

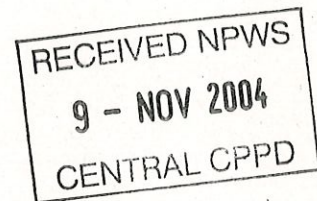


Department of
Infrastructure, Planning and Natural Resources

Henry Deane Building
20 Lee Street Sydney NSW 2000
GPO Box 3927 Sydney NSW 2001
T 02 9762 8000
www.planning.nsw.gov.au

Our ref: S03/03036
Your ref: >

4 November 2004



Martin Bremner
Department of Environment and Conservation
PO Box 1967
HURSTVILLE NSW 2220

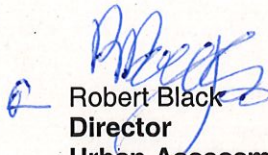
Dear Mr Bremner:

**DEVELOPMENT PROPOSAL – CNR YORK & QUEENS PARK ROAD, WAVERLEY –
New Primary School (DA 446-10-2003)**

The above mentioned Development Application submitted by Moriah War Memorial College Association has been granted conditional consent by the Minister Assisting the Minister for Infrastructure and Planning. The consent is on the basis of the attached Notice of Determination of Development Application.

Should you have any enquiries regarding the above matter, please contact Evelyn Hendieh on 9762 8441 or email evelyn.hendieh@dipnr.nsw.gov.au.

Yours sincerely


Robert Black
Director
Urban Assessments

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF DEVELOPMENT APPLICATION NO. 446-10-2003

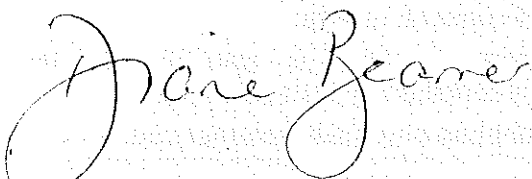
(FILE NO. S03/03036 PT 2)

Construction of new primary school classrooms, related buildings and ancillary activities including playground areas, parking, access and landscaping on Lot 1 DP 701512, corner York Road and Queens Park Road, Queens Park

I, the Minister Assisting the Minister for Infrastructure and Planning, pursuant to Section 80 (1) (a) of the *Environmental Planning & Assessment Act, 1979*, and clause 6 of State Environmental Planning Policy No. 8 – Surplus Public Land, determine the development application referred to in the attached Schedule 1, by granting consent to the application subject to the conditions of consent in the attached Schedule 2.

The reasons for the imposition of conditions are:

- (1) To minimise the impact of construction on the local area
- (2) To maintain the amenity of the local area
- (3) To encourage good urban design
- (4) To protect and conserve threatened flora species upon the site



Diane Beamer MP

Minister for Juvenile Justice

Minister for Western Sydney

Minister Assisting the Minister for Infrastructure and Planning

(Planning Administration)

Sydney, 21 / October 2004

SCHEDULE 1**PART A—TABLE**

Application made by:	Moriah War Memorial College Association PO Box 986 Bondi Junction NSW 1355
Application made to:	Minister for Infrastructure and Planning
Development Application:	No. 446-10-2003
On land comprising:	Lot 1 DP 701512, corner York Road and Queens Park Road, Queens Park
For the carrying out of:	Development described in Condition A1, Part A, Schedule 2
Estimated Cost of Works	\$7,858,100
Type of development:	Local Integrated Development
S.119 Public inquiry held:	No
BCA building class:	9B
Approval Body / Bodies:	Waverley Council, under the Roads Act 1993
Determination made on:	
Determination:	A development consent is granted subject to the conditions in the attached Schedule 2.
Date of commencement of consent:	This development consent commences on the date identified in the letter accompanying the Determination.
Date consent is liable to lapse	This consent will lapse 5 years from the date of commencement of consent, unless: <ul style="list-style-type: none"> ▪ a shorter period of time is specified by the Regulation or a condition in Schedule 2, or ▪ the development has physically commenced.

PART B—NOTES RELATING TO THE DETERMINATION OF DA NO. 446-10-2003***Responsibility for other approvals / agreements***

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The applicant has the right to appeal to the Land and Environment Court under Section 97 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only valid:

- (1) for a development application, within 12 months after the date on which the applicant received this notice, or

Appeals—Third Party

A third party right to appeal to this development consent is available under Section 123, subject to Section 101, of the *Environmental Planning and Assessment Act, 1979*.

Legal notices

Any advice or notice to the consent authority shall be served on the Director-General.

PART C—DEFINITIONS

In this consent,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Applicant means Moriah War Memorial College Association or any party acting upon this consent.

Approval Body has the same meaning as within Division 5 of Part 4 of the Act,

BCA means the Building Code of Australia.

Certifying Authority has the same meaning as Part 4A of the Act.

Council means Waverley Council.

DA No. 446-10-2003 means the development application and supporting documentation submitted by the applicant on 17 October 2003

DEC means the Department of Environment and Conservation

Department means the Department of Infrastructure, Planning and Natural Resources or its successors.

Director means the Director of Urban Assessments (or its successors) within the Department.

ESBS means Eastern Suburbs Banksia Scrub.

Minister means the Minister for Infrastructure and Planning.

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

Regulation means the *Environmental Planning and Assessment Regulations, 2000* (as amended).

RTA means the NSW Roads and Traffic Authority

Subject Site has the same meaning as the land identified in Part A of this schedule.

Trust means the Centennial Park and Moore Park Trust.

SCHEDULE 2

CONDITIONS OF CONSENT

DEVELOPMENT APPLICATION NO. 446-10-2003

PART A—ADMINISTRATIVE CONDITIONS

A1 Development Description

Development consent is granted only to carrying out the development described in detail below:

Construction of a primary school on Lot 1 DP 701512 which consists of:

1. a crescent-shaped classroom building of 2 to 3 useable storeys incorporating 24 classrooms with ancillary music, computer, special education rooms, libraries, staff rooms and the like;
2. a central assembly hall;
3. on site car parking for 83 vehicles;
4. a pick-up facility in a 'shareway' on site with a 60 car space capacity;
5. landscaping of the playgrounds, car park, shareway and property boundaries;
6. site boundary fencing;
7. a stormwater absorption area in the south east of the site which will also provide for bushland regeneration;
8. security fencing, kiosk, gates, closed circuit television video;
9. creation of a buffer area of approximately 880 square metres as identified on the site plan, for conservation purposes.

A2 Development in Accordance with Plans

The development shall be generally in accordance with development application number 446-10-2003 submitted by the applicant on 17 October 2003, and in accordance with the supporting documentation submitted with that application, including, but not limited to, the following:

Statement of Environmental Effects entitled <i>Moriah Primary School K-5 Queens Park – Statement of Effects to Accompany Development Application</i> prepared by Colston Budd Hunt & Kafes Pty Ltd, dated October 2003, as amended by letter prepared by Colston Budd Hunt & Kafes Pty Ltd, dated 17 June 2004			
Architectural (or Design) Drawings prepared by <i>Gardner Wetherill & Associates</i>			
Drawing No.	Revision	Name of Plan	Date
DA 1101	C	Site & Location Plan	23/08/2004
DA 1102	A	Site Plan – Demolition	15/10/2003
DA 1201	A	Plans – Main Building LGF & GF	15/10/2003
DA 1202	A	Plans – Main Building FF	15/10/2003
DA 1203	A	Plans – Hall & Security Kiosk	15/10/2003
DA 1501	A	Elevations – Main Building	15/10/2003
DA 1502	A	Elevations – Hall & Security	15/10/2003
DA 1301	A	Typical Sections	15/10/2003
Civil Drawings prepared by <i>MPN Group Pty Ltd</i>			
Drawing No.	Revision	Name of Plan	Date

C500 P2	-	General Notes & Associated Details – Sheet 1 of 2	15/10/03
C501 P3	-	Civil Works General Layout – Sheet 2 of 2	15/10/03
Landscape Drawings prepared by <i>Sife Image – Landscape Architects</i>			
Drawing No.	Revision	Name of Plan	Date
LP101	C	Landscape Plan	24/09/03
Draft Plan prepared during consultation with Department of Environment and Conservation			
Drawing No.	Revision	Name of Plan	Date
SK04	-	Moriah K-2 Parking Option	Not dated
Photo Montages prepared by <i>Gardner Wetherill & Associates</i>			
Drawing No.	Revision	Name of Plan	Date
03102 – DA 1005	-	Photo Montage of Proposed Kindergarten to Year 5 School Aerial view	04 November 2003
03102 – DA 1002	-	Photo Montage of Proposed Kindergarten to Year 5 School viewed from Queens Park Road	04 November 2003
03102 – DA 1001	-	Photo Montage of Proposed Kindergarten to Year 5 School viewed from Queens Park Road (without landscape)	04 November 2003
03102 – DA 1004	-	Photo Montage of Proposed Kindergarten to Year 5 School viewed from York Road	04 November 2003
03102 – DA 1003	-	Photo Montage of Proposed Kindergarten to Year 5 School viewed from York Road (without landscape)	04 November 2003

and in accordance with the conditions of this consent.

A3 Prescribed Conditions

The Applicant shall comply with the prescribed conditions of development consent under clause 98 of the Regulation.

PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Design Details and Changes

B1 Reflectivity

The visible light reflectivity from building materials used on the facades of the buildings shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place.

B2 Outdoor Lighting

All outdoor lighting shall comply with, where relevant, AS/NZ1158.3: 1999 *Pedestrian Area (Category P) Lighting* and AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the PCA prior to the issue of a Construction Certificate.

B3 *Disabled Access*

Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA's Access Policy. Prior to the issue of a Construction Certificate, a certificate certifying compliance with this condition from an appropriately qualified person shall be provided to the Certifying Authority.

Erosion and Sedimentation Control

B4 *Soil erosion and sediment control measures*

Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater-Soils & Construction* (NSW Department of Housing, 1998.) Details are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

Traffic & Parking

B5 *Traffic Control Devices*

- (1) Traffic calming devices, appropriate signage, speed hump and/or line marking throughout the car park and driveway shall be installed where appropriate to minimise the conflict between pedestrians, cyclists and vehicles. Details are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.
- (2) The boom gate at the driveway entrance shall be setback into the property to allow the storage of at least one vehicle on site before being required to stop. Refer to condition G4.

Any costs associated with this work shall be borne by the applicant. Refer to condition F8 for traffic and pedestrian management details.

B6 *Car Park and Driveway design*

The layout of the car park (including driveway, aisle widths, aisle lengths, parking bay dimensions and sight distances) shall comply with Australian Standard AS2890.1-2004.

B7 *Parking for disabled use*

The provision of on site parking spaces for disabled use is to comply with the provisions of Council's Development Control Plan. No. 26 - Access.

B8 *On Site Bicycle Spaces*

The car parking layout as shown on Drawing DA1101 Revision B shall provide bicycle parking in accordance with Waverley Council's Development Control Plan No. 14 – Bicycle and Car Parking.

Native vegetation buffer zone

B9 Flora conservation (a) x6

A strip of ESBS between 12 and 12.5 metres (shown as Area X on Drawing SK04) shall be retained along the southern boundary of Lot 1. This strip of ESBS (Area X) shall be protected from impacts from the development (direct and indirect) both by fencing and by the avoidance of stormwater discharges, increased surface water run-off, weed invasion, overshadowing and other impacts.

An area of ESBS (shown as Area Y on Drawing SK04), shall be retained on the embankment near the south-eastern boundary of Lot 1. This area (Area Y) shall also include a minimum one metre strip along the top of the embankment.

B10 Fencing (c)

Appropriate permanent fencing for the protection of bushland within the buffer zone will be constructed by the applicant outside of the boundary of the vegetation that is to be retained under condition B9 prior to any construction or demolition work being undertaken at the site. The fence that is to be constructed along the Lot 1 - Lot 23 boundary will be a security fence of similar design to the permanent fence between Lots 22 and 23. The internal fence will be of a design that is aesthetically pleasing and permits access for conservation and educational purposes, while preventing vehicle access, rubbish dumping and the encroachment of adjacent land uses.

B11 Stormwater management (d) + (e)

PVC pipe will be used to encase the footings of the fences that are to be constructed under condition B10 where necessary to prevent nutrients from leaching into Area X. - all fenced bushland

The stormwater irrigation pipes that are to be installed on the embankment near the south-eastern boundary of Lot 1 (Area Y) will be designed in a manner which ensures that the discharged water does not create erosion problems. The pipes will also be designed in a manner that ensures that no discharged water enters Area X. The pipes will be constructed from materials that will not modify the nutrient or pH level of the embankment and will be installed in a manner that is sympathetic to the conservation value of the retained bushland and the erosion prone nature of the site.

B12 Civil works plan

An amended Civil Works General Layout Plan incorporating the requirements of condition B11 is to be prepared in consultation with the Trust, and submitted to and approved by the Director prior to the issue of a Construction Certificate.

B13 Landscaping along bushland interface (f)

Wherever possible, locally indigenous species shall be used in the landscaping of areas along or near the bushland interface on Lot 1 to assist in maintaining ecological processes such as pollination in the remnant ESBS. To protect the genetic integrity of the remnant however, these species will only be used where propagules can be sourced from the York Road remnant. It is envisaged that such seed collection will be limited to a few of the relatively abundant ESBS species within the remnant (including *Leptospermum laevigatum*, *Acacia longifolia* and *Monotoca elliptica*).

B14 Overshadowing

No landscaping shall occur in areas, or of species, that have the potential to overshadow the retained bushland areas.

B15 Exotic or non-locally indigenous species (1)

Exotic or non-locally indigenous species that are likely to exhibit invasive characteristics upon the site shall not be used in the landscaping of Lot 1.

B16 Salvaging of material (2)

ESBS plant material and intact sand in the area identified for development shall be salvaged, where appropriate, prior to clearing. The salvaged material shall be used in the restoration of the retained Lot 1 bushland where required. Any surplus salvaged material shall be made available for use in the landscaping of Lot 1 or in the restoration of the Lot 23 bushland.

B17 Landscape Plan (3)

A revised landscape plan for the entire site shall be submitted to and approved by the Director prior to the issue of a Construction Certificate. The revised landscape plan shall provide the following details:

- (a) the surveyed area to be retained for conservation; a distinction should be made between the area to be retained purely for conservation (Area X) and the area to be utilised for stormwater management (Area Y);
- (b) fencing details including the proposed materials, height, access locations and gates; and
- (c) the proposed species to be planted within the area to be retained and along the bushland interface.

Health**B18 Mechanical Ventilation**

All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 *Microbial Control of Air Handling and Water Systems of Building*, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. ~~Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.~~

Compliance

B19 Compliance Report

Prior to the issue of a Construction Certificate, the Applicant, or any party acting upon this consent, shall submit to the Department a report addressing compliance with all relevant conditions of this consent.

PART C—PRIOR TO COMMENCEMENT OF WORKS.**Demolition Works****C1 Statement of Compliance with Australian Standards**

The demolition work shall comply with the provisions of Australian Standard AS2601: 1991 *The Demolition of Structures*. The work plans required by AS2601: 1991 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work

plans and the statement of compliance shall be submitted to the satisfaction of the PCA prior to the commencement of works.

Excavation Works

C2 Notice to be Given Prior to Excavation

The PCA and Council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the site.

Structural Works

C3 Structural Details

Prior to the commencement of construction, the Applicant shall submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practising Structural Engineer that comply with:

- (1) the relevant clauses of the Building Code of Australia,
- (2) the relevant development consent,
- (3) drawings and specifications comprising the Construction Certificate, and
- (4) the relevant Australian Standards listed in the BCA (Specification A1.3).

Construction Management

C4 Construction Management Plan

Prior to the commencement of any works on the site, a Construction Management Plan shall be submitted to and approved by the Director. The Plan shall address, but not be limited to, the following matters where relevant:

- (1) hours of work,
- (2) traffic management, in particular:
 - (a) ingress and egress of vehicles to the site;
 - (b) loading and unloading of construction material and proposed construction zones: all construction vehicles are to be contained wholly within the site; access for construction purposes to and from the site shall be via York Road only; construction vehicles shall not access the site from Queens Park Road;
 - (c) predicted traffic volumes, types and routes; and
 - (d) traffic management methods.
- (3) waste management (see also C5 below),
- (4) erosion and sediment control (see also B4),
- (5) flora and fauna management: appropriate measures in relation to potential construction impacts shall be implemented to protect the native vegetation buffer zone as identified in condition B9 from any adverse impacts resulting from construction activities, and

-
- (6) contact details of site manager.

The applicant shall submit a copy of the approved plan to Council.

C5 Construction Waste Management Plan

Prior to the commencement of works, the Applicant shall submit to the satisfaction of the PCA a Waste Management Plan prepared by a suitably qualified person in accordance with Waverley Council's relevant policy. The Applicant shall submit a copy of the plan to the Department and Council.

C6 Noise and Vibration Management Plan

Prior to the commencement of any works on the site, a Noise and Vibration Management Plan prepared by a suitably qualified person shall be submitted to and approved by the Director. The Plan shall address, but not be limited to, the following matters:

- (1) Identification of the specific activities that will be carried out and associated noise sources,
- (2) Identification of all potentially affected sensitive receivers including residences, schools, and properties containing noise sensitive equipment,
- (3) The construction noise objective specified in the conditions of this consent,
- (4) The construction vibration criteria specified in the conditions of this consent,
- (5) Determination of appropriate noise and vibration objectives for each identified sensitive receiver,
- (6) Noise and vibration monitoring, reporting and response procedures,
- (7) Assessment of potential noise and vibration from the proposed construction activities including noise from construction vehicles and any traffic diversions,
- (8) Description of specific mitigation treatments, management methods and procedures that will be implemented to control noise and vibration during construction,
- (9) Justification of any proposed activities outside the construction hours specified in the conditions of this consent,
- (10) Construction timetabling to minimise noise impacts including time and duration restrictions, respite periods, and frequency,
- (11) Procedures for notifying residents of construction activities that are likely to affect their amenity through noise and vibration, and
- (12) Contingency plans to be implemented in the event of non-compliances and/or noise complaints.

The applicant shall submit a copy of the approved plan to Council.

C7 Contact Telephone Number

Prior to the commencement of the works, the Applicant shall forward to the Department and Council a 24 hour telephone number to be operated for the duration of the construction works.

Hazardous Materials

C8 Removal of Hazardous Materials

All hazardous materials, if located on site, shall be removed from the site and shall be disposed of at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works. Details demonstrating compliance with the relevant legislative requirements, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the PCA prior to the removal of any hazardous materials.

C9 Site Audit

Prior to the commencement of building works, a Site Audit conducted by a suitably qualified person shall be undertaken to ascertain that all identified hazardous materials have been removed from the site and shall be submitted to the PCA.

Sydney Water

C10 Building plan approval

The approved plans must be submitted to a Sydney Water Quick Check agent of Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details, please refer to the website www.sydneywater.com.au, see Your Business, then Building & Developing, then Building & Renovating, or telephone 13 20 92.

The PCA must ensure that a Quick Check agent/Sydney Water has appropriately stamped the plans prior to the issue of a Construction Certificate.

Compliance

C11 Compliance Report

Prior to the commencement of works, the Applicant, or any party acting upon this consent, shall submit to the Department a report addressing compliance with all relevant conditions of this consent.

PART D—DURING CONSTRUCTION

Site Maintenance

D1 Erosion and Sediment Control

All erosion and sediment control measures are to be effectively maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

D2 Disposal of Seepage and Stormwater

Any seepage or rainwater collected on-site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

Structural Works

D3 Setting Out of Structures

The buildings shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels. The registered surveyor shall submit a plan to the PCA certifying that structural works are in accordance with the approved development application.

Construction Management

D4 Approved Plans to be on-site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, Council or the PCA.

D5 Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details. The notice(s) is to satisfy all but not be limited to, the following requirements:

- (1) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (2) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (3) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (4) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

D6 Contact Telephone Number

The applicant shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.

D7 Unobstructed Driveways and Parking Areas

All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

D8 Public Way to be Unobstructed

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

D9 Protection of Trees – Street Trees

All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction, shall be replaced, to the satisfaction of Council.

D10 Protection of Trees – On-site Trees

All trees on the site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

D11 Protection of Heritage Items

Appropriate measures shall be implemented during construction to protect heritage items upon the site.

D12 Dust Control Measures

Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- (1) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material,
- (2) Covers are to be adequately secured,
- (3) Cleaning of footpaths must be carried out regularly,
- (4) Roadways must be kept clean,
- (5) Gates are closed between vehicle movements,
- (6) Gates are fitted with shade cloth,
- (7) The site is hosed down when necessary, and
- (8) Wheel washes shall be installed for all vehicles exiting the site.

Noise and Vibration

D13 Hours of Work

The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:

- (1) between 7:00 am and 5:00 pm, Mondays to Fridays inclusive;
- (2) between 8:00 am and 5:00 pm, Saturdays;
- (3) no work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- (1) the delivery of materials is required outside these hours by the Police or other authorities;
- (2) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;

-
- (3) the work is approved through the Construction Noise and Vibration Management Plan; and
 - (4) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

D14 Construction Noise Objective

The construction noise objective for the Project is to manage noise from construction activities (as measured by a $L_{A10 (15\text{minute})}$ descriptor) so it does not exceed the background L_{A90} noise level by:

- (1) for the first four weeks of the construction period, not more than 20dB(A);
- (2) from the 5th week to the 26th week (inclusive) of the construction period, not more than 10dB(A); and
- (3) for construction periods greater than 26 weeks, not more than 5dB(A).

Background noise levels are those identified in the approved Construction Noise and Vibration Management Plan. The Applicant shall implement all feasible noise mitigation and management measures with the aim of achieving the construction noise objective.

Any activities that have the potential for noise emissions that exceed the objective must be identified and managed in accordance with the approved Construction Noise and Vibration Management Plan.

If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise objective.

D15 Construction Noise Management

The Applicant shall:

- (1) ~~schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Plan:~~
 - (a) 9 am to 12 pm, Monday to Friday;
 - (b) 2pm to 5pm Monday to Friday; and
 - (c) 9 am to 12 pm, Saturday;
- (2) ensure that wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where approved in the Construction Noise and Vibration Management Plan.

D16 Vibration Criteria

Vibration caused by construction at any residence or structure outside the subject site must be limited to:

- (1) for structural damage vibration: German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and

-
- (2) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472- Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.

These limits apply unless otherwise approved in the Construction Noise and Vibration Management Plan.

D17 Vibration Management

Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.

Ecologically Sustainable Development

D18 Water Conservation

Water saving devices shall be fitted where appropriate within the development to reduce water consumption and promote energy efficiency.

D19 Recycling of Concrete

Any existing concrete of suitable volume, which is not used as fill, shall be taken to a concrete recycling works and evidence that this has occurred shall be provided to the PCA.

Stockpiling of material

D20 Soil, plant and construction materials

Soil, plant material and construction materials shall not be moved from Lot 1 to Lot 23 or stockpiled on Lot 1 within 2-3 metres of the Lot 23 boundary.

Compliance

D21 Compliance Report

The Applicant, or any party acting upon this consent, shall, for the duration of construction period, submit to the Department a three monthly report addressing compliance with all relevant conditions of this consent.

PART E—PRIOR TO SUBDIVISION OR STRATA SUBDIVISION

There are no conditions of consent relevant to this section.

PART F—PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Landscaping

F1 Vegetation management plan

All native vegetation, including ESBS, that is retained on Lot 1 shall be actively managed by the applicant for conservation purposes for the period that the applicant occupies the site. A vegetation management plan for this area which addresses but is not limited to the following management issues will be prepared by a suitably qualified person to the satisfaction of the Director and DEC, in consultation with the Trust, and submitted for approval by the Director prior to occupation of the site:

- (a) weed control
- (b) access

-
- (c) fire management
 - (d) herbivory
 - (e) rubbish dumping
 - (f) soil erosion

NB. The College may utilise the buffer area for educational purposes, including the implementation of conservation measures, if appropriately supervised.

F2 Landscaping of Lot 1

All landscaping to be planted upon the site shall be completed prior to the issue of an Occupation Certificate. In particular, fast growing shrubs and trees shall be planted along the Queens Park Road frontage at the early stage of landscaping, in order to provide adequate screening when the buildings are viewed from Queens Park Road.

Engineering

F3 Fire Safety Certificate

A Fire Safety Certificate shall be furnished to the PCA for all the Essential Fire or Other Safety Measures forming part of this approval prior to issue of an Occupation Certificate. A copy of the Fire Safety certificate must be submitted to the consent authority and Council by the PCA.

F4 Annual Fire Safety Statement

An Annual Fire Safety Statement must be provided to Council and the NSW Fire Brigade commencing within 12 months after the date on which the consent authority initial Fire Safety Certificate is received.

F5 Mechanical Ventilation

Following completion, installation and testing of all the mechanical ventilation systems, the applicant shall provide evidence to the satisfaction of the PCA, prior to the issue of the Occupation Certificate, that the installation and performance of the mechanical systems complies with:

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- (1) The Building Code of Australia;
 - (2) Australian Standard AS1668 and other relevant codes;
 - (3) The development consent and any relevant modifications; and,
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- (4) Any dispensation granted by the New South Wales Fire Brigade.

F6 Structural Inspection Certificate

A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the PCA prior to the issue of an Occupation Certificate and/or use of the premises. A copy of the Certificate with an electronic set of final drawings (contact consent authority for specific electronic format) shall be submitted to the consent authority and the Council after:

- (1) The site has been periodically inspected and the Certifier is satisfied that the Structural Works is deemed to comply with the final Design Drawings; and,
- (2) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

F7 Road Damage

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the applicant/developer prior to the issue of an Occupation Certificate.

Traffic and pedestrian management**F8 40km/h School Zone**

A 40 km/h School Zone is to be installed along all roads with a direct access point (either pedestrian or vehicular) to/from the school to the RTA's satisfaction. School Zones must not be provided along roads adjacent to the school without a direct access point.

It is recommended that the applicant obtain written authorisation from the RTA to install the School Zone signs and associated pavement markings and/or remove/relocate any existing Speed Limit signs. To obtain authorisation, the developer must submit the following, at least six (6) weeks prior to student occupation of the site, for review and approval by the RTA:

- (a) the Department's conditions of consent,
- (b) the proposed school opening date, and
- (c) two (2) sets of detailed design plans (please contact the RTA's Development Assessment Officer by phone on 8814 2180 to obtain details).

All School Zone signs and pavement marking patches must be installed in accordance with RTA's authorisation, guidelines and specifications. All School Zone signs and pavement markings must be installed prior to student occupation at no expense to the RTA.

F9 Parking restrictions

"No Parking" restrictions shall be installed along the eastern side of York Road (between the intersection with Queens Park Road and the site driveway) and shall apply during peak periods, being 7.30am to 9.30am and 2.30pm to 4.15pm Monday to Friday. The applicant shall liaise with Council regarding any further parking requirements.

F10 On site car parking

The on site car park shall accommodate visitors to the site (where possible) outside of normal school hours.

F11 Surface of internal circulation road surface

The surface of the internal circulation road is to be constructed from materials that make it distinct from adjoining ground surfaces.

F12 Boom gate on internal circulation road

A boom gate is to be installed at the point where the car park meets the internal circulation road within the site. The boom gate is to remain closed outside of peak pick-up/drop-off periods.

Waste Management**F13 Storage and Handling of Waste**

The design and management of facilities for the storage and handling of waste must comply with the requirements of Council's Development Control Plan No. 19 – Site Waste Minimisation and Management. Details are to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

Sydney Water

F14 Section 73 Compliance Certificate

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

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of 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.

The Section 73 Certificate must be submitted to the PCA prior to occupation of the development or release of the plan of subdivision.

F15 Trade Waste Agreement

Prior to the installation of any works relating to any trade wastewater pre-treatment system, the applicant shall obtain from Sydney Water written approval to discharge wastewater to the sewer.

PART G—POST OCCUPATION

Fire Safety

G1 Annual Fire Safety Certification

The owner of the building shall certify to Council every year that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. This purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.

Traffic, Parking and Access

G2 Loading and Unloading

All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the site at all times.

G3 Unobstructed Driveways and Parking Areas

All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

G4 Driveway capacity

The applicant is to assess the operation of the driveway and in particular, the capacity of the driveway to cater for vehicles exiting the site. If required, consideration is to be given to altering the access arrangements to accommodate one entry lane and two exit lanes, to increase the capacity for vehicles exiting the site.

G5 *Site access*

The access gate off Queens Park Road into the site shall be used for emergency purposes only.

Plan of Management

G6 *Amendment of existing Plan of Management*

The existing Plan of Management for the school required by Waverley Council in its consent for the expansion of the existing college (LD 282/00) shall be amended/expanded as necessary to incorporate issues relevant to the primary school. Issues to be addressed include various activities associated with the operation of the school, the frequency of activities outside of school hours, site population, and traffic management (refer to conditions F8, F10 and G7).

G7 *Control of traffic impacts*

The school shall stagger finishing times of infant, primary and senior years so as to minimise and control traffic effects in the area.

Compliance

G8 *Compliance Report*

The Applicant, or any party acting upon this consent, shall submit to the Department a report addressing compliance with all relevant conditions of this consent three months following the issue of the Occupation Certificate.

PART H—GENERAL TERMS

Waverley Council

H1 *Relocation of Vehicular Crossing*

The proposed vehicular crossing is to be relocated to the location indicated by Colston Budd Hunt & Kafes Pty Ltd in their memorandum dated 10th August 2004 (refer to drawing DA 1101 Revision C—Site & Location Plan).

H2 *Seagull island*

All costs associated with the construction of the seagull island and other associated works are to be borne by the applicant.

H3 *Car park design*

The length of the blind aisle between spaces 61 and 71 is in excess of the maximum specified in the relevant Australian Standards and will need to be reduced to a maximum of 15 metres.

H4 *Vehicular Access Driveway*

The finished level of the vehicular access driveway at the street alignment is to be in accordance with the requirements of Council's Manager, Technical Services, and in this

regard levels are to be obtained from that officer prior to the issue of a Construction Certificate.

H5 New Vehicle Crossing

A new vehicle crossing is to be provided to access the proposed car park. All work associated with the new vehicle crossing is to be carried out with the approval of, and in accordance with, the requirements of Council's Manager, Technical Services.

H6 Work outside property boundary

All work outside the property boundary is to be carried out with the approval of, and in accordance with, the requirements of Council's Manager, Technical Services.

ADVISORY NOTES

AN1 Requirements of Public Authorities for Connection to Services

The applicant shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the applicant. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the PCA prior to the issue of the Construction Certificate.

AN2 Approval for work pursuant to Section 138 of the Roads Act 1993

The applicant shall obtain all relevant approvals for the driveway crossover on York Road pursuant to section 138 of the Roads Act 1993.

AN3 Compliance with Building Code of Australia

The applicant is advised to consult with the PCA about any modifications needed to comply with the BCA prior to submitting the application for a Construction Certificate.

AN4 Structural Capability for Existing Structures

The structural capabilities of an existing structure will need to meet the requirements of the BCA and may require engaging a structural engineer.

AN5 Use of Mobile Cranes

The applicant shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied with to the satisfaction of the PCA:

- (1) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
 - (a) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - (b) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.

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- (2) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

AN6 *Movement of Trucks Transporting Waste Material*

The applicant shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

AN7 *Construction Inspections*

Compliance certificate/s shall be issued by the Principal Certifying Authority and submitted to Council in accordance with the mandatory inspection requirements of the *Building Legislation Amendment—Quality of Construction Act, 2002* for each stage of construction, such as the following:

- (1) Foundations,
- (2) Footings,
- (3) Damp proof courses and waterproofing installation,
- (4) Structural concrete, including placing of reinforcement and formwork prior to pouring,
- (5) Structural beam and column framing,
- (6) Timber wall and roof framing, and
- (7) Stormwater disposal.

Any Compliance Certificate issued for the above stages of construction shall certify that all relevant ancillary or dependent work has been undertaken in accordance with the Building Code of Australia and any other conditions of consent.

AN8 *Compliance with Conditions*

The applicant will be required to submit documentary evidence that the property has been developed in accordance with plans approved by Development Application No. 446-10-2003 and of compliance (or a Compliance Certificate) with the conditions of that consent.
