

DA22/0152 - ADDITIONS TO LINDISFARNE SCHOOL INCLUDING SENIOR STUDENT CENTRE, FOOD TECHNOLOGY CLASSROOMS, INCREASED STUDENT & STAFF NUMBERS AND ASSOCIATED CAR PARKING, LANDSCAPING, TREE REMOVAL AND VEHICULAR ACCESS

"DEFERRED COMMENCEMENT"

This consent shall not operate until the applicant satisfies the consent authority by producing satisfactory evidence relating to the matters set out in Schedule "A". Such evidence is to be provided within six (6) months of the date of notification.

Upon the consent authority being satisfied as to compliance with the matters set out in Schedule "A". The consent shall become operative and take effect from the date of notification under Section 76 of the Environmental Planning and Assessment Regulation subject to the conditions set out in Schedule "B".

SCHEDULE "A"

Conditions imposed pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act, 1979 and Section 76 of the Regulations

- A. The proposed Car Park A along the Mahers Lane frontage of the site is to be redesigned to achieve the following requirements:
 - (a) Restrict through movements in this car park by removing the northern exit onto the internal road;
 - (b) Incorporate a turning area at the northern end of this proposed car park, which will require the removal of two (2) spaces, one on either side of the car park (currently noted as spaces 33 & 34);
 - (c) Allocate ten (10) car parking spaces within this car park as "Parent pick up spaces" as 15 minute only parking spaces.
- B. A Construction Traffic Management Plan is to be provided, which illustrates the proposed vehicle access (entry and exit) points for construction vehicles, parking for construction vehicles, the likely construction period and the arrangements for staff and student parking whilst construction is being undertaken.

SCHEDULE B

NOTE: THIS PART OF THE CONSENT WILL NOT BECOME OPERABLE UNTIL COUNCIL ADVISES THAT THE MATTERS CONTAINED IN SCHEDULE A ARE SATISFIED.

GENERAL

1. The development shall be completed in accordance with the *Statement of Environmental Effects* prepared by Newton Denny Chapelle dated February 2022 and the following plans, except where varied by the conditions of this consent.

Plan	Prepared by	Dated
Senior Centre & Food Technology Classrooms - Site Survey 21675_DA-005_C	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - Existing Site Plan 21675_DA-100_D	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - Site Analysis 21675_DA-101_C	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - Proposed Masterplan 21675_DA-102_D (as annotated)	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - Proposed Tree Removal 21675_DA-103_C	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - Proposed Detailed Site Plan 21675_DA-104_D (as annotated)	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - Parking Allocation on site 21675_DA-105_A (as annotated)	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - Senior Centre - Lower Floor Plan 21675_DA-130_E	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - Senior Centre - Upper Floor Plan 21675_DA-131_E	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - Roof Plan - Senior Centre 21675_DA-132_B	Rauink	8 May 2023
Food Technology Classrooms - Food Technology - Floor Plan 21675_DA-140_D	Rauink	8 May 2023
Food Technology classrooms - Roof Plan & Area Calculations 21675_DA-141_B	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - Area Calculation - Senior Centre 21675_DA-142_B	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - North-East Perspective 21675_DA-300_B	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - North-West Perspective 21675_DA-301_B	Rauink	8 May 2023
Senior Centre & Food Technology	Rauink	8 May 2023

Classrooms - Elevation North & East 21675_DA-302_B		
Senior Centre & Food Technology Classrooms - Elevation South & West 21675_DA-303_B	Rauink	8 May 2023
Food Technology Classrooms - Elevations West & South, Materials 21675_DA-304_B	Rauink	8 May 2023
Food Technology Classrooms - Elevations East & Section 04 21675_DA-305_B	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - Section 01 21675_DA-310_B	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - Section 02 & 03 21675_DA-311_B	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - Materials Senior Centre 21675_DA-400_B	Rauink	8 May 2023
Senior Centre & Food Technology Classrooms - CPTED Layout 21675_DA-401_C (as annotated)	Rauink	8 May 2023

[GEN0005]

2. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.

[GEN0115]

3. Advertising structures/signs are to be the subject of a separate development application (where statutorily required).

[GEN0065]

4. This consent does not include the demountable classrooms or the 84 space car park constructed in the western portion of the site.

5. The overall student enrolment is limited to 1,378 students. Any enlargement of this student enrolment will require a separate development application.

6. Approval is given subject to the location of, protection of, and/or any necessary approved modifications to any existing public utilities situated within or adjacent to the subject property. Any necessary adjustment or modification of existing services is to be undertaken in accordance with the requirements of the relevant authority, at the Developer's expense.

[GEN0135]

7. Any business or premises proposing to discharge wastewater containing pollutants differing from domestic sewage must submit a Liquid Trade Waste Application Form to Council. The application is to be approved by the General Manager or his delegate prior to any discharge to the sewerage system. A Liquid Trade Waste Application fee will be applicable in accordance with Council's adopted Fees and Charges.

[GEN0190]

8. The owner is to ensure that the proposed building is constructed in the position and at

the levels as nominated on the approved plans or as stipulated by a condition of this consent, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.

[GEN0300]

9. The sewer pump unit and private rising mains for the development will be owned, maintained and operated by the property owner.
10. The design of the sewer pumping station shall comply with the Water Services Association (WSA) standards WSA02-2002-2.3 or WSA07-2007 for Pressure Sewerage.
11. The maximum flow rate discharge from the sewerage pump station which discharges to Council's sewer network shall not exceed 3.5L/s (unless otherwise approved by Council's Water & Wastewater Unit).
12. The sewer pumping station is to be constructed in a flood proof well with electrical equipment located above 1 in 100 ARI. Pumps should be designed to pump a minimum of less than every 8 hours to reduce septicity in the pump well and rising mains.
13. Sewer pump systems shall be sized for industrial/ commercial and not domestic requirements.
14. At least 24 hours ADWF emergency storage capacity shall be provided within the sewer pump system, or hours of storage equivalent to the operating hours of the commercial property per day.

[GENNS01]

15. All waste material removed from or imported to the site is managed in accordance with the following requirements:
 - a. All excavated material removed from the site has been classified in accordance with the NSW Environment Protection Authority (EPA) Waste Classification Guidelines before it is disposed of at an approved waste management facility.
 - b. All fill material imported to the site must be:
 - i. Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*, and/or
 - ii. A material identified as being subject to a resource recovery exemption by the NSW EPA.

All VENM or waste-derived fill material subject to a resource recovery exemption must be accompanied by documentation as to the material's compliance and must be provided to the Principal Certifier or Council on request.

[GENNS01]

16. The internal hydraulic design of the proposed development shall utilise a fire flow of no greater than 15 L/s from Council's water network.
 - (a) The proposed development's internal private fire flow design shall provide a fire flow storage tank as required to reflect the available fire flow rate (15 L/s) from Council's network.
 - (b) The proposed fire flow pump is to be connected to the break/fire flow storage tank and not directly to the existing water main as to not draw the required fire flow and "suck dry" the main.

17. Vegetation removal shall be limited to those trees and vegetation identified as 'Trees to Be Removed' on Dwg. No. 21675_DA-103_C Proposed Tree Removal dated 8 May 2023 prepared by Raunik and described in *Arboricultural Impact Assessment (AIA) - Lindisfarne Anglican Grammar School* Version 2 dated 16 March 2023 prepared by North Coast Specialist Arbor unless otherwise approved by Council's General Manager or delegate.

The removal of vegetation shall not commence until issue of Construction Certificate. All other vegetation identified to be retained in the referenced AIA shall be afforded adequate protection and retained for the life of the development unless otherwise approved for removal by the relevant regulating authority.

18. The development shall be carried out in accordance with the following unless otherwise approved by Council's General Manager or delegate:
- Arboricultural Impact Assessment - Lindisfarne Anglican Grammar School* Version 2 dated 16 March 2023 prepared by North Coast Specialist Arbor.
 - Final Habitat Restoration Plan - Lindisfarne Anglican Grammar School* Revision B dated 23 February 2023 prepared by Australian Wetlands Consulting.
 - Biodiversity Assessment Report - Lindisfarne Anglican Grammar School* Revision B dated 01 February 2022 prepared by Australian Wetlands Consulting.

19. Essential Energy:

- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with; and
- In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.
- Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW).
- Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au <<https://protect-au.mimecast.com/s/E5spC4QOARtrg7jhxOCzQ?domain=safework.nsw.gov.au/>>) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice - Work near Overhead Power Lines and Code of Practice - Work near Underground Assets.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

20. Any car parking floodlighting shall not spill beyond the boundaries of the site. Lighting shall comply with *AS 4282: 2019 – Control of the obtrusive effects of outdoor lighting* and other relevant Australian Standards. A plan of the lighting shall be approved by

the Certifier (Council or a Registered Certifier) **PRIOR** to the issue of a Construction Certificate.

[PCC0055]

21. The developer shall provide a further 113 parking spaces (totaling 201) including parking for the disabled (as required) in accordance with *Tweed Shire Council Development Control Plan Part A2 - Site Access and Parking Code*.

Two (2) loading bays and a further 32 bicycle parking spaces shall also be provided. Full design detail of the proposed parking and manoeuvring areas including integrated landscaping shall be submitted to the Certifier (Council or a Registered Certifier) with the Construction Certificate application for Building Works.

[PCC0065]

22. Section 7.11 Contributions

Payment of the following contributions pursuant to Section 7.11 of the Act and the relevant Contribution Plan.

A Construction Certificate shall NOT be issued by a Certifying Authority unless all Section 7.11 Contributions have been paid and the Certifying Authority has sighted Council's receipt confirming payment.

A CURRENT COPY OF THE CONTRIBUTION FEE SHEET ATTACHED TO THIS CONSENT MUST BE PROVIDED AT THE TIME OF PAYMENT

These charges include indexation provided for in the Section 7.11 Contribution Plan and will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 7.11 Contribution Plan current at the time of the payment. A copy of the Section 7.11 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgun Road, Murwillumbah and Brett Street, Tweed Heads.

Note: All Section 7.11 Contribution payments are non-refundable.

(a) Tweed Road Contribution Plan: **\$836,923.64**

575.68 Trips @ \$2,423 per Trip (\$1,988 base rate + \$435 indexation)
CP Plan No. 4 - Sector 5 Terranora

(\$55,7949 has been subtracted from this total as this development is deemed an "Employment Generating Development")
CP04 Road Contributions (5-Terranora)

(b) Extensions to Council Administration Offices
& Technical Support Facilities **\$2,129.42**
0.94522 ET @ \$2,252.11 per ET (\$1,759.90 base rate + \$492.21 indexation)
CP Plan No. 18

[PCC0215]

23. A **Letter of Requirement** under Sections 305, 306 and 307 of the Water Management Act 2000, for each stage of the development, is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with Tweed Shire Council.

[PCC0265]

24. **Prior** to the issue of a Section138 approval for roadworks in Mahers Lane, a Cash Bond or Bank Guarantee (unlimited in time) shall be lodged with Council for an amount based on 1% of the value of the public infrastructure works as set out in Council's fees and charges at the time of payment.

The Bond may be called up at any time and the funds used to rectify any non-compliance with the conditions of this consent which are not being addressed to the satisfaction of the General Manager or his delegate. The Bond will be refunded, if not expended, when the final Occupation Certificate is issued.

[PCC0275]

25. Where earthworks result in the creation of batters and/or cuttings greater than 1m high and/or slopes within allotments 17⁰ (1:3.27) or steeper, such slopes shall be densely planted in accordance with a detailed Landscaping Plan endorsed by Council. This Plan shall accompany the Construction Certificate application.

Such plans shall generally incorporate the following and preferably be prepared by a landscape architect:

- (a) Contours and terraces where the height exceeds 1m.
- (b) Cover with topsoil and large rocks/dry stone walls in terraces as necessary.
- (c) Densely plant with appropriate native species to suit the aspect/micro climate. Emphasis to be on trees and ground covers which require minimal maintenance. Undergrowth should be weed suppressant.
- (d) Mulch heavily (minimum 300mm thick) on slopes where plantings are absent or install jute matting over the slope and plant through the matting with mulch (minimum 100mm thick) within 1m radius of all plants, preferably with chipped vegetation approved for removal under this consent.

[PCC0455]

26. Submission for approval by the Certifier (Council or a Registered Certifier) design detail including surcharge loads for any retaining walls to be erected on the site in accordance with AS 4678 (current version - Earth Retaining Structures, *Tweed Shire Council Development Control Plan Part A1* and Councils Development Design and Construction Specifications.

Design detail is to be supported by certification of adequacy of design from a suitably qualified structural engineer. Please note timber retaining walls are not permitted.

[PCC0475]

27. All fill is to be graded at a minimum of 1% so that it drains to the street or other approved permanent drainage system and where necessary, perimeter drainage is to be provided. The construction of any retaining wall or cut/fill batter must at no time result in additional runoff or ponding occurring within neighbouring properties.

All earthworks shall be contained wholly within the subject land. Detailed engineering plans of cut/fill levels and perimeter drainage shall be submitted with a S68 stormwater application for Council approval.

[PCC0485]

28. Site filling and associated drainage is to be designed to address drainage on the site as well as existing stormwater flows onto or through the site, and minimising the impact of filling on local drainage. Detailed engineering plans of fill levels and perimeter drainage shall be submitted for Council approval.

29. A Traffic Control Plan in accordance with AS1742 and the latest version of the Transport for NSW (TfNSW) publication "*Traffic Control at Work Sites*" shall be prepared by an TfNSW accredited person and shall be submitted to Council prior to issue of the Section138 roadworks approval. Safe public access shall be provided at all times.

30. Application shall be made to Tweed Shire Council under Section 138 of the *Roads Act 1993* for works pursuant to this consent located within the road reserve. Application shall include (but not limited to) engineering plans and specifications undertaken in accordance with Councils Development Design and Construction Specifications for the following required works, that are based on Newton Denny Chapelle engineering drawing No's 210534-01-DA-CI-01 and 02:

- (a) Vehicular access: construction of two vehicular footpath crossings in accordance with Tweed Shire Council's standard drawing SD017 (not IPWEAQ drawings). These shall be 6m wide at the property boundary and splaying out evenly to the kerb line.
- (b) Provision of kerb and gutter and associated road widening for approximately 140m of the school's road frontage, extending south from the existing end of kerb and guttering (central driveway location). The design of this work is to include an assessment of stormwater management and provisioning within Mahers Lane. The inclusion of stormwater infrastructure works may be necessary.
- (c) Dedicated turning lanes of 60m in length are to be constructed on Mahers Lane into the northern access into the school.
- (d) A 40 metre long right hand turn lane to be constructed into the southernmost access point (known as S3).
- (e) Any changes to existing regulatory signage, line marking, traffic and pedestrian facilities, and speed zones are to be submitted to Council for approval through the Local Traffic Committee at least 6 months prior to construction.
- (f) "Keep clear" signage to be erected at the intersection of Mahers Lane and Eaglemont Drive.
- (g) Construction of concrete foot paving on both sides of Mahers Lane, generally as depicted on the above-referenced engineering plans.
- (h) Relocation of the existing children's crossing and associated pram ramps, including removal of existing features and restoration to match existing. The crossing is to include a refuge.

The above mentioned engineering plan submission must include copies of compliance certificates relied upon and details relevant to but not limited to the following:

- Road works/furnishings
- Stormwater drainage
- Water and sewerage works
- Sediment and erosion control plans
- Location of all services/conduits
- Traffic Control Plan (as applicable)

31. Waste material (soil, concrete, timber, masonry, steel and the like) generated by the development shall be disposed of in accordance with a Waste Management Plan which shall be submitted to and approved by the Certifier (Council or a Registered Certifier) **PRIOR** to the issue of a construction certificate. The Plan shall specify how the waste is to be treated and/or where the waste is to be disposed of.

[PCC1065]

32. Permanent stormwater quality treatment shall be provided in accordance with the following:
- (a) The Construction Certificate Application shall include a detailed Stormwater Management Plan (SWMP) for the occupational or use stage of the development in accordance with Section D7.B2 of Councils *Development Design Specification D7 - Stormwater Quality*.
 - (b) Permanent stormwater quality treatment shall comply with Councils *Development Design Specification D7 - Stormwater Quality*.
 - (c) The stormwater and site works shall incorporate Water Sensitive Urban Design principles and where practical, integrated water cycle management.
 - (d) Specific Requirements to be detailed within the Construction Certificate application include:
 - (i) Shake down area shall be installed within the property, immediately prior to any vehicle entering or exiting the site prior to any earthworks being undertaken.
 - (ii) Runoff from all hardstand areas, (including access ramp, basement car parking and hardstand landscaping areas and excluding roof areas) must be treated to remove oil and sediment contaminants prior to discharge to the public realm. All permanent stormwater treatment devices must be sized according to Council's Development Design Specification D7 - Stormwater Quality, Section D7.12. Engineering details of the proposed devices, including maintenance schedules, shall be submitted with a s68 Stormwater Application for approval prior to issue of a Construction Certificate.
 - (iii) Roof water does not require treatment, and should be discharged downstream of treatment devices, or the treatment devices must be sized accordingly.

[PCC1105]

33. A Construction Certificate application for works that involve any of the following:

- connection of a private stormwater drain to a public stormwater drain
- installation of stormwater quality control devices
- erosion and sediment control works

will not be approved until prior separate approval to do so has been granted by Council under Section 68 of the *Local Government Act 1993*.

- a) Applications for these works must be submitted on Council's standard Section 68 stormwater drainage application form accompanied by the required attachments and the prescribed fee. The Section 68 Application must be approved by Council prior to the associated Construction Certificate being issued.

[PCC1145]

34. Erosion and Sediment Control shall be provided in accordance with the following:

- (a) The Construction Certificate Application must include a detailed Erosion and Sediment Control Plan prepared in accordance with Section D7.07 of *Development Design Specification D7 - Stormwater Quality*.
- (b) Construction phase erosion and sediment control shall be designed, constructed and operated in accordance with *Tweed Shire Council Development Design Specification D7 - Stormwater Quality* and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works".

[PCC1155]

35. An application shall be lodged together with any prescribed fees including inspection fees and approved by Tweed Shire Council under Section 68 of the *Local Government Act 1993* for any water, sewerage, on site sewerage management system or drainage works including connection of a private stormwater drain to a public stormwater drain, installation of stormwater quality control devices or erosion and sediment control works, prior to the issue of a Construction Certificate.

[PCC1195]

36. Where water is to be drawn from Councils reticulated system, the proponent shall:
- Make application for the hire of a Tweed Shire Council metered standpipe including Councils nomination of point of extraction.
 - Where a current standpipe approval has been issued application must be made for Councils nomination of a point of extraction specific to the development.
 - Payment of relevant fees in accordance with Councils adopted fees and charges.

[PCC1205]

37. In accordance with Section 68 of the *Local Government Act 1993*, any premises proposing to discharge wastewater into Councils sewerage system other than domestic sewage, shall submit to Council a completed Liquid Trade Waste Application for a Liquid Trade Waste Services Agreement. The Application is to be approved by the General Manager or his delegate PRIOR to the issuing of a Construction Certificate to discharge to Council's sewerage system.

[PCC1255]

38. Prior to the issue of a Construction Certificate the applicant is required to obtain approval to upgrade a private sewage ejection pump station under Section 68 of the *Local Government Act 1993*.

[PCC1285]

39. A BCA compliance report of the existing Trade Training Centre by a suitably qualified building practitioner detailing any upgrading works necessary to ensure compliance with Volume 1 of the BCA is to be submitted to and approved by the appointed registered certifier prior to the issue of the construction certificate. It is to be noted any BCA upgrading works are to be subject to a construction certificate.

[PCCNS01]

40. Prior to the issue of a Construction Certificate, the applicant shall:

- (a) Provide a copy of the certificate of compliance for the existing new master sewer pump chamber completed by a suitably qualified plumber; or
- (b) Engage a suitable qualified plumber to prepare a capability report that demonstrates that the existing new master sewer pump chamber is functional and suitable for the proposed use.

[PCCNS01]

41. Prior to the construction certificate being issued, a Construction Site Management Plan shall be prepared by a suitably qualified person to the satisfaction of Council's General Manager or delegate. The Plan shall consider the assessment and recommendations

of the Construction Noise & Vibration & Assessment & Operational Noise Assessment for alterations and additions to existing educational facility Lot 2 DP 1018747, 86 Mahers Lane, Terranora prepared by Tim Fitzroy & Associates dated 18 March 2023 (Job No: 60/2020_stage1, Version: Revised Final) and include proposed mitigation measures and a complaint handling procedure.

[PCCNS02]

42. A detailed plan of landscaping is to be submitted to Council and approved by Council's General Manager or delegate prior to issue of Construction Certificate. The detailed plan of landscaping shall be generally consistent with Landscape Intent - Lindisfarne Anglican Grammar School Issue D dated March 2022 prepared by Byrns Lardner Landscape Architecture and Design and meet the following plant selection criteria:
- a. A minimum of 80% locally occurring Australian native species and maximum of 20% non-locally occurring Australian native species to apply to all trees;
 - b. A minimum of 80% locally occurring Australian native species and maximum of 20% Australian native or exotic species to apply to other plants (shrubs, ground cover and similar); and
 - c. No environmental weed species.

[PCCNS03]

43. Signage for Internal road system

The Construction Certificate Application shall identify the following additional signage to be provided within the site to ensure conflicts between buses and vehicles do not arise and that appropriate priority is given to buses entering and leaving the site.

- (a) additional signage to ensure that buses and parent vehicles remain separated once in the site, enhancing the safety of the students passing through the area and reduces potential queuing on Mahers Lane as outlined in Figure 5.2 of the Traffic Engineering Report prepared by ttm dated 3 May 2023, Revision 2;
- (b) give way signage to be installed on the proposed new car parking areas adjoining the southern side of the internal road system as well as for the student drop-off/pick-up area on the northern area of the site in accordance with Figure 5.4 of the Traffic Engineering Report prepared by ttm dated 3 May 2023, Revision 2;
- (c) The northern access is to be signed, within the School, as bus and Staff access to the eastern arm and parents to the western arm .

[PCCNS04]

PRIOR TO COMMENCEMENT OF WORK

44. The proponent shall accurately locate and identify any existing sewer main, stormwater line or other underground infrastructure within or adjacent to the site and the Principal Certifier advised of its location and depth prior to commencing works and ensure there shall be no conflict between the proposed development and existing infrastructure prior to start of any works.
45. The erection of a building in accordance with a development consent must not be commenced until:

[PCW0005]

- (a) a construction certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or a registered certifier, and
- (b) the person having the benefit of the development consent has:
 - (i) appointed a principal certifier for the building work, and
 - (ii) notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case, and
- (c) the principal certifier has, no later than 2 days before the building work commences:
 - (i) notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- (d) the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (i) appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
 - (ii) notified the principal certifier of any such appointment, and
 - (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspection and other inspections that are to be carried out in respect of the building work.

[PCW0215]

46. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifier" shall be submitted to Council at least **2 days** prior to work commencing.

[PCW0225]

47. **Where prescribed by the provisions of the Environmental Planning and Assessment Regulation 2021**, a sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the principal certifier for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

[PCW0255]

48. A temporary builder's toilet is to be provided prior to commencement of work at the rate of one closet for every 15 persons or part of 15 persons employed at the site. Each toilet provided must be:
- (a) a standard flushing toilet connected to a public sewer, or
 - (b) if that is not practicable, an accredited sewage management facility approved by the council

[PCW0245]

49. All imported fill material shall be from an approved source. Prior to commencement of filling operations details of the source of the fill, description of material, proposed use

of material and confirmation that further blending, crushing or processing is not to be undertaken shall be submitted to the satisfaction of the General Manager or his delegate.

[PCW0375]

50. Prior to commencement of work on the site all erosion and sedimentation control measures are to be installed and operational including the provision of a "shake down" area, where required. These measures are to be in accordance with the approved erosion and sedimentation control plan and adequately maintained throughout the duration of the development.

In addition to these measures the core flute sign provided with the stormwater approval under Section 68 of the *Local Government Act 1993* is to be clearly displayed on the most prominent position of the sediment fence or erosion control device which promotes awareness of the importance of the erosion and sediment controls provided. This sign is to remain in position for the duration of the project.

[PCW0985]

DURING CONSTRUCTION

51. All proposed works are to be carried out in accordance with the conditions of development consent, any approved Management Plans, approved Construction Certificate, drawings and specifications.

[DUR0005]

52. Should any Aboriginal object or cultural heritage (including human remains) be discovered all site works must cease immediately and the Tweed Byron Local Aboriginal Land Council (TBLALC) Aboriginal Sites Officer (on 07 5536 1763) are to be notified. The find is to be reported to the Biodiversity and Conservation Division of the NSW Department of Planning, Industry and Environment. No works or development may be undertaken until the required investigations have been completed and any permits or approvals obtained, where required, in accordance with the *National Parks and Wildlife Act, 1974*.

[DUR0025]

53. Commencement of work, including the switching on and operation of plant, machinery and vehicles is limited to the following hours, unless otherwise permitted by Council:

- Monday to Friday from 7.00am to 6.00pm
- Saturday from 8.00am to 1.00pm
- No work to be carried out on Sundays or Public Holidays

The proponent is responsible to instruct and control subcontractors regarding hours of work.

[DUR0205]

54. The development shall be carried out in accordance with current NSW Environment Protection Authority construction noise guidelines. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment during demolition and construction works.

[DUR0215]

55. All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).

[DUR0375]

56. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.

[DUR0395]

57. The Principal Certifier is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifier via the notice under Section 6.6 of the Environmental Planning and Assessment Act 1979.

[DUR0405]

58. It is the responsibility of the applicant to restrict public access to the construction works site, construction works or materials or equipment on the site when construction work is not in progress or the site is otherwise unoccupied in accordance with SafeWork NSW requirements and Work Health and Safety Regulation 2017.

[DUR0415]

59. Excavation

- (a) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with WorkCover 2000 Regulations.
- (b) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

[DUR0425]

60. Engineering supervision of the approved earthworks by a qualified geotechnical consultant is required at all times.

61. If the work involved in the erection or demolition of a building:

- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
- (b) building involves the enclosure of a public place,

a hoarding or fence must be erected between the work site and the public place in accordance with the WorkCover Authority of NSW Code of Practice and relevant Australian Standards.

Where necessary, the provision for lighting in accordance with *AS 1158: 2005 – Lighting for Roads and Public Spaces* and provision for vehicular and pedestrian traffic in accordance with *AS 1742: 2019 - Manual of uniform traffic control devices Traffic control for works on roads* shall be provided.

Any such hoarding, fence or awning is to be removed prior to the issue of an occupation certificate/subdivision certificate. Application shall be made to Tweed Shire Council including associated fees for approval prior to any structure being erected within Council's road reserve.

[DUR0435]

62. All demolition work is to be carried out in accordance with the provisions of *Australian Standard AS 2601: The Demolition of Structures* and to the relevant requirements of the WorkCover NSW, *Work Health and Safety Regulation 2017*. The proponent shall also observe the guidelines set down under the Department of Environment and Climate Change publication, "*A Renovators Guide to the Dangers of Lead*" and the Workcover Guidelines on working with asbestos.

63. All earthworks and filling shall be carried out in accordance with *AS 3798: 2007 - Guidelines on earthworks for commercial and residential developments* (current version) to a Level 1 inspection regime and testing in accordance with Table 8.1. Notwithstanding earthworks and filling, the frequency of field density tests for trenches, including all trenches for services, shall be undertaken in accordance with Table 8.1 of AS 3798 (current version).

[DUR0795]

64. The use of vibratory compaction equipment including high impact methods (other than handheld devices) within 100m of any existing dwelling house, building or structure is strictly prohibited.

[DUR0815]

65. No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Tweed Shire Council's General Manager or his delegate.

[DUR0985]

66. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of a Subdivision Certificate/Occupation Certificate.

[DUR0995]

67. All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from:

- Noise, water or air pollution.
- Dust during filling operations and also from construction vehicles.
- Material removed from the site by wind.

[DUR1005]

68. The burning off of trees and associated vegetation felled by clearing operations or builders waste is prohibited. Such materials shall either be recycled or disposed of in a manner acceptable to Council's General Manager or delegate.

[DUR1015]

69. Where the construction work is on or adjacent to public roads, parks or drainage reserves the development shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742 (Manual of Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.

[DUR1795]

70. Before the commencement of the relevant stages of road construction, pavement design detail including reports from a Registered NATA Consultant shall be submitted to Council for approval and demonstrating:

- (a) That the pavement has been designed in accordance with Tweed Shire Councils Development Design Specification, D2.
- (b) That the pavement materials to be used comply with the specifications tabled in Tweed Shire Councils Construction Specifications, C242-C245, C247, C248 and C255.
- (c) That site fill areas have been compacted to the specified standard.

[DUR1805]

71. During the relevant stages of road construction, tests shall be undertaken by a

Registered NATA Geotechnical firm. A report including copies of test results shall be submitted to the Principal Certifier or Council (if appointed) prior to the placement of the wearing surface demonstrating:

- (a) That the pavement layers have been compacted in accordance with Councils Development Design and Construction Specifications.

[DUR1825]

- 72. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired in accordance with Councils Development Design and Construction Specifications prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.

[DUR1875]

- 73. Where existing kerb or footpath is to be removed for driveway laybacks, stormwater connections, kerb ramps or any other reason, the kerb or footpath must be sawcut on each side of the work to enable a neat and tidy joint to be constructed.

[DUR1905]

- 74. During construction, a “satisfactory inspection report” is required to be issued by Council for all works required under Section 138 of the *Roads Act 1993*. The proponent shall liaise with Councils Engineering Division to arrange a suitable inspection.

[DUR1925]

- 75. All retaining walls in excess of 1.2 metres in height must be certified by a Qualified Structural Engineer verifying the structural integrity of the retaining wall after construction. Certification from a suitably qualified engineer experienced in structures is to be provided to the Principal Certifier or Council (if appointed) prior to the issue of an Occupation/Subdivision Certificate.

[DUR1955]

- 76. The developer/contractor is to maintain a copy of the development consent and Construction Certificate approval including plans and specifications on the site at all times.

[DUR2015]

- 77. The builder must provide an adequate trade waste service to ensure that all waste material is suitably contained and secured within an area on the site, and removed from the site at regular intervals for the period of construction/demolition to ensure no material is capable of being washed or blown from the site.

[DUR2185]

- 78. All waste shall be collected, stored, and disposed of in accordance with the approved Waste Management Plan and the provisions of *Tweed Shire Council Development Control Plan Section A15 - Waste Minimisation and Management*.

[DUR2195]

- 79. The guttering downpiping and roof waste water disposal system is to be installed and operational before the roofing is installed.

[DUR2245]

- 80. All stormwater gully lintels (if required) shall have the following notice **cast** into the top of the lintel: **'DUMP NO RUBBISH, FLOWS INTO CREEK'** or similar wording in accordance with Councils Development Design and Construction Specifications.

[DUR2355]

- 81. Regular inspections shall be carried out by the Supervising Engineer on site to ensure that adequate erosion control measures are in place and in good condition both during

and after construction.

Additional inspections are also required by the Supervising Engineer after each storm event to assess the adequacy of the erosion control measures, make good any erosion control devices and clean up any sediment that has left the site or is deposited on public land or in waterways. This inspection program is to be maintained until the maintenance bond is released or until Council is satisfied that the site is fully rehabilitated.

[DUR2375]

82. The site shall not be dewatered unless written approval to carry out dewatering operations is received from Council's General Manager or delegate.

[DUR2425]

83. During construction, a "Satisfactory Inspection Report" is required to be issued by Council for all s68h2 permanent Stormwater Quality Control Devices, prior to backfilling. The proponent shall liaise with Councils Engineering Division to arrange a suitable inspection.

[DUR2445]

84. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:

- (a) internal drainage, prior to slab preparation;
- (b) water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;
- (c) external drainage prior to backfilling.
- (d) completion of work and prior to occupation of the building.

[DUR2485]

85. Plumbing

- (a) A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.
- (b) The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the Plumbing Code of Australia and AS/NZS 3500.

[DUR2495]

86. All water plumbing pipes concealed in concrete or masonry walls shall be fully lagged.

[DUR2525]

87. Back flow prevention devices shall be installed wherever cross connection occurs or is likely to occur. The type of device shall be determined in accordance with AS 3500.1 and shall be maintained in working order and inspected for operational function at intervals not exceeding 12 months in accordance with Section 4.7.2 of this Standard.

[DUR2535]

88. Overflow relief gully is to be located clear of the building and at a level not less than 150mm below the lowest fixture within the building and 75mm above finished ground level.

[DUR2545]

89. All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:-

- * 45°C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
- * 50°C in all other classes of buildings.

A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.

[DUR2555]

90. Dust and Erosion Management

- (a) Site earthworks are to be limited to a 5ha maximum at any time to reduce exposed areas. Completed areas are to be topsoiled and seeded immediately to protect them from water and wind erosion.
- (b) All topsoil stockpiles are to be sprayed with dust suppression material such as "hydromulch", "dustex" or equivalent. All exposed areas including haul roads shall be regularly watered or treated with dust suppression material or as directed on site.
- (c) All construction activities that generate dust shall cease when average wind speeds exceed 15m/s (54 km/h). The applicant shall be responsible for the monitoring of on-site wind speeds and be able to produce this data to Council on request.

[DUR2825]

91. All works shall be carried out in accordance with the Construction Noise & Vibration & Assessment & Operational Noise Assessment for alterations and additions to existing educational facility Lot 2 DP 1018747, 86 Mahers Lane, Terranora prepared by Tim Fitzroy & Associates dated 18 March 2023 (Job No: 60/2020_stage1, Version: Revised Final) and approved Construction Site Management Plan or to the satisfaction of Council's General Manager or delegate.

[DURNS01]

92. All pre-construction vegetation and fauna management measures shall be satisfactorily completed prior to commencement of construction in accordance with the following reports:

- a. Arboricultural Impact Assessment - Lindisfarne Anglican Grammar School Version 2 dated 16 March 2023 prepared by North Coast Specialist Arbor.
- b. Biodiversity Assessment Report - Lindisfarne Anglican Grammar School Revision B dated 01 February 2022 prepared by Australian Wetlands Consulting.

[DURNS02]

93. A suitably experienced and qualified Project Arborist (Minimum AQF Level 5 Arborist) must be appointed prior to the commencement of construction. The Project Arborist is to be responsible for supervising all tree management works and completing certification of tree management requirements.

[DURNS02]

94. Works shall be undertaken in accordance with all management plans referenced in this consent.

[DURNS02]

95. All habitat restoration works shall be undertaken by a suitably qualified ecologist or habitat restoration specialist in accordance with the approved *Final Habitat Restoration Plan - Lindisfarne Anglican Grammar School* Revision B dated 23 February 2023 prepared by Australian Wetlands Consulting.

[DURNS02]

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

96. Prior to issue of an Occupation Certificate, all works/actions/inspections etc required at that stage by other conditions or any approved Management Plans or the like shall be completed in accordance with those conditions or plans.

[POC0005]

97. A site management plan shall be prepared by a suitably qualified person and submitted to the satisfaction of Council's General Manager or delegate that outlines how activities associated with the school are managed to minimise disturbance and amenity impacts to neighbouring development. The plan shall include mitigation measures and complaint management.
[POC0125]
98. A person must not commence occupation or use of the whole or any part of a new building or structure (within the meaning of Section 6.9 and 6.10 unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units).
[POC0205]
99. An Occupation Certificate is not to be issued until a fire safety certificate has been issued for the building to the effect that each required essential fire safety measure has been assessed by a properly qualified person and was found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building.
[POC0225]
100. A Partial or Whole Occupation Certificate is to be obtained prior to the Occupation or the commencement of the use of the building.
- Within 5 years from the date of issue of any Partial Occupation Certificate for part of a building an Occupation Certificate for the "Whole Building" must be applied for and obtained from the nominated Principal Certifying Authority.
[POC0355]
101. Prior to the issue of an Occupation Certificate, the applicant shall produce a copy of the "Satisfactory Inspection Report" issued by Council for all works required under Section 138 of the *Roads Act 1993*.
[POC0745]
102. On completion of work, a certificate signed by a practising structural engineer is to be submitted to the Principal Certifier to certify the structural adequacy of all structures and retaining walls.
[POC0805]
103. Council's standard "Asset Creation Form" shall be completed (including all quantities and unit rates) and submitted to Council. Written approval from Council's General Manager or his delegate must be issued prior to the issue of an Occupation Certificate.
[POC0865]
104. Prior to the issue of an Occupation Certificate, the applicant shall produce a copy of the "Satisfactory Inspection Report" issued by Council for all s68h2 permanent Stormwater Quality Control Devices.
[POC0985]
105. Prior to the issue of any Occupation Certificate, the applicant shall obtain approval to operate the on-site sewage management facility/private sewage ejection pump station under Section 68 of the *Local Government Act 1993*.
[POC1040]
106. Prior to the occupation or use of any building and prior to the issue of any occupation certificate, a final inspection report is to be obtained from Council in relation to the plumbing and drainage works.
[POC1045]
107. Prior to the issue of a Whole Occupation Certificate, all conditions of consent are to be met.

108. Prior to the release of the **1% Compliance Bond associated with a Section 138 application**, Work as Executed Plans (WAX Plans) and an accompanying ADAC XML Digital File shall be submitted to Council for endorsement in accordance with the provisions of Tweed Shire Council's *Development Control Plan Part A5 - Subdivision Manual* and Council's *Development Design Specification, D13 - Engineering Plans*. The WAX Plans are to be endorsed by an NSW Registered Surveyor AND/OR a Consulting Engineer as specified in D13, certifying that:

- (a) the plans accurately reflect the Work as Executed, including all the actual asset types and materials used in the construction;
- (b) the accompanying ADAC XML Digital File corresponds exactly with all details of the Summary WAX plan(s) including lot and easement details, geometries, relative levels, assets and material types.

[POC1120]

109. Pursuant to Section 68 of the *Local Government Act 1993*, an approved pre-treatment device (e.g. grease arrestor, oil separator, basket traps) must be installed in accordance with Tweed Shire Council's Policy - Discharge of Liquid Trade Waste to the Sewerage System. Submission of detailed hydraulic plans and specifications indicating the size, type and location of pre-treatment devices and full details of drainage installations in accordance with AS 3500 shall be submitted to Council for approval along with a Liquid Trade Waste Application Form and all required information required therein.

[POCNS01]

110. A **Certificate of Compliance** under Sections 305, 306 and 307 of the Water Management Act 2000, for each stage of the development, is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with Tweed Shire Council.

[POCNS02]

111. Prior to the earlier of commencement of operation or issue of Occupation Certificate, all 'Phase 1 (Establishment Phase)' habitat restoration and compensatory Koala planting works must be completed to the satisfaction of Council's General Manager or delegate in accordance with the approved *Final Habitat Restoration Plan (FHRP) - Lindisfarne Anglican Grammar School* Revision B dated 23 February 2023 prepared by Australian Wetlands Consulting. The applicant must provide to Council at completion of such works certification from a qualified professional that all works/measures have been completed in accordance with the approved FHRP.

[POCNS03]

112. All approved landscaping requirements must be completed prior to the earlier of commencement of operation or issue of Occupation Certificate. Landscaping must be maintained at all times to the satisfaction of Council's General Manager or delegate.

[POCNS03]

113. An arboricultural certification report prepared by the project arborist (Minimum AQF Level 5 Arborist) shall be submitted to Council prior to the earlier of commencement of operation or issue of Occupation Certificate demonstrating compliance with the Arboricultural Impact Assessment - Lindisfarne Anglican Grammar School Version 2 dated 16 March 2023 prepared by North Coast Specialist Arbor and any other tree management measure/s imposed to protect retained vegetation as reasonably directed by Council's General Manager or delegate or Project Arborist during the construction period.

[POCNS03]

114. Completion of the Internal Road System Signage

Certification from an appropriately qualified consultant shall be provided that the following additional signage has been satisfactorily provided within the site to ensure conflicts between buses and vehicles do not arise and that appropriate priority is given to buses entering and leaving the site:

- (a) additional signage to ensure that buses and parent vehicles remain separated once in the site, enhancing the safety of the students passing through the area and reduces potential queuing on Mahers Lane as outlined in Figure 5.2 of the Traffic Engineering Report prepared by ttm dated 3 May 2023, Revision 2;
- (b) give way signage to be installed on the proposed new car parking areas adjoining the southern side of the internal road system as well as for the student drop-off/pick-up area on the northern area of the site in accordance with Figure 5.4 of the Traffic Engineering Report prepared by ttm dated 3 May 2023, Revision 2.

[POCNS04]

115. Within six (6) months of the earlier of commencement of operation or issue of Occupation Certificate, the applicant must create and register a Positive Covenant and Restrictions As To User as applicable under Section 88B and Section 88BA of the *Conveyancing Act 1919* on the following terms:

- (a) Positive Covenant over the area described as 'Habitat Restoration Area- MZ1' in Figure 3.1 of the Final Habitat Restoration Plan (FHRP) - Lindisfarne Anglican Grammar School Revision B dated 23 February 2023 prepared by Australian Wetlands Consulting. This area must be subject to an approved ecological restoration program and managed for conservation purposes in perpetuity.
Burden: Part Lot 2 DP1018747
Benefit: Tweed Shire Council
- (b) Restriction as to user regarding the area described as 'Habitat Restoration Area- MZ1' in Figure 3.1 of the Final Habitat Restoration Plan (FHRP) - Lindisfarne Anglican Grammar School Revision B dated 23 February 2023 prepared by Australian Wetlands Consulting. The following activities are not permitted within this area.
 - i. Clearing, lopping or removal of any native plants, whether existing at the date of this consent or planted pursuant to conditions of this consent;
 - ii. Erection of any fixtures or improvements, including buildings or structures;
 - iii. Construction or maintenance of access roads and any services unless otherwise required by conditions of the subject development or established prior to issue of this consent;
 - iv. Depositing of any fill, soil, rock, rubbish, ashes, garbage, waste or other material foreign to the habitat restoration area;
 - v. Keeping or permitting the entry of domestic animals or any other animals that are not indigenous to the habitat restoration area; and
 - vi. Performance of any other acts which may have detrimental impact on the values of the habitat restoration area. The area must be managed in accordance with the approved restoration plan.
Burden: Part Lot 2 DP1018747
Benefit: Tweed Shire Council

Any Section 88B Instrument creating Restrictions as to user, Right Of Carriageway or Easements or Rights Of Carriageway to be revoked, varied or

USE

116. The use shall be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust, odours, or the like.
[USE0125]
117. All air conditioning units and other mechanical plant or equipment are to be located so that any noise impact due to their operation which may be or is likely to be experienced by any neighbouring premises is minimised. Notwithstanding this requirement all air conditioning units and other mechanical plant and or equipment is to be acoustically treated or shielded where considered necessary to the satisfaction of Council's General Manager or delegate such that the operation of any air conditioning unit, mechanical plant and or equipment does not result in the emission of offensive or intrusive noise.
[USE0175]
118. All deliveries to the premises are to occur only within the hours of 7.00am to 6.00pm Monday to Saturday and 8.00am to 6.00pm Sunday or Public Holidays unless otherwise approved by Council's General Manager or delegate.
[USE0195]
119. All externally mounted artificial lighting, including security lighting, shall comply with Australian Standard *AS4282:2019 - Control of the obtrusive effects of outdoor lighting* and be shielded to the satisfaction of Council's General Manager or delegate where necessary or required to prevent the spill of light or glare creating a nuisance to neighbouring or adjacent premises. Externally mounted lighting shall not spill beyond the boundary of the site.
[USE0225]
120. The servicing of waste facilities shall be limited to between the hours of 7.00am to 6.00pm Monday to Saturday and 8.00am to 6.00pm Sunday and Public Holidays unless otherwise approved by Council's General Manager or delegate.
[USE0285]
121. The school shall be operated in accordance with the provisions of the approved site management plan and any addendums to this plan to the satisfaction of Council's General Manager or delegate. Staff must monitor all activities to minimise disturbance to neighbouring residents.
[USE0305]
122. All plant and equipment installed or used in or on the premises:
- (a) Must be maintained in a proper and efficient condition, and
 - (b) Must be operated in a proper and efficient manner.
- In this condition, "plant and equipment" includes drainage systems, infrastructure, pollution control equipment and fuel burning equipment.
[USE0315]
123. All wastes shall be collected, stored, and disposed of in accordance with any approved Waste Management Plan or to the satisfaction of Council's General Manager or delegate.
[USE0875]
124. The sale of food as defined within the *Food Act 2003* is not permitted without the prior approval of Council's General Manager or delegate.
[USENS01]

125. The use of amplified music, public address systems, school bells and the like shall be strictly controlled to prevent offensive or unreasonable noise to the satisfaction of Council's General Manager or delegate.

[USENS02]

126. Maintenance of the nominated habitat restoration areas shall be undertaken in accordance with the approved *Final Habitat Restoration Plan (FHRP) - Lindisfarne Anglican Grammar School* Revision B dated 23 February 2023 prepared by Australian Wetlands Consulting. The applicant must provide to Council on the 12 month anniversary of the earlier of commencement of operation or issue of Occupation Certificate an annual report on the status of habitat restoration work, for each year of the five (5) year maintenance period.

[USENS03]

127. Separation of Buses and Student Pick Up Zones

The eastern branch of the internal northern drop off/pick up area must only be used for bus drop off and pick up of students and the western arm of the internal northern drop off/pick up area must only be used for student drop off and pick up as a drive-through facility. There is to be no parent or student parking in these areas at any time.

128. Operational Transport and Access Management Plan

The school shall adhere to the *Operational Transport and Access Management Plan* prepared by ttm dated 4 May 2023 at all times and actively and regularly encourage the school community to undertake a greater use of buses for school transport. The School is also to regularly remind the school community of the arrangements for bus and parent drop-off and pick-up requirements and the need to keep these forms of transport separate. Parents should also be regularly reminded of being mindful of residents and their ability to access their properties if parking on Mahers Lane.

[USENS04]

GENERAL TERMS OF APPROVAL UNDER SECTION 100B OF THE RURAL FIRES ACT 1997

129. The following conditions have been imposed by the NSW Rural Fire Service pursuant to a Bushfire Safety Authority issued on 16 June 2022:

Asset Protection Zones

The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants. To achieve this, the following conditions shall apply:

- (1) At the commencement of works and in perpetuity 81m to the east, southeast, northeast; and 36m to the south and west shall be managed and maintained as an Inner Protection Area (IPA) to prevent the spread of a fire towards the new buildings in accordance with Appendix 4 of Planning for Bushfire Protection 2019 and the requirements of 'Standards for Asset Protection Zones' (RFS 2005) (see attached Appendix B & Appendix C). It is noted the existing school grounds to the north of the proposed buildings is managed land.

- (2) New fences and gates within the asset protection zone are to comply with Section 7.6 of Planning for Bushfire Protection 2019.

Construction Standards

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

- (3) The proposed buildings are to be constructed to Section 3 and 5, BAL 12.5 AS 3959-2018 + Section 7.5 Planning for Bushfire Protection 2019. Construction specification detailing compliance shall be shown on the plans submitted with the application for a construction certificate and certified by an accredited building certifier.

Water and Utility Services

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

- (4) A reticulated water supply and hydrants are to provide coverage of the proposed buildings in accordance with the following requirements of Table 6.8c PBP2019. In this regard the following will apply –
- Hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression.
 - Hydrants are provided in accordance with the relevant clauses of AS 2419.1-2005 including but not limited to fire hydrant spacing, design and sizing.
 - Fire hydrant flows and pressures to comply with the relevant clauses of AS 2419.1-2005.
 - All above-ground water service pipes external to the building are metal, including and up to any taps. Hydraulic design is to be undertaken by an Accredited Practitioner (Fire Safety) and be accompanied by a design certificate that is to include the reference to BCA G5.2 (NSW) and the relevant bushfire consent/bush fire safety authority, conditions relating to hydraulics.
- (5) New electricity and gas, if proposed, are to comply with Section 6.8.3 and Table 6.8c of PBP2019.

Landscaping Assessment

The intent of measures is for landscaping. To achieve this, the following conditions shall apply:

- (6) *Proposed landscaping is to be designed in accordance with Appendix 4 of Planning for Bushfire Protection 2019.*

Emergency and Evacuation Planning Assessment

The intent of measures is to provide suitable emergency and evacuation (and relocation)

arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

- (7) A Bush Fire Emergency Management and Evacuation Plan shall be prepared consistent with '*Development Planning - A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan* December 2014'.