

AL-MABARAT BENEVOLENT SOCIETY LTD
C/- SMYTH PLANNING
SUITE 67, 330 WATTLE ST
ULTIMO NSW 2007

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Being the applicant in respect of Development Application No. DA-616/2016 and pursuant to Section 80, 80A & 81 (1) (a) of the *Environmental Planning and Assessment Act 1979*, Notice is hereby given of the determination by Liverpool Council as Consent Authority of the above described Development Application relating to:

APPLICANT:	AL-MABARAT BENEVOLENT SOCIETY LTD
LAND:	95-105 SEVENTEENTH AVENUE, AUSTRAL NSW 2179 LOT 10 DP 1227683
PROPOSED DEVELOPMENT:	Proposed Educational Establishment (School) Over 4 Stages Providing For 800 Kindergarten To Year 12 Students And 35 Staff, Involving The Demolition Of Existing Dwellings And Structures, Removal Of Trees, Bulk Earthworks, Construction Of Roads And School Building Structures
DETERMINATION:	Approved by Sydney Western City Planning Panel at its meeting on 11 December 2017
CONSENT TO OPERATE FROM:	11 December 2017
CONSENT TO LAPSE ON:	11 December 2022 (Unless physically commenced)
ATTACHMENTS:	1. Conditions of Approval 2. Section 94 Payment Form 3. General Terms of Approval issued by RMS 4. General Terms of Approval issued by Sydney Water

Before commencing the development please read the Development Consent carefully and make sure that you understand all the conditions that have been imposed. Please contact Liverpool City Council regarding any enquiry you may have in respect of the following conditions.

ABBREVIATIONS

1% AEP Flood	The 1 in 100 year flood
AEP	Annual Exceedance Probability
AS	Australian Standard
BCA	Building Code of Australia
CC	Construction Certificate
Council	Liverpool City Council
DA	Development Application
DECCW	Department of Environment and Climate Change and Water
EPA Act 1979	Environmental Planning and Assessment Act 1979
EPA Regulation 2000	Environmental Planning and Assessment Regulation 2000
EPA	Environment Protection Authority
EMP	Environmental Management Plan
LLEP 2008	Liverpool Local Environmental Plan 2008
LDGP 2008	Liverpool Development Control Plan 2008
LPI Service	Land and Property Information Service
NCC	National Construction Code (formerly Building Code of Australia)
NZS	New Zealand Standard
OC	Occupation Certificate
PCA	Principal Certifying Authority,
POEO Act 1997	Protection of the Environment Operations Act 1997
RAP	Remedial Action Plan
RMS	Roads and Maritime Services
WAE	Work as Executed

ATTACHMENT 1: RECOMMENDED CONDITIONS OF CONSENT

The following conditions have been imposed to achieve the objectives of the relevant planning instruments and policies.

A. THE DEVELOPMENT

STAGED APPROVAL

The conditions referenced in the below table apply to each stage of the development as identified.

Stage	Development works	Part Reference	Condition Reference
1	Demolition of the eastern most dwelling shed and pool onsite, removal of all vegetation and remediation of the site; construction of a two (2) storey primary school and kindergarten; conversion of the retained dwelling into an administration building; all car-parking and vehicular access and road construction.	A, B, C, D, E, F & G	All conditions except; 39, 74
2	Construction of a two (2) storey secondary school building.	A, B, C, D, E, F & G	All conditions except; 7, 8, 19, 20, 22, 25, 28-36, 38, 39, 41, 61-62, 75, 99-101, 110, 112, 117, 118, 120
3	Construction of an assembly hall/gym.	A, B, C, D, E, F & G	All conditions except; 7, 8, 19, 20, 22, 25, 28-36, 38, 39, 41, 61-62, 75, 99-101, 110-112, 117, 118, 120
4	Demolition of the administration building and the construction of a new two (2) storey administration building and construction of the play-court, and associated paving.	A, B, C, D, E, F & G	All conditions except; 7, 8, 19, 20, 22, 25, 28-36, 38, 41, 62, 99-101, 110-112, 117, 118, 120

Approved Plans

1. Development the subject of this determination notice must be carried out strictly in accordance with the following approved plans/reports, except where modified by the undermentioned conditions.

Plan Name	Plan Number	Date	Rev.	Prepared By
Site Analysis Plan	14.09 / DA01A	20-09-2017	---	A. Chandrasan
Site Plan	14.09 / DA02A	20-09-2017	---	A. Chandrasan
Roof Plan	14.09 / DA03A	20-09-2017	---	A. Chandrasan
Stage 1 - Site Plan	14.09 / DA04A	20-09-2017	---	A. Chandrasan
Stage 2 - Site Plan	14.09 / DA05A	20-09-2017	---	A. Chandrasan
Stage 3 - Site Plan	14.09 / DA06A	20-09-2017	---	A. Chandrasan
Stage 4 - Site Plan	14.09 / DA07A	20-09-2017	---	A. Chandrasan

Primary Ground Floor Plan	14.09 / DA08A	20-09-2017	---	A. Chandrasan
Primary First Floor Plan	14.09 / DA09A	20-09-2017	---	A. Chandrasan
Primary Section & Elevations	14.09 / DA010A	20-09-2017	---	A. Chandrasan
Primary Elevations	14.09 / DA011A	20-09-2017	---	A. Chandrasan
High Ground Floor Plan	14.09 / DA12A	20-09-2017	---	A. Chandrasan
High First Floor Plan	14.09 / DA13A	20-09-2017	---	A. Chandrasan
High Section & Elevations	14.09 / DA014A	20-09-2017	---	A. Chandrasan
High Elevations	14.09 / DA015A	20-09-2017	---	A. Chandrasan
Assembly / Gym Plan, Section & Elevations	14.09 / DA016A	20-09-2017	---	A. Chandrasan
Administration Building Floor Plans	14.09 / DA017A	20-09-2017	---	A. Chandrasan
Administration Building Section & Elevations	14.09 / DA018A	20-09-2017	---	A. Chandrasan
Streetscape Elevations	14.09 / DA019A	20-09-2017	---	A. Chandrasan
Temporary Administration Building Floor Plans	14.09 / DA020A	20-09-2017	---	A. Chandrasan
Demolition Plan	14.09 / DA021A	20-09-2017	---	A. Chandrasan
Cut & Fill	14.09 / DA025A	20-09-2017	---	A. Chandrasan
Landscape Plan	1330.L.01 to L.07	05.04.16	A	A. Chandrasan

Report Name	Date	Reference	Prepared By
Aboriginal Archaeological Due Diligence Assessment	25 th March 2016	---	Kayandel Archaeological Services
Access Report	24-May-16	Revision C	Ergon Consulting
Arborist Report	September 2015	---	Stuart Pittendrigh
Architect Design Statement	---	---	Chandrasan Architect
BCA Compliance Report	23.05.16	REV 02	AED Group
Contamination Site Investigation – Phase 1	24 th November 2015	---	Alliance Geotechnical
Contamination Site Investigation – Phase 2	22 nd December 2015	---	Alliance Geotechnical
Remediation Action Plan	2 nd August 2017	2122-ER-1-5	Alliance Geotechnical
Noise Management Plan	5 March 2016	R160222R0	Rodney Stevens Acoustics
Noise Management Plan (Supplementary Report)	4 July 2017	R160222R2	Rodney Stevens Acoustics
Plan of Management	October 5 th 2017	---	Al Mabarrat Benevolent Society
Waste Management Plan	---	---	---

Roads and Maritime Services

2. All conditions issued by **Roads and Maritime Services** shall be implemented and complied with at all times, in accordance with their correspondence dated 16 August 2016. A copy of the correspondence is attached to this determination notice.

Sydney Water

3. All conditions issued by **Sydney Water** shall be implemented and complied with at all times, in accordance with their correspondence dated 21 September 2016. A copy of the correspondence is attached to this determination notice.

Works at no cost to Council

4. All roadworks, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Liverpool City Council.

The on-site detention system shall remain in place until the downstream stormwater system is constructed & capable of conveying the proposed additional flows. Written consent for the removal shall be obtained by Council prior to decommissioning of the on-site detention system.

B. PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions shall be complied with prior to issue of a CC by the PCA:

Fee Payments

5. Unless otherwise prescribed by this consent, all relevant fees or charges must be paid. Where Council does not collect these payments, copies of receipts must be provided. For the calculation of payments such as Long Service Levy, the payment must be based on the value specified with the Development Application/Construction Certificate.

The following fees are applicable and payable:

- (a) Damage Inspection Fee – relevant where the cost of building work is \$20,000 or more, or a swimming pool is to be excavated by machinery.
- (b) Fee associated with Application for Permit to Carry Out Work Within a Road, Park and Drainage Reserve.
- (c) Long Service Levy – based on 0.35% of the cost of building work where the costing of the CC is \$25,000 or more.

Long Service Levy payment is applicable on building work having a value of \$25,000 or more, at the rate of 0.35% of the cost of the works. The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 109F of the *Environmental Planning & Assessment Act 1979*.

These fees are reviewed annually and will be calculated accordingly.

6. All fees associated with a road opening permit required for the connection, extension or amplification of any services within Council's road reserve must be paid to Council and receipts provided to the PCA. A separate form must be submitted in conjunction with payment of the fees. The fees include the standard road opening permit fee and any restoration fees that may be required as a result of the works.

Section 94 Payment (Liverpool Contributions Plan 2014 Austral & Leppington North)

7. As a consequence of this development, Council has identified an increased demand for public amenities and public services. The following payment is imposed in accordance with Liverpool Contributions Plan **2014 Austral & Leppington North** as amended.

The total contribution is **\$620,607**

A breakdown of the contributions payable is provided in the attached payment form. Contributions will be adjusted at the time of payment in line with the Consumer Price Index (all groups index number for Sydney).

SPECIAL INFRASTRUCTURE CONTRIBUTION

8. A special infrastructure contribution is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011, as in force when this consent becomes operative. Information about this special infrastructure contribution can be found on the Department of Planning and Environment regarding arrangements for the making of a payment.

Site Development Work

9. Site development work in the form of excavation, underpinning or shoring works must not take place, until such time as a Construction Certificate has been issued.

Notification

10. The certifying authority must advise Council, in writing of:
 - (a) The name and contractor licence number of the licensee who has contracted to do or intends to do the work, or
 - (b) The name and permit of the owner-builder who intends to do the work.

If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed.

S138 Roads Act – Minor Works in the public road

11. Prior to the issue of a Construction Certificate a S138 Roads Act application/s, including payment of fees shall be lodged with Liverpool City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to the following:
 - Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
 - Road opening for utilities and stormwater (including stormwater connection to Council infrastructure)
 - Road occupancy or road closures

All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Liverpool City Council's specifications.

Note: Approvals may also be required from the Roads and Maritime Service (RMS) for classified roads.

BCA Compliance

12. The requirements and provisions of the *Environmental Planning & Assessment Act 1979* and *Environmental Planning & Assessment Regulation 2000*, must be fully complied with at all times.

Failure to comply with these legislative requirements is an offence and may result in the commencement of legal proceedings, issuing of 'on-the-spot' penalty infringements or service of a notice and order by Council.

13. In accordance with section 80A(11) of the Environmental Planning & Assessment Act 1979 and clause 98 of the Environmental Planning & Assessment Regulation 2000, it is a prescribed condition that all building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
14. Access and facilities for people with disabilities must be provided in accordance with the relevant requirements of the Building Code of Australia, Disability (Access to Premises – Buildings) Standard 2010 and relevant Australian Standards, to the satisfaction of the Certifying Authority.
15. Access must be provided to the building for people with a disability in accordance with the relevant requirements of the Building Code of Australia, Disability (access to Premises – Buildings) Standard 2010 and Australian Standard – AS1428.1 (2009), Design for Access and Mobility – General requirements for new building work, to the satisfaction of the Certifying Authority

Access, Facilities & Car Parking – Details to be provided with construction certificate – New Class 2-9 developments

16. Access, facilities and car parking for people with disabilities must be provided in accordance with the relevant requirements of the Building Code of Australia, Disability (Access to Premises – Buildings) Standard 2010, relevant Australian Standards and conditions of consent, to the satisfaction of the Certifying Authority. Details of the required access, facilities and car parking for people with disabilities are to be included in the plans / specifications for the construction certificate.

Retaining Walls on Boundary

17. All retaining walls shall be of masonry construction and must be wholly within the property boundary, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage works along common boundaries shall not compromise the structural integrity of any existing structures.

Where a retaining wall exceeds 600mm in height, the wall shall be designed by a practicing structural engineer and a construction certificate must be obtained prior to commencement of works on the retaining wall.

Construction Certificate for Works

18. Prior to the issue of a Construction Certificate for works the Certifying Authority shall ensure that engineering plans are consistent with the stamped approved concept plan/s prepared by Indesco, reference 6286-C, revision C, dated 18.9.17 and that all subdivision works have been designed in accordance with conditions of this consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, any Roads Act approval issued, Austroad Guidelines and best engineering practice.

The works may include but are not limited to the following:

- Public and private roads

- Stormwater drainage including water quantity and quality treatment measures
- Private access driveways
- Sediment and erosion control measures
- Overland flowpaths
- Flood control measures
- Traffic facilities including roundabouts, intersection treatments, car parks, bus stops, cycleways, pathways etc.
- Earthworks
- Bridges, culverts, retaining walls and other structures
- Landscaping and embellishment works

The Construction Certificate must be supported by engineering plans, calculations, specifications and any certification relied upon.

Road design criteria table

19. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the proposed roads have been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works and the following criteria:

Road No.	Road Reserve Width	ESA
Seventeenth Avenue	16 metres	3×10^5
Local Road 2	16 metres and variable	3×10^5
Local Road 3	16 metres and variable	3×10^5
Craik Avenue	20 metres	2×10^6

Road Safety Audit

20. A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed roadworks by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with the Construction Certificate or Roads Act application.

Prior to the issue of the Construction Certificate or Roads Act approval, the Certifying Authority shall ensure that the recommendations of the RSA have been addressed in the final design.

Stormwater Concept Plan

21. A stormwater drainage system shall be provided generally in accordance with the concept plans lodged for development approval, prepared by Indesco, reference 6286-C, revision C, dated 18.9.17.

The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.

Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and shall accompany the application for a Construction Certificate. The plan shall indicate the method of disposal of all stormwater and

must include rainwater tanks, existing ground levels, finish surface levels and sizes of all pipes.

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the stormwater drainage system has been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

Specific Engineering Requirements

22. All kerbs shall be 150mm high in accordance with Council standards.
23. The applicant is to obtain approval from relevant service authorities as required in order to complete works required by this consent.
24. All services required to adequately service the development are to be shown on the engineering drawings submitted for Construction Certificate approval including duct configurations, road crossings, water and sewer services, electrical services and light columns positions.
25. The Seventeenth Avenue shared path is to be designed in accordance with Austroads Guide to Road Design Part 6A – Pedestrian and Cyclist Paths.
26. The applicant is to submit a Geotechnical Report from a suitability qualified Geotechnical Engineer detailing the subsurface profile together with recommendations for earthworks placement, design CBR, pavement design, subgrade improvement, anticipated site classification and recommendations for batter slopes and retaining structures.
27. Written consent shall be obtained for all works within private property including concentrated stormwater flows onto neighbouring properties
28. Proposed road 3 shall have a minimum pavement width of 5.5metres to allow for 2 way traffic movement. Written consent shall be obtained for works on private property.

Design Amendments – Traffic Section

29. The following design amendments and details are required to be shown on amended plans and submitted to and approved by Council's Traffic Section prior to the issue of any Construction Certificate:
 - (a) The construction of the road at the intersection of Seventeenth and Craik Avenues shall be designed in accordance with Austroads Guidelines to accommodate a roundabout.
 - (b) The proposed raised pedestrian crossing in Seventeenth Avenue is required to have its location (as shown on the approved 'Site Plan'), interchanged with the staff car-park driveway/entrance. This is required to minimise conflicts between pedestrians and vehicles.
 - (c) Amended plans are to indicated the following;
 - Half-road construction along the Eastern boundary to be completed prior to use of the primary school building (Stage 1)

- Full road construction of the Eastern boundary road to be completed prior to use of the high school building (Stage 2)

Design Amendments - Landscaping

30. Prior to issue of a Construction Certificate, amended Landscape Plans and details reflecting the amendments in the approved plans shall be submitted to and approved by Liverpool Council's Manager of Development Assessment.
31. Prior to issue of a Construction Certificate, a Street Tree Plan shall be submitted to and approved by Liverpool Council's Manager of Development Assessment. The plan is to show tree species as listed within the DCP, 10m apart, located along the Seventeenth Avenue frontage west of the driveway/entrance, at the corner of Seventeenth Avenue and Craik Avenue, and along the Craik Avenue Frontage of the site.

Access, Car Parking and Manoeuvring – General

32. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Liverpool City Council's Development Control Plan.

Bus Stops

33. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that all bus stops have been designed in accordance with the requirements of the Disability Discrimination Act 2002 (DDA), Disability Standards for Accessible Public Transport (DSAPT) and the Guidelines for assessing compliance of bus stops with the Disability Standards for Accessible Public Transport 2002.

Access, Car Parking and Bus Servicing

34. Prior to the issue of a Construction Certificate the following details are to be submitted to Council's Traffic Section for review:
 - (a) A concept layout of the roads and driveways to be constructed.
 - (b) Off street access and parking showing compliance with AS2890.1.
 - (c) A line-marking and signposting plan.
 - (d) Bus service details and swept path analysis
 - The indented bus bay lengths are required to show adequacy with respect to the number and size of buses utilising the bays.
 - A temporary turnaround facility for the buses is required to be shown to ensure appropriate bus manoeuvrability for buses utilising bus bay along the north-south road.
 - Detail is to be provided indicating which of the bays are intended to be used for private or public bus use.

Traffic Management and Road Works

35. A Traffic Management Plan is to be submitted to Liverpool City Council's Traffic Committee for approval. Works within the road reserve shall not commence until the traffic management plan has been approved.

36. The Traffic Management Plan is to be prepared by an accredited designer and submitted to and stamp approved by Council via a standard Section 138 Roads Act Permit application available at Council's customer service counter. The stamped approved Roads Act Permit is to be obtained by the PCA. A copy of the stamped approved Roads Act Permit and traffic management plan is to be available on the works site for inspection at any time by an authorised Council officer.

Overland Flow Controls

37. The proposed development shall be undertaken as indicated in the overland flood study report by Indesco Pty Ltd (Ref: Project No: 6286, Local Overland Flood Study Report, Version V2, dated: April 2017).
38. Existing overland flows from adjoining properties running through the site shall not be disturbed and shall be accommodated appropriately into proposed stormwater network of the development.

Acoustic Fencing

39. The Acoustic Fencing location provided in the approved Noise Impact Assessment (Report No. R160222R0) prepared by Rodney Stevens Acoustics dated 5 May 2016, shall be incorporated into the design and construction of the development and shall be shown on plans accompanying the CC application.

The fence is to be of masonry or hebel and is required to be constructed along the eastern and northern edge of the playfield as shown in the Noise Assessment Report. The fence is required to be 1.8m in height and continuous in construction (free of gaps), and its colours and finishes are required to match those of the school buildings.

Mechanical Plant

40. Mechanical plant shall be selected in consultation with a suitably qualified and experienced consultant to ensure compliance with the internal noise levels detailed within Acoustic Report 'Noise Impact Assessment – proposed school – Arrahman College' prepared by Rodney Stevens Acoustics (report no: R160222R0 – Revision 0) dated 5 May 2016.

Validation Assessment

41. After completion of the remedial works, a copy of the Validation Report shall be submitted to the PCA. The report shall be prepared with reference to the EPA guidelines, Consultants Reporting on Contaminated Sites, and must;
 - (a) Describe and document all works performed;
 - (b) Include results of validation testing and monitoring;
 - (c) Include validation results of any fill imported on to the site;
 - (d) Outline how all agreed clean-up criteria and relevant regulations have been complied with; and
 - (e) Include clear justification as to the suitability of the site for the proposed use and the potential for off-site migration of any residual contaminants.

Crime Prevention Through Environmental Design

42. The following Crime Prevention Through Environmental Design principles are to be incorporated into the site.
- (a) Back to base alarm systems shall be installed;
 - (b) CCTV for the ground level, entry/exit points, car parks, lifts and the exterior of the buildings shall be implemented;
 - (c) 'Way finding' signage should be utilised at all major interchanges such as lifts and stair wells;
 - (d) Lighting is required to be designed in accordance with the Australian and New Zealand Lighting Standard AS 1158. A lighting maintenance policy should be established. Security lighting should be installed in and around the building, and such shall not impact on any adjoining premises. The lighting should be vandal resistant, especially external lighting.

Provision of Services

43. An application to obtain a Section 73 Compliance Certificate under the Sydney Water Act 1994, must be lodged with Sydney Water. To facilitate this, an application must be made through an authorised Water Servicing Coordinator. Please refer to the "building and developing" section of Sydney Water's web site at www.sydneywater.com.au, or telephone 13 20 92.

Following receipt of the application, a 'Notice of Requirements' will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. A copy of the 'Notice of Requirements' must be submitted to the PCA.

44. Written clearance from Endeavour Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development must be submitted to the PCA.
45. Should any Electrical Substation be located outside the building envelope, the location and any associated fire separation walls must comply with Integral Energy Substation Design Instruction Document No SDI 104 (Current Version). The colours and materials used in the construction of any wall of structure are to match those of the approved development.
46. Prior to the issue of a Construction Certificate, the PCA shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the requirements of the ;
- Telecommunications Act 1997:
 - The NBN Co's standard specifications current at the time of installation, for a fibre ready facility.

For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.

47. The applicant is to arrange with the appropriate service provider for any above ground service riser or access point to be constructed clear of any proposed or existing pedestrian footways, and if possible, located in recessed unobtrusive locations. Should any service provider require and/or insist the applicant/developer build a service riser that would create an obstruction and pose a potential safety hazard, then the applicant/developer should refer the request to Council for negotiation directly with the Service Network Authority.
48. The applicant is to obtain approval from relevant service authorities in relation to authority assets that may require adjustment and or relocation in order to complete the works required by this consent.

C. PRIOR TO WORKS COMMENCING

The following conditions shall be complied with prior to works commencing on the subject site:

Construction Certificates

49. Detailed Civil engineering plans and specifications relating to the work shall be endorsed with a CC, in accordance with Section 81A of the Act, and a copy registered with Council.
50. Detailed engineering plans and specifications relating to the work shall be endorsed with a CC, in accordance with Section 81A of the EP&A Act, and a copy submitted to Council, with payment of any relevant fees.
51. Any CC that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of site layout, site levels, building location, size, external configuration and appearance) with the approved Development Application plans.
52. Where this consent requires both engineering and building works to be undertaken, a separate construction certificate shall be issued for each category of works i.e., a separate Civil Engineering CC and a separate Building CC.

Building/Compliance

53. Prior to the commencement of any building works, a construction certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the *Environmental Planning & Assessment Act 1979* and *Environmental Planning & Assessment Regulation 2000*.

A copy of the construction certificate, the approved plans and development consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment.

54. Prior to the commencement of any building works, the following requirements must be complied with:

- (a) A Construction Certificate must be obtained from the Council or an accredited certifier, in accordance with the provisions of the Environmental Planning & Assessment Act 1979;
- (b) A copy of the Construction Certificate, the approved development consent plans and consent conditions must be kept on the site at all times and be made available to the Council officers and all building contractors for assessment; and
- (c) A Principal Certifying Authority (PCA) must be appointed to carry out the necessary building inspections and to issue an occupation certificate; and
- (d) A principal contractor must be appointed for the building work and the PCA and Council are to be notified accordingly; and
- (e) The principal contractor must be advised of the required critical stage inspections and other inspections to be carried out, as specified by the Principal Certifying Authority; and
- (f) At least two days notice must be given to the Council, in writing, prior to commencing any works.
- (g) A single and complete *Fire Safety Certificate*, certifying the installation and operation of all of the fire safety measures within the building must be submitted to Council with the *Occupation Certificate*.

Site Notice Board

55. A sign must be erected in a prominent position on the premises on which work is to be carried out. The sign is to be maintained during work, and removed at the completion of work. The sign must state:
- (a) The name, address and telephone number of the principal certifying authority for the work;
 - (b) 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
 - (c) Unauthorised entry to the premises is prohibited.

Notification/Principal Certifying Authority

56. The applicant shall advise Council of the name, address and contact number of the Accredited Certifier, in accordance with Section 81A (4) of the Act.
57. The PCA must advise Council of the intended date to commence work which is the subject of the consent, by completing a notice of commencement of building works or subdivision works form, available from Council's Customer Service Centre. A minimum period of two (2) working days notice must be given.
58. Written notice of intention shall be given to the owners or the adjoining allotments of land, outlining the particulars of the work, which involves:
- a) Any excavation below the base of the footings of a building on an adjoining allotment of land.
 - b) The notice shall be given seven (7) days prior to the commencement of work.
59. In the event the development involves excavation that extends below the level of the base of the footings of a building on adjoining land, the following is to be undertaken at full cost to the developer;

- a) Protect and support the adjoining premises from possible damage from the excavation, and
- b) Where necessary, underpin the adjoining premises to prevent any such damage.

Sediment & Erosion Control

60. Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997 and Landcom's publication "Managing Urban Stormwater – Soils and Construction (2004)" – also known as "The Blue Book".

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

Demolition Works

61. Demolition works shall be carried out in accordance with the following:
- (a) Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with the Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
 - (b) Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
 - (c) The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.

Waste Classification

62. Prior to the exportation of waste (including fill or soil) from the site, the material shall be classified in accordance with the provisions of the POEO Act and NSW DECCW, (EPA) 'Environmental Guidelines: Assessment, Classification and Management of Non-Liquid Wastes'. The classification of the material is essential to determine where the waste may be legally taken. The POEO Act provides for the commission of an offence for both the waste owner and transporters if waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid and non-liquid waste advice should be sought from the DECCW (EPA).

Traffic Control Plan

63. Prior to commencement of works a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council.

Construction Requirements

64. The applicant/ builder shall be responsible to report to the Council any damage to Council's footpath and road carriageway as a consequence of demolition or excavation or building activities or delivery/ departure of materials associated with this site. The damage shall be reported to Council as soon as the damage becomes apparent to the builder/ site manager. Arrangements to the satisfaction of Council are to be made for making safe by temporary repairs to the public way until permanent restoration and repair can be organised with Council.

Dilapidation report

65. Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development in Craik Avenue and Seventeenth is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 10m either side of the development.

Matters to be addressed prior to commencement of Works

66. Work on the school shall not commence until:
- a Construction Certificate (if required) has been issued,
 - a Principal Certifying Authority has been appointed for the project, and
 - any other matters prescribed in the development consent for the subdivision and the Environmental Planning and Assessment Act and Regulation have been complied with.

A Notice of Commencement is to be submitted to Liverpool City Council two (2) days prior to commencement of engineering works or clearing associated with the subdivision.

Site Facilities

67. Adequate refuse disposal methods and builders storage facilities shall be installed on the site. Builders' wastes, materials or sheds are not to be placed on any property other than that which this approval relates to.
68. Toilet facilities must be available or provided at the work site and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

D. DURING CONSTRUCTION

The following conditions shall be complied with during construction:

Building Inspections

69. The building works must be inspected by the Principal Certifying Authority, in accordance with sections 109E (3) of the Environmental Planning & Assessment Act 1979 and clause 162A of the Environmental Planning & Assessment Regulation 2000, to monitor compliance with the relevant standards of construction, Council's development consent and the construction certificate.

The Principal Certifying Authority must specify the relevant stages of construction to be inspected and a satisfactory inspection must be carried out, to the satisfaction of the Principal Certifying Authority, prior to proceedings to the subsequent stages of construction or finalisation of the works (as applicable).

70. A sign must be erected and maintained in a prominent position on the site, which contains the following details:
- name, address, contractor licence number and telephone number of the principal contractor, including a telephone number at which the person may be contacted outside working hours, or owner-builder permit details (as applicable)
 - name, address and telephone number of the Principal Certifying Authority
 - a statement stating that 'unauthorised entry to the work site is prohibited'.

Security Fence

71. A temporary security fence to WorkCover Authority requirements is to be provided to the property during the course of construction.

Note: Fencing is not to be located on Council's reserve area.

Hours of Construction Work

72. Construction work/civil work/demolition work, including the delivery of materials, is only permitted on the site between the hours of 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm on Saturday. No work will be permitted on Sundays or Public Holidays, unless otherwise approved by Council

Construction noise

73. Construction Noise shall not exceed the management levels defined within the Interim Construction Noise Guideline published by the NSW Department of Environment and Climate Change dated July 2009.

Access of Students

74. Areas of construction on site are to be appropriately cordoned off to prevent access to the construction areas by students. All barriers are to be in place until construction of the building/structures are completed.

Demolition Inspections

75. The following inspections are required to be undertaken by Council in relation to approved demolition works:

- a) Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos. The applicant shall also notify the occupants of the adjoining premises and WorkCover NSW prior to the commencement of any works.

Please note that demolition works are not permitted to commence on site until such time as a satisfactory inspection result is obtained from Council.

- b) Immediately following completion of the demolition. Please note that proof of appropriate disposal of demolition materials (including asbestos) may be required at this time in accordance with the approved Waste Management Plan.

To book an inspection with Council, please call 1300 362 170.

Traffic Management

76. All works within the road reserve are to be at the applicant cost and all signage is to be in accordance with the RTA's Traffic Control at Worksites Manual and the RTA's Interim Guide to Signs and Markings.
77. If a works zone is required, an application must be made to Council's Transport Planning section. The application is to indicate the exact location required and the applicable fee is to be included. If parking restrictions are in place, an application to have the restrictions moved, will need to be made.
78. Notice must be given to Council's Transport Planning section of any interruption to pedestrian or vehicular traffic within the road reserve, caused by the construction of this development. A Traffic Control Plan, prepared by an accredited practitioner must be submitted for approval, 48 hours prior to implementation. This includes temporary closures for delivery of materials, concrete pours etc.
79. Applications must be made to Council's Transport Planning section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information.

General Site Works

80. Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.
81. All topsoil, sand, aggregate, spoil or any other material shall be stored clear of any drainage line, easement, water body, stormwater drain, footpath, kerb or road surface and there shall be measures in place in accordance with the approved erosion and sediment control plan.
82. Building operations such as brick cutting, mixing mortar and the washing of tools, paint brushes, form-work, concrete trucks and the like shall not be performed on the public footway or any other locations which may lead to the discharge of materials into Council's stormwater drainage system.

83. The developer is to maintain all adjoining public roads to the site in a clean and tidy state, free of excavated "spoil" material.
84. All vehicles involved in the delivery, demolition or construction process departing from the property shall have their loads fully covered before entering the public roadway.
85. All earthworks shall be undertaken in accordance with AS 3798 and Liverpool City Council's Design Guidelines and Construction Specification for Civil Works. The level of testing shall be determined by the Geotechnical Testing Authority/ Superintendent in consultation with the Principal Certifying Authority.
86. All dangerous and/or hazardous material shall be removed by a suitably qualified and experienced contractor, licensed by WorkCover NSW. The removal of such material shall be carried out in accordance with the requirements of WorkCover NSW. The material shall be transported and disposed of in accordance with DECCW (EPA) requirements.

Soil testing

87. Soil Testing is to be carried out to enable each lot to be classified according to AS2870 "Residential Slabs and Footings".

Waste Management Plan

88. The Waste Management Plan submitted to and approved by Council must be adhered to at all times throughout all stages of the development. Supporting documentation (receipts/dockets) of waste/recycling/disposal methods carried out, is to be kept and must be produced upon the request of Council or any other authorised officer.

Note: Any non-compliance with this requirement will result in penalties being issued.

Contamination

89. The development, including all civil works and demolition, must comply with the requirements of the Contaminated Land Management Act, 1997, State Environmental Planning Policy No. 55 – Remediation of Land, and Managing Land Contamination – Planning Guidelines (Planning NSW/EPA 1998).

Aboriginal Heritage

90. All relevant on-site staff and contractors should be made aware of their statutory obligations for heritage under NSW National parks and Wildlife Act 1974 and the NSW Heritage Act 1977. They are to be informed of what the potential heritage on the site will be and the significance of the heritage. The site supervisor is to maintain a record of who has completed the heritage induction and this is to be provided to Council prior to Issue of Occupation Certificate.
91. If Aboriginal object/s are identified during works, then all works in the immediate area must cease and the area secured. The Office of Environment and Heritage must be notified by ringing the Enviroline 131 555. No works are to commence until authorisation has been received from the Office of Environment and Heritage and the appropriate permits have been obtained.

92. In the event that skeletal remains are uncovered, work must cease immediately in that area and the area secured. NSW Police must be contacted and no further action taken until written advice has been provided by the NSW Police. If the remains are determined to be of Aboriginal origin, the Office of Environment and Heritage must be notified by ringing the Enviroline 131 555 and a management plan prior to works re-commencing must be developed in consultation with relevant Aboriginal stakeholders.
93. Copies of all Aboriginal Archaeological assessments and reports (including summary excavation and analysis reports) are to be provided to Liverpool City Council, Liverpool City Library and the relevant Local Aboriginal Land Councils.

Ventilation

94. The premises shall be ventilated in accordance with the requirements of the BCA (if using deemed to satisfy provisions: AS 1668, Parts 1 & 2).
95. The design, construction, installation and commissioning of the mechanical ventilation systems(s) serving the premises shall be carried out in accordance with Australian Standard 1668 Parts 1 & 2.

The mechanical exhaust discharge point shall be designed and installed by an appropriately qualified person, and shall be positioned to comply with Section 3.7 of Australian Standard 1668 Part 2 – 1991.

Vegetation and Landscaping

96. No known environmental or noxious weeds or known invasive plant species shall be included in the landscaping.
97. Any imported soil and/or mulch shall be free of contaminants, seed and propagules of weeds and undesirable species. Mulch shall not be used on flood liable land.
98. Premium quality organic garden soil shall be incorporated into all planting areas in sufficient quantity to achieve optimum plant growing conditions.

Car Parking Areas

99. Car parking spaces and driveways must be constructed of a minimum of two coat finish seal or better. The spaces must be clear of obstructions permanently line marked and provided with adequate manoeuvring facilities. The design of car parking areas shall be in accordance with Australian Standard 2890.1 and Australian Standard 2890.6 for disability.

Street Lighting

100. Street lighting is to be provided for all new and existing streets to Council's standards.

The developer shall submit a Public Lighting Design Brief to Council for approval for the provision of street lighting on all new public roads dedicated to Council. A street lighting design plan must be prepared by an accredited service provider for approval prior to construction. All street lighting must comply with the electricity service provider Street Lighting Policy and illumination requirements and Council's Street Lighting policy.

All cost associated with the installation of street lighting shall be borne by the developer.

Garbage Room

101. The garbage storage room identified on the approved plans shall be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket. A hose cock shall be provided within the room. Garbage rooms shall be vented to the external air by natural or artificial means. The garbage storage room will provide for a designated space for dry recycling facilities.

E. PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions shall be complied with prior to issue of either an Interim or Final Occupation Certificate by the Principal Certifying Authority:

Liverpool City Council clearance – Roads Act/ Local Government Act

102. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with a S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Liverpool City Council.

Works as executed - General

103. Prior to the issue of an Occupation Certificate, works-as-executed drawings and compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

An original set of works-as-executed drawings and copies of compliance documentation shall also be submitted to Liverpool City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

Building/Compliance

104. An Occupation Certificate must be obtained from the Principal Certifying Authority prior to any occupation of the building work encompassed in this development consent (including alterations and additions to existing buildings), in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.
105. Details of critical stage inspections carried out by the principal certifying authority together with any other certification relied upon must be provided to Council with the occupation certificate.

Fire Safety Certificate

106. A single and complete *Fire Safety Certificate*, certifying the installation and operation of all of the fire safety measures within the building must be submitted to Council with the *Occupation Certificate*.

Accessibility

107. Access must be provided to the building for people with a disability in accordance with the relevant requirements of the Building Code of Australia, Disability (access to Premises –

Buildings) Standard 2010 and Australian Standard – AS1428.1 (2009), Design for Access and Mobility – General requirements for new building work, to the satisfaction of the Certifying Authority.

Design Verification Statement

108. A design verification statement shall be submitted to the PCA assessing the development, upon completion of all works subject of this consent and its accompanying CC. The PCA shall ensure that the statement prepared by the qualified designer provides the following:
- (a) A valid and current chartered architect's certificate number (as issued by the Board of Architects of NSW);
 - (b) That the completed development achieves the design quality of the development as shown in the plans and specifications submitted and approved with the CC, having regard to the design principles set out by the NSW Board of Education.

Works Compliance documentation

109. Prior to the issue of an Occupation Certificate the following compliance documentation shall be submitted to the Principal Certifying Authority. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifying Authority: Nominate
- a) Work as Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council's Design Guidelines. Electronic copies of the WAE shall be provided in PDF format and a DXF format to Council along with two hard copies of the WAE plans.
 - b) The WAE drawings shall clearly indicate the 1% Annual Exceedence Probability flood lines (local and mainstream flooding).
 - c) The WAE drawings shall be accompanied by plans indicating the depth of fill for the entire development site. The plans must show, by various shadings or cross hatchings, the depth of any fill within 0.3m depth ranges.
 - d) CCTV footage in DVD format to Council's requirements and a report in "SEWRAT" format for all drainage within future public roads and public land. Inspections are to be carried out in accordance with the Conduit Inspection Reporting Code of Australia WSA 05-2006. Any damage that is identified is to be rectified in consultation with Liverpool City Council.
 - e) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries.
 - f) Documentation for all road pavement materials used demonstrating compliance with Council Design Guidelines and Construction Specification.
 - g) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Council's Design Guidelines and Construction specifications. The report shall include:

- Compaction reports for road pavement construction
- Compaction reports for bulk earthworks and lot regrading.
- Soil classification for all residential lots
- Statement of Compliance

h) Structural Engineer's construction certification of all structures

Footpaths

110. Construction of 1.5m wide by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving on one side of all residential access roads and both sides of all collector and distributor roads. Path paving will not be required in minor cul-de-sac with less than fifteen lots.

Road Dedications

111. Roads 2 and 3 shall be dedicated to Council as public roads.

Footpath Restriction

112. A restriction shall be created over the footpath within the school property to allow for unrestricted public access

Recommendations of Noise Management Report and Supplementary Report

113. A Compliance Certificate or other documentation deemed suitable to the PCA is to be submitted to the PCA, detailing compliance with the following:
- (a) Certification is to be obtained from a qualified acoustic consultant certifying that the development has been constructed and meets the noise criteria in accordance with the approved Noise Management Report and Supplementary Report, and that all recommendations have been adopted.

Landscaping

114. Upon completion of the approved landscape works associated with the development and prior to the issue of any Occupation Certificate, an Implementation Report is to be submitted to the PCA attesting to the satisfactory completion of the landscape works in accordance with the approved landscape plan. The report is to be prepared by a suitably qualified person.

Stormwater Compliance

115. Prior to the issue of an Occupation Certificate the PCA shall ensure that the on-site detention system and stormwater pre-treatment systems:
- (a) Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent;
 - (b) Have met the design intent with regard to any construction variations to the approved design; and
 - (c) Any remedial works required to been undertaken have been satisfactorily completed.

Details of the approved and constructed system shall be provided as part of the works-as-executed drawings.

Restrictions on Title

116. Prior to the issue of an Occupation Certificate, a restriction as to user and positive covenant relating to the on-site detention system and stormwater pre-treatment systems shall be registered on the title of the property.

The restriction as to user and positive covenant shall be in Council's standard wording as detailed in Council's Design and Construction Guidelines and Construction Specification for Civil Works.

Linemarking & Signage

117. Prior to the issue of an Occupation Certificate, installation of regulatory / advisory linemarking and signage, plans are to be lodged with Liverpool City Council and approved by the Local Traffic Committee.

Allow eight (8) weeks for approval by the Local Traffic Committee.

Street Naming

118. Prior to the issue of an Occupation Certificate an application for proposed street names must be lodged with and approved by Liverpool City Council and the signs erected on-site.

The proposed names must be in accordance with Council's Street Naming Policy.

Notes: Allow eight (8) weeks for notification, advertising and approval.

Traffic Plan of Management

119. An updated and detailed Operational Traffic and Pedestrian Management Plan, taking into consideration the adequacy of the proposed 'drop off / pick up bays' during peak times and the management of vehicular movements within the school in general, is required to be developed and submitted to Council's Transport and Traffic Committee for review, prior to the issue of an Occupation Certificate (for all stages of the development).

Street Tree Planting

120. Street trees are to be planted in accordance with the approved street tree plan.

Service Providers

121. The following documentation is to be provided prior to the issue of an Occupation certificate.
- a) Written evidence (Section 73 Certificate) is to be submitted to the PCA
 - b) Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.
 - c) Written certification from the relevant service providers that the telecommunications infrastructure is installed in accordance with:
 - The requirements of the Telecommunications Act 1997;
 - For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and

- For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connections of optic fibre technology telecommunications.

Rectification of Damage

122. Prior to the issue of an Occupation Certificate any damage to Council infrastructure as a result of the development shall be rectified at no cost to Council. Any rectification works within the road reserve will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.

Any rectification works required by Council regarding the condition of Council infrastructure shall be undertaken, at full cost to the developer.

Dilapidation Report

123. Any rectification works required by Council regarding the condition of Council infrastructure shall be undertaken, at full cost to the developer.

F. GENERAL CONDITIONS

The following general conditions shall be complied with at all times:

Operating Conditions

124. The use of the school is limited to the following hours of operation:
- (a) 7:00am – 6:00pm Monday to Friday, with the exception of two days per week Monday to Friday in which the operating hours extend to 9pm.
 - (b) 7:00am – 9:00pm for a maximum of thirty (30) Saturdays per calendar year; and
 - (c) 7:00am-7:00pm on Sundays and/or public holidays, for a maximum of thirty (30) Sundays per calendar year.

All uses shall be associated with the educational establishment. No unrelated uses are permitted.

125. Before and after school care is permitted for up to 40 school attending students only between the hours of:

- Monday to Friday – 7am to 9am and 2:30pm to 6pm

126. The maximum capacity of the educational establishment is limited to 800 students and 35 staff (including teaching and support staff).

127. The premises and the immediate surrounds are required to be entirely vacated, other than security staff, outside the approved hours of operation.

128. Supervision of all students shall be undertaken at all times when they are involved in outdoor play/activities as well as the arrival and departure from school to ensure all practical measures are implemented to limit noise to neighbours.
129. A Complaints Handling register is to be prepared for the operation of the school. The Complaints register is to be kept by the school's principal or other suitable staff members and is to include the following:
- (a) Written record of any complaint received;
 - (b) Time and date of complaint received;
 - (c) Nature of complaint;
 - (d) How the school responded to the complaint and any further action required.

A copy of the Complaints Handling register is to be made available at the request of Liverpool City Council.

130. Information packages/letter drops are to be provided to all properties within a 250m radius of the school advising of any event (including both during and after scheduled school hours such as award and presentation nights, end of year celebrations etc.) where an increase in the demand for off-site car parking is expected. The letter drops are to occur a minimum 2 weeks before any event.
131. The following activities are permitted to take place on Saturdays at the school:
- Out of school hours sport
 - Additional recreation arts activities such as dancing and music
 - Coaching classes for NAPLAN, HSC
 - STEM & STEAM programs
 - Academic competitions such as debating, spelling and maths leagues
 - Staff meetings
 - Extracurricular language classes
 - Scout school holiday programs
132. Council may request the approved Plan of Management to be reviewed in conjunction with the applicant, once the school is functioning, to ensure the amenity of the emerging locality is maintained.

Note: The area is undergoing transition from semi-rural land to a dense suburban residential form.

Car Parking / Loading

133. A total of 50 off street car parking spaces must be provided in accordance with Council's Development Control Plan 2008. Thirty-five (35) of the spaces must be designed and signposted/marked for the specific use of staff, and fifteen (15) for the use of visitors. Two of these spaces is to be maintained for persons with a disability.
134. The twelve (12) car-spaces allocated within the 'Drop off / Pick up' area are to be sign-posted with 'No Parking' signage.
135. 'No Parking' signage is to be installed to restrict kerb-side parking along the entire school frontage along Seventeenth Avenue.

136. All parking areas shown on the approved plans must be used solely for this purpose.
137. The operator of the development must not permit the reversing of vehicles onto or away from the road reserve, with the exception of garbage and recycling collection vehicles. All vehicles must be driven forward onto and away from the development and adequate space must be provided and maintained on the land to permit all vehicles to turn in accordance with AS 2890.1 Parking Facilities – Off Street Car Parking.
138. Deliveries and service vehicles generated by this development are limited to 7.30am to 6.00pm. Deliveries and service vehicles are to be scheduled to access the site outside of peak am and pm pick up and drop off times to minimise conflict between different vehicle modes, pedestrians and conflict over car parking spaces.

Landscaping

139. Landscaping shall be maintained in accordance with the approved plan, in a healthy state and in perpetuity by the existing or future owners and occupiers of the development. If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species, and similar maturity as the vegetation which has died or was removed.

An annual report shall be submitted to Council, for the 3 years following issue of the OC, certifying that the landscaping works have been satisfactorily maintained.

Lighting

140. Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282 1997 so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.

Noise

141. The operation of the educational establishment shall be conducted so as to avoid unreasonable noise and cause no interference to adjoining or nearby residences.
142. The use of the premises shall not give rise to “offensive noise” as defined under the Protection of the Environment Operations Act, 1997.
143. Emission of sound from the premises shall be controlled at all times so as not to unreasonably impact upon nearby owners/occupants.
144. Appropriate signage shall be located outside the building to encourage patrons to minimise noise when leaving the premises.
145. When amplified music or lectures are taking place in the auditorium, all doors and windows shall be closed.
146. The use of the premises is not to interfere with the amenity of the residential area.
147. If an intruder alarm is installed on the premises it shall be fitted with a timing device in accordance with the requirements of the Protection of the Environment Operations Act, 1997.

148. The school, including operation of vehicles, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby dwellings. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from vehicles, public address systems and the like.
149. Should an offensive noise complaint be received and verified by Council an acoustic assessment is to be undertaken (by an appropriately qualified consultant), and an acoustic report is to be submitted to Council for review. Any noise attenuation recommendations recommended and approved by Council must be implemented.
150. The use of the premises including music and other activities shall not give rise to any one or more of the following:
- (a) Transmission of vibration to any place of different occupancy greater than specified in AS 2670.
 - (b) An indoor sound pressure level in any place of different occupancy (and/ or public place) greater than 3dB(A) above the L90 background level or greater than 5db(A) at the boundary of any affected property in any octave band from 31.5Hz to 8,000 Hz centre frequencies inclusive between the hours of 7.00am to midnight daily and 0dB(A) above the L90 background between 12 midnight and 7.00 a.m. the following morning. However, when the L90 background levels in frequencies below 63 Hz are equal to or below the threshold of hearing, as specified by the equal loudness contours for octave bands of noise, this subclause does not apply to any such frequencies.
 - (c) The emission of an "offensive noise" as defined under the POEO Act.

The method of measurement of vibration in (a) and sound levels in (b), (c) and (d) shall be carried out in accordance with AS 2973 for vibration measurements, AS 1055 for outdoor sound level measurements, and AS 2107 for indoor sound level measurements.

Signage

151. No approval is granted for signage under this consent, not including signage which is exempt or complying development.

Waste

152. All solid and liquid waste is to be removed from the site by a registered waste contractor.
153. All waste materials generated as a result of the development are to be disposed at a facility licensed to receive such waste.
154. All solid waste stored on site is to be covered at all times.

G. ADVISORY

- a) If you are dissatisfied with this notice of determination or the conditions contained within this notice of determination, Section 82A of the Environmental Planning and Assessment Act 1979 gives you the right to request a review of the determination within 6 months after the date on which the application is taken to have been determined.

- b) If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 6 months after the date on which the application is taken to have been determined.
- c) In accordance with Section 95 of the Environmental Planning and Assessment Act 1979, unless otherwise stated by a condition of this consent, this consent will lapse unless the development is commenced within five years of the date of this notice.
- d) The approval of this application does not imply or infer compliance with the Disability Discrimination Act and that the developer should investigate their liability under the Act.
- e) The requirements of all authorities including the Environmental Protection Authority and the Work Cover Authority shall be met in regards to the operation of the building.
- f) Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

g) TELECOMMUNICATIONS ACT 1997 (COMMONWEALTH)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800 810 443.

- h) The obligation to comply with the Category 1 fire safety provisions may require building work to be carried out even though none is proposed or required by other conditions of this consent.
- i) The Liverpool City Council Local Government area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity reports relating to some developments, no assessment may be made by Council in that regard. Soil

and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent inquiries as to appropriate protection against the current and future potential effect of Salinity to ensure the ongoing structural integrity of any work undertaken. Liverpool City Council will not accept any liability for damage occurring to any construction of any type affected by soil and or ground water Salinity.

- j) The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.
- k) Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or the applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.



Lina Kakish
Manager
DEVELOPMENT ASSESSMENT

ATTACHMENT 2: SECTION 94 CONTRIBUTION

CONTRIBUTIONS PURSUANT TO SECTION 94 OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

Liverpool Contribution Plan 2014 Austral and Leppington North

Note to the applicant:

When remitting payment as specified in the Conditions of Consent to the approval, this Form must be submitted with your payment.

These figures have been calculated to the CPI September 2017 Quarter 2016 and will be adjusted at the time of payment in accordance with the conditions of consent.

APPLICANT:

Al-Mabarat Benevolent Society Ltd

LAND:

95-105 Seventeenth Avenue, Austral Nsw 2179

Lot 10 DP 1227683

**PROPOSED
DEVELOPMENT:**

Proposed Educational Establishment (School) Over 4 Stages Providing For 800 Kindergarten To Year 12 Students And 35 Staff, Involving the Demolition Of Existing Dwellings And Structures, Removal Of Trees, Bulk Earthworks, Construction Of Roads And School Building Structures

<u>Facilities</u>	<u>Amount (\$)</u>	<u>Job No.</u>
Liverpool Contributions Plan 2014 (Austral and Leppington North)		
Community Facilities – Land	\$0	GL.3011210001870.10190
Local Recreation – Land	\$0	GL.3011210001869.10191
Local Recreation - Works	\$0	GL.3011210001869.10192
Local Transport Facilities – Land	\$32,459	GL.3011210001865.10193
Local Transport Facilities - Works	\$135,544	GL.3011210001865.10194
Local Drainage Facilities - Land	\$185,793	GL.3011210001866.10195
Local Drainage Facilities - Works	\$258,147	GL.3011210001866.10196
Administration	\$8,664	GL.3011210001872.10197
TOTAL	\$620,607.00	

ATTACHMENT 3: ROADS AND MARITIME SERVICES REQUIREMENTS



Transport
Roads & Maritime
Services

15 August 2016

Our Reference: SYD16/00977
Council Ref: DA-616/2016

The General Manager
Liverpool City Council
Locked Bag 7064
LIVERPOOL BC NSW 1871

Attention: Ivan Kokotovic

Dear Sir/Madam,

**CONSTRUCTION OF SCHOOL FOR 800 STUDENTS
95-105 SEVENTEENTH AVENUE, AUSTRAL**

Reference is made to Council's letter dated 18 July 2016, regarding the abovementioned Application which was referred to Roads and Maritime Services (Roads and Maritime) for comment in accordance the State Environmental Planning Policy (Infrastructure) 2007.

Roads and Maritime has reviewed the submitted documentation and provides the following requirements;

School Zones

A significant number of vehicles and pedestrians will access the site at the start and end of the school day. School Zones must be installed along all roads with a direct access point (either pedestrian or vehicular) from the school. School Zones must not to be provided along roads adjacent to the school without a direct access point. Road Safety precautions and parking zones should be incorporated into the neighbouring local road network:

- 40km/hr School Zones are to be installed in accordance with the following conditions;
- Council should ensure that parking; drop-off and pick-up zones and bus zones incorporated are in accordance with Roads and Maritime standards.

Roads and Maritime is responsible for speed management along all public roads within the state of New South Wales. That is, Roads and Maritime is the only authorised organisation that can approve speed zoning changes and authorise installation of speed zoning traffic control devices on the road network within New South Wales.

Therefore, the Developer must obtain written authorisation from Roads and Maritime to install the School Zone signs and associated pavement markings and/or remove/relocate any existing Speed Limit signs.

Roads and Maritime Services

Level 9, 101 Miller Street, North Sydney NSW 2060 |
Locked Bag 928, North Sydney NSW 2059 |

www.rms.nsw.gov.au | 13 22 13

To obtain authorisation, the Developer must submit the following for review and approval by Roads and Maritime, at least eight (8) weeks prior to student occupation of the site:

- a. A copy of Council's development Conditions of Consent
- b. The proposed school commencement/opening date
- c. Two (2) sets of detailed design plans showing the following:
 - i. School property boundaries
 - ii. All adjacent road carriageways to the school property
 - iii. All proposed school access points to the public road network and any conditions imposed/proposed on their use
 - iv. All existing and proposed pedestrian crossing facilities on the adjacent road network
 - v. All existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings).
 - vi. All existing and proposed street furniture and street trees.

School Zone signs and pavement marking patches must be installed in accordance with Roads and Maritime approval/authorisation, guidelines and specifications.

All School Zone signs and pavement markings must be installed prior to student occupation of the site.

The Developer must maintain records of all dates in relation to installing, altering, removing traffic control devices related to speed.

Following installation of all School Zone signs and pavement markings the Developer must arrange an inspection with Roads and Maritime for formal handover of the assets to Roads and Maritime. The installation date information must also be provided to Roads and Maritime at the same time.

Note: Until the assets are formally handed-over and accepted by Roads and Maritime, Roads and Maritime takes no responsibility for the School Zones/assets.

Should you have any further inquiries in relation to this matter, please do not hesitate to contact Hans Pilly Mootanah on telephone 8849 2076 or by email at development.sydney@rms.nsw.gov.au

Yours sincerely,



Pahee Rathan
Senior Land Use Planner
Network and Safety Section

ATTACHMENT 4: SYDNEY WATER REQUIREMENTS



21 September 2016

Our Ref: 156528

Ivan Kokotovic
Development Planner
Liverpool City Council
Locked Bag 7064
Liverpool BC NSW 1871

RE: DA-616/2016 95-105 Seventeenth Avenue, Austral

Dear Ivan,

Thank you for notifying Sydney Water of the development application listed above. We have reviewed the application and provide the following comments for your consideration.

Water

- Sydney Water is planning to amplify the existing water supply system which will provide additional capacity to service the area by late 2019.
- To service this proposed development prior to the planned water supply system amplification, the following localised reticulation network amplifications will be required:
 - Approximately 835m of 100mm water main in Seventeenth Ave and 305m of 100mm water main in Craik Avenue.
- The extent of works will be subject to the progress of development occurring in the area.

Wastewater

- The proposed development is located within the sewer catchment draining to a new pumping station, SPS 1190. SPS 1190 and associated trunk gravity main is nearing completion and will be available to service its design catchment area by October 2016. The trunk sewer main is located approximately 80m east of the development site.
- The developer will be required to construct a sewer main extension to connect the school site to the trunk sewer main.

Sydney Water E-Planning

Sydney Water has an email address for planning authorities to submit statutory or strategic planning documents for review. This email address is urbangrowth@sydneywater.com.au.

Further advice and requirements for this proposal are at attachments 1 and 2 (overleaf). If you require any further information, please contact Manwella Hawell of Urban Growth Strategy on 02 8849 4354 or e-mail manwella.hawell@sydneywater.com.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "D. Gough".

David Gough
Manager, City Shaping



Attachment 1

Sydney Water Servicing

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

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

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

Building Plan Approval

The developer must have the building plans stamped and approved before any construction is commenced. Approval is needed because construction/building works may affect Sydney Water's assets (e.g. Water, sewer and stormwater mains).

For further assistance please telephone 13 20 92 or refer to the Building over or next to assets page on the Sydney Water website (see Plumbing, building and developing then Building over or next to assets).



Attachment 2

Requirements for Business Customers for Commercial and Industrial Property Developments

If this property is to be developed for Industrial or Commercial operations, it may need to meet the following requirements:

Trade Wastewater Requirements

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must wait for approval of this permit before any business activities can commence.

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

It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

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

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

Backflow Prevention Requirements

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

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