

**NOTICE TO APPLICANT OF DETERMINATION OF APPLICATION
DEVELOPMENT CONSENT DA/2020/522/1**

Environmental Planning and Assessment Act, 1979

NSW Department of Education & Communities
C/ Urbis
L 8 123 Pitt St
SYDNEY NSW 2000

Being the applicant(s) for Development Application [DA/2020/522/1] relating to:

Lot: 18 DP: 270536, 11 Greenbridge Drive WILTON.

APPROVED DEVELOPMENT: Construction of a new learning building, out of hours school care facility, alterations and additions to an existing building and associated landscaping works for Wilton Public School.

DETERMINATION DATE:

LAPSE DATE:

Pursuant to Section 4.18 of the Act, notice is hereby given that the above application has been determined by granting consent, subject to the conditions attached.

Notes:

- (1) Except where a condition specifies a limit to the duration of the consent, this approval will expire if the development is not commenced within five (5) years of the determination date appearing above.
- (2) Development Consent does not lapse if the approved use has actually commenced or the proposed work is physically commenced before the lapse date.
- (3) Where construction work is proposed, the granting of development consent is the first step in the process. Before construction work may commence, a Crown Certificate must be obtained from Council or an accredited certifier.
- (4) Should you feel aggrieved by Council's decision in this matter, or object to the conditions imposed, you are entitled to
 - (a) lodge, in accordance with Section 8.7 of the Act, an appeal with the Land and Environment Court of NSW within twelve (12) months of the date appearing above. Forms for such are obtainable from the Local Court at your request.
 - (b) request a Council review of the determination under Section 8.3 of the Act.
- (5) This application has not been considered by the Independent Hearing Commission.

Should you require further information regarding the above matter, please contact Max Strassmeir, Senior Development Assessment Planner on phone (02) 4677 1100 or email council@wollondilly.nsw.gov.au.

Yours faithfully

1. COMPLIANCE

These conditions are imposed to ensure that the development is carried out in accordance with statutory requirements, the conditions of consent and the approved plans to Council's satisfaction.

- (1) Development Consent is granted for Construction of a new learning building, out of hours school care facility, alterations and additions to an existing building and associated landscaping works for Wilton Public School at Lot: 18 DP: 270536, No. 11 Greenbridge Drive WILTON.
- (2) Development shall take place generally in accordance with the submitted plans listed below and submitted in respect of Development Applications No. DA/220/522/1, except where varied by the following conditions:

Plan / Document	Author	Plan number	Date
Cover Page	Lahznimmo Architects	A-DA-1000 Rev No. P2 Project No 19-03	05/02/2020
Proposed Site Plan	Lahznimmo Architects	A-DA-1102 Rev No. P2 Project No 19-03	05/02/2020
Site Demolition Plan	Lahznimmo Architects	A-DA-1103 Rev No. P2 Project No 19-03	05/02/2020
Block H Hall – Floor Plan	Lahznimmo Architects	A-DA-1420 Rev No. P2 Project No 19-03	05/02/2020
Block H Hall – Roof Plan	Lahznimmo Architects	A-DA-1422 Rev No. P2 Project No 19-03	05/02/2020
Block H Hall – Sections	Lahznimmo Architects	A-DA-1423 Rev No. P2 Project No 19-03	05/02/2020
Block H Hall – Elevations	Lahznimmo Architects	A-DA-1424 Rev No. P2 Project No 19-03	05/02/2020
Block K OSHC + Cola – Floor Plan	Lahznimmo Architects	A-DA-1430 Rev No. P2 Project No 19-03	05/02/2020
Block K OSHC + Cola – Roof Plan	Lahznimmo Architects	A-DA-1432 Rev No. P2 Project No 19-03	05/02/2020
Block K OSHC + Cola – Sections	Lahznimmo Architects	A-DA-1433 Rev No. P2 Project No 19-03	05/02/2020
Block K OSHC + Cola – Elevations	Lahznimmo Architects	A-DA-1434 Rev No. P2 Project No 19-03	05/02/2020
Block J Homebase – Ground Floor Plan	Lahznimmo Architects	A-DA-1440 Rev No. P2 Project No 19-03	05/02/2020

Block J Homebase – Level 1 Plan	Lahznimmo Architects	A-DA-1441 Rev No. P2 Project No 19-03	05/02/2020
Block J Homebase – Rood Plan	Lahznimmo Architects	A-DA-1444 Rev No. P2 Project No 19-03	05/02/2020
Block J Homebase – Sections	Lahznimmo Architects	A-DA-1447 Rev No. P2 Project No 19-03	05/02/2020
Block J Homebase – Elevations	Lahznimmo Architects	A-DA-1448 Rev No. P2 Project No 19-03	05/02/2020
Block J Homebase – Elevations	Lahznimmo Architects	A-DA-1449 Rev No. P2 Project No 19-03	05/02/2020
Sun Studies	Lahznimmo Architects	A-DA-1700 Rev No. P2 Project No 19-03	05/02/2020
Site Analysis	Lahznimmo Architects	A-DA-1701 Rev No. P2 Project No 19-03	05/02/2020
External Materials and Finishes	Lahznimmo Architects	A-DA-1800 Rev No. P2 Project No 19-03	05/02/2020
Cover Sheet	Urbis	P0019965 Revision D Drawing No. L000	08/03/2021
Spec Notes	Urbis	P0019965 Revision C Drawing No. L001	08/03/2021
Landscape Site Plan	Urbis	P0019965 Revision D Drawing No. L200	08/03/2021
Landscape Site Plan	Urbis	P0019965 Revision D Drawing No. L200	08/03/2021
Landscape Detail Plan	Urbis	P0019965 Revision D Drawing No. L201	08/03/2021
Landscape Detail Plan	Urbis	P0019965 Revision D Drawing No. L202	08/03/2021

(3) Development shall take place generally in accordance with the recommendations of the following reports:

- *Statement of Environmental Effects, prepared by Urbis, dated 11 August 2020.*
- *Clause 4.6 Variation – Height of building, prepared by Urbis, dated 11 August 2020.*

- *BCA Assessment Report, prepared by Steve Watson and Partners dated April 2020*
 - *Bushfire Assessment Report, prepared by Australian Bushfire Solutions, dated 8 March 2021*
 - *Traffic Impact Assessment, prepared by Parking; Traffic; civil design; way finding; PTC. dated 25 March 2020.*
 - *Response to RFI for Traffic Impact, prepared by Parking; Traffic; civil design; way finding; PTC. dated 15 December 2020.*
 - *Preliminary Construction Management Plan, prepared by MBB Group, dated May 2020.*
 - *Preliminary Site Investigation, prepared by Martens consulting engineers, dated September 2020.*
 - *Acoustic Report, prepared by Northrop, dated 16 March 2021.*
 - *Arboricultural Impact Assessment Report, prepared by Allied Tree Consultancy, dated 9 March 2021*
 - *Biodiversity Development Assessment Report, prepared by eco logical Australia, 25 November 2020.*
 - *Site Waste Minimisation and Management Plan, prepared by Northrop, dated 1 December 2020*
 - *Access Report, prepared by Code Performance, dated March 2021.*
 - *Feasibility Assessment, prepared by Cardno, dated 2 March 2021.*
- (4) Works shall not commence on the site, including the placement of temporary buildings, site excavation, filling, removal of trees or other site preparation works (with the exception of site survey work), prior to the issue of a Crown Certificate by a nominated Accredited Certifier.
- (5) All building work must be carried out in accordance with the provisions of the Building Code of Australia. This condition does not apply to the extent to which an exemption is in force under Clause 187 or 188 of the Environmental Planning & Assessment Regulations, 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4).
- (6) A clear statement shall be provided to Wollondilly Shire Council to confirm that the existing wastewater system will be able to accommodate the increased load from the proposed development, In terms of the available treatment capacity serviced by Lendlease (Bingara Gorge).
- Reason:** the information provided to Council only confirms the pipes around the development are suitable. None of the information provided confirms the Lendlease has the capacity for the development.
- (7) Unless permitted by another condition of this consent, there shall be no tree clearing unless the vegetation is:
- (a) Within the footprint of an approved building, access driveway or other structure; or
 - (b) Within three (3) metres of the footprint of an approved building; or
 - (c) Preventing the achievement of the minimum asset protection zone requirements under the relevant planning for bushfire protection guidelines.
- (8) Where any work associated with this consent has the potential to disturb neighbours through the generation of noise, dust, odour, vibration or through deliveries to the site the person with control over the works shall advise the

occupants of all adjoining and potentially affected properties of the timing and duration of such works. The land owner has the ultimate responsibility for ensuring that anybody undertaking works under this development consent on their behalf is aware of this requirement and completes the task required by this condition.

2. RURAL FIRE SERVICE

These conditions have been imposed to ensure that the development is carried out in accordance with the requirements of the Rural Fire Service.

- (1) The attached General Terms of Approval issued by the NSW Rural Fire Service are included as conditions of this Consent.

3. DEMOLITION

These conditions have been imposed to ensure that the demolition of buildings is carried out with regard to public and environmental safety.

- (1) All demolition material shall be disposed of in accordance with a waste management plan to be submitted and approved by Principal Certifying Authority prior to the commencement of the demolition work.
- (2) Demolition works shall not create general nuisance by reason of inadequate dust, noise or environmental controls.
- (3) Firefighting services onsite shall be maintained at all times during demolition works.
- (4) The demolition by induced collapse, the use of explosives or onsite burning is not permitted.
- (5) During demolition works all materials and equipment shall be kept entirely within the site and not on adjoining property, footpaths and roads.
- (6) All demolition work shall be restricted to between the hours of 7.00am and 6.00pm Mondays to Fridays (inclusive), 8.00am to 1.00pm Saturdays, and prohibited on Sundays and Public Holidays.

5. BUILDING DESIGN

These conditions have been imposed to ensure that the appearance /construction of building works complies with the aims and objectives of Council's relevant Development Control Plans, Policies and relevant Statutory Regulations.

- (1) The building shall comply with AS1428 – Design for access and mobility in respect of accessibility for people with a disability. Prior to the issue of any Crown Certificate a certificate certifying compliance with this condition prepared by a suitably qualified person must be provided to the nominated Accredited Certifier.

- (2) Any above ground water storage tanks shall be coloured or painted in earthy colours to blend with the natural environment or building immediately adjoining the water tank to reduce their visual impact

6. CONSTRUCTION GENERAL

These conditions have been imposed to ensure that all construction work is undertaken to an approved standard and related approvals.

- (1) A detailed Construction Environmental Management Plan (CEMP) shall be prepared to Council's satisfaction and approved by Council prior to a Crown Certificate being issued.

The aim of the CEMP is to further minimise and manage potential adverse environmental impacts from the project activities. This will include exploring the temporary use of suitable sites to accommodate construction vehicle parking. In this regard, preliminary investigations indicate that the vacant site at 30 Greenbridge Drive, Wilton may be suitable for construction vehicle parking. Should any land be secured for temporary use, details of its use associated with the school construction works are to be detailed within the CEMP and incorporated into the CTMP. Evidence is to be provided that such investigation has taken place to satisfy this condition.

- (2) A detailed Construction Management Plan (CMP) shall be prepared to Council's satisfaction and approved by Council prior to a Crown Certificate being issued.
- (3) A detailed Construction Traffic Management Plan (CTMP) shall be prepared to Council's satisfaction and approved by Council prior to a Crown Certificate being issued.

The CTMP will prevent any construction traffic around or within the subject site during school drop off and pick times, unless otherwise managed appropriately through the approved CTMP.

- (4) Prior to the issue of any Crown certificate, sufficient information must be forwarded to the nominated Accredited Certifier illustrating compliance with the relevant provisions of the Building Code of Australia.
- (5) Construction shall not commence on the site, earthworks, site excavation, filling or other site preparation works (with the exception of site survey work), prior to the issue of a Crown Certificate by a nominated Accredited Certifier.
- (6) All construction and building work shall be restricted to between 7:00am and 6:00pm Mondays to Fridays (inclusive), 8.00am and 1.00pm Saturdays and prohibited on Sundays and Public Holidays unless written approval to vary the hours of work is granted by Council.
- (7) All trees outside a radius of 3m from the external wall of the building shall be preserved unless prior approval in writing for their removal or lopping is obtained from Council.
- (8) Any damage to the Council footway, road or other land shall be restored in accordance with Council's specifications prior to commencement of operation of the development.

- (9) Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- (10) An appropriate fence preventing public access to the site shall be erected for the duration of construction works.
- (11) All excavation and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

- (12) There shall be no burning of builder's rubble, felled trees or other material on site.
- (13) Dust shall be controlled so that it will not leave the construction site.
- (14) A detailed Erosion and Sediment Control Plan is to be prepared and approved by Council prior to a Crown Certificate being issued.
- (15) A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed. This receptacle must have a tight fitting lid and be suitable for the reception of food scraps, papers, etc.
- (16) A detailed Waste Management Plan is to be prepared and approved by Council prior to a Crown Certificate being issued.
- (17) A demolition/construction waste storage area (bins or bays) must be provided. This area shall separate demolition/construction waste into categories such as hard waste (e.g. bricks, concrete, tiles), soft waste (e.g. timber, gyprock, metal, glass) and light waste (e.g. paper, plastic, pods). The light waste storage area must be enclosed so as to prevent the material from escaping the enclosure.

7. ENGINEERING & CONSTRUCTION SPECIFICATIONS

These conditions have been imposed to ensure that developments within the Shire are of a standard which is both safe and acceptable to Council and members of the public.

- (1) All works are to be designed and carried out in accordance with Wollondilly Shire Council's adopted Design and Construction Specification.
- (2) The plans for the proposed carparks, signage, internal footpath and stormwater drainage including OSD shall be submitted to a nominated Accredited Certifier. All levels are to be reduced to Australian Height Datum. Road design parameters shall comply with the requirements of Council's Design Specifications.
- (3) Where Council's Construction Specification require that density tests, beam tests or CBR tests be undertaken, the results shall be forwarded to Principal

Certifying Authority within 7 days. A NATA registered laboratory shall carry out the tests. When testing for density, the Standard Compaction testing method is to be used.

Failure to submit test results may result in Council refusing to issue completion certificates and hence may result in additional works being required.

- (4) A certified "Works as Executed" plan from a Chartered Professional Engineer or Registered Surveyor is to be submitted electronically in an XML format, including CCTV recording for all road stormwater lines to the Principal Certifying Authority before the final inspection completion. The "Works as Executed" details shall be shown on the approved plans and must certify that the works have been constructed in accordance with the approved drawings and to the levels specified.

8. DRAINAGE/STORMWATER

These conditions have been imposed to ensure drainage/stormwater is appropriately managed.

- (1) Stormwater runoff from and through the property is to be appropriately managed so as to control nuisance, damage and hazard during storm events.
- (2) The applicant shall provide stormwater drainage, as generally shown in the concept stormwater drainage plan by Northrop Reference DA1.01, rev.3 dated 13 February 2020, that limit the post-development discharge rate, at each discharge point, to no more than the pre-development condition, for all storm events up to and including the 1% AEP storm event.
- (3) Stormwater runoff from all impervious surfaces on the property shall be collected and conveyed to a point suitable for integration with either the natural or constructed stormwater drainage system. A piped drainage system shall be provided to convey runoff from storms up to the 5% AEP. Defined overland flow paths shall be provided to safely convey runoff from storm events up to the 1% AEP.

9. ACCESS

These conditions have been imposed to:

- a) **Ensure that adequate provision is made for off street parking, appropriate to the volume and turnover of traffic generated by the development.**
 - b) **Ensure that adequate manoeuvring space is provided for parking areas, loading bays and entry facilities.**
- (1) Prior to commencement of operation of the development, forty seven (47) sealed car parking spaces and access thereto are to be provided. Any additional car parking needed to satisfy this condition may be delivered under an alternative planning pathway.
 - (2) One (1) of the required car parking spaces shall be reserved for people with mobility impairment in accordance Australian Standard AS/NZS 2890.6. –

Parking facilities – Off-street parking for people with disabilities. These spaces shall have dimensions as required by AS/NZS 2890.1 – Parking facilities – Off-street car parking and shall be appropriately signposted and marked on the pavement.

(3) **CAR PARK**

- (1) A detailed Erosion and Sediment Control Plan is to be prepared and approved by Council prior to a Crown Certificate being issued.

Prior to the occupation of Block J, the Applicant must provide Council with documented evidence that the delivery of a car park on site for an additional 20 car spaces has been determined under a separate planning approval.

(2) **Green Travel Plan**

Prior to the commencement of operation, a Green Travel Plan (GTP), must be prepared and be submitted to Council to promote the use of active and sustainable transport modes.

10. PUBLIC ROADS

These conditions have been imposed to ensure all public works required by the development are provided to an adequate standard.

- (1) In accordance with Section 138 of the Roads Act a 138 Consent Certificate must be obtained from Council's Infrastructure Planning Section a minimum 7 days prior to commencement of temporary access for building construction works. A fee is payable for issue of this Consent Certificate.
- (2) The applicant shall install parking restriction signage in accordance with plan by PTC ref. no. 2622 sheet no. SP-002 rev. 2 dated 19 July 2019. The applicant shall lodge an application for the proposal to the Local Traffic Committee for endorsement prior to commencement of operation of the development.

Also, a S138 Consent Certificate application is required for installation of signage in public road.

- (3) The person having the benefit of this consent shall undertake all reasonable efforts to protect the public road pavement from damage during the course of construction work. Restoration of any damaged road or footway shall be at the applicant's expense.

11. EROSION AND SEDIMENT CONTROL

These conditions have been imposed to minimise the impact of the development on the environment and on adjoining properties.

- (1) Erosion and sediment control devices are to be installed prior to any construction activity on the site. These devices are to be maintained for the full period of construction and beyond this period where necessary.

- (2) Removal and/or disturbance of vegetation is to be confined to the approved building area, the site of permanent access ways and land extending a maximum of 3 metres beyond the outermost projection of the approved building.
- (3) All disturbed areas are to be stabilised by turfing, mulching, paving or otherwise suitably stabilised within 30 days of completion.
- (4) Vehicle access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site has been affected by wet weather.
- (5) Topsoil stripped from the construction site is to be stockpiled and protected from erosion until re-used during landscaping.
- (6) Kikuyu will not be permitted to be used for turfing of any disturbed area
- (7) Stockpiles of construction and landscaping materials, and site debris are to be located clear of drainage lines and in such position that they are within the erosion containment boundary or are equivalently protected from erosion and do not encroach upon any footpath, natural strip or roadway.

12. INSPECTIONS

These conditions have been imposed to ensure that construction works are undertaken to an approved standard.

- (1) Building works shall be inspected by the Principal Certifying Authority at critical stages of construction to ensure they comply with the Building Code of Australia and associated approvals.
- (2) If the Principal Certifying Authority notifies the site manager or other contractor that a work or works are unsatisfactory for any reason all works on the site shall cease until the matter is resolved to the satisfaction of the PCA.

13. SERVICES

These conditions have been imposed to ensure that an adequate level of services and infrastructure are provided for this development.

- (1) All power and services provided to the development within the site shall be underground.
- (2) The proposal shall be connected to the reticulated sewage scheme prior to the commencement of operation of the development.

14. WASTE MANAGEMENT

These conditions have been imposed to enquire that wastes are correctly stored, disposed of and controlled at all times to prevent accidents and to maintain clean and tidy premises.

- (1) Disposal of construction and building waste material shall be undertaken in accordance with the Waste Management Plan submitted as part of this development application.

15. OCCUPATION & USE

These conditions have been imposed to ensure the development and associated activities/operation are acceptable in terms of the amenity of the neighbourhood and the public interest whilst maintaining its functional operation.

- (1) The disturbed areas surrounding the building work shall be reinstated to the satisfaction of the Principal Certifying Authority upon completion of the work.
- (2) The premises shall be maintained in a clean and tidy state at all times.
- (3) All recommendations made in the submitted acoustic report (prepared by Northrop, Rev 5, dated 16 March 2021) shall be implemented to minimise the noise from the proposed development, inclusive of:
 - a. The equipment shall be located away from sensitive receivers; the public address system and electrically amplified sound equipment shall be installed facing away and/or shielded from the neighbouring residences and are calibrated and set (with a power limiter) in such a way that the Project Noise Tigger Level criteria at the nearest affected residence LAeq,15min 48 dBA are not exceeded during their operation.
 - b. There shall be no direct line of sight between the noise sources and receivers
 - c. Appropriate acoustical enclosures (to achieve a 20 to 30 dB(A) reduction) shall be provided if required for housing of plant and equipment inside the plant room if an acoustic assessment following the completion of the design of the mechanical system deems the anticipated noise to be in exceedance of the permitted noise levels.
 - d. Air intakes into plant rooms shall be acoustically treated by providing acoustic louvers and acoustically treated intakes, discharges and attenuators
 - e. Acoustic barriers or screens shall be provided if required to shield sensitive receivers
 - f. An acoustically absorptive finish to the soffit of the new Covered Outdoor Learning Area (COLA) near the games court shall be installed to reduce noise reflected from the COLA soffit towards the residences. The minimum absorption coefficient to be NRC 0.8
- (4) In accordance with the abovementioned Acoustic Report, the following additional controls shall also be implemented to minimise noise disturbance to neighbouring residencies:
 - a. Outdoor play shall not be permitted past 6:00pm; and all outdoor play shall be supervised at all times
 - b. Neighbouring residencies shall be informed of extraordinary events or activities (such as fetes) happening outside of regular morning supervision, recess and lunch times. The nature of the event or activity and expected start and finish times shall be provided in writing to neighbouring residencies prior to the day of the event or activity

- c. Provide neighbouring residencies with a direct line of contact to the school for resolution of any issues
- d. The public address system and/or electrically amplified sound equipment associated with school operations shall be used so as to prevent the emission of offensive noise, as defined by the Protection of the Environment Operations Act 1997.

16. LANDSCAPING

These conditions have been imposed to reduce the impact of any development activity on the landscape/scenic quality through vegetation works and maintenance.

- (1) An amended landscape plan, drawn to scale by a person with horticultural qualifications or similar (such qualifications must be endorsed on the plans) shall be submitted to and approved by Council or a nominated Accredited Certifier prior to construction. This plan must include the following:
 - (a) Acacia decurrens proposed – not suitable for school planting
 - (b) Pennisetum nafray proposed – invasive species, substitute with lomandra tanika, poa labillardiera or similar
 - (c) Melaleuca stypheloides has quite sharp leaves, Melaleuca decora is recommended alternative.

NOTE: By resolution of Council on 19 July 2010 all plants used in landscaping must be native species endemic to the area and the planting of conifers is not permitted.

- (2) Landscaping is to be installed in accordance with the Approved Plan prior to the commencement of operation of the development. The landscaping must be maintained in accordance with the details provided on that Plan at all times.

17. VEGETATION MANAGEMENT

These conditions have been imposed to protect significant vegetation that has been identified on the subject land.

- (1) Biodiversity credits are to be retired and evidence of such is to be provided to Council prior to the removal of any vegetation.
- (2) Any further proposals to remove vegetation on site will require additional impact assessment and Council approval.
- (3) All impact minimization actions outlined in the recommendations of the BDAR are to be undertaken as described in Table 20 of the BDAR and outlined below:

Measure	Action	Timing
Displacement of resident fauna	<ul style="list-style-type: none"> Pre-clearance survey of trees to be removed and identification/location of habitat trees by a suitably qualified ecologist. 	Prior to and during clearing works

	<ul style="list-style-type: none"> Supervision by a qualified ecologist(s)/licensed wildlife handler during tree removal in accordance with best practice methods. 	
Timing works to avoid critical life cycle events such as breeding or nursing	Avoid clearing works in later winter/spring during breeding/nesting period for birds. Avoid removing hollow bearing tree in bird and bat breeding periods (time works outside of winter/spring).	During clearing works
Instigating clearing protocols including pre-clearing surveys, daily surveys and staged clearing, the presence of a trained ecological or licensed wildlife handler during clearing events	<ul style="list-style-type: none"> Pre-clearance survey of trees to be removed and identification/location of habitat trees by a suitably qualified ecologist. Trees identified for retention should be clearly delineated as a 'No Go' zone with high visibility bunting. Supervision by a qualified ecologist(s)/licensed wildlife handler during tree removal in accordance with best practice methods. Any tree removal is to be undertaken by a suitably qualified and insured arborist. 	Ongoing as development works progress
Installing artificial habitats for fauna in adjacent retained vegetation	<ul style="list-style-type: none"> Install one artificial hollow with similar hollow dimensions as the single hollow-bearing tree to be removed. 	Prior to clearing works
Protocols to clearly identify vegetation to be retained.	<ul style="list-style-type: none"> Vegetation identified for retention should be clearly delineated as a 'No Go' zone with high visibility bunting. No temporary facilities i.e. site offices/toilets/soil stockpiling is to occur within the retained vegetation to the west. 	Vegetation to be retained set up prior to any works occurring on site and to remain throughout duration of construction works
Hygiene protocols to prevent the spread of weeds or pathogens between infected areas and uninfected areas	Vehicles, machinery and building refuse should remain only within the development site and disposed of at an appropriate waste management facility.	During and post-construction

18. PRESCRIBED CONDITIONS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979.

These conditions are imposed as they are mandatory under the Act.

(1) COMPLIANCE WITH BUILDING CODE OF AUSTRALIA AND INSURANCE REQUIREMENTS UNDER THE HOME BUILDING ACT 1989

- (a) For the purposes of section 4.17 (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:
 - (i) that the work must be carried out in accordance with the requirements of the *Building Code of Australia*,
 - (ii) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
- (b) For the purposes of section 4.17 (11) of the Act, it is prescribed as a condition of a development consent for a temporary structure that is used as an entertainment venue, that the temporary structure must comply with Part B1 and NSW Part H102 of Volume One of the *Building Code of Australia*.
- (c) This clause does not apply:
 - (i) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
 - (ii) to the erection of a temporary building, other than a temporary structure to which subclause (b) applies.
- (d) In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application is made for the relevant:
 - (i) development consent, in the case of a temporary structure that is an entertainment venue, or
 - (ii) Crown certificate, in every other case.

Note: There are no relevant provisions in the *Building Code of Australia* in respect of temporary structures that are not entertainment venues.

(2) ERECTION OF SIGNS

- (a) For the purposes of section 4.17 (11) of the Act, the requirements of subclauses (b) and (c) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.
- (b) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (i) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.
- (c) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (d) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.
- (e) This clause does not apply in relation to Crown building work that is certified, in accordance with section 6.28 of the Act, to comply with the technical provisions of the State's building laws.
- (f) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note: Principal Certifiers and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A of the *Environmental Planning and Assessment Regulation 2000* which currently imposes a maximum penalty of \$1,100).

19. ADVICES

- (1) During the course of construction, care must be taken to prevent damage to any public utility or other service and the applicant will be held responsible for any damage caused by him or his agents, either directly or indirectly. Any mains, services, poles, surface fittings etc., which require alterations shall be altered at the applicants expense and to the satisfaction of Council and the authority concerned.
- (2) The following service providers should be contacted before commencement of construction to establish their requirements:
- Dial before you dig (various services) 1100
 - Telstra (telephone) 1 800 810 443
 - Endeavour Energy (electricity) 131 081
 - AGL (gas) 131 245
 - Sydney Water (water & sewer) 132 092
- (3) **This Consent does not permit the commencement of construction unless Crown Certification has been obtained.**
- (4) At all times work is being undertaken within the public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site with a minimum of disruption.
- (5) The developer and any contractor or sub-contractor used to carry out any work authorised by or out of this approval on Council owned or controlled land, is to

carry the following insurance, copies of which are to be produced to Council upon request:

- Motor Vehicle Insurance (comprehensive or property damage) for all self-propelled plant, as well as valid registration or RMS permit (Including CTP insurance). Primary producer's registration is not registration for use on Public Road construction work.
- Workers Compensation Insurance.
- Twenty Million Dollar Public Liability Insurance.

Should you require further information regarding the above matter, please contact Max Strassmeir, Senior Development Assessment Planner on phone (02) 4677 1100 or email council@wollondilly.nsw.gov.au. Please quote File No. [DA/2020/522/1.

DRAFT