

Conditions of consent (draft)

Proposed development	Construction of a temporary education establishment (Nirimba Fields Primary School) for 419 students, including construction of a carparking area for 17 vehicles and associated site preparation works, traffic safety measures and landscaping.
Property description	Lot 1 in DP 1285594 Triton Parade & Nabthorpe Parade, Nirimba Fields.

1 Advisory Notes

1.1 Scope of Consent

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

1.2 Services

- 1.2.1 The applicant is advised to consult with:
- (a) Sydney Water Corporation Limited,
 - (b) Recognised energy provider,
 - (c) Natural Gas Company,
 - (d) The relevant local telecommunications carrier

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

All approved building construction plans attached 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.

- 1.2.2 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.

- 1.2.3 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.
- 1.2.4 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.

1.3 Identification Survey

- 1.3.1 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.

1.4 Engineering Notes

- 1.4.1 All works requiring approval under the Roads Act 1993 (except standard vehicular crossings) or Local Government Act 1993 must obtain the relevant approvals before their construction commences.
- 1.4.2 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.

2 General

2.1 Scope of Consent

- 2.1.1 This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:

Plan	Revision	Date
Ground floor plan A01 drawn by EJE Architecture	F	10 May 2023
Roof plan A02 drawn by EJE Architecture	B	10 May 2023
Elevations A03 drawn by EJE Architecture	B	10 May 2023
Landscape plan L01 drawn by Northrop	2	23 May 2023
Aboriginal Due Diligence Assessment prepared by Apex Archaeology	2	29 November 2022
Noise & Vibration Impact Assessment Report rp230524s0028 prepared by NDY Group	2.0	29 May 2023
Access Report CA230042 prepared by Accessed	B	11 May 2023
Preliminary Plan of Management prepared by Johnstaff on behalf of School Infrastructure NSW	-	May 2023
Flood Study and Flood Risk Management Study 23134 prepared by Site Plus Pty Ltd	4	May 2023
Crime Prevention Through Environmental Design Assessment Report 2220658 prepared by Ethos Urban	2.0	29 May 2023
Detailed Site (Contamination) Investigation	0	2 May 2023

219660.00 Doc R.001. Rev0 prepared by Douglas Partners		
Preliminary Construction Management Plan prepared by ProGroup Management Pty Ltd	3	26 May 2023
Building Code of Australia Capability Statement prepared by Philip Chun Building Compliance	R02	12 May 2023
Building Services Report prepared by Northrop	A	10 May 2023
Construction Waste Management Plan prepared by Foresight Environmental	3	21 April 2023
Operational Waste Management Plan prepared by Elephants Foot Consulting Pty Ltd	E	24 May 2023
Preliminary DA Transport Assessment prepared by Mott MacDonald	2	26 May 2023
Stormwater Management Plan NL230336 prepared by Northrop	B	10 May 2023
Social Impact Assessment 2220658 prepared by Ethos Urban	3.0	29 May 2023
Geotechnical Investigation 219660.01 prepared by Douglas Partners Pty Ltd	0	17 May 2023
Salinity Investigation and Management Plan 219660.01 prepared by Douglas Partners Pty Ltd	1	5 May 2023

- 2.1.2 Unless otherwise approved, the temporary school facilities must be removed by 31 December 2026, or such later time as advised in writing by the NSW Department of Education if circumstances dictate. This excludes all approved works within Council's road reserves and any permanent on-site infrastructure (such as the electricity substation).
- 2.1.3 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 on site.

2.2 Engineering

- 2.2.1 All engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:
- (a) Blacktown City Council's Works Specification - Civil (Current Version).
 - (b) Blacktown City Council's Engineering Guide for Development (Current Version).
 - (c) Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management.
 - (d) Blacktown City Council Growth Centre Precincts Development Control Plan
 - (e) Blacktown City Council On Site Detention General Guidelines, S3QM online tool and standard drawing A(BS)175M.
 - (f) 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 the Principal Certifying Authority with any application for Crown Building Certificate, *Road Act 1993* or *Local Government Act 1993* approval.

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

3 Prior to Crown Certification

- 3.1 A separate Crown Building Certificate shall be issued prior to commencement of any construction works.
- 3.2 A Crown Building 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.
- 3.3 All building work shall be carried out in accordance with the provisions of the Building Code of Australia.
- 3.4 The applicant shall prepare and submit to Council a final Construction Environmental Management Plan (to include at a minimum: 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 the Protection of the Environment Operations Act 1997), prior to the issuing of a Crown Building Certificate.
- 3.5 Plans and specifications submitted for issue of a Crown Building Certificate shall demonstrate compliance with the requirements of:
 - (a) The Food Act 2003 and its Regulation.
 - (b) Australian Standard 4674-2004 Design, construction and fitout of food premises.
- 3.6 The following documentary evidence shall be provided (to the Principal Certifier) prior to the works to which the evidence relates being undertaken:
 - (a) A "Notification of Arrangement" Certificate from a recognised energy provider, stating that arrangements have been made with the service authority for electrical services, including the provision of street lighting, to the development.
 - (b) A written clearance from Telstra or any other recognised communication carrier, stating that services have been made available to the development or that arrangements have been made for the provision of services to the development.

3.7 Local Traffic Committee

- 3.7.1 Prior to the implementation of any external works such as the proposed locations of the bus zones, a raised pedestrian crossing, kiss and drop-off zone, an at-grade pedestrian crossing and associated street signage as part of this development, the applicant shall provide evidence to the principal certifying authority in order to demonstrate that those works have approval from the local traffic committee and been adopted by Ordinary Council Meeting.

3.8 Access/Parking

- 3.8.1 The 17 car parking spaces are to be designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1.
- 3.8.2 The design of the car parking area is to ensure that all vehicles must enter and leave the development in the forward direction.
- 3.8.3 Access to and parking for persons with disabilities shall be designed in accordance with Australian Standard 2890.6 and AS1428.1 - 2009.
- 3.8.4 The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) are to be designed in accordance with Australian Standard 2890.1 – 2004 and AS 2890.2 – 2002 for heavy vehicles.

3.9 Engineering

- 3.9.1 The engineering drawings referred to below are not for construction. The Crown Building 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.

The Crown Building Certificate Construction plans shall be generally in accordance with the following drawings and relevant consent conditions:

Prepared By	Project/Job No.	Drawing No.	Date	Council's reference
EJE Architecture (Architectural Plan)	14746	A01 to A03	10/05/2023	D23/291115
Northrop (Concept Stormwater Management Plan)	NL230336	C01.01 to C09.01	10/05/2023	D23/291110
EJE Architecture (Landscaping Plan)	NL230336	L01	23/05/2023	D23/291122
Northrop (Civil Engineering Plan)	NL230336	C01.01 to C09.01	10/05/2023	D23/291116
Ethos Urban (Statement of Environmental Effects)	-	-	01/06/2023	D23/291108
Siteplus (Flood Study and Flood Risk Management Study)	-	-	May 2023	D23/291127
MUSIC Model				D23/393282

The following items are required to be addressed on the Crown Building Certificate plans:

- i. Show turning path for maximum design vehicle for TURNING BAY area.
- ii. The internal car park shall be designed in accordance with Council's DCP requirements with 2.5m bay width, 5.2m bay length and 7m aisle width.

3.9.2 A chartered professional engineer (CPEng) (Structural Engineer) who has membership to Engineers Australia is to provide a certificate to the certifier indicating that the structure has been designed to withstand flood impacts up to the Probable Maximum Flood (PMF) as per the Flood Study and Flood Risk Management Study referenced in Condition 2.1.1. The engineer should consider scour, impact of debris, hydrodynamic pressure, hydrostatic and buoyancy forces.

3.9.3 A flood management plan is to be prepared by a chartered civil engineer registered on NER and submitted to the certifier. The plan must detail:

- Signage, notices, procedures and gauges as required.
- Evacuation plan with detailed evacuation route in all flood events.

3.9.4 The applicant must provide a certification of WSUD system design detailing the provision of the Water Management System in accordance with the part J of Blacktown City Council's DCP 2015 and generally in accordance with the concept Civil Engineering package prepared by Northrop, Job Number NL230336, Revision B and dated 10/05/2023.

Detailed stormwater plan is to be prepared by a chartered professional engineer (CPEng) (Civil/Environmental Engineer) who has membership to Engineers Australia.

The WSUD system plans must address the following:

- 1) At least two pits shall be provided in the proposed swale in accordance with Council's WSUD standard Drawings- A(BS)175M.

- 2) Plants details shall be provided in accordance with Council's WSUD standard Drawings A(BS)175M.
- 3) A detailed Non-Potable Water Supply and Irrigation Plan for non-potable water uses on the site including all toilet/urinal flushing and landscape watering and that all Sydney Water requirements have been satisfied.

Detailed plans, engineering certification are to be submitted to the Certifying Authority for approval.

3.9.5 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.

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

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

3.9.7 Any ancillary works undertaken required to support the school shall be at no cost to Council.

3.9.8 Submit a Public Utilities Plan demonstrating adequate clearance between services to stormwater pits, pipes, driveways, light poles, etc to the Certifier's satisfaction, for any works within Council's road reserves.

3.10 Drainage

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

3.11 Erosion and Sediment Control

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

3.12 Earthworks

3.12.1 Finished levels of all internal works at the road boundary of the property must be 4% above the top of kerb, except where required for compliance with accessibility requirements.

3.13 Vehicular Crossings

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

3.14 Footpaths

3.14.1 Path paving is to be provided generally in accordance with Council's Path Paving Policy, Blacktown City Council Engineering Guide for Development and Blacktown City Council Growth Centre Precincts Development Control Plan 2018 and as follows:

Street Name	Paving Width	Configuration
Triton Parade and Nabthorpe Parade	Extension in width of existing paths to meet the kerb of kiss & drop zone on Nabthorpe Parade, extension of existing paths to meet the kerb of bus zone on Triton Parade and full width of main entrance	125 mm thickness with F82 Mesh

3.15 Bicycle parking

3.15.1 The plans shall depict an area for the secure parking of at least 47 bicycles within the site.

3.16 Disabled access

3.16.1 The applicant shall ensure that the design of the temporary school meets the access requirements of the Building Code of Australia 2019 Amendment 1 (BCA), Disability (Access to Premises – Buildings) Standards 2010 (including Compilation No. 2) (Premises Standards), Australian Standards (AS) and Disability Discrimination Act (DDA) as per the recommendations of the Access Report CA230042 prepared by Accessed (Revision B) dated 11 May 2023.

4 Prior to Development Works Commencing

4.1 Environmental Health

4.1.1 All recommendations outlined in the Detailed Site (Contamination) Investigation, prepared by Douglas Partners dated May 2023, must be complied with and implemented.

4.1.2 All recommendations outlined in the Salinity Investigation and Management Plan, prepared by Douglas Partners Pty Ltd dated May 2023, must be complied with and implemented.

4.1.3 All recommendations outlined in the Geotechnical Investigation, prepared by Douglas Partners Pty Ltd dated May 2023, must be complied with and implemented.

4.1.4 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, and
- proposed means of controlling any activity that could potentially cause a pollution incident as defined by the Protection of the Environment Operations Act 1997).

4.2 Safety/Health/Amenity

4.2.1 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.

4.2.2 A sign is to be erected and maintained in a prominent position on the site in accordance with 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.

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.
- 4.2.3 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.
- 4.2.4 All soil erosion and sedimentation control measures indicated in the documentation accompanying the Crown Building Certificate shall be installed prior to the commencement of development works.
- 4.2.5 A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport of soil onto any public place. Such access shall be provided in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. Single sized 40 mm or larger aggregate placed 150 mm deep, and extending from the street kerb/road shoulder to the land shall be provided as a minimum.
- 4.2.6 Any excavation and/or backfilling associated with the development shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent such work being dangerous to life or property.
- 4.2.7 In accordance with the recommendations of the Detailed Site (Contamination) Investigation 219660.00 Doc R.001. Rev0 prepared by Douglas Partners, a Construction Environmental Management Plan (CEMP) must be developed and implemented as part of the civil and construction works. The CEMP must include a protocol for managing unexpected finds of contamination (or suspected contamination) and a protocol for the waste classification (in accordance with the NSW EPA Waste Classification Guidelines, Part 1: Classifying Waste 2014) and off-site disposal of surplus soils. Any PFAS impacted soils brought to the surface through the proposed works (i.e., any piling spoil from below 3 m in the PFAS MEA) are not suitable for re-use within the site and must be disposed to landfill under a formal waste classification.

4.3 Notification to Council

- 4.3.1 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 the Environmental Planning and Assessment Regulation 2021, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.

4.4 Sydney Water Authorisation

- 4.4.1 A Section 73 Notice of Requirements under the Sydney Water Act 1994 must be obtained from Sydney Water.

The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or call 13 20 92.

- 4.4.2 The approved plans must be submitted to the Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Tap in™ service provides 24/7 access to a range of services, including:

- building plan approvals,
- connection and disconnection approvals,

- diagrams,
- trade waste approvals,
- pressure information,
- water meter installations,
- pressure boosting and pump approvals,
- changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's Tap in™ online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

Sydney Water recommends developers apply for Building Plan approval early as in some instances the initial assessment will identify that an Out of Scope Building Plan Approval will be required.

4.4.3 Sydney Water will need to undertake a detailed review of building plans:

1. That affect or are likely to affect any of the following:
 - Wastewater pipes larger than 300mm in size.
 - Pressure wastewater pipes.
 - Drinking water or recycled water pipes.
 - Sydney Water property boundary.
 - An easement in Sydney Water's favour.
 - Stormwater infrastructure within 10 m of the property boundary.
2. Where the building plan includes:
 - Construction of a retaining wall over, or within the zone of influence of Sydney Water's assets.
 - Excavation of a basement or building over, or adjacent to, one of Sydney Water's assets.
 - Dewatering – removing water from solid material or soil.

The detailed review is to ensure that:

- Sydney Water assets will not be damaged during, or because of the construction of the development.
- Sydney Water can access its assets for operation and maintenance.
- Your building will be protected if Sydney Water needs to work on its assets in the future.

The developer will be required to pay Sydney Water for the costs associated with the detailed review.

4.3.4 Certain tree species placed in close proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Sydney Water requires that all proposed or removed trees and vegetation included within the proposal adhere to the specifications and requirements within Section 46 of the Sydney Water Act (1994) and *Diagram 5 – Planting Trees* within our Technical guidelines – Building over and adjacent to pipe assets. Please note these guidelines include more examples of potential activities impacting our assets which may also apply to your development.

If any tree planting proposed breaches our policy, Sydney Water may need to issue an order to remove every tree breaching the act, or directly remove every tree breaching the Act and bill the developer or Council for their removal.

- 4.4.4 If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au

A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

- 4.4.5 All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.
- 4.4.6 Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

1. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
2. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website:

<https://www.sydneywater.com.au/plumbing-building-developing/plumbing/backflow-prevention.html>

4.5 Use of Crane

- 4.5.1 Any crane used in the construction of this development to swing over public air spaces must have approval under the *Roads Act 1993* and *Local Government Act 1993* from Council's Manager, Civil and Open Space Maintenance.

4.6 Engineering

- 4.6.1 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.

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

5 During Construction

5.1 Safety/Health/Amenity

- 5.1.1 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.

- 5.1.2 A sign is to be erected and maintained in a prominent position on the site in accordance with 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.
- 5.1.3 Soil erosion and sediment control measures shall be maintained during the development works.
- 5.1.4 All measures specified in the Crown Building Certificate to control soil erosion and sedimentation shall be maintained throughout development works.

5.2 Building Code of Australia Compliance

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

5.3 Surveys

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

5.4 Nuisance Control

- 5.4.1 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.
- 5.4.2 The hours of any offensive noise-generating development works shall be limited to between 7 am to 6 pm, Mondays to Fridays: 8 am to 1 pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.

5.5 Environmental Health

- 5.5.1 The Detailed Site Investigation prepared by Douglas Partners Pty Ltd dated May 2023 states that PFAS contaminated soil on site is likely to be covered by a minimum of 3 metres of fill. Excavation is to be minimised for this proposal and excavation is not permitted below 3 metres at any time.
- 5.5.2 Any materials requiring off-site disposal will need to be classified, managed and disposed of in accordance with the Protection of the Environment Operations Act 1997 and the NSW Environment Protection Authority's Waste Classification Guidelines (2014).
- 5.5.3 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.
- 5.5.4 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.
- 5.5.5 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.
- 5.5.6 Any new information during construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to Blacktown City Council.

- 5.5.7 All recommendations outlined in the Detailed Site (Contamination) Investigation, prepared by Douglas Partners dated May 2023, must be complied with and implemented.
- 5.5.8 All recommendations outlined in the Salinity Investigation and Management Plan, prepared by Douglas Partners Pty Ltd dated May 2023, must be complied with and implemented.
- 5.5.9 All recommendations outlined in the Geotechnical Investigation, prepared by Douglas Partners Pty Ltd dated May 2023, must be complied with and implemented.
- 5.5.10 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 POEO). The Construction Environmental Management Plan will need to include reference to work being carried out, on or in land where there is a PFAS Material Emplacement Area and make reference to this in all site induction checklists.
- 5.5.11 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.
- 5.5.12 Soil erosion and sediment control measures shall be maintained in accordance with Managing Urban Stormwater: Soils and Construction – Volume 1.
- 5.5.13 The recommendations provided in Noise and Vibration Impact Assessment Report, prepared by NDY Group Pty Ltd dated 29 May 2023 must be complied with and implemented.

5.6 NSW Police

- 5.6.1 During construction stage all tools and building materials must be installed in strong rooms/containers with tamper proof security system.

5.7 Engineering

- 5.7.1 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.
- 5.7.2 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.
- 5.7.3 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.
- 5.7.4 Soil erosion and sediment control measures onsite shall be implemented, maintained and monitored in accordance with Council's Soil Erosion and Sediment Control Policy.
- 5.7.5 Any "Traffic Control Plan" utilised for engineering works required by this consent must be prepared by a person who holds a current Transport for NSW (Roads and Maritime) 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.

- 5.7.6 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 Transport for NSW (Roads and Maritime) accreditation and photo card to implement Traffic Control Plans.
- 5.7.7 Persons undertaking the control of traffic through or around work sites on Council controlled roads must hold a current Transport for NSW (Roads and Maritime) Traffic Controller accreditation and photo card and carry it with them.
- 5.7.8 The applicant is advised that prior to implementation of any traffic control system and during the entire course of construction suitably qualified Transport for NSW (Roads and Maritime) 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.
- 5.7.9 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 Transport for NSW (Roads and Maritime) 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.

5.8 Aboriginal Heritage

- 5.8.1 In accordance with the Aboriginal Due Diligence Assessment prepared by Apex Archaeology (Revision 2) dated 29 November 2022, should unanticipated archaeological material be encountered during site works, all work must cease and an archaeologist contacted to make an assessment of the find. Further archaeological assessment and Aboriginal community consultation may be required prior to the recommencement of works. Any objects confirmed to be Aboriginal in origin must be reported to Heritage NSW.

5.9 Construction Management Plan

- 5.9.1 All of the recommendations outlined in the Preliminary Construction Management Plan prepared by ProGroup Management Pty Ltd, Revision 3, dated 26 May 2023 and the Construction Waste Management Plan, prepared by Foresight Environmental, Revision 3 dated 21 April 2023 shall be adhered to at all times.

6 Prior to Occupation (Completion of Works)

6.1 Sydney Water

- 6.1.1 A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or call 13 20 92.

6.2 Flood Evacuation Plan

- 6.2.1 The site-specific Flood Evacuation Plan in accordance with the Department's Incident Notification and Response Policy and Procedures shall be completed for implementation prior to the commencement of operation of the school.

6.3 NSW Police

- 6.3.1 Signs at the front of the site for emergency services should be installed. These can also assist in controlling activities and movement throughout the school and grounds. Warning signs need to be posted around the school to warn intruders of what security treatments have been implemented to reduce opportunities for crime. Example 'Warning, Trespassers will be prosecuted' and 'Warning, these premises are under electronic surveillance'.
- 6.3.2 NSW Police recommend that no vegetation be planted within 2 metres of the roadway entrance on 1 Triton Parade, Nirimba Fields to the school property.
- 6.3.3 All lighting must be sufficient to support images obtained from CCTV footage. The light covers should be designed to reduce opportunities for malicious damage (vandalism).
- 6.3.4 Police recommend bollards to be installed to the entrance to the cola area at the rear of the car parking area.
- 6.3.5 Police encourage signs to be displayed within the carpark area to advise motorists to secure their vehicles and property.
- 6.3.6 Police request additional CCTV surveillance cameras to be placed adjacent to the proposed building at the front entrance/exit. This should be constructed to enhance the physical security and assist in the identification of people involved in anti-social or criminal behaviour.

6.4 Building

- 6.4.1 The school shall not operate until such time as all relevant 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.

6.5 Environmental Health

- 6.5.1 Prior to operation of the school commencing, documentation shall be submitted to the Certifier certifying that the ventilation system has been installed and is operating in accordance with Australian Standard 1668.2:2002 The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control where required.
- 6.5.2 Certification must be provided by a qualified acoustic engineer that all work associated with the installation of the acoustic measures and noise attenuation has been completed in accordance with the certified design and to the standard required by this consent.
- 6.5.3 In accordance with the PFAS MEA Validation Report Former Schofields Aerodrome, Ramboll, May 2021, the Site Audit Statement shall confirm that the PFAS MEA is suitable, with respect to the PFAS material placement layer, for the most sensitive intended future land use of residential with gardens and is protective of the environment.

6.6 Parking

- 6.6.1 Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
- 6.6.2 Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.
- 6.6.3 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.

- 6.6.4 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.

6.7 Temporary Facilities Removal

- 6.7.1 Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
- 6.7.2 Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.
- 6.7.3 Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.
- 6.7.4 Any temporary builder's sign or other site information sign shall be removed from the land.
- 6.7.5 Any temporary site access provided for the purpose of development works shall be removed and the kerb and gutter and/or previous roadworks reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.

6.8 Engineering

- 6.8.1 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.
- 6.8.2 Any temporary facilities provided during construction and/or development works shall be removed from the land prior to the final completion of the construction works.
- 6.8.3 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 on Council land (subject to approval under the Roads Act) 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 Crown Certificate plans for engineering works.
- 6.8.4 A chartered professional engineer (CPEng) (Civil Engineer) who has membership to Engineers Australia, is to certify that: a. all the requirements of the approved WSUD system plan have been undertaken; b. any proprietary WSUD system(s) have been installed for the site as per the manufacturer's recommendations. c. a copy of the certification and the works-as-executed drainage plan has been provided to the certifier, who shall provide it to Council. d. A plumber, licensed with NSW Fair Trading, is to undertake flow testing of the non-potable water reuse system to certify that all the toilets are capable of being supplied by rainwater and that there is no cross mixing, or cross contamination with the potable water supply Details demonstrated compliance must be submitted to the Certifying Authority prior to the completion of all engineering works.
- 6.8.5 Before the operation of the school, a chartered Structural Engineer who has membership to Engineers Australia is to provide a certificate to the certifier indicating that the building works have been carried out in accordance with the relevant sections of the BCA and the Crown Certificate drawings, which include design for flooding.
- 6.8.6 A suitably qualified engineer is to certify that all the requirements of the Flood Management Plan have been implemented including the installation of all signage and notices. Details demonstrated compliance must be submitted to the Certifying Authority prior to the completion of all engineering works.
- 6.8.7 Prior to the operation of the school commencing, written evidence is to be provided that the owner of the land has entered into and prepaid a minimum 1 year signed and

endorsed maintenance contract with a reputable and experienced maintenance contractor for the maintenance of Bioretention basin and swales. This maintenance includes rectification or replacement of assets that are missing, damaged, or at end of operation life.

The signed and endorsed contract and evidence of payment is to be provided to Council's WSUD Compliance Officer at wsud@blacktown.nsw.gov.au

Refer to Council's WSUD Inspection and Maintenance Guidelines 2019 for requirements to be included in prepaid contract and Part B for maintenance requirements for each asset type.

Refer to the maintenance schedule for frequency of maintenance. The contractor is to Report on all inspection and maintenance undertaken to Council's WSUD Compliance Officer at wsud@blacktown.nsw.gov.au

This contract cannot be cancelled. At completion of the contract the property owner is to organise a new contract as per the requirements in Council's Inspection and Maintenance Guidelines.

- 6.8.8 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.
- 6.8.9 Prior to the completion of final engineering works, 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.

6.9 Local Traffic Committee requirements

- 6.9.1 The traffic and pedestrian requirements of the Local Traffic Committee as adopted by Ordinary Council Meeting shall be implemented and made operational.

7 Operational

7.1 Flood Evacuation Plan

- 7.1.1 The Flood Evacuation Plan shall be readily available for all staff at the school to familiarise themselves with and applied as deemed necessary.

7.2 Access/Parking

- 7.2.1 All required off-street car parking spaces and internal driveways shall be maintained to a standard suitable for the intended purpose.
- 7.2.2 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

7.3 Landscaping

- 7.3.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.
- 7.3.2 Landscaping to lot boundary shall be wholly contained upon the school property and not encroach upon the road reserve.

7.4 Lighting and Security

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

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

7.5 Environmental Health

7.5.1 The recommendations provided in Noise and Vibration Impact Assessment Report, prepared by NDY Group Pty Ltd dated 29 May 2023 must be complied with and implemented.

7.5.2 Excavation is not permitted beyond 3 metres at any location on site due to the potential presence of PFAS contaminated soils likely to be present onsite.

7.5.3 The Operational Plan of Management is to be implemented for the primary school and is to be monitored and enforced by an appropriate authorised person for the primary school.

7.5.4 Upon receipt of a justified complaint in relation to noise pollution emanating from the premises, an acoustical assessment is to be carried out in accordance with the requirements of the NSW Environmental Protection Authorities - Noise Policy for Industry and provide recommendations to mitigate the emission of offensive noise from the premises. The report shall be prepared by an appropriately qualified acoustic consultant with suitable technical qualifications and experience, consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants (AAAC) or the Australian Acoustical Society (AAS) and shall be submitted to Council for consideration.

7.5.5 A post commissioning report must be produced by an acoustic consultant with suitable technical qualifications and experience, consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants (AAAC) or the Australian Acoustical Society (AAS) within 3 – 6 months of the proposed development operating to validate the Environmental Noise Impact Assessments findings. The report is to be submitted to Council to review.

7.5.6 The food premises shall be maintained in accordance with the requirements of:

- The Food Act 2003 and its Regulation.
- Australian Standard 4674-2004 Design, construction and fit-out of food premises.

7.5.7 The proprietor is to ensure that all food handling complies with the requirements of the Food Act 2003 and its Regulation.

7.5.8 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.

7.5.9 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.

7.5.10 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.

7.5.11 All waste and recycling bins must be stored wholly within the approved waste storage area. The bins must only be put out for collection in the evening prior to pick-up and returned to the storage area as soon as possible after pick-up.

7.5.12 In accordance with the recommendations of the Detailed Site (Contamination) Investigation 219660.00 Doc R.001. Rev0 prepared by Douglas Partners and dated 2 May 2023, the extraction of groundwater for any purpose within the site, either during construction or in the long term is not permitted.

7.6 Out of hours event management plan

7.6.1 Prior to the commencement of any out of hours events, the applicant is to finalise the Preliminary Operational Plan of Management's 'Out of School Hours Event Management Plan' to include:

- (i) The number of attendees, time and duration.
- (ii) A schedule of all annual events (where known).
- (iii) Demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternative modes of transport.
- (iv) Measures to minimise localised traffic and parking impacts.
- (v) Include measures to minimise noise impacts on any sensitive residential receivers.
- (vi) Outline means of notifying the local community of larger events such as dances and fetes.

7.7 Waste

7.7.1 All of the recommendations outlined in the Operational Waste Management Plan prepared by Elephants Foot Consulting Pty Ltd, Revision E dated 24 May 2023 shall be adhered to at all times.