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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.

1.3 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.

1.5 Sydney Water

- 1.5.1 Some water efficiency measures that can be easily implemented in your business are:

- Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, <http://www.waterrating.gov.au/>
- Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to <https://www.sydneywater.com.au/your-business/managing-your-wateruse/water-efficiency-tips.html>
- Install water-monitoring devices on your meter to identify water usage patterns and leaks.
- Develop a water efficiency plan for your business.

It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

- 1.5.2 Under Sydney Water's customer contract Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs. Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned. Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority. In the event of a water service disruption a contingency plan should be ready to be implemented, these can be developed with the aid of your Business Customer Representative. For further information please visit the Sydney Water website at: <https://www.sydneywater.com.au/yourbusiness/managing-trade-wastewater/commercial-trade-wastewater.html> or contact Business Customer Services on 1300 985 227 or businesscustomers@sydneywater.com.au

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:

Drawing No.	Dated	Council's File Enclosure No.
Site Plan	14.6.23	D23/416461
Overall Ground Floor Plan	14.6.23	D23/416461
Overall Roof Plan	31.5.23	D23/416461
Elevations North + South	31.5.23	D23/416461
Elevations East + West	31.5.23	D23/416461
Landscape package (whole set) Pages, Issue 3. Prepared by NBRS	15.6.23	D23/315770
Noise and Vibration Impact Assessment for Development Application. Project code SVM 3449	15.6.23	D23/315759
Marsden Park Temporary High School (MPTHS) Operational Management Plan	13.6.23	D23/315775
Crime Prevention Through Environmental Design Review. Project NO. 23092	31.5.23	D23/315777
Construction Management Plan. Prepared by Progroup Management Pty Limited	13.6.23	D23/315766
Civil Development Application Report	15.6.23	D23/367715
Preliminary Site Investigation, prepared by Martens.	23.6.23	D23/347656
BCA Capability Statement, Prepared by MBC Group, project ref: 23000351	30.5.23	D23/315764
Operational Management Plan		D23/315775
Flood Emergency Response Plan		D23/315768
Statement of Environmental Effects		D23/35779
Transport Accessibility Impact Assessment		D23/315782
Operational Waste Management Plan		D23/315783
Amended Arborist Report		D23/378889

2.1.2 This consent permits the use of the site and approved buildings as an educational establishment (temporary school) for a period concluding 31 December 2025 or

such later time as advised in writing by the NSW Department of Education if circumstances dictate.

- 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 before their construction commences.

2.2 Engineering Matters - Design and Works Specification

- 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

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 (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 these works have the approval of the local traffic committee and the decision of the committee has been adopted by Ordinary Council Meeting.

3.8 Access/Parking

- 3.8.1 The design of the proposed 40 off-street parking including 2 accessible parking spaces and the parking aisle width must comply with AS2890.1 2004 and AS 2890.6.
- 3.8.2 The design of the car parking area is to ensure that all vehicles must enter and leave the development in a 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 – 2018 for heavy vehicles.
- 3.8.5 The design and location of the proposed loading bay is to ensure that the swept path of heavy rigid vehicles entering and leaving the loading bay do not encroach into off-street parking spaces.

3.9 Engineering

- 3.9.1 Construction plans shall be generally in accordance with the following drawings:
TTW, Job Number 221022, Drawing Number 221022-TTW- SITE-C-0600 to C-0671, date 1/6/2023 and Rev P2.

The applicant must provide certification that the WSUD system has been designed in accordance with the following:

- a. Part J of Blacktown City Council's Development Control Plan,
- b. Council's Engineering Guide for Development 2015,
- c. Civil Work Specification,
- d. Manufacturer's specifications for proprietary devices, and
- e. Council's design standards.

To meet Council's design standards, refer to:

- a. Council's WSUD Developer Handbook 2020,
- b. Council's WSUD Standard Drawings (including design notes) Rev D.

- 3.9.2 Final construction plans must confirm that minimum floor levels are consistent with Council's Engineering Guide for Development 2015.

School floor levels are to be at or above RL 20.10 metres to the Australian Height Datum (AHD) for the eastern wing and RL 20.6 (AHD) for the remainder of the buildings.

- 3.9.3 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.

3.9.4 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
- shelter-in-place or evacuation plan with detailed evacuation route
- a requirement for all electrical outlets to be located above the PMF level for local flood events (RI 20.5AHD).

3.9.5 If the estimated cost is \$250,000 or greater proof of long service levy payment is required.

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

3.9.7 Submit a Public Utilities Plan, prior to public domain works, 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.

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

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

3.9.10 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.

3.9.11 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 2010 and as follows:

Street Name	Side	Paving Width	Configuration
Galah Street- Rakali Parade	Full length of the property	Extension in width of existing paths to meet the kerb of kiss & drop zone on Galah Street	125 mm thickness with F82 Mesh

3.10 Open Space

3.10.1 Prior to operation, full detail plans in relation to the proposed street tree planting (a minimum of 37 replacement street trees to be provided) and landscaping consistent with Council's adopted Street Tree Guidelines shall be submitted to and approved by Council's Open Space Infrastructure Officer.

3.10.2 Street tree planting must not interfere with the street light spill. The applicant is to provide documentation to confirm there is no conflict between proposed vegetation at maturity and street lighting. This information must be received before operation.

3.10.3 Trees 5 - 41 as indicated in the Arboricultural Impact Assessment and Tree Protection Plan Report by GHD on 18 July 2023 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.

3.10.4 Trees 1 - 4, and, 42 - 62 are to be retained and protected as detailed in Section 4 'Tree Protection Measures' of the submitted Arboricultural Impact Assessment. 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 Arboricultural Impact Assessment.

- 3.10.5 Prior to Crown Certification a Tree Protection Plan (drawing) is required to be supplied.
- 3.10.6 Prior to Crown Certification the applicant who has the benefit of the development is to pay a tree preservation bond for trees 4 and 42 - 44 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. 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.
- 3.10.7 Two inspection fees as per Council's 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.

3.11 Environmental Health

- 3.11.1 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.
- 3.11.2 Should the site specific 'Unexpected Finds Protocol' be required to be implemented, the affected areas of contamination shall be remediated. Upon completion of any 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* (1995).
 - 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).
- 3.11.3 Prior to Crown Certification, a certificate must be provided by a qualified acoustic engineer stating that provision has been made in the design of all sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems to ensure that it is acoustically attenuated so that the noise emitted:
 - a) does not exceed an L_{Aeq} sound pressure level of 5dB (A) above the ambient background noise level when measured at the most effected point on or within any residential property boundary or at the external edge of any sole occupancy unit balcony within the premises itself at any time the plant or equipment operates,
 - b) cannot be heard within a habitable room in any sole occupancy unit or other residential premises (regardless of whether any door or window to that room is open) between the hours of 10pm and 7am and 10pm and 8am weekends and public holidays. The method of measurement of sound must be carried out in

accordance with Australian Standard 1055:2018.

3.12 SYDNEY WATER REQUIREMENTS

- 3.12.1 A Section 73 Notice of Requirement under the Sydney Water Act 1994 must be obtained from Sydney Water.
- 3.12.2 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.
- 3.12.3 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 telephone 13 20 92.
- 3.12.4 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/plumbingbuilding-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

- 3.12.5 Sydney Water will need to undertake a detailed review of building plan 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's property boundary,
 - An easement in Sydney Water's favour,
 - Stormwater infrastructure within 10m of the property boundary.

Or 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 Sydney Water assets for operation and maintenance
- Sydney Water building will be protected if Sydney Water need to work on Sydney Water assets in the future.

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

- 3.12.6 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 Sydney Water Technical guidelines – Building over and adjacent to pipe assets. Please note these guidelines include more examples of potential activities impacting Sydney Water assets which may also apply to the development.

If any tree planting proposed breaches Sydney Water 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.

- 3.12.7 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
- 3.12.8 A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.
- 3.12.9 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.
- 3.12.10 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.
- 3.12.11 Before you install a backflow prevention device:
- Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
 - Conduct a site assessment to confirm the hazard rating of the property and its services. Contact NSW Fair Trading on 1300 889 099.
- 3.12.12 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.htm>

3.13 Civil Asset Maintenance

- 3.13.1 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 2010 and as follows:

Street Name	Side	Paving Width	Configuration
Galah Street- Rakali Parade	Full length of the property	Extension in width of existing paths to meet the kerb of kiss & drop zone on Galah Street	125 mm thickness with F82 Mesh

- 3.13.2 Private footpath leading to the existing path paving on Rakali Parade (on south west corner of the school) shall be constructed under Council's Civil Asset Maintenance team supervision. Such footpath shall be constructed in accordance with Council's requirement of 75mm thick 20MPa concrete footpath slab, with 25mm sand subbase.
- 3.13.3 A vehicular crossing application form, together with the Council's adopted fees and charges being lodged with Council for the construction of a vehicular crossing, prior to the commencement of such works.

4 PRIOR TO DEVELOPMENT WORKS COMMENCING

- 4.1 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.
- 4.2 Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.
- 4.3 Tree Protection**
- 4.3.1 Any tree not approved for removal or more than 3 m from the building perimeter is to be effectively protected against damage.
- 4.3.2 Tree protection measures are to implemented in line with AS:4970-2009 "Protection of trees on development sites" and the AIA specified in the Prior to Crown Certification section of this consent.
- 4.3.3 The preservation bonds and the inspection fees are to be paid before construction begins.
- 4.3.4 The tree protection measures are to be installed prior to construction commencing.
- 4.4 Engineering**
- 4.4.1 The engineering drawings referred to below are not for construction. The Construction 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 plans shall be generally in accordance with the following drawings and relevant consent conditions:

Prepared By	Drawing No.	Dated	Council's Record
NBRS (Architectural Design Report)		14/06/2023	D23/315762

TTW (Civil Engineering Plan)	0600 to 0670	15/06/2023	D23/367715
TTW (Civil Development Application Report)	-	31/05/2023	D23/315765
NBRS (Architectural Plan)	DA00 to DA92	14/06/023	D23/336738
TTW (Flood Emergency Response Plan)	-	13/06/2023	D23/315768
MUSIC Model	-	-	D23/375564

The following items are required to be addressed prior to public domain works commencing:

1. Confirm the new location of the existing kerb inlet pit which is proposed to be relocated. The new location needs to be shown on plans.
2. Submit swept path for maximum size of vehicle (waste collection). Current submission of swept path on Page 42 in the submitted Architectural Plans are not clear and readable.
3. Submit off street carpark layout with all dimensions. Car park should be designed in accordance with Council's guidelines and requirements.
4. Submit long section of proposed driveway.
5. Civil Engineering Plan / Drawing no 0632 (Trim D23/315765): The plan shows kerb and gutter will be reconstructed to align with proposed 'pick-up, drop-off' zone and parking. In this regard, submit the layout details of the new alignment of kerb and gutter and also confirm the new location compare to the existing kerb/gutter line.

4.5 Roads Act Requirements

- 4.5.1 Prior to public domain works 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.

4.6 Vehicular Crossings

- 4.6.1 Prior to the public domain works, plans to demonstrate the construction a commercial and industrial vehicular crossing to Council's standard A(BS)103S.
- 4.6.2 Prior to the public domain works, vehicular crossings shall be constructed with the requirements and specifications detailed in the vehicular crossing application form, with Council's inspections arranged and approval obtained.

4.7 Open Space

- 4.7.1 Prior to the commencement of the landscaping works, an amended landscape plan shall provide larger canopy tree planting along the Rakali Parade frontage perimeter planting zone. Low shrub planting is currently proposed which is acceptable,

however additional large trees are needed in this area. The current plans shall remove Grevilleas as they are short lived. The amended landscape plan shall be submitted to and approved by Council's Open Space Infrastructure Officer.

5 DURING CONSTRUCTION

5.1 Notification of Works

- 5.1.1 A written notification of works must be submitted to Council's Engineering Approvals Team prior to the commencement of any engineering works within the public domain required by this consent. This must be submitted a minimum 5 business days prior to commencement of engineering works.
- 5.1.2 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.

5.2 Insurances

- 5.2.1 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.

5.3 Soil Erosion and Sediment Control Measures

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

5.4 Traffic Control

- 5.4.1 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.
- 5.4.2 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 Transport for NSW (Roads and Maritime) and photo card to implement Traffic Control Plans.
- 5.4.3 Persons undertaking the control of traffic through or around work sites on Council controlled roads must hold a current Roads and Maritime Services (Roads and Maritime) Traffic Controller accreditation and photo card and carry it with them.
- 5.4.4 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 (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.

- 5.4.5 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 (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.

5.5 Open Space

5.5.1 Tree Protection and Preservation

- 5.5.1.1 Existing vegetation and trees shall be left undisturbed except where roads, stormwater drainage infrastructure, site filling and/or building works are proposed.
- 5.5.1.2 There is to be no storage of materials, stockpiling of excavated material or parking of plant/machinery within the drip line of the crown of any retained trees.
- 5.5.1.3 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.

5.6 Environmental Health

- 5.6.1 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.
- 5.6.2 The recommendations made in the Noise & Vibration Impact Assessment (ref:20230615 SVM3449.0001) prepared by Acoustic Studio, dated 15 June 2023, are to be implemented.
- 5.6.3 The recommendations made in the *Preliminary Site Investigation* (ref: P2309639JR01V01) prepared by Martens & Associates Pty Ltd, dated June 2023, are to be implemented. Specifically:
- (i) If any unexpected finds (such as PACM, odours or soil staining) are encountered at any time during future site works, the unexpected find is to be investigated by a qualified environmental consultant to determine requirements for additional investigation and / or remedial action.
 - (ii) Where any soil material is to be removed from site, a formal waste classification assessment shall be required in accordance with the NSW EPA Waste Classification Guidelines (2014).
- 5.7 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.
- 5.8 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.
- 5.9 A site specific 'Unexpected Finds Protocol' is to be implemented and made available for reference for all occupants and/or site workers in the event unanticipated contamination is discovered, including asbestos.

6 PRIOR TO OCCUPATION (COMPLETION OF WORKS)

6.1 Street Tree Planting

- 6.1.1 All required street tree planting (a minimum of 37 replacement trees) and payments of bonds are to be completed to the satisfaction of Council's Open Space Maintenance Section.
- 6.1.2 Any tree planting (and maintenance) along the frontage of the development site to improve the amenity of the streetscape must be approved by Council's Open Space Infrastructure Officer.
- 6.1.3 Trees must be of a minimum container size of 100 litres with root barriers.
- 6.1.4 The applicant will be required to pay a bond per tree as indicated in Council's current goods and services pricing schedule to ensure the health and vigour of the tree(s). The bond will be returned 12 months after the completion of the development (i.e. on issue of final occupation certificate), by Council if the trees are maturing satisfactorily.
- 6.1.5 The applicant is responsible for notifying Council's Open Space Infrastructure Officer when the trees have been installed to request a practical completion inspection and at the end of street tree bond maintenance period for an inspection.
- 6.1.6 The applicant will also be required to pay 2 inspection fees and a landscaping assessment fee as indicated in the current goods and services pricing schedule. Council's Open Space Infrastructure Officer will inspect all street trees during the establishment period (i.e. between the practical date of completion and formal handover). Elements deemed to be not adequately performing are to be removed, substituted or repaired by the developer within 60 days of written notification.

6.2 Tree preservation

- 6.2.1 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.

6.3 Road Damage

- 6.3.1 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. The Pre-Condition Report is to be utilised to determine any damage caused to Council's assets.

6.4 Temporary Facilities Removal

- 6.4.1 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.

6.5 Engineering Matters

- 6.5.1 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 Crown Certification plans for engineering works.
- 6.5.2 A certificate from a Registered Surveyor must be obtained and submitted to Council verifying that all finished floor levels (FFL) required by this consent have been achieved. The certificate must acknowledge that works and the construction of the floors have been complete. All levels must be to Australian Height Datum (AHD).

- 6.5.3 A certificate from a Registered Surveyor must be obtained and submitted to Council verifying that all finished surface levels (FSL) for lot(s) required by this consent have been achieved and/or have been maintained in accordance with those established at the time of creation of the lot. The certificate must acknowledge that works have been complete. All levels must be to Australian Height Datum (AHD).
- 6.5.4 A certificate from a Registered Engineer (NER) must be obtained and submitted to Council, within 3 months after the completion of works, 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.
- 6.5.5 This development requires separate approvals under the *Roads Act 1993* and / or *Local Government Act 1993*. Prior to occupation, the applicant must obtain written confirmation from Council that these works have been completed.
- 6.5.6 Within 3 months after the completion of works, a chartered professional engineer (CPEng) (Civil / Environmental Engineer) who has membership to Engineers Australia must provide to the principal certifier:
- a) a certificate stating that the WSUD system(s) has been installed to the manufacturer's specification (where applicable) and completed according to approved Crown Certification plans
 - b) Certified and signed Works-as-Executed plans with details overdrawn on a copy of the approved Crown Certification plan that identifies the correct locations, types, models, and model numbers of assets that form the WSUD system(s) installed on the property
 - c) Provide signage for the WSUD system(s) in accordance with Council's WSUD Developer Handbook 2020
- 6.5.7 A chartered professional engineer (CPEng) (Civil Engineer) who has membership to Engineers Australia is to certify that all the engineering requirements of the Flood Management Plan have been implemented including the installation of all signage and notices.
- 6.5.8 A colour laminated copy of the Flood Management Plan is to be permanently affixed within the building to the inside of a kitchen or staff room cupboard door.
- 6.5.9 The Floodway Warning Sign and Flood Management Plan/ Flood Emergency Response Plan is to be maintained for the duration of the development.
- 6.5.10 Provide signage for the WSUD system(s) in accordance with Council's WSUD Developer Handbook 2020. The sign is to be remain in good order for the life of the property and be replaced if and when it becomes unreadable.
- 6.5.11 The applicant must ensure that the built and certified WSUD system/s is to be maintained in accordance with Council's WSUD Developer Handbook 2020 at all times.

6.6 Inspections

- 6.6.1 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 Fees and Charges Schedule.

6.7 Transport for New South Wales

- 6.7.1 School Zones must be installed along all roads with a direct access point (either pedestrian or vehicular) from the school. School Zones must not be provided along roads adjacent to the school without a direct access point. Road Safety

precautions and parking zones should be incorporated into the neighbouring local road network:

- 40km/hr School Zones are to be installed in Galah Street and Rakali Parade.
- Council should ensure that parking, drop-off and pick-up zones and bus zones incorporated are in accordance with TfNSW standards.

- 6.7.2 Following installation of all School Zone signs and pavement markings the Developer must arrange an inspection with Transport for New South Wales for formal handover of the assets to Transport for New South Wales. The installation date information must also be provided to Transport for New South Wales at the same time. Note: Until the assets are formally handed-over and accepted by Transport for New South Wales, Transport for New South Wales takes no responsibility for the School Zones/assets.
- 6.7.3 Transport for New South Wales is responsible for speed management along all public roads within the state of New South Wales. That is, Transport for New South Wales is the only authorised organisation that can approve speed zoning changes and authorise installation of speed zoning traffic control devices on the road network within New South Wales. Therefore, the Developer must obtain written authorisation from Transport for New South Wales to install the School Zone signs and associated pavement markings and/or remove/relocate any existing Speed Limit signs.
- 6.7.4 To obtain authorisation, the developer must submit the following for review and approval by Transport for New South Wales, at least eight (8) weeks prior to student occupation of the site:
- a. A copy of Council's development conditions of consent.
 - b. The proposed school commencement/opening date.
 - c. Two (2) sets of detailed design plans showing the following:
 - i. School property boundaries.
 - ii. All adjacent road carriageways to the school property.
 - iii. All proposed school access points to the public road network and any conditions imposed/proposed on their use.
 - iv. All existing and proposed pedestrian crossing facilities on the adjacent road network.
 - v. All existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings).
 - vi. All existing and proposed street furniture and street trees.
- 6.7.5 School Zone signs and pavement marking patches must be installed in accordance with Transport for New South Wales approval/authorisation, guidelines and specifications. All School Zone signs and pavement markings must be installed prior to student occupation of the site.
- 6.7.6 The developer must maintain records of all dates in relation to installing, altering, removing traffic control devices related to speed.
- 6.8 Local Traffic Committee Requirements**
- 6.8.1 The traffic and pedestrian requirements of the Local Traffic Committee as adopted by Ordinary Council Meeting shall be implemented and made operational.

6.9 Sydney Water

- 6.9.1 A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. The Section 73 Certificate must be submitted to the Principal Certifier prior to the occupation of the school.

7 OPERATIONAL

- 7.1 The school must operate in line with the provided operational plan of management referenced in Condition 2.1.1 of this consent.
- 7.2 The applicant must comply with the provided Crime Prevention through Environmental Design report referenced in Condition 2.1.1 of this consent.
- 7.3 The canteen must be registered with Council's Environmental Health Unit.
- 7.4 The food premises shall be maintained in accordance with the requirements of:
- a) The Food Act 2003 and its Regulation.
 - b) Australian Standard 4674-2004 Design, construction and fit-out of food premises.
- 7.5 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.
- 7.6 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.
- 7.7 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.
- 7.8 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.
- ### **7.9 Access/Parking**
- 7.9.1 All required off-street car parking spaces and internal driveways shall be maintained to a standard suitable for the intended purpose.
- 7.9.2 Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.
- 7.9.3 All loading and unloading of goods, including waste removal is to occur within the site and, in particular within the allocated loading dock area.
- ### **7.10 Landscaping**
- 7.10.1 All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.
- 7.10.2 Landscaping to lot boundary shall be wholly contained upon the school property and not encroach upon the road reserve.

7.11 Lighting and Security

- 7.11.1 Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land. In this respect any lighting including lighting associated with the illuminated sign shall comply with AS 4282:2019 – Control of Obtrusive Effects of Outdoor Lighting.
- 7.11.2 All intruder alarms shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act 1997.

7.12 Decommissioning

- 7.12.1 Upon conclusion of the temporary school use, the site will be returned to its current state, except for retention of additional trees, and road widening, footpath, on-street parking and street tree works as agreed with Council. The applicant shall liaise with Council's Open Space Maintenance section regarding the retention or removal of vegetation upon cessation of the use.
- 7.12.2 Prior to decommissioning, a subdivision certificate is to be lodged in the NSW Planning Portal to Council for the widening of Galah Street. The plan of road dedication is to be prepared by a qualified surveyor for endorsement and release by Council's Manager Development Assessment.