

GENERAL

1. Approved Plans

Development being carried out generally in accordance with the plans and associated documentation lodged by, or on behalf of, the applicant, including:

Plans prepared by Conrad Gargett			
Drawing No.	Revision	Drawing Title	Dated
A101	A	Site Plan - Demolition	11/09/17
A102	B	Site Plan - Proposed	25/10/17
A200	B	Key Plan - Ground	25/10/17
A201	B	Key Plan - Roof	25/10/17
A210	A	Homebase – Ground GA Plan	11/09/17
A211	A	Homebase – Level 1 GA Plan	11/09/17
A220	B	Admin GA Plan	25/10/17
A230	A	Canteen – GA Plan	11/09/17
A300	B	Homebase Elevations – Sheet 1	25/10/17
A301	B	Homebase Elevations – Sheet 2	25/10/17
A310	B	Admin Elevations	25/10/17
A320	B	Canteen Elevations	25/10/17
A400	A	Homebase Sections	11/09/17
A410	A	Admin & Canteen Sections	11/09/17
LA006	A	Landscape Concept Plan	28/08/17
LA007	A	New Admin Landscape Plan	28/08/17
LA008	A	Homebase Landscape Plan	28/08/17
LA009	A	New Canteen Landscape Plan	28/08/17
LA010	A	Material Palette - Hardscape	28/08/17
LA011	A	Material Palette – Softscape	28/08/17
LA012	A	Plant Schedule	28/08/17

except as amended in red or modified by any condition in this consent.

2. Commencement of occupation or use

Occupation or use of the (premises/site) for the purposes authorised by this consent shall not commence until all conditions of this consent have been complied with.

3. Discovery of Aboriginal Relics

Upon discovery of any additional Aboriginal relics within the meaning of the National Parks and Wildlife Act, 1974 within the subject site, the operator shall immediately notify the Office of Environment & Heritage (OEH) and the Jali Local Aboriginal Land Council and shall cease operations within the vicinity thereof until such time as the consent from the OEH is obtained for the destruction, removal or protection thereof and the quarry operator has complied with the direction of the OEH in that respect.

4. Asbestos

Where building or demolition work involves disturbance, removal or repair of friable or non-friable (bonded) asbestos the following applies:

- a) Work involving asbestos removal work (inclusive of repair or disturbance) that involves any amount of friable asbestos or non-friable asbestos (formerly known as bonded asbestos) that exceeds 10 square metres, must be undertaken only by a person who carries on a business of such removal work in accordance with the

appropriate licence under Part 8.10 Division 1 of the Work Health and Safety Regulation 2011;

- b) The person having the benefit of this consent must provide the Council with a copy of a signed contract with such a person before commencement of works;
- c) Any such contract must indicate whether any friable or non- friable asbestos will be removed, and if so, must specify the approximate amount (m²) and the landfill site (that may lawfully receive asbestos) to which the friable or non-friable asbestos material is to be delivered. Note: Ballina Shire Council's Waste Facility does NOT currently accept any material containing asbestos;
- d) In accordance with clause 79 of the *Protection of the Environment Operations (Waste) Regulation 2014* information relating to the movement of any load in NSW of more than 10m² of asbestos sheeting, or 100 kilograms of asbestos waste must be provided to the EPA. To fulfil these requirements waste transporters must use *WasteLocate*. Receipts for disposal shall be retained as evidence of proper disposal;
- e) Notification of asbestos removal work shall be provided to Council, NSW Safe Work and neighbours in the vicinity of the asbestos removal site;
- f) The asbestos removal site shall be adequately fenced and signed prior to any asbestos repair, disturbance or removal; and
- g) If more than 10 square metres of non-friable asbestos (formerly known as bonded asbestos) or any amount of friable asbestos is removed then a suitably qualified person is to undertake a clearance inspection following the asbestos removal work and have a clearance certificate issued in accordance with the requirements of section 473 and 474 of the Work Health & Safety Regulation 2011.

5. Privacy

All first floor windows along the western elevation of the Homebase building shall be of obscure glass, or similar, to a minimum height of 1500mm from the finished floor level (ie 11.30 AHD).

PRIOR TO CONSTRUCTION WORK COMMENCING

The following conditions in this section of the consent must be complied with prior to commencement of construction works relating to the approved development.

6. Stormwater Management Plan

The provision of stormwater controls on site shall be in accordance with the Water Sensitive Design requirements of Council's Development Control Plan Chapter 2 – Section 3.9 - Stormwater Management and in accordance with the Site Stormwater Strategy by Bligh Tanner, 26 October 2017 (Response to Request for Additional Information). Overland flow paths must be incorporated into the design directing overflows to the street or public drainage systems. Overland flow paths must not to be impeded by structures or landscaping. A detailed design must be prepared by a suitably qualified Engineer prior to the commencement of work.

7. Construction Management Plan

Prior to any works commencing on the site, the applicant shall prepare a Construction Management Plan that will include, but not be limited to, the following information:

- The location of existing services
- Traffic Management (Vehicles, pedestrians and cyclists)
- Noise, dust and vibration
- Materials storage and waste management
- Soil & water management
- Flora & fauna management
- Construction staging plan (where the works will be completed in stages)
- Restoration of damage to public assets

8. Protection of Sewer Main

Prior to commencement of works, the existing sewer main that is adjacent to the proposed COLA facility shall be located by an appropriately qualified surveyor. A Structural Engineer's assessment shall be submitted to Council demonstrating that the proposed COLA structure will not place any additional loading upon the zone of influence of the sewer main. Footing designs intended to transfer loading below the zone of influence shall be certified by a Structural Engineer (refer to Council Policy B06 – Building over Council assets). To ensure suitable access is available to Council for future maintenance any roof supporting element, wall, or structural footing of the COLA facility shall not be located within 2.3m of the edge of the sewer main. Details must be submitted to and approved by Council prior to commencement of any works.

9. Waste Minimisation and Management

The construction waste component of the Site Waste Minimisation and Management Plan (SWMMP) complying with the requirements of Council's DCP 2012 Chapter 2 section 3.7.3 shall be prepared prior to works commencing.

10. Section 68 Approval

A Section 68 Application, under the provisions of the Local Government Act, is to be submitted to and approved by Council prior to the commencement of any works. Such application must be accompanied by the following to meet all relevant Australian Standards and NSW legislative requirements. The Section 68 application is to address, but not be limited to the following matters:

- Full hydraulic plans, specifications and design prepared by a qualified practising hydraulics consultant for the:
 - Water supply
 - Drainage – Sewerage
 - Drainage – Stormwater
 - Trade waste
 - Fire service arrangements. Details relating to the existing two water services and their suitability for flow and volume requirements for drinking water supply and required firefighting requirements.
 - Trade Waste arrangements, sewer and Stormwater so as to satisfy Councils *Trade Waste policy 2011*, *AS/NZS 3500*, and the *NSW Liquid Trade Waste Regulation Guidelines 2009*.
 - The location of the cleaners sink, Grease Trap and all dry basket floor wastes and stainless steel basket sink wastes shall be shown on the hydraulic plans.
 - Methods proposed for tank water top up to satisfy Council requirements. Including but not limited to the proposed backflow prevention methods to satisfy Council's *Backflow Policy*, *AS/NZS 3500* relating to containment protection at water meters, zone protection for food preparation areas utilised by students and staff, and any individual fixture requirements.

11. Trade Waste Application

A Trade Waste report is to be prepared for the proposed development demonstrating compliance with Council's *Trade Waste Policy*, and the *NSW Liquid Trade Waste Regulation Guidelines 2009*. The report is to be submitted to Council as part an, and prior to a Section 68 approval being issued. The report is to address the following and any other issues relevant to the activities proposed:

- a) A canteen food premises that prepares food & that generates oily greasy waste; a suitably sized grease trap, basket sink waste and dry basket floor wastes should be provided.
- b) Proposed garbage bin arrangements for the school in general and the canteen.
- c) Cleaner's sinks will require commercial stainless steel basket sink wastes to be fitted.

The Trade Waste information required shall be submitted in a written trade waste report prepared by a suitably competent and qualified trade waste consultant addressing the trade waste measures required to address all trade waste activities within the property including those items listed above.

DURING CONSTRUCTION

The following conditions in this section of the consent must be complied with during the course of carrying out the construction works relating to the approved development.

12. Construction Management Plan

The Construction Management Plan shall be implemented in full during the construction period.

13. Erosion and Sediment Control

An Erosion and Sediment Control Plan (ESCP) which has been prepared in accordance with the requirements of *Managing Urban Stormwater – Soils and Construction*, LANDCOM, March 2004 shall be implemented in full during the construction period.

14. Erosion and Sediment Control

Sediment and erosion control measures shall be installed and effectively maintained to control stormwater runoff. All disturbed areas shall be immediately stabilised and revegetated on completion of earthworks.

15. Food Premises

The applicant shall construct and fit-out the canteen in accordance with the provisions of the Australian Food Safety Standards 3.1.1, 3.2.2 and 3.2.3. Reference shall be made to the AS 4674 – 2004 "Design, Construction and Fit-Out of Food Premises" for guidance on construction of food premises.

16. Potential Contamination

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about the site contamination must be immediately notified to the Council.

17. Fill Material

The export of waste (including fill or soil) from the site must be in accordance with:

- a) the provisions of the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the Environment Protection Authority 'Waste Classification Guidelines', which may

- require laboratory testing in accordance with NSW EPA and Council requirements; or
- b) current Resource Recovery Orders and Exemptions.

18. Fill Material

The applicant shall ensure that any fill material imported to the site for the proposed development is obtained from fill sources that have an approved testing regime.

19. Dust Suppression

If necessary dust control measures such as wetting down, covering stockpiles and physical barriers shall be used to control and prevent a dust nuisance to surrounding properties. Further guidance can be sourced from 'No Dust No Fuss: Guidelines for controlling dust from construction sites' NSW EPA.

20. Dewatering

If dewatering is required a management plan for all dewatering activities on site shall prepared prior to the release of extracted water. Note: Dewatering activities may require a license issued by the NSW Office of Water.

21. Demolition

All demolition work is to be carried out in accordance with the WorkCover Authority guidelines, Australian Standard 2601:2001 'The demolition of structures'.

PRIOR TO OCCUPATION OR USE

Unless otherwise stated all conditions referred to in other sections of this consent must be complied with together with the following conditions prior to occupation or use.

22. Outdoor Lighting

All external lighting to be installed and operated on site shall comply with the AS 4282:1997 "*Control of the Obtrusive Effects of Outdoor Lighting*". Upon installation of lighting and before final commissioning, a report from a qualified consultant shall be prepared demonstrating compliance with AS 4282:1997 "*Control of the Obtrusive Effects of Outdoor Lighting*".

23. Exhaust Hood

If an exhaust hood is installed in the canteen a certificate of compliance is to be prepared, prior to the commencement of use, that the filtered hood and air extraction system has been installed and operated in accordance with Australian Standard 1668 Parts 1 and 2.

24. Food Premises

The use of the canteen shall not commence until the premises has been inspected and approved by Council's Environmental Health Officer and an application has been made to Council to register the business on Council's "Commercial Premises Register" and the appropriate fee paid, if necessary.

25. Food Premises (Pest Control)

Written evidence shall be provided to Council's Environmental Health Officer that a pest control program has been implemented throughout the canteen prior to the introduction of foods into the premises.

CONDITIONS OF USE/DURING OCCUPATION

The following conditions in this section of the consent are to be complied with in the day-to-day use or operation of the approved development.

26. Noise – Mechanical Plant

Noise associated with the mechanical plant (including pumps, air-conditioning units and compressors) must not give rise to any one or more of the following:

- (a) Transmission of 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy;
- (b) A sound pressure level at any affected property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the licensed premises. The source noise level must be assessed as LAeq, 15 minute; or
- (c) Notwithstanding compliance with (a) and (b) above, the noise from the use must not be audible within any habitable room in any residential property between the hours of 12.00 midnight and 7.00am.