

## RECOMMENDED CONDITIONS

### 1.0 - General Conditions of Consent

The following conditions of consent are general conditions applying to the development.

- (1) **Approved Plans and Documents** - Development shall be carried out in accordance with the following plans and documents, and all recommendations made therein, except were amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
DA-C-001 Issue C	Block C - Existing Site Plan	Alleanza Architecture	10 May 2023
DA-C-003 Issue D	Block C - Proposed Site Plan	Alleanza Architecture	10 May 2023
DA-C-004 Issue C	Block C - Proposed Staging	Alleanza Architecture	10 May 2023
DA-C-005 Issue B	Block C - Site Sections	Alleanza Architecture	10 May 2023
DA-C-010 Issue B	Block C - Proposed Demolition Plan	Alleanza Architecture	31 January 2023
DA-C-011 Issue C	Block C - Proposed Demolition Plan Car Park	Alleanza Architecture	10 May 2023
DA-C-100 Issue B	Block C - Level 01 Floor Plan	Alleanza Architecture	31 January 2023
DA-C-101 Issue B	Block C - Level 02 Floor Plan	Alleanza Architecture	31 January 2023
DA-C-102 Issue B	Block C - Level 03 Floor Plan	Alleanza Architecture	31 January 2023
DA-C-103 Issue A	Block C - Roof Level Plan	Alleanza Architecture	15 September 2021
DA-C-200 Issue B	Block C - Elevations	Alleanza Architecture	31 January 2023
DA-C-201 Issue B	Block C - Elevations	Alleanza Architecture	31 January 2023
DA-C-300 Issue B	Block C - Sections	Alleanza Architecture	31 January 2023
DA-C-700 Issue C	Car Park Signage	Alleanza Architecture	10 May 2023
DA-C-910 Issue B	Block C - Height Limit Comparison Plan	Alleanza Architecture	8 February 2023
DA-C-921 Issue A	Block C - Materials and Finishes	Alleanza Architecture	15 September 2021

DA-C-922 Issue B	Campus Toilet Analysis	Alleanza Architecture	10 May 2023
DA-C-923 Issue D	Swept Path Analysis	Alleanza Architecture	5 May 2023
LDA-01 Revision M	Site Plan of Stage 3 Works	Ground Ink	9 May 2023
LDA-02 Revision M	Stage 3 Existing Tree Plan	Ground Ink	9 May 2023
LDA-03 Revision M	Stage 3 Existing Tree Schedule	Ground Ink	9 May 2023
LDA-04 Revision M	Block C Landscape Plan	Ground Ink	9 May 2023
LDA-05 Revision M	Block C Landscape Building Elevation	Ground Ink	9 May 2023
LDA-06 Revision M	Carpark Landscape Plan	Ground Ink	9 May 2023
LDA-07 Revision M	Plaza Stage 3 Landscape Plan	Ground Ink	9 May 2023
LDA-08 Revision M	Indicative Plant Palette	Ground Ink	9 May 2023
LDA-09 Revision M	Landscape Details	Ground Ink	9 May 2023
PS01-B300 Revision E	Sediment and Erosion Control Plan	Martens & Associates	10 May 2023
PS01 -B305 Revision B	Soil and Water Management Details Rusle Calculations	Martens & Associates	10 May 2023
PS01-B310 Revision C	Sediment and Erosion Control Details	Martens & Associates	10 May 2023
PS01-C100 Revision G	Car Park Earthworks Grading Plan	Martens & Associates	10 May 2023
PS01-C500 Revision H	Car Park Earthworks Cut-Fill Plan	Martens & Associates	11 May 2023
PS01-C600 Revision E	Earthworks Site Sections	Martens & Associates	10 May 2023
PS01-D100 Revision F	Roadworks Plan	Martens & Associates	10 May 2023
PS01-D200 Revision E	Access Way 1 (21-MSL01) Longitudinal and Typical Sections	Martens & Associates	10 May 2023
PS01-D201 Revision A	Access Way 2 (21-MSL02), Carpark Access Way 3 (21-MSL03) and Carpark Access Way 4 (21-	Martens & Associates	10 May 2023

	MSL04) Longitudinal and Typical Sections		
PS01-E100 Revision H	Drainage Works Plan	Martens & Associates	10 May 2023
PS01-E200 Revision D	Drainage Details Sheet 1	Martens & Associates	10 May 2023
PS01-E201 Revision D	Drainage Details Sheet 2	Martens & Associates	10 May 2023
PS01-E600 Revision D	OSD Catchment Plans and Details	Martens & Associates	10 May 2023
PS01-E700 Revision D	Water Quality Catchment Plans and Details	Martens & Associates	10 May 2023

Document Title	Prepared by	Date
Stage 3 Development Application Acoustic Assessment Project 5162	Acoustic Dynamics	26 August 2021
Acoustic Report Addendum Letter 02	Acoustic Dynamics	10 March 2023
Access Report	Vista Access Architects	24 August 2021
BCA Assessment	BSGM Consulting Building Surveyors	31 May 2022
Bushfire Assessment Report	Bushfire Hazard Solutions	3 June 2021
Arboricultural Impact Assessment Report	Urban Arbor	8 February 2023
Flora and Fauna Impact Assessment Report	Land Eco Consulting	15 June 2022
Waste Management Plan	Alleanza Architecture	5 May 2022

- (2) **General Terms of Approval/Requirements of State Authorities** - The general terms of approval/requirements from state authorities shall be complied with prior to, during, and at the completion of the development.

The general terms of approval/requirements are:

1. Bush Fire Safety Authority from the NSW Rural Fire Service dated 4 June 2023.
2. Letters from TransGrid dated 31 January 2023 and 8 March 2023.
3. Letter and attachments from Endeavour Energy dated 14 February 2023.
4. Letter from WaterNSW dated 16 August 2022.
5. Letter from the Camden Police Area Command received by Council on 18 August 2022.

- (3) **National Construction Code - Building Code of Australia (BCA)** - All building work must be carried out in accordance with the BCA as in force on the relevant date. In this condition the relevant date has the same meaning as in the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, section 19.
- (4) **Shoring and Adequacy of Adjoining Property** - If the approved development involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road rail corridor, the person having the benefit of the development consent must, at the person's own expense:
- a) protect and support the building, structure or work on adjoining land from possible damage from the excavation, and
  - b) if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land gives written consent to the condition not applying.

A copy of the written consent must be provided to the principal certifier prior to the excavation commencing.

- (5) **Engineering Specifications** - The entire development shall be designed and constructed in accordance with Council's Engineering Specifications.
- (6) **Approved Tree Removal** - 34 trees identified for removal (Table 2, page 17) in the reported titled 'Arboricultural Impact Assessment Report' prepared by Urban Arbor and dated 8 February 2023 are approved for removal subject to the following requirements:
- a) 38 trees identified in the report (Table 2, page 17) must be retained and protected. Strict observance of protection measures specified in this development consent and section 11 of the report must be in force during all phases of development.
  - b) Approved tree works must be undertaken in accordance with the relevant provisions of AS 4373 'Pruning of amenity trees' and must be carried out in accordance with the SafeWork NSW Code of Practice for the Amenity Tree Industry.
  - c) Approved tree work must only be carried out by a fully insured and qualified arborist. Suitable qualifications for an arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the carrying out of tree works with supervision by an arborist with AQF Level 5 in Arboriculture.
  - d) This development consent does not grant access to adjoining land. The applicant must negotiate any tree related issues of access with adjoining property owners.
  - e) Green waste and or timber generated from the approved tree work must be recycled into mulch and reused on site or transferred to a designated facility for composting.

- f) The approved replacement plantings must be installed on the property within 12 months of the tree removal authorised by this development consent.

- (7) **Protect Existing Vegetation and Natural Landscape Features** - Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of the existing vegetation and natural landscape features, other than any existing vegetation and/or natural landscape feature authorised for removal, pruning, impact upon or disturbance by this development consent.

The following procedures shall be strictly observed:

- a) no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval, and
- b) pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features, are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

- (8) **Outdoor Lighting** - The approved development must include lighting in all areas that complies with AS 1158 and AS 4282.
- (9) **Reflectivity** - The reflectivity of glass index for all glass used externally must not exceed 20%.
- (10) **Roof Mounted Equipment** - All roof mounted equipment is limited to that shown on the approved plans.
- (11) **Noxious Weeds Management** - Weed dispersion must be minimised and weed infestations must be managed during all stages of the development. Any noxious or environmentally invasive weed infestations that occur during or after works must be fully and continuously suppressed and destroyed by appropriate means. New infestations must be reported to Council.

Pursuant to the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*, the applicant must at all times ensure that any machinery, vehicles or other equipment entering or leaving the site are clean and free from any noxious weed material to prevent the spread of all weeds to or from the property.

Earth moved containing noxious weed material must be disposed of at an approved waste management facility and be transported in compliance with the *Biosecurity Act 2015* and the *Biosecurity Regulation 2017*.

- (12) **Approved Development Staging** - The development is approved to be developed in 3 stages (stages A, B and C) as shown on the approved staging plan. Separate construction and occupation certificates may be issued for each stage.

The following numbered conditions of this development consent apply to each stage of the development:

Stage A - Car Park and Entry Plaza Works

- 1.0(1), (2), (3), (4), (5), (6), (7), (8), (11) and (12).
- 2.0(1), (2), (4), (5), (6), (7), (8), (9) and (10).
- 3.0(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14) and (15).
- 4.0(1), (2), (3), (4), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24) and (25).
- 5.0(7), (8) (10), (11), (12), (13) and (14).
- 6.0(3), (4), (5), (6) and (8).

Stage B - Construction of the New Building

- All conditions of this development consent.

Stage C - Construction of the 'Learning Street' Canopy

- All conditions of this development consent.

## **2.0 - Prior to Issue of a Construction Certificate**

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) **Construction Certificate** - The following information/updated plans shall be provided to the certifier with the construction certificate application:
- a) A DRAINS model demonstrating that the TWL has adequate freeboard and complies with Council's engineering specifications and applicable Australian Standards.
  - b) Updated water quality measures to ensure that all nutrient removal targets are met in accordance with Council's engineering specifications. This must be supported by updated plans and a MUSIC model.
  - c) Detailed contouring for the car park access (21-MSL04) near the sag at chainage 49.167 to ensure satisfactory drainage through the dish drain. An alternative method may be used with the inclusion of surface inlet pits and pipe drainage

directed towards the swale with associated infrastructure (scour protection and a headwall).

- d) Detailed design plans for the car park, including all parking spaces, aisle widths and relevant infrastructure, demonstrating that they comply with the applicable sections of AS 2890.
- e) Detailed design plans demonstrating that the car park and adjoining driveway accesses provide for the largest vehicles that will use them to pass each other (in locations where they are required to pass each other) in accordance with AS 2890.
- f) Details demonstrating the provision of a minimum of 6 bicycle parking spaces.
- g) Details demonstrating that all signage lighting will comply with AS 4282 and AS 1158.
- h) An updated staging plan that shows the path works that will curve around the new building being constructed as part of stage B.

Details demonstrating compliance must be provided to the principal certifier.

- (2) **Structural Engineer's Details** - The piers, slabs, footings and structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the certifier.
- (3) **External Walls and Cladding Flammability** - The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a construction certificate the accredited certifier must:
  - a) be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC, and
  - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as proposed.
- (4) **Civil Engineering Plans** - Civil engineering plans indicating drainage, roads, accessways, earthworks, pavement design, details of line-marking, traffic management, water quality and quantity facilities including stormwater detention and disposal, shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the certifier with the construction certificate application.

A stormwater plan is to be submitted to the certifier prior to the augmentation of the existing drainage system to accommodate drainage from the approved development and to protect other property to the satisfaction of the certifier.

**Note.** Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.

- (5) **Stormwater Detention and Water Quality** - An on-site detention system and water quality system shall be provided for the site and designed in accordance with Council's

Engineering Specifications. A detailed on-site detention and water quality report reflecting the construction certificate plans must be provided to the certifier with the construction certificate application.

- (6) **Soil, Erosion, Sediment and Water Management** - An erosion and sediment control plan shall be prepared in accordance with 'Managing Urban Stormwater - Soils and Construction ('the blue book'). Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.
- (7) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Appendix B of Camden Development Control Plan 2019. Details demonstrating compliance must be provided to the certifier.

The detailed landscape plan must also comply with the following requirements:

- a) Expand the planting schedule to include a greater array of small trees and tall shrubs with a mature height not exceeding 4m for planting within TransGrid's easement.
  - b) The planting schedule must include the following local native tree species:
    - Eucalyptus tereticornis (Forest Red Gum).
    - Eucalyptus moluccana (Grey Box).
    - Corymbia maculata (Spotted Gum) or Eucalyptus crebra (Narrow Leaved Ironbark).
  - c) The landscape plan must comply with TransGrid's requirements referenced in this development consent in relation to restrictions for plant height and placement within the landscape.
  - d) The planting schedule must be keyed to the landscape plans and must be consistent between the architectural, landscaping and civil plans.
  - e) Tree and tall shrub plantings in the car park and along the western boundary must be sourced in minimum 75 litre containers.
  - f) The western boundary planting must consist of a minimum of two staggered rows of trees and tall shrubs with a mature height of 4m.
  - g) Local indigenous Eucalyptus removals must be offset at a ratio of 2:1.
  - h) Car parking and other hardstand areas must incorporate water sensitive urban design principles to direct run-off into landscaped areas where possible.
- (8) **Tree Survey Plan and Hollow Bearing Trees/Active Nests** - A tree survey plan to identify the location, type and condition of existing trees proposed to be removed, including whether tree hollows or active nests are present, must be prepared. If tree hollows and/or active nests are present, a nest box installation and active nest relocation plan must be prepared in addition to the tree survey plan. The nest box installation and active nest relocation plan must provide fauna with short-term habitat requirements during vegetation clearance. Each individual tree hollow must be replaced at a minimum 1:1 ratio with nest boxes.



All hollow-bearing and active nest trees removed from the site must be inspected prior to removal. Measures must be taken to ensure that fauna inhabiting tree hollows or active nests are treated humanely and relocated before development activities commence consistent with the *National Parks and Wildlife Act 1974*. A suitably qualified and experienced ecologist or wildlife carer must be present throughout vegetation clearing activities to relocate fauna or take fauna into care where appropriate (i.e., juvenile or nocturnal fauna).

- (9) **TransGrid Approval** - Detailed design plans of all works within TransGrid's easement that demonstrate compliance with the conditions listed in the TransGrid letters dated 31 January 2023 and 8 March 2023 must be provided to and approved by TransGrid.
- (10) **Long Service Levy** - In accordance with the *Building and Construction Industry Long Service Payments Act 1986*, the applicant shall pay a long service levy at the prescribed rate to either the Long Service Payments Corporation or Council. This applies to building and construction works with a cost of \$250,000 or more.

### 3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) **Public Liability Insurance** - The owner or contractor shall take out a public liability insurance policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e., kerbs, gutters, footpaths, walkways, reserves, etc.) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the certifier.
- (2) **Notice of Principal Certifier** - Notice shall be given to Council at least two days prior to subdivision and/or building works commencing in accordance with the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*. The notice shall include:
  - a) a description of the work to be carried out,
  - b) the address of the land on which the work is to be carried out,
  - c) the registered number and date of issue of the relevant development consent,
  - d) the name and address of the principal certifier, and of the person by whom the principal certifier was appointed,
  - e) the certifier's registration number, and a statement signed by the certifier consenting to being appointed as principal certifier, and
  - f) a telephone number on which the principal certifier may be contacted for business purposes.
- (3) **Notice of Commencement of Work** - Notice shall be given to Council at least two days prior to building works commencing in accordance with the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*. The notice shall include:
  - a) the name and address of the person by whom the notice is being given,

- b) a description of the work to be carried out,
  - c) the address of the land on which the work is to be carried out,
  - d) the registered number and date of issue of the relevant development consent and construction certificate,
  - e) a statement signed by or on behalf of the principal certifier (only where no principal certifier is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
  - f) the date on which the work is intended to commence.
- (4) **Construction Certificate Required** - In accordance with the requirements of the *EP&A Act 1979*, building works approved by this consent shall not commence until the following has been satisfied:
- a) a Construction Certificate has been issued by a certifier,
  - b) a principal certifier has been appointed by the person having benefit of the development consent,
  - c) if Council is not the principal certifier, Council is notified of the appointed principal certifier at least two days before building work commences,
  - d) the person having benefit of the development consent notifies Council of the intention to commence building work at least two days before building work commences, and
  - e) the principal certifier is notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.
- (5) **Sign of Principal Certifier and Contact Details** - A sign shall be erected in a prominent position on the site stating the following:
- a) that unauthorised entry to the work site is prohibited,
  - b) the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
  - c) the name, address and telephone number of the principal certifier for the work.
- The sign must be maintained while the work is being carried out and removed when the work has been completed.
- (6) **Site is to be Secured** - The site shall be secured and fenced.
- (7) **Sydney Water Approval** - The approved construction certificate plans must also be approved by Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Go to [www.sydneywater.com/tapin](http://www.sydneywater.com/tapin) to apply.

A copy of the approval receipt from Sydney Water must be submitted to the principal certifier.

- (8) **Soil Erosion and Sediment Control** - Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater - Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.
- (9) **Traffic Management Plan** - A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. The plan must be submitted to the principal certifier.
- (10) **Hazardous Building Materials Assessment** - A hazardous building materials assessment (HBMA) that identifies all hazardous components must be undertaken on all buildings and structures to be demolished. The HBMA must be provided to the principal certifier and Council.

Once hazardous components are identified, all demolition works that involve the demolition and removal of the hazardous materials must ensure that all site personnel are protected from the risk of exposure in accordance with relevant SafeWork NSW and NSW demolition guidelines. Premises and occupants on adjoining land must also be protected from exposure to any hazardous materials.

- (11) **Construction Management Plan** - A construction management plan that includes dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, must be provided to the principal certifier. The plan must detail how the construction activities can be carried out whilst allowing the existing school operations to be clearly separated and continued in a safe manner.
- (12) **Environmental Management Plan** - An environmental management plan (EMP) prepared in accordance with Council's Engineering Design Specification must be provided to the principal certifier.

The EMP must address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment are not unacceptably impacted upon by the proposal. The EMP must include but not be necessarily limited to the following measures:

- a) measures to control noise emissions from the site,
- b) measures to suppress odours and dust emissions,
- c) soil and sediment control measures,
- d) measures to control air emissions that includes odour,
- e) measures and procedures for the removal of hazardous materials that includes waste and their disposal,
- f) any other recognised environmental impact,
- g) work, health and safety, and
- h) community consultation.

- (13) **Construction Noise Management Plan** - A construction noise management plan must be provided to the principal certifier and include the following:
- a) noise mitigation measures,
  - b) noise and/or vibration monitoring,
  - c) use of respite periods,
  - d) complaints handling, and
  - e) community liaison and consultation.
- (14) **Protection of Trees to be Retained** - The protection of trees to be retained must be in accordance with Council's Engineering Specifications. The area beneath the canopies of the trees to be retained shall be fenced. Tree protection signage must be attached to each tree protection zone and displayed in a prominent position.
- (15) **Demolition Work** - Approved is granted for the demolition of building 11 and part of building 10 as shown on the approved plans subject to compliance with the following requirements:
- a) The developer must notify adjoining residents of demolition works seven working days prior to demolition. Such notification must be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite, the demolition site,
  - b) Prior to demolition, the developer must erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address,
  - c) Prior to demolition, the developer shall erect a 1.8m high temporary fence and hoarding between the work site and any public property (footpaths, roads, reserves, etc.). Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when work is not in progress or when the site is otherwise unoccupied,
  - d) Prior to demolition, all services (such as sewer, telephone, gas, water and electricity) must be disconnected. The developer must consult with the relevant service authorities regarding their requirements for the disconnection of services,
  - e) Suitable erosion and sediment control measures in accordance with an approved erosion and sediment control plan shall be installed prior to the commencement of demolition works and shall be maintained at all times,
  - f) A work plan prepared by a suitably qualified person in accordance with AS 2601 'Demolition of Structures' must be provided to the principal certifier for approval prior to demolition works commencing. The work plan must identify hazardous materials including surfaces coated with lead paint, the method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials,
  - g) If the property was built prior to 1987, an asbestos survey must be carried out by a suitably qualified person prior to demolition. If asbestos is found, a WorkCover Authority licensed contractor shall remove all asbestos in accordance with the

requirements of the WorkCover Authority, including notification of adjoining neighbours of asbestos removal. All asbestos material must be disposed of at a facility licenced to accept asbestos. Tipping receipts for the disposal of the asbestos must be retained,

- h) The burning of any demolished material on site is not permitted and offenders will be prosecuted, and
- i) Care must be taken during demolition to ensure that existing services on the site (i.e., sewer, electricity, gas, phone, etc.) are not damaged. Any damage caused to existing services must be repaired by the relevant authority at the expense of the developer.

#### **4.0 - During Works**

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) **Work Hours** - All work (including delivery of materials) shall be:
  - restricted to between the hours of 7am to 5pm Monday to Saturday (inclusive), and
  - not carried out on Sundays or public holidays,unless approved in writing by Council.
- (2) **Compliance with BCA** - All building work shall be carried out in accordance with the requirements of the BCA.
- (3) **Excavations and Backfilling** - All excavations and backfilling associated with the approved development must be executed safely and protected to prevent them from being dangerous to life or property, and in accordance with the design of a suitably qualified structural engineer.

If an excavation extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road rail corridor, the person causing the excavation must:

- a) protect and support the building, structure or work on adjoining land from possible damage from the excavation,
- b) if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation, and
- c) give at least 7 days notice of the intention to excavate to the owner of the adjoining land before excavating.

The above requirements do not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land gives written consent to the requirements not applying.

The principal contractor, owner builder or any person who needs to excavate and undertake building work, shall contact 'Dial Before You Dig' prior to works

commencing, and allow a reasonable period of time for the utilities to provide locations of their underground assets.

- (4) **Site Management** - The following practices are to be implemented during construction:
- a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site,
  - b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner,
  - c) waste shall not be burnt or buried on site or any other properties, nor shall wind-blown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility,
  - d) a waste storage area shall be located on the site,
  - e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc.),
  - f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
    - i) be a standard flushing toilet connected to a public sewer, or
    - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
    - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (5) **Finished Floor Level** - A survey report prepared by a registered land surveyor confirming that the finished floor level complies with the approved plans or floor levels specified by the development consent, must be provided to principal certifier prior to the development proceeding beyond floor level stage.
- (6) **Building Height** - A survey report prepared by a registered land surveyor confirming that the building height complies with the approved plans or as specified by the development consent, must be provided to the principal certifier prior to the development proceeding beyond frame stage.
- (7) **Survey Report** - The building must be set out by a registered land surveyor. A peg out survey detailing the siting of the building in accordance with the approved plans shall be provided to the principal certifier prior to the pouring of concrete.
- (8) **Traffic Management Plan Implementation** - All traffic management procedures and systems identified in the approved traffic management plan shall be introduced and maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.

- (9) **Site Signage** - A sign must be erected at all entrances to the site and be maintained until the development has been completed. The sign must be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:

*"WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) - Solution to Pollution."*

The wording must be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

- (10) **Vehicles Leaving the Site** - The construction supervisor must ensure that:
- a) all vehicles transporting material from the site cover such material so as to minimise sediment transfer,
  - b) the wheels of vehicles leaving the site:
    - do not track soil and other waste material onto any public road adjoining the site, and
    - fully traverse the site's stabilised access point.
- (11) **Fill Compaction** - All fill must be compacted in accordance with Council's current engineering design specifications.
- (12) **Removal of Waste Materials** - Where there is a need to remove any identified materials from the site that contain fill, rubbish or asbestos, the waste material must be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines 2014 (refer to: [www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm](http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm))
- Once assessed, the materials must be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets must be retained and supplied to Council upon request.
- (13) **Soil, Erosion, Sediment and Water Management - Implementation** - All requirements of the erosion and sediment control plan and/or soil and water management plan must be maintained at all times during the works and any measures required by the plan shall not be removed until the site has been stabilised.
- (14) **Noise During Work** - Noise levels emitted during works must comply with:
- a) Construction period of 4 weeks and under:

The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).
  - b) Construction period greater than 4 weeks and not exceeding 26 weeks:

The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

- c) Construction period greater than 26 weeks:

The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 5 dB(A).

Alternatively, noise levels emitted during works must be restricted to comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.

- (15) **Location of Stockpiles** - Stockpiles of soil must not be located on / near any drainage lines or easements, natural watercourses or water bodies, footpath or roadway without first providing suitable protective measures adequate to protect these water bodies. All stockpiles of contaminated materials shall be suitably covered to prevent dust and odour nuisance.
- (16) **Disposal of Stormwater** - Water seeping into any site excavations must not be pumped into the stormwater system unless it complies with relevant EPA and ANZECC standards for water quality discharge.
- (17) **Delivery Register** - The applicant must maintain a register of deliveries which includes date, time, truck registration number, quantity of fill, origin of fill and type of fill delivered. This register must be made available to Council officers on request and be provided to the Council at the completion of the development.
- (18) **Fill Material (VENM)** - Prior to the importation and/or placement of any fill material on the subject site, an assessment report and sampling location plan for such material must be provided to and approved by the principal certifier.

The assessment report and associated sampling location plan must:

- a) be prepared by a contaminated land specialist, and
- b) be endorsed by a practising engineer with Specific Area of Practice in Subdivisional Geotechnics, and
- c) be prepared in accordance with,

Virgin Excavated Natural Material (VENM):

- i) the Department of Land and Water Conservation publication 'Site investigation for Urban Salinity', and
  - ii) the Department of Environment and Conservation - Contaminated Sites Guidelines 'Guidelines for the NSW Site Auditor Scheme (Third Edition) - Soil Investigation Levels for Urban Development Sites in NSW'.
- d) confirm that the fill material:
- i) provides no unacceptable risk to human health and the environment,
  - ii) is free of contaminants,



- iii) has had salinity characteristics identified in the report, specifically the aggressiveness of salts to concrete and steel (refer Department of Land and Water Conservation publication 'Site investigation for Urban Salinity'),
- iv) is suitable for its intended purpose and land use, and
- v) has been lawfully obtained.

Sampling of VENM for salinity of fill volumes:

- e) less than 6000m<sup>3</sup> - 3 sampling locations, and
- f) greater than 6000m<sup>3</sup> - 3 sampling locations with 1 extra location for each additional 2000m<sup>3</sup> or part thereof.

For e) and f) a minimum of 1 sample from each sampling location must be provided for assessment.

Sampling of VENM for contamination and salinity must be undertaken in accordance with the following table:

Classification of Fill Material	No of Samples Per Volume	Volume of Fill (m <sup>3</sup> )
Virgin Excavated Natural Material	1 (see Note)	1,000 or part thereof

**Note.** Where the volume of each fill classification is less than that required above, a minimum of 2 separate samples from different locations must be taken.

- (19) **Offensive Noise, Dust, Odour and Vibration** - All work must not give rise to offensive noise, dust, odour or vibration as defined in the *Protection of the Environment Operations Act 1997* when measured at the property boundary.
- (20) **Erosion and Sedimentation Control** - Soil erosion and sedimentation controls are required to be maintained for the duration of the works. The controls must be undertaken in accordance with version 4 of the Soils and Construction - Managing Urban Stormwater manual (the Blue Book).  
  
Soil erosion and sediment control measures shall only be removed upon completion of the works when all landscaping and disturbed surfaces have been stabilised (for example, with site turfing, paving or re-vegetation).
- (21) **Protection for Existing Trees** - The protection of existing trees (on-site and street trees) must be carried out as specified by AS 4970 Protection of Trees on Development Sites.
- (22) **Unexpected Finds Contingency (General)** - Should any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos, ash material, etc.) be encountered during any stage of works (including earthworks, site preparation or construction works, etc.), such works shall cease immediately until a certified contaminated land consultant has been contacted and conducted a thorough assessment.

In the event that contamination is identified as a result of this assessment and if remediation is required, all works shall cease in the vicinity of the contamination and Council shall be notified immediately. Where remediation work is required, the applicant will be required to obtain consent for the remediation works.

- (23) **Salinity Management** - All approved development that includes earthworks, imported fill, landscaping, buildings and associated infrastructure must be carried out or constructed in accordance with the salinity control measures contained in Council's engineering specifications.
- (24) **Relics Discovery During Works** - If any relic surviving from the past is uncovered during the work that could have historical significance (but is not an Aboriginal object):
- all work must stop immediately in that area,
  - Heritage NSW must be advised of the discovery in writing in accordance with Section 146 of the *Heritage Act 1977*, and
  - any requirements of Heritage NSW must be implemented.
- (25) **Aboriginal Objects Discovered During Works** - If any Aboriginal object (including evidence of habitation or remains) is discovered during the work:
- all excavation or disturbance of the area must stop immediately in that area,
  - Heritage NSW must be advised of the discovery in writing in accordance with Section 89A of the *National Parks and Wildlife Act 1974*, and
  - any requirements of Heritage NSW must be implemented.
- (26) **Mechanical Plant** - The sound power level of individual roof top condenser units must not exceed 80dB(A) and the sound power level of the rooftop package unit must not exceed 81dB(A).
- The roof top plant platform must be designed and constructed in accordance with the minimum specifications in Section 4.3 of the report titled 'Stage 3 Development Application Acoustic Assessment Project 5162' prepared by Acoustic Dynamics and dated 26 August 2021.
- (27) **Glazing Requirements** - All glazing and frame systems (for windows, glass doors and skylights) must achieve a minimum acoustic performance of Rw 32 in accordance with Section 5.6 of the report titled 'Stage 3 Development Application Acoustic Assessment Project 5162' prepared by Acoustic Dynamics and dated 26 August 2021.

## 5.0 - Prior to Issue of an Occupation Certificate

An Occupation Certificate shall be obtained prior to any use or occupation of the development. The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) **Fire Safety Certificate** - A fire safety certificate shall be provided to the principal certifier in accordance with the requirements of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

- (2) **Survey Certificate** - A registered surveyor must prepare a survey certificate to certify that the location of the building in relation to the allotment boundaries complies with the approved plans or as specified by this consent. The survey certificate must be provided to the satisfaction of the principal certifier.
- (3) **Building Height** - A registered surveyor must certify that the maximum height of the building is consistent with the height in the approved plans and this development consent. The certification/verification must be provided to the satisfaction of the principal certifier.
- (4) **Compliance with Acoustic Requirements** - Documentary evidence must be provided to the principal certifier confirming the building has been constructed in accordance with the report titled 'Stage 3 Development Application Acoustic Assessment Project 5162' prepared by Acoustic Dynamics and dated 26 August 2021.
- (5) **Services** - Certificates and/or relevant documents must be obtained from the following service providers and provided to the principal certifier:
  - a) Energy supplier - A Notice of Arrangement for the provision of distribution of electricity from Endeavour Energy to service the proposed development,
  - b) Water supplier - A Section 73 Compliance Certificate demonstrating that satisfactory arrangements have been made with a water supply provider to service the proposed development.

The assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator (WSC). Go to [www.sydneywater.com.au/section73](http://www.sydneywater.com.au/section73) or phone 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.
- (6) **External Walls and Cladding Flammability** - The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of an Occupation Certificate the principal certifier must:
  - a) be satisfied that suitable evidence is provided to demonstrate that the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC, and
  - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as built.
- (7) **Stormwater - Plan of Management (POM)** - The registered proprietor of the land shall prepare a Plan of Management (POM) for the on-site detention facilities. The POM shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements, and time intervals for such inspection and maintenance. The POM shall be provided to the principal certifier for approval.

- (8) **Waste Management Plan** - The principal certifier must ensure that all works have been completed in accordance with the approved waste management plan.
- (9) **Waste Collection Contract** - The building owner must ensure that there is a contract with a licensed contractor for the removal of all waste. A copy of the contract must be held on the premises at all times.
- (10) **Completion of Landscaping Works** - All landscaping works, including the removal of noxious weed species, must be completed in accordance with the approved landscaping plans and the conditions of this development consent.
- (11) **Works As Executed Plans** - Works as executed plans shall be prepared and provided in accordance with Council's engineering specifications. Digital data must be in AutoCAD .dwg or .dxf format, and the data projection coordinate must be in (GDA94.MGA zone 56).

The work-as-executed survey of the on-site detention facility must be undertaken by a registered surveyor and confirm that all components have been installed and that the volume of storage has been achieved.

- (12) **Water Quality Facility** - A water quality facility must be constructed for the site in accordance with the approved plans and Council's engineering specifications.
- (13) **Water Quality Facility Operation, Maintenance and Monitoring Manual/s** - Operation, maintenance and monitoring manuals ('manuals') for the permanent water quality facility must be provided to the principal certifier for approval. The manuals must be prepared by a suitably qualified person in accordance with Council's engineering specifications.
- (14) **Positive Covenant - On-Site Detention and Water Quality Facility** - The registered proprietor(s) of the burdened lots must covenant with Council that they will maintain and repair the on-site detention and water quality facility structures and works on the land in accordance with the following terms and conditions:
  - a) The registered proprietor(s) will:
    - Keep the structure and works clean and free from silt, rubbish and debris, and
    - Maintain and repair at the sole expense of the registered proprietor(s) the whole of the structure and works so that it functions in a safe and efficient manner in line with the approved maintenance monitoring maintenance manual.
  - b) For the purpose of ensuring observance of the covenant Council may by its servants or agents at any reasonable time of the day, upon giving to the person against whom the covenant is enforceable no less than two days notice (but at any time without notice in the case of an emergency), enter the land and view the condition of the land and the state of construction, maintenance or repair of the structures and works on the land.
  - c) By written notice Council may require the registered proprietor(s) to attend to any matter and to carry out such work within such time as Council may require to ensure the proper and efficient performance of the structures and works and to that extent Section 88F(2)(a) of the *Conveyancing Act 1919* is hereby agreed to be amended accordingly.

- d) Pursuant to Section 88F(3) of the *Conveyancing Act 1919* the authority shall have the following additional powers pursuant to the covenant:
- In the event that the registered proprietor(s) fails to comply with the terms of any written notice issued by the Council as set out above the Council or its authorised agents may enter the land with all necessary equipment and carry out and work which the Council in its discretion considers reasonable to comply with the said notice referred to in (c):
  - Council may recover from the registered proprietor(s) in a Court of competent jurisdiction:
    - any expense reasonably incurred by it in exercising its powers under (d). Such expense shall include reasonable wages for the Council's own employees engaged in effecting the said work, supervising the said work and administering the said work together with costs, reasonably estimated by Council, for the use of machinery, tools and equipment in conjunction with the said work, and
    - legal costs on an indemnity basis for the issue of the notice and recovery of the costs and expenses together with the costs and expenses of registration of a covenant charge pursuant to Section 88F of the *Conveyancing Act 1919*, providing any certificate required pursuant to Section 88G of the *Conveyancing Act 1919* or obtaining any injunction pursuant to Section 88H of the *Conveyancing Act 1919*.
- e) The registered proprietor(s) must indemnify Council and any adjoining land owners against damage to their land arising from the failure of any component of the structures and works, or the failure to clean, maintain and repair the structures and works.
- f) The covenant must bind all persons who claim under the registered proprietor(s) as stipulated in Section 88E(5) of the *Conveyancing Act 1919*.

For the purpose of this covenant structures and works mean the stormwater drainage system constructed on the land including all roof gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surface designed to control stormwater on the land.

- (15) **Works Required on 359 Narellan Road** - On 359 Narellan Road, at the intersection of the access road that leads to the Mount Annan Christian College and Cycads Way, the following works must be completed in accordance with the RTA Delineation Manual Section 9 (or the latest update at the time of works):

- a) Installation of a 'Do Not Queue' (g9-237n) sign.
- b) Provision of 'Keep Clear' pavement marking.

In addition, the final travel access guide must contain a provision to remind staff and parents collecting/dropping off children to not queue across the intersection at Cycads Way to ensure residents of Cycads Way can enter and exit Cycads Way.

Written evidence of engagement with the owner(s) of 359 Narellan Road to ensure that the above works occur must be provided to Council. In the event that agreement cannot

be obtained from the owner(s) of 359 Narellan Road to these works, the following must occur as an alternative:

The final travel access guide must contain a provision to remind staff and parents collecting/dropping off children to not queue across the intersection at Cycads Way to ensure residents of Cycads Way can enter and exit Cycads Way.

- (16) **Travel Access Guide and Green Travel Plan Completion** - The draft travel access guide and draft green travel plan must be completed and provided to Transport for NSW for review and approval.

## 6.0 - Ongoing Use

The following conditions of consent are operational conditions applying to the development.

- (1) **Number of Staff and Students** - Staff and student numbers for the entire Mount Annan Christian College must be maintained at a maximum of 110 staff and 1,300 students.
- (2) **Western Plaza/Outdoor Play Area** - The use of the western plaza/outdoor play area must be restricted to a maximum of 250 students at any one time.
- (3) **Removal of Graffiti** - The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.
- (4) **Amenity** - The approved development must be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area or adjoining premises.
- (5) **Offensive Noise and Noise Compliance** - The use and occupation of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act 1997*. Noise must also comply with the NSW Noise Policy for Industry 2017.
- (6) **Noise Limits** - The developer must ensure that noise generated by the operation of the development does not exceed the noise limits in the report titled 'Stage 3 Development Application Acoustic Assessment, Project 5162' prepared by Acoustic Dynamics and dated 26 August 2021.

All practical measures must be implemented to manage the distribution of students engaged in active outdoor play across the school grounds to ensure the above noise criteria are complied with. For example, assemblies with more than 250 students must not be conducted within the western plaza/outdoor play area.

- (7) **Monitoring Program and Report** - The developer must complete a short-term noise monitoring program following the commencement of operations. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to Council within two months of the commencement of operations to verify that operational noise levels do not exceed the recommended noise levels identified in the report titled 'Stage 3 Development Application Acoustic Assessment, Project 5162' prepared by Acoustic Dynamics and dated 26 August 2021.

Should the noise monitoring program identify any exceedance of the approved noise levels, the developer must implement appropriate noise attenuation measures so that operational noise levels do not exceed the approved noise levels or provide attenuation measures at the affected noise sensitive receivers.

- (8) **Maintenance of Landscaping** - The approved landscaping shown on the approved landscaping plans, and the modified landscaping required by this development consent, must be permanently maintained in a complete and healthy condition.
- (9) **Waste Collection and Deliveries** - All waste collection and deliveries must occur between 10am and 2pm to avoid peak school drop-off and pick-up times.
- (10) **Travel Access Guide and Green Travel Plan Implementation and Review** - The completed travel access guide and green travel plan must be fully implemented and regularly reviewed and updated where required.