paving Policy, Blacktown City Council Engineering Guide for Development.

4.14. Tree Protection and Preservation

4.14.1. Prior to commencement of engineering works that may disturb existing vegetation/trees, the site shall be inspected to identify and appropriately mark out any trees to be retained as well as determine areas that are to be left undisturbed. Extent of the approved construction works must be set-out onsite prior to this inspection. Note: Inspection must be carried out by Council's representative or an appropriately accredited private certifier. The applicant's representative must be present during this inspection.

5. PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)

5.1. Plan Amendments (Heritage)

- 5.1.1. Following amendments shall be provided:
 - lower the carpark such that the carpark entry portal will be a maximum of 3.7 m in height from the finished ground level – particularly at the edges of the site and street frontage to reduce the visual impact of the basement carpark
 - (ii) relocate the mechanical plant from above the carpark entrance area to enable the portal structure to be scaled down in height
 - (iii) delete all the raised planters above the carpark and provide some areas of deep soil for tree planting
 - (iv) delete the artificial grass and provide enough soil cover to the carpark roof to recreate the natural ground contours and real grass turf

(v) all planter boxes are to be finished in stone and rendered in earthy colours/ neutral palette to complement the heritage building. The planter boxes shall be stepped such that they are made suitable for use as sitting spaces for students.

These details shall be shown on amended architectural and landscape plans and shall be submitted to Council's Heritage officer for approval prior to a construction certificate being issued.

5.2. Access/Parking

- 5.2.1. The following design details must be included on plans prior to a construction certificate being issued:
 - i. The internal driveway and designated parking areas for 129 cars and 66 bicycles are to be designed in accordance with Australian Standard 2890.1. This includes 123 car parking spaces and 14 bicycle parking spaces in the new basement carpark, and 6 car parking spaces and 52 bicycle parking spaces in the north-eastern at-grade carpark.
 - ii. All internal paved areas and other paved areas shall be designed to provide continuous surface drainage flow paths to approved points of discharge.
 - iii. Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 and AS1428.1 2009.
 - iv. The design of the car parking areas is to ensure that all vehicles must enter and leave the site in a forward direction.
 - v. The layout of the proposed car parking areas (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.

5.3. Aesthetics/Landscaping

- 5.3.1. The reflectivity index of glass used in the external facade of buildings is not to exceed 20% must not affect road traffic and must not cause discomfort through glare or intense heat to surrounding areas. "Anti-glare" glazing is to be used to minimise any glare affect. Details are to be provided as part of the Construction Certificate plans.
- 5.3.2. All materials of construction are to be fire resistant. Documentary evidence shall be submitted to Council to ensure compliance.

5.4. Tree management

- 5.4.1. Trees 1 and 2 as indicated in the Arboricultural Impact Assessment (AIA) and Tree Protection Plan Report by Mark Bury Consulting dated 28 November 2022 can be removed as part of this development. They are located within the site in a position where they cannot be retained due to the proposed infrastructure and bulk earthworks, have a low retention value, and are in poor condition and/or health, or are an exempt species.
- 5.4.2. Prior to the issue of any Construction Certificate, the applicant who has the benefit of the development is to pay a tree preservation bond for Trees 4 6 in line with the current prices in Council's Goods and Services Pricing Schedule. This is to ensure the retention and protection of the trees are in line with AS 4970-2009. The bond amount will be returned 12 months following the issue of the final occupation certificate and following the submission of a final report by the Applicant's project Arborist. The final assessment report is to be presented to Council to provide advice on the retained tree's health and structure and to decide on any Bond return to the applicant.

5.5. Services

- 5.5.1. The following documentary evidence shall be provided to the Principal Certifier:
 - i. A "Notification of Arrangement" Certificate from a recognised energy provider, stating that arrangements have been made with the service authority for electrical services. Any required substation as part of the development must be located on private property and incorporated into the design of the building or landscaping of the development. The location of the substation must be endorsed by Council prior to the release of a Construction Certificate.

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).

6.2. 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 an environmental planning instrument), not included in this Development consent must be endorsed by a separate Development consent or Complying Development Certificate prior to any Construction Certificate being issued.
- 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 (ENVIRONMENTAL HEALTH)

7.1. Environmental Management

- 7.1.1. The following recommendations made in the Acoustic Assessment Alterations & Additions St Agnes College 21 St. Agnes Avenue Rooty Hill (ref: R180562R4 Revision 1) prepared by Rodney Stevens Acoustics, dated 15 March 2023, are to be implemented:
 - Half of the carpark ceiling shall be fitted with absorption material/panels with a Noise Reduction Coefficient (NRC) of 0.7 to absorb noise emission from the carpark.
 - An appropriately qualified acoustic consultant shall review the mechanical plant associated with the development at the detailed design stage when final plant selections have been made.
 - Provide a window glass and frame system having a laboratory tested acoustic performance meeting the requirements in Table 4-6 of the report.
 - The entire frame associated with the glazing must be sealed into the structural opening using acoustic mastics and backer rods.
 - All proposed lightweight cladding external walls must have a minimum reduction weighting value (Rw) 45 rating.
- 7.1.2. 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.
- 7.1.3. Any 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:
 - NSW Environment Protection Authority's *Guidelines for Consultants Reporting on Contaminated Sites (2020)*
 - NSW Environment Protection Authority's Contaminated Sites Sampling Design Guidelines – Part 1 (Application) Part 2 (Interpretation) (2020)
 - NSW Environmental Protection Authority's Contaminated Sites: Guidelines for NSW Site Auditor Scheme 3rd edition (2017)
 - National Environment Protection Council (NEPC) 1999 National Environment Protection (Assessment of Site Contamination Measure) as amended 2013
 - NSW Environment Protection Authority's *Waste Classification Guidelines*, Part 1: Classifying Waste (2014)
- 7.1.4. Plans and specifications are to be submitted prior to construction to ensure compliance with the requirements of:
 - The Food Act 2003 and its Regulation,
 - Australian Standard 4674-2004 Design, construction and fit-out of food premises,
 - Australian Standard 1668.2-2002 The use of ventilation and air conditioning in buildings Ventilation design for indoor air contaminant control.

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

8.2. Tree Protection

- 8.2.1. Any tree not indicated on the approved development application plans as being removed shall be effectively protected against damage. Tree protection measures are to be implemented in line with AS:4970-2009 "Protection of trees on development sites" and the Arboricultural Impact Assessment (AIA) Report as specified at prior to Construction Certificate (Planning) condition.
- 8.2.2. An AQF Level 5 Consulting Arborist must be appointed prior to demolition of any existing buildings or earthworks. They are to register with the developer/builder before any works commence so that the builder can be inducted at important times when the Arborist will be required on-site.

8.3. Other Matters

- 8.3.1. The Applicant is to advise all adjoining neighbours, and those located opposite the 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 <u>contact@safework.nsw.gov.au</u>

8.4. Environmental Health Matters

8.4.1. A Hazardous Materials Survey (HMS) should be prepared for the site prior to demolition of any onsite structures, with any control measures outlined in the report to be implemented during demolition of structures.

- 8.4.1.1. Following removal, a clearance inspection and issuing of a clearance certificate for the area should be completed by an independent licensed asbestos assessor or competent person.
- 8.4.2. A site specific 'Unexpected Finds Protocol' is to be made available for reference for all occupants and/or site workers in the event unanticipated contamination is discovered, including asbestos.
- 8.4.3. Prepare and submit to Council a Construction Environmental Management Plan (to include at minimum: the noise and vibration control, proposed schedule of works and hours of works, sediment and erosion control, dust control, salinity management plan, proposed means of controlling any activity that could potentially cause a pollution incident as defined by *Protection of the Environment Operations Act 1997*).

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. 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.
- 9.1.4. Soil erosion and sediment control measures shall be maintained in accordance with Council's Soil Erosion and Sediment Control Policy.
- 9.1.5. 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).
- 9.1.6. 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.
- 9.1.7. A valid public liability insurance policy of at least \$10,000,000 shall be maintained throughout the demolition works.
- 9.1.8. 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.
- 9.1.9. 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.

- 9.1.10. 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.
- 9.1.11. 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.
- 9.1.12. The demolisher has an obligation to ensure that the adjoining buildings and property are not damaged.
- 9.1.13. Any soils requiring excavation, onsite reuse and/or removal must be classified in accordance with *"Waste Classification Guidelines Part 1: Classifying Waste"* NSW EPA (2014).

9.2. Nuisance Control

9.2.1. Any objectionable noise, dust, concussion, vibration or other emission 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.

9.3. Waste Management

9.3.1. 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.

9.4. Tree Protection

9.4.1. The measures required to effectively protect trees on the land shall be maintained throughout the demolition works. Tree protection measures are to be implemented in line with AS:4970-2009 "Protection of trees on development sites" and the AIA.

9.5. Environmental Health Requirements

- 9.5.1. 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.
- 9.5.2. Any asbestos material is to be handled and treated in accordance with the WorkCover document "Your Guide to Working With Asbestos Safety guidelines and requirements for work involving asbestos" dated March 2008.

10. COMPLETION OF DEMOLITION WORKS

10.1. Final Inspection

10.1.1. A final inspection is required to ascertain compliance with the condition of approval prior to the release of the road damage deposit.

10.2. Hazardous Materials and Waste

- 10.2.1. A clearance certificate/statement prepared in accordance with the National Code of Practice for the Safe Removal of Asbestos shall be issued by an independent licensed asbestos assessor or 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.
- 10.2.2. Submit the receipt from the trade waste depot for disposal of the asbestos from the removal/demolition of the existing buildings.

11. PRIOR TO DEVELOPMENT WORKS COMMENCING

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 Environmental Planning and Assessment Regulation 2021 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. Should the development work:
 - (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (b) involve the enclosure of a public place,

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

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

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

- 11.1.4. Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.
- 11.1.5. 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.
- 11.1.6. A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport of soil onto any public place. Such access shall be provided in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. Single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.
- 11.1.7. Any excavation and/or backfilling associated with the development shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent such work being dangerous to life or property.

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 Section 57 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 indicating details of the appointed Principal Certifier 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

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: <u>www.sydneywater.com.au</u>, then follow the "Developing Your Land" link or telephone 1300 082 746 for assistance.

11.4. Tree Management

- 11.4.1. Any tree not approved for removal or more than 3m from the building perimeter is to be effectively protected against damage.
- 11.4.2. Tree protection measures are to be installed prior to the commencement of construction and implemented in line with AS:4970-2009 "Protection of trees on development sites" and the Arboricultural Impact Assessment (AIA) and Tree Protection Plan Report by Mark Bury Consulting on 28 November 2022.
- 11.4.3. Trees 1 and 2 as indicated in the AIA can be removed as part of this development.

- 11.4.4. Tree 3 should be transplanted prior to construction commencing on the site and should be protected as per the Tree Management (Protection Plan) in Appendix 7. This will include compliance certifications being issued before construction commences that all tree protection measures are installed, that an AQF Level 5 Arborist is present during excavations to ensure roots are not damaged before further works can be commenced and a compliance certificate is issued prior to further works being carried out and a compliance certificate being issued when the development has been completed before the development can be occupied. Works to be undertaken as per Transplanting specifications.
- 11.4.5. Trees 4 9 are to be retained and protected as detailed in Appendix 7 Tree Management Plan. Tree protection measures are to be implemented as per Australian Standard AS4970 2009 Protection of trees on development sites and the tree protection plan contained within the AIA.
- 11.4.6. The bond will be forfeited if any defects result in the death or damage of any trees, due to poor construction practices. Council will use the forfeited bond to embellish any public reserves in the vicinity.
- 11.4.7. Two inspection fees as per Council's current Goods and Services Pricing Schedule will be applicable for the authorised officer to inspect the tree protection measures implemented before construction commencing and following a request for the return of the tree preservation bond as noted above.
- 11.4.8. The preservation bonds and the inspection fees are to be paid before construction commences.

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 Section 70 of the Environmental Planning and Assessment Regulation 2021 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. Should the development work:
 - (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (b) involves the enclosure of a public place,

the required hoarding, awning or protective barrier shall be maintained between the land and the public place.

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

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

- 12.1.5. All measures specified in the Construction Certificate to control soil erosion and sedimentation shall be maintained throughout development works.
- 12.1.6. A single vehicle/plant access to the land shall be maintained to minimise ground disturbance and transport of soil onto any public place. Such access shall be maintained in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. As a minimum, single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land shall be provided.
- 12.1.7. Any excavation and/or backfilling associated with the ongoing development works shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent them from being dangerous to life or property.
- 12.1.8. Should any excavation associated with the ongoing development works extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:
 - (a) shall be preserved and protected from damage, and
 - (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
 - (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting works be given notice of such intention and particulars of the excavation or supporting works.
- 12.1.9. Building and construction materials, plant, equipment and the like shall not to be placed or stored at any time on Council's footpath, roadway or any public place.

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 Certifying Authority 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. All feasible and reasonable noise and vibration mitigation measures shall be implemented and any activities which may exceed the construction noise management levels and vibration criteria shall be identified and managed in accordance with an approved Construction Noise, Vibration Assessment and Management Plan.
- 12.4.3. The hours of any offensive noise-generating development works shall be limited to between 7.00 am to 6.00 pm Mondays to Fridays, 8.00am to 1pm Saturdays, and no such work to be undertaken at any time on Sundays or public holidays, unless otherwise approved by Council.

12.5. Tree Protection

- 12.5.1. The measures required to effectively protect trees on the land shall be maintained throughout the development works.
- 12.5.2. Tree protection measures are to be implemented in line with AS:4970-2009 "Protection of trees on development sites" and the AIA specified at prior to Construction Certificate (Planning) conditions.
- 12.5.3. When undertaking excavation within the TPZ of Trees 4-9, care should be taken not to damage roots 50mm and over. Non-destructive techniques must be used such as manual excavation, vacuum excavation, or an air spade.
- 12.5.4. Hold points, inspections and certification are to be carried out as per Appendix 7 of the AIA. Upon the completion of the development works, a final assessment of the trees shall be undertaken by the Project Arborist and future recommended management strategies implemented as required.

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. Soil Erosion and Sediment Control Measures

- 13.4.1. Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 13.4.2. Re-vegetation and restoration of all disturbed areas as a result of the development works shall be completed as soon as practicable after the completion of earthworks and before the commencement of any other works onsite. The revegetated/restored areas must be established prior to the release of maintenance security/bonds. Note: All open drains must be turfed.

13.4.3. All required soil erosion and sedimentation control measures are to be maintained throughout the entire construction period and until all disturbed areas are restored to the satisfaction of Council in accordance with the design and construction specification. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is deemed inadequate.

13.5. Filling of Land and Compaction Requirements

- 13.5.1. Site filling within lot boundaries (not in road reserves) and compaction is to be carried out under the supervision of a Chartered Geotechnical Engineer and shall be in accordance with Blacktown City Council's "Works Specification Civil (Current Version)". Minimum standard compaction of 95% must be achieved and certified by a NATA registered soils lab and details submitted to Council.
- 13.5.2. Only clean fill shall be deposited/imported on site in accordance with Council's Works Specification Civil (Current Version). Note: dry builder's waste i.e. bricks plaster and timber industrial waste or putrescible materials are not to be deposited on site. Validation of the imported fill material will be required by a suitably qualified registered engineer.
- 13.5.3. Appropriate dust control measures are to be implemented during construction to reduce any impact on local air quality and reduce dust emissions. This will include but not be limited to regularly wetting down of the site during the course of works being carried out in order to control wind blown dust.
- 13.5.4. All roads adjoining the site must be kept clean and free of all materials. Infringement Notices incurring a monetary penalty may be issued by Council where this measure is not being complied with.
- 13.5.5. Trucks transporting cut and fill must have their loads covered and provisions of "shaker pads" and wash-down areas for trucks leaving the site are to be made available. All details are to be shown on soil erosion and sediment control plans.
- 13.5.6. Prior to the placement of any fill on the site all topsoil and vegetation must be removed down to a suitable sub-grade material. The topsoil is to be stockpiled for use in revegetation of the site.

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 Certifier 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. Council's 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. Powder Coated Furniture

13.11.1. Where the conditions of this consent permit the installation of powder coated furniture (i.e. street lighting poles, bus shelters, rubbish bins, seats or any other items of street furniture), a certificate from the manufacturers shall be provided to Council confirming that the nominated powder coated items have been prepared and coated in accordance with Australian Standard AS/NZ 4506-2005 (service condition category 3). This certificate must be no more than 3 months old and shall be provided to Council prior to the installation of the relevant items of the street furniture. Any items of street furniture not so certified shall be removed and replaced at no cost to Council with items appropriately certified.

13.12. Other Matters

13.12.1. A plumber licensed with NSW Fair Trading is to undertake flow testing of the non-potable water reuse system to certify that all toilets are capable of being supplied by rainwater and that there is no cross mixing, or cross contamination with the potable water supply.

13.13. Tree Protection and Preservation

- 13.13.1. Existing vegetation and trees shall be left undisturbed except where roads, stormwater drainage infrastructure, site filling and/or building works are proposed.
- 13.13.2. There is to be no storage of materials, stockpiling of excavated material or parking of plant/machinery within the drip line of the crown of any retained trees.
- 13.13.3. Council must be notified a minimum of 24 hours prior to the removal of any branches from existing trees which are to be retained. Subject to Council's direction, this work must be undertaken by a qualified Arborist.

14. DURING CONSTRUCTION (ENVIRONMENTAL HEALTH)

14.1. Environmental Health Matters

- 14.1.1. The site specific 'Unexpected Finds Protocol' is to be made available for reference for all occupants and/or site workers in the event unanticipated contamination is discovered, including asbestos.
- 14.1.2. Any soils requiring excavation, onsite reuse and/or removal must be classified in accordance with *"Waste Classification Guidelines Part 1: Classifying Waste" NSW EPA (2014)*.
- 14.1.3. The recommendations made in the Acoustic Assessment Alterations & Additions St Agnes College – 21 St. Agnes Avenue Rooty Hill (ref: R180562R4 Revision 1) prepared by Rodney Stevens Acoustics, dated 15 March 2023, are to be implemented.
- 14.1.4. On completion of the installation of any new ventilation system, a Compliance Certificate is to be submitted to Council certifying that the system has been installed and commissioned in accordance with the approved details.
- 14.1.5. The food preparation areas shall be constructed so as to comply with the requirements of:
 - the *Food Act 2003* and its Regulation,
 - Australian Standard 4674-2004 Design, construction and fit-out of food premises, and
 - Australian Standard 1668.2-2012: The use of ventilation and air-conditioning *in buildings Mechanical ventilation in buildings.*

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. Temporary Facilities Removal

15.3.1. Any temporary facilities provided during construction and/or development works shall be removed from the land prior to the issue of an Occupation Certificate.

15.4. Fire Safety Certificate

15.4.1. A final fire safety certificate complying with Section 41 of Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 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. Fee Payment

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

15.6. Inspections

15.6.1. 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 current Goods and Services Pricing Schedule.

15.7. Transport for NSW requirements

- 15.7.1. The Green Travel Plan incorporating the following comments shall be submitted to Transport for NSW for endorsement prior to the issue of the Occupation Certificate:
 - (i) **Parking Management**: TfNSW recommends that management of the parking is considered including prioritising parking for those on a needs basis, noting that priority parking spaces are to be reserved, and well located, for those who carpool.
 - (ii) Bicycle parking and End of Trip Facilities (EoT): Any bicycle parking and EoT (including the provision of) shall be monitored over time to ensure sufficient supply to encourage active transport both to/from and around the site. The bicycle parking should be located at convenient locations in the development, be safe, secured and under cover. Some further guidance on bicycle parking and end of trip facilities can be found in the cycleway design toolkit on TfNSW's website.
 - (iii) Implementation Plan: TfNSW recommends that these end of trip facilities should be further detailed out in a comprehensive Implementation Plan. This should include detailed information such as initiatives, timelines/ completion dates as well as who will be doing the tasks. The Implementation Plan should include the proposed short and long term initiatives, and communications to support these.

(iv) **Surveys:** TfNSW requires that the survey for developing the Travel Plan includes questions to obtain data such as staff and student residential postcodes to identify the travel origin and destination patterns, as well as modes of the trips.

15.8. Engineering Matters

- 15.8.1. Surveys/Certificates/Works As Executed plan
- 15.8.1.1. 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.
- 15.8.1.2. 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*.
- 15.8.1.3. A certificate from a Registered Surveyor must be obtained and submitted to Council verifying that all finished floor levels (FFL) and finished surface levels (FSL) required by this consent have been achieved and/or have been maintained in accordance with those established prior to commencement of works. The certificate must acknowledge that works have been complete. All levels must be to Australian Height Datum (AHD).
- 15.8.1.4. A certificate from a Chartered Civil Engineer registered with 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, and certify that:
 - a) All the requirements of the approved drainage plans have been undertaken;
 - b) A minimum 170m3 below overflow rainwater tank has been provided collecting roof water from a minimum 1540 m2 of roof area.
 - c) The minimum detention storage of for the 50% AEP and 1% AEP in accordance with the approved plans for OSD 1 and OSD 2.
 - d) Installation of 17x690 ZPG filters.
 - e) Installation of 18 oceanguard baskets.
 - f) Installation of orifice plates and trash screens
 - g) The interpretative water quality sign is correctly installed
 - h) All (other) signage and warning notices have been correctly installed.
- 15.8.1.5. 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.
- 15.8.1.6. 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 or other requirements 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 Water efficient washing machines and dishwashers have been used

- 15.8.1.7. A plumber licensed with NSW Fair Trading, or experienced chartered hydraulic engineer, is to certify that:
 - a) All the requirements of the detailed Non-Potable Water Supply and Irrigation Plan have been installed to the required locations.
 - b) The pumps, alarms and all other systems are working correctly.
 - c) The flow meters have been installed on the pumps outflow and the solenoidcontrolled mains water bypass to determine non-potable usage and actual percentage of reuse.
 - d) The initial flow meters readings are detailed in the certificate.
 - e) All toilets and landscaping taps are supplied by 170 kL rainwater tank.
 - f) External taps at a rate of one tap for each 200 m2 of landscape area that require watering evenly spread across the site for landscape watering or washdown. Some taps shall be located closer to parking areas to allow for car washdown.
 - g) The water from at two toilets and two external taps have been tested to show no chlorine residual.
 - h) Rainwater warning signs are fitted to all external taps using rainwater.
 - i) All rainwater reuse taps are either locked, or have removable handles with handles removed.
 - A signed, works-as-executed Non-Potable Water Supply & Irrigation Plan is to be provided to Council's WSUD Compliance Officer at <u>WSUD@blacktown.nsw.gov.au</u>
- 15.8.1.8. A certificate from a Registered Engineer (NER) must be obtained and submitted to Council verifying that the constructed Stormwater Quality Control system will function effectively in accordance with Blacktown Council's DCP Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.
- 15.8.1.9. The applicant is to submit the certified line marking and traffic signage plan as required by this consent. This will require evidence to demonstrate that approvals have been obtained from the Local Traffic Committee and adoption by Council Ordinary Meeting. A final inspection report is to be included noting that all line marking and traffic signage works are complete.
- 15.8.1.10. 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. Easements/Restrictions/Positive Covenant

- 15.9.1. 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:
 - Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version)
 - The standard format for covenants, easements and restrictions as accepted by NSW Land Registry Services
- 15.9.2. Restrictions and/ or positive covenant must be endorsed by Council and lodged with NSW Land Registry Services over the Rainwater tank, ZPG filters, ocean guards and OSD tanks.
- 15.9.3. All Section 88B restrictions and covenants created, as part of this consent shall contain a provision that they cannot be extinguished or altered except with the consent of Blacktown City Council.

15.10. Inspections

15.10.1. 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.

15.11. Water Sensitive Urban Design Management

- 15.11.1. 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.
- 15.11.2. 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.
- 15.11.3. 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.

15.12. Service Authorities

- 15.12.1. The following documentary evidence shall be obtained and forwarded to the Principal Certifying Authority 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 Certifying Authority prior to the Construction Certificate being issued. The Section 73 Certificate must be submitted to the Principal Certifying Authority 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.

- 15.12.2. 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.
- 15.12.3. 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.

15.13. Landscaping/Car Parking

- 15.13.1. Permanently line marked parking spaces for minimum 129 cars and 66 bicycles shall be provided on-site.
- 15.13.2. 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.
- 15.13.3. Off-street car parking shall be encouraged by the installation of appropriate, permanent and prominent signs indicating its availability.
- 15.13.4. All landscaping shall be completed in accordance with the final approved landscape plan and shall be maintained at all times in a suitable manner to the satisfaction of the Principal Certifying Authority.
- 15.13.5. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.
- 15.13.6. The carparks, all open space areas, the pedestrian footpath 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.
- 15.13.7. All vehicular entrance / exit points are to be clearly signposted and visible from the street and the site at all times.
- 15.13.8. All landscaping, outdoor play areas and equipment shall be completed in accordance with the approved landscaping design plans submitted as part of the Construction Certificate.
- 15.13.9. Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.
- 15.13.10. All fencing and retaining walls shall be completed in accordance with the approved details submitted as part of the Construction Certificate. All fencing/retaining work must be provided at full cost to the developer. The selected fencing material/design must also minimise/eliminate the potential for graffiti attacks. Where possible, foliage should be grown on/over fencing adjacent to public areas to minimise any potential for graffiti.
- 15.13.11. 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.

15.14. Other Matters

- 15.14.1. Prior to the issue of the final Occupation Certificate, all required tree planting and payments of bonds are to be completed to the satisfaction of Council's Greenspace Services Section.
- 15.14.2. The existing chicane structure (blister island) and sign located on Evans Road near the north-east corner of the site frontage must be removed, as approved by Local Traffic Committee as part of the construction certificate. All works must be completed to the satisfaction of Council's Traffic Section.

15.14.3. Parallel parking spaces along Albert Parade and Evans Road within the vicinity of 200m from the school's boundaries must be line marked, as approved by Local Traffic Committee as part of the construction certificate. All works must be completed to the satisfaction of Council's Traffic Section.

15.15. Tree Preservation

15.15.1. The applicant must submit a final Arborist report to identify the protected trees are in good health and condition. This will assist with the return of any preservation bond.

16. OPERATIONAL (PLANNING)

16.1. Access/Parking

- 16.1.1. All required off-street 129 car parking spaces, 66 bicycle 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 within the designated loading areas. Loading and unloading operations are not to obstruct internal driveways or car parking spaces at any time.
- 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. All vehicles are to enter and leave the site in a forward direction. Entry and exit to and from the basement carpark shall be left in and left out only.
- 16.1.5. Vehicular entry and use of the basement carpark must be open and accessible to parents, teachers and students between 7.30 am and 3.30 pm on school days.
- 16.1.6. Mandatory Traffic Marshalls must be employed and positioned near the entry of the basement carpark to ensure all cars and pedestrians are managed into and out of the basement, and to manage the pedestrian crossing near the school boundary on Evans Road for the duration of the school zone hours in the morning and afternoon on school days.
- 16.1.7. Traffic Management Plan Ref 19-049-2 dated August 2023 prepared by Stanbury Traffic Planning and Green Travel Plan endorsed by Transport for NSW prior to the issue of Occupation Certificate shall be implemented.

16.2. General

- 16.2.1. Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
- 16.2.2. Should an intruder alarm be installed on the land it shall be fitted with a timing device in accordance with the requirements of *the Protection of the Environment Operations Act 1997.*
- 16.2.3. Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
- 16.2.4. No goods, materials or trade wastes are to be stored at any time outside the building on either the internal vehicular driveway, car parking area, landscaping or footpath, other than in approved garbage receptacles.
- 16.2.5. The carpark and manoeuvring areas are to be kept free of any storage materials and other items so they are freely available for their approved purpose of parking and vehicle manoeuvring.

16.3. Use of Premises

- 16.3.1. The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.
- 16.3.2. This consent authorises the use of the completed approved buildings for a high school with a maximum of 1360 students and 75 staff (including teaching and non-teaching staff).
- 16.3.3. The development shall not be used or converted for use for any purpose other than that:
 - (a) Granted consent by Council's Notice of Determination, or
 - (b) Which is "Exempt Development" or "Complying Development" under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or other NSW or Council planning instrument.

16.4. Emergency Procedures

16.4.1. Instructions concerning procedures to be adopted in the event of an emergency shall be clearly displayed on the premises for visitors, students and staff information at all times to the satisfaction of Council.

16.5. Signage

- 16.5.1. The approved signage on basement carpark entry must not have or incorporate any of the following:
 - (a) flashing lights,
 - (b) electronically changeable or variable messages,
 - (c) animated displays, moving parts of simulated movements,
 - (d) complex displays that hold motorists' attention,
 - (e) a method or level of illumination that distracts or dazzles,
 - (f) displays resembling or imitating road traffic signs or signals,
 - (g) instructions to passing traffic (i.e. 'Halt', 'Stop' or the like); or
 - (h) glossy paints or luminous colours.
- 16.5.2. At no time shall any signage approved as part of this consent be used for general advertising purposes.

17. OPERATIONAL (ENVIRONMENTAL HEALTH)

17.1. Environmental Health Matters

- 17.1.1. The following recommendations made in the Acoustic Assessment Alterations & Additions St Agnes College 21 St. Agnes Avenue Rooty Hill (ref: R180562R4 Revision 1) prepared by Rodney Stevens Acoustics, dated 15 March 2023, are to be implemented:
 - Parents and guardians shall be informed of the importance of noise minimisation when entering the site, dropping off or picking up children. This includes avoiding raising voices in the school's carpark or beeping car horns.
 - The eastern carpark shall only be used between 7am and 10pm.
 - The operation of any mechanical plant installed for ventilation must be in accordance with the relevant regulations such as the Building Code of Australia (BCA Vol.1, Part 4.5 Ventilation of rooms) and AS1668.2-2002. The use of ventilation and air conditioning in buildings will be required.

- 17.1.2. Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the 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.
- 17.1.3. The proprietor is to ensure that all food handling complies with the requirements of the *Food Act 2003* and its Regulation.
- 17.1.4. Any activity carried out in accordance with this approval shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the *Protection of the Environment Operations Act 1997*.
- 17.1.5. All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the *Protection of the Environment Operations Act 1997*.
- 17.1.6. In accordance with the requirements of Part 5.7 Protection of the *Environment Operations Act 1997*, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where material harm to the environment is caused or threatened.

17.2. Environmental Management (conditioned by engineering)

17.2.1. The Applicant shall enter into a Maintenance Agreement with a maintenance contractor for the WSUD system installed on the property. The Maintenance Agreement is to be in accordance with the Maintenance schedule approved by Council. The maintenance contractor is to possess the qualifications and licences, if any, required to undertake the maintenance works in accordance with Council and New South Wales policy and legislation.

The Maintenance Agreement must be maintained for the life of the development. The Applicant shall submit a copy of the executed Maintenance agreement to Council for approval. The Maintenance Agreement can be replaced with an alternative Maintenance Agreement of the same or better standard. In the event that the Applicant enters into a replacement Maintenance Agreement the Applicant must, as soon as practically possible, forward a copy to Council.