

Attachment A
Draft Conditions of Consent

General

1. Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans

Plan No	Revision number	Plan Title	Drawn by	Date of plan
0100	P5	Site Plan – Existing	NBRS & Partners P/L	28 September 2023
0200	P5	Site Plan - Proposed	NBRS & Partners P/L	28 September 2023
0300	P5	Site Plan - Demolition	NBRS & Partners P/L	28 September 2023
1110	P5	Ground Floor Plan - FCC	NBRS & Partners P/L	28 September 2023
1120	P5	Ground Floor Plan - Stores	NBRS & Partners P/L	28 September 2023
1210	P5	Roof Plan - FCC	NBRS & Partners P/L	28 September 2023
1220	P5	Roof Plan - Stores	NBRS & Partners P/L	28 September 2023
1510	P5	FF&E Plan - FCC	NBRS & Partners P/L	28 September 2023
2010	P5	Ground Floor RCP – FCC	NBRS & Partners P/L	28 September 2023
2020	P5	Ground Floor RCP – Stores	NBRS & Partners P/L	28 September 2023
3000	P3	Site Elevations	NBRS & Partners P/L	28 September 2023
3010	P5	Elevations – FCC	NBRS & Partners P/L	28 September 2023
3020	P5	Elevations - Stores	NBRS & Partners P/L	28 September 2023
4000	P3	Site Sections	NBRS & Partners P/L	28 September 2023
4010	P5	Sections – FCC	NBRS & Partners P/L	28 September 2023
4020	P5	Sections - Stores	NBRS & Partners P/L	28 September 2023
NBRS-DR-L-1001	A	Planting Pallet & Schedule	NBRS & Partners P/L	27 September 2023
NBRS-DR-L-2000	A	Landscape Site Plan	NBRS & Partners P/L	27 September 2023
NBRS-DR-L-3000	A	Planting Plan 01	NBRS & Partners P/L	27 September 2023
NBRS-DR-L-3001	A	Planting Plan 02	NBRS & Partners P/L	27 September 2023
NBRS-DR-L-4000	A	Preliminary Details	NBRS & Partners P/L	27 September 2023

Approved documents

Document title	Version number	Prepared by	Date of document
Environmental Site Assessment (Reference 2223-061-02)	C	Earth Water Consulting Pty Ltd	17 January 2024

In the event of any inconsistency with the approved plans or documents and a condition of this consent, the condition prevails.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development

2. **Installation of Wastewater Management System**

Vegetation must not be removed or disturbed during installation or operation of the proposed wastewater management system other than that approved by Council.

Condition reason: To ensure compliance with Clarence Valley Council's On-Site Wastewater Management Strategy 2018

3. **Site Audit Report**

The Site Audit Report(s) provided to Council must exempt Council from any claim for copyright that may restrict Council's ability to provide information to the public in accordance with the *Government Information (Public Access) Act 2009*.

Condition reason: To ensure compliance with the National Environment Protection (Assessment of Site Contamination) Measure 1999

4. **Protection of existing remnant vegetation**

All existing remnant trees located within the development area, with the exception of the tree referred to in Condition 5, are to be retained and protected.

Condition reason: To protect remnant vegetation

5. **Removal of vegetation**

The removal of the nominated tree must be completed by a qualified arborist at no cost to Council.

Condition reason: To ensure that tree removal is undertaken by a qualified arborist.

6. **Offset planting**

The removal of the Blackbutt (*Eucalyptus pilularis*) is to be offset with Blackbutt trees at a rate of 5:1 within the proposed landscaped area. Should any of the offset trees die prior to reaching maturity, they are to be replaced with another Blackbutt tree.

Condition reason: To meet protect the biodiversity values of trees and vegetation in non-rural areas.

7. **Topsoil for Plantings**

Imported topsoil for planting to be supplied as a premium grade soil mix in compliance with AS 4419:2018 Soils for landscaping and garden use.

Condition reason: To comply with the Australian Standards.

8. **Tree Stock for landscaping**

Specified trees to be sourced from nurseries that grow to AS 2303:2018 Tree stock for landscape use.

Condition reason: To comply with the Australian Standards.

9. **Landscaping**

New trees (grown to AS 2303:2018) planting to be minimum 45 litre pot size, to be planted using 1 slow release fertiliser tablet per hole mixed with site soil and imported topsoil (topsoil to AS 4419:2018); the trees are to be stabilised by no less than 3 x 50x50x1800mm long hardwood stakes and 3 x hessian ties. Provide water basin under minimum 75mm hardwood chip mulch (mulch to AS 4454-2012), mulch to form a minimum of 800mm circle around base of the tree.

Condition reason: To comply with the Australian Standards

10. **Access to other onsite uses**

Vehicular access to the existing Bureau of Meteorology weather station must remain obstacle free at all times. Details of how this will be achieved to be submitted to Council for approval prior to works commencing.

Condition reason: To ensure that accesses for other onsite uses is maintained.

Building Work

Before Issue of a Construction Certificate

No conditions apply to this section

Before Building Work Commences

11. **Remediation of site**

Prior to commencement of any building construction, the site must be remediated in accordance with the Environmental Site Assessment prepared by Earth Water Consulting dated 17 January 2024; Council's Contaminated Land Policy; State Environmental Planning Policy (Resilience and Hazards) 2021; National Environment Protection (Assessment of Site Contamination) Measure (ASC NEPM, 1999 as amended 2013); and the guidelines in force under the *Contaminated Land Management Act 1997*.

Condition reason: To ensure compliance with the National Environment Protection (Assessment of Site Contamination) Measure 1999

12. **Construction Environmental Management Plan**

Prior to commencement of any building construction, Council shall be furnished with a Construction Environmental Management Plan (CEMP) reviewed and approved, by an appropriately qualified and experienced environmental consultant. The CEMP must include, but not be limited to:

- Soil Contamination - an Unexpected Find Procedure/s in the unlikely event that Asbestos Containing Material or Contamination is discovered, disturbed or occurs during the works;
- Heritage management including an Unexpected Find Procedure/s in the unlikely event that any items of Aboriginal or non-Aboriginal Heritage is discovered, disturbed or occurs during the works;
- Consideration of construction traffic management, frequency, pavement condition of local roads, background traffic peak hour and any necessary warning signage or other traffic impact mitigation measures
- Internal Pedestrian management and access to other onsite uses
- Contractor Parking
- Public safety, amenity and site security
- Noise Control (All reasonable and feasible mitigation measures must be applied to reduce the potential noise and air quality impacts to sensitive receivers as a result of the construction of the proposal);
- Erosion and sediment control- base information, monitoring and management;
- Waste management
- Stormwater drainage infrastructure and quality improvement device installation methodologies

The CEMP shall set out the construction approach for the works and should seek to minimise disruption to the local community.

Condition reason: To ensure that the surrounding environment is not detrimentally affected as a result of the development

13. **Notice of intention to commence work**

Prior to work commencing on a development the applicant must give notice to Council of their intention to commence work. Such notice shall be submitted to Council at least two (2) days before work commences.

Condition reason: To comply with legislative requirements

14. **Slab design and elevations**

The slab design for all buildings shall be based on a geotechnical assessment of the foundation soils. Elevations of the 5 x 8.5m pump room shed shall be provided to Council prior to the commencement of works.

Condition reason: To ensure that the works comply with the state building regulations

15. **Signs on site**

A sign must be erected in a prominent position on any site on which building 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 telephone number on which that person may be contacted outside working hours, and
- c Stating that unauthorised entry to the work site is prohibited.

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

NOTE: this does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Condition reason: Prescribed condition EP&A Regulation, clauses 98A (2) and (3)

16. **Toilet Facilities**

Toilet Facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a A standard flushing toilet, connected to a public sewer, or
- b An approved temporary chemical closet.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

Condition reason: To provide onsite facilities in accordance with work health and safety requirements

17. **Site Safety Management**

Building equipment and/or materials shall be contained wholly within the work site. A suitable fence shall be provided between the work site and the airport car park to protect members of the public. All excavations and back filling associated with the erection and demolition of a building must be executed safely and in accordance with appropriate professional standards and must be properly guarded and protected to prevent them from being dangerous to life or property.

Condition reason: To ensure site management measures are implemented during the carrying out of site work

18. **Working Construction Hours**

Working hours on construction or demolition shall be limited to the following:

- i 7.00am to 6.00pm Monday to Friday
- ii 8.00am to 1.00pm Saturdays
- iii No work permitted on Sundays and public holidays

Construction work outside of the approved hours may be considered with the approval of Council subject to notification to adjoining land owners.

Condition reason: To protect the amenity of the surrounding area

19. **Waste Enclosure**

A suitable enclosure shall be provided on site, during construction, for depositing waste materials that could become wind blown. Waste materials shall be disposed of to an approved recycling service or waste depot. No burning of waste materials shall occur.

Condition reason: To ensure waste material is appropriately disposed

20. **Section 68 Sanitary Plumbing & Drainage**

Prior to the commencement of building works, approval under Section 68 of the *Local Government Act 1993* shall be obtained from Council for sewerage work, water plumbing, fire hydrant and hose reel system and stormwater work. This application can be lodged via the NSW Planning Portal or at Council's office. Hydraulic consultant's details shall be submitted with the application.

Condition reason: To Comply with the provisions of the *Local Government Act 1993*

21. **Onsite Wastewater Consultants Report**

Prior to works commencing, an Onsite Wastewater Management (OSM) Application and Wastewater Consultants report must be submitted to Council and approved addressing the existing and proposed Onsite Wastewater Management Systems in accordance with Clarence Valley Council's Onsite Wastewater Management Strategy, AS/NZS 1547:2012 and the Environment and Health Protection Guidelines. If the proposed system requires holding tanks and pumpouts, the Report must also address how adequate pump-outs are to be achieved when roads are closed due to hazard events, preventing tanker access for pump-out purposes.

Condition reason: To ensure compliance with Clarence Valley Council's On-Site Wastewater Management Strategy 2018

22. **Erosion and sediment controls in place**

Prior to works commencing, all erosion and sediment control measures are to be installed and maintained.

Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways

23. **Road Safety Audit**

Prior to works commencing, a Road Safety Audit shall be submitted to and approved by Council. The Road Safety Audit shall consider construction traffic and worst-case operational traffic impacts, including:

- whether the existing road pavement of Airport Road, Six Mile Lane (between Airport Road and Big River Way) and Eight Mile Lane (between Airport Road and Big River Way) requires upgrading to ensure safe driving conditions, and
- whether there is sufficient road width to accommodate existing background + development traffic

The Road Safety Audit shall identify any areas highlighted from the above criteria and provide suitable amelioration measures.

Any necessary works will require a Section 138 approval prior to commencement and any such application shall be accompanied by traffic control plans.

Condition reason: To ensure traffic movements around the site are safely managed

24. **Stormwater Management**

All stormwater falling on the property is to be collected within the property and discharged in accordance with the relevant parts of the applicable Clarence Valley Council Development Control Plans and Northern Rivers Design and Construction Manual (NRDC). A Stormwater Management Plan must be prepared to reflect these standards and guidelines.

The Stormwater Management Plan (SWMP) that demonstrates **NorBe** must be prepared in accordance with NRDC and accepted by Council prior to the commencement of works.

Condition reason: To ensure that adequate infrastructure and services are provided in accordance with Council's Engineering Specifications for Development

25. **Construction of Infrastructure and Services**

Construction of required infrastructure and services is to be in accordance with the applicable Clarence Valley Council Development Control Plans, AS2890, and Northern Rivers Local Government Development Design.

Condition reason: To ensure that adequate infrastructure and services are provided in accordance with Council's Engineering Specifications for Development

26. **Unexpected Finds Procedure**

Prior to the commencement of construction, an Unexpected Heritage Finds Procedure for Aboriginal and non-Aboriginal Heritage must be prepared should actual or potential items or areas of Heritage be discovered during construction activities. This procedure must be tool boxed with all work crews and implemented during construction works. Should any Aboriginal or non-Aboriginal relics or artefacts be uncovered during works on the site, all work is to cease and Heritage NSW shall be contacted immediately and any directions or requirements of the Service complied with.

Condition reason: To protect and conserve cultural heritage

27. **Obstacle Limitation Surface**

All tree plantings must comply with the Civil Aviation Safety Authority obstacle limitation surface requirements for the Grafton Regional Airport. Details of compliance to be provided to Council prior to the commencement of building works.

Condition reason: To comply with the Civil Aviation Safety Authority Regulations

During Building Work

28. **Unexpected Heritage Finds Procedure**

All works on site shall be undertaken in accordance with the approved Unexpected Heritage Finds Procedure. The Unexpected Finds Procedure/s must be implemented during ground disturbance and earthworks activities. All site personnel must be tool boxed on the Unexpected Finds Procedure/s.

Condition reason: To ensure that the surrounding environment is not detrimentally affected as a result of the development

29. **Waste avoidance and management**

The waste management plan submitted with this application shall be complied with during construction work and all measures required for the ongoing use of waste management/reduction facilities in the development shall be in place prior to the issue of the Occupation Certificate.

Condition reason: To minimise construction and ongoing waste

Before Issue of an Occupation Certificates

No conditions apply to this section.

Occupation and Ongoing Use

30. **Bushfire Protection**

The recommendations of the bushfire report prepared by Peterson Bushfire (Ref 23027) dated 29 May 2023 shall be complied with and be installed prior to occupation of the fire control centre building. In addition to these requirements, it is recommended that the 493m² stores building is provided with ember protection to a BAL 12.5 standard.

Condition reason: To comply with the aim and objectives of Planning for Bushfire Protection 2019.

31. **Completion of landscape and tree works**

Prior to occupation of the Fire Control Centre building all landscape and tree-works must be completed in accordance with approved plans and documents and any relevant conditions of this consent.

Condition reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s)

32. **Certification of constructed Civil Works**

Certification of constructed Civil Works by the supervising engineer and/or registered surveyor is required prior to public infrastructure being accepted “on maintenance” and/or “practical completion” being granted for private property works.

Condition reason: To ensure works are completed to an appropriate standard and documented

33. **Certificate of Compliance**

A Certificate of Compliance for Water works must be obtained from Council prior to occupation of the Fire Control Centre building. This may require payment of a fee.

Condition reason: To comply with Council’s Sewer and Water Development Services Plan

34. **Provision of Water and/or Sewer Reticulation**
Prior to occupation of the Fire Control Centre building, the applicant is to provide water supply infrastructure to service the development, in accordance with the requirements and specifications of the Clarence Valley Council Sewer & Water Connection Policy and Northern Rivers Local Government Development Design and Construction Manual.
Condition reason: To comply with Council's Sewer and Water Development Services Plan
35. **Construction of Carparks and Access**
Car parking, driveways, manoeuvring and access areas must be constructed in accordance with the approved plan prior to occupation of the Fire Control Centre building.
Condition reason: To ensure that vehicular access and parking are provided in accordance with Council's Engineering Specifications for Development
36. **Remedial Action Plan**
At least 30 days prior to any remediation works commencing on site, a Remedial Action Plan must be submitted to Council for approval along with the notification in writing required under clause 4.55 of *State Environmental Planning Policy (Resilience and Hazards) 2021* advising on the commencement date and contact details of the responsible supervising person overseeing the implementation of the Remedial Action Plan.
Condition reason: To ensure compliance with the National Environment Protection (Assessment of Site Contamination) Measure 1999
37. **Onsite Visitor Parking**
All on-site visitor parking spaces are to be clearly marked, and a sign or signs conspicuous and legible from the street are to be permanently displayed indicating that visitor parking is available on the site.
Condition reason: To ensure that vehicular access and parking are provided in accordance with Council's Engineering Specifications for Development
38. **Revegetation of Site**
Prior to occupation of the Fire Control Centre building all disturbed areas shall be stabilised and revegetated. Turf, seeding or other approved method shall be undertaken in conjunction with or immediately following completion of works.
Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways
39. **Repair of infrastructure**
Prior to occupation of the Fire Control Centre Building:
a any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of council, and at no cost to council, or
b if the works in (a) are not carried out to council's satisfaction, council may carry out the works required and the costs of any such works must be paid as directed by council and in the first instance will be paid using the security deposit required to be paid under this consent.
Condition reason: To ensure any damage to public infrastructure is rectified

40. **Approval to Operate**

An Approval to Operate the Onsite Wastewater System must be issued prior to Occupation of the Fire Control Centre building.

Condition reason: To ensure compliance with Clarence Valley Council's On-Site Wastewater Management Strategy 2018

41. **Bunding Area**

Any substance which could adversely affect the environment must be stored in a roofed and bunded area. The bund must have the capacity to retain 110% of the volume of the largest container or alternatively, other acceptable means of containment must be provided. Substances accumulated in the bunded area must not be discharged to the environment.

Condition reason: To ensure compliance with Council's Trade Waste Policy

Remediation Work

Before Remediation Work Commences

42. **Unexpected finds procedure**

Prior to commencement of any remediation works for the contaminated land, an Unexpected Find Procedure/s is required to be prepared in the unlikely event that Asbestos Containing Material or Contamination is discovered, disturbed or occurs during the works.

Condition reason: To ensure compliance with the National Environment Protection (Assessment of Site Contamination) Measure 1999

43. **Erosion and Sediment Control**

All erosion and sediment control measures are to be installed and maintained in accordance with the Construction Environmental Management Plan.

Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways

During Remediation Work

44. **Supervising Environmental Consultant**

The applicant must engage an appropriately qualified and experienced supervising environmental consultant to supervise all aspects of the development in accordance with the relevant parts of the approved Construction Environmental Management Plan for the development.

Condition reason: To ensure remediation works are undertaken in accordance with the Construction Environmental Management Plan

45. **Disposal of Waste Materials**

All waste material(s) must be disposed of at an appropriately licensed waste facility for the specific waste. Receipts for the disposal of the waste must be submitted to council prior to Occupation of any buildings or structures.

Condition reason: To ensure waste is disposed of to an appropriate location.

On Completion of Remediation Work

46. **Suitability of Land for Intended Use**

On completion of the remediation works, a detailed Validation Report stating that the land has been remediated and is suitable for the intended use, in accordance with the Environmental Site Assessment Report prepared by Earth Water Consulting dated 17 January 2024 must be submitted to Council.

Condition reason: To ensure compliance with the National Environment Protection (Assessment of Site Contamination) Measure 1999