

**Attachment 1- Draft Conditions - Development Application 24/183 - WOODLARK STREET LISMORE 2480 - Educational Establishment - PAN-461569 - PPSNTH-388**

**GENERAL**

**Development in accordance with plans**

1. The development being carried out shall be substantially in accordance with following plans as endorsed with Council's approval stamp, and the supporting documents submitted with the application, except where amended by the following conditions.

Plan Description	Drawn by	Drawing No.	Date
Existing Site Plan	Cave Urban	01	25/10/2024
Existing ground floor	Cave Urban	02	25/10/2024
Existing first floor	Cave Urban	03	25/10/2024
Ground Floor Proposed Plan - A	Cave Urban	04	25/10/2024
Ground Floor Proposed Plan – B	Cave Urban	05	25/10/2024
Proposed First Floor - A	Cave Urban	06	25/10/2024
First Floor Proposed Plan – B	Cave Urban	07	25/10/2024
Proposed Roof Plan	Cave Urban	08	25/10/2024
Proposed Eastern Elevation	Cave Urban	09	25/10/2024
Proposed Western Elevation	Cave Urban	10	25/10/2024
Proposed Northern Elevation	Cave Urban	11	25/10/2024
Proposed Section A	Cave Urban	12	25/10/2024
Proposed Section B	Cave Urban	13	25/10/2024
Proposed Section C	Cave Urban	14	25/10/2024
Proposed Sections D & E	Cave Urban	15	25/10/2024
Proposed Sections F & G	Cave Urban	16	25/10/2024
Proposed Eggins Ln + Larkin Ln Elevations	Cave Urban	17	25/10/2024
Proposed Section B + Woodlark St Elevation	Cave Urban	18	25/10/2024
Area Calculations	Cave Urban	19	25/10/2024
Swept Path Diagram	Cave Urban	20	25/10/2024
Emergency Management Plan	Living School Lismore		2 March 2025
Stormwater Management Plan	Luceana	--	7 March 2024
Green Travel Plan	ABTT Consulting	--	25 June 2024
Waste Management Plan	NDC	--	
Remedial Action Plan	ENV Solutions	218078	23/4/2024

In the event of any inconsistency between conditions of this approval and the drawings/documents submitted as part of the application, the conditions of this approval prevail.

**Reason:** *To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information.*

**BEFORE BUILDING WORK COMMENCES**

**Construction Certificate**

2. The building works approved under the terms and conditions of this Development Consent must not be commenced until:
  - (a) Detailed plans and specifications of the building have been endorsed with a Construction Certificate by:

- (i) A registered Building Surveyor; or
- (ii) The Council

Before work is commenced Council must be informed in writing of the name and accreditation number of the Principal Certifying Authority who has been appointed to do the work.

**Reason:** Required by the Environmental Planning and Assessment Act, 1979.

### Site Sign

3. (1) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
  - (a) stating that unauthorised entry to the work site is prohibited;
  - (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
  - (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.
- (2) Any such sign must be maintained while the building work or demolition work is being carried out but must be removed when the work has been completed.
- (3) This condition does not apply to building works being carried out inside an existing building.

**Reason:** Prescribed – Statutory.

### Site Safety

4. Provide a fence, hoarding or other measure to restrict public access to the site, when work is not in progress, or the site is otherwise unoccupied. The fence is to be provided prior to any work commencing on site.

**Reason:** To protect the public.

### Plumbing

5. All plumbing works shall be subject to a 'Notice of Work' issued by the licensed plumber prior to works commencing. Inspection fees apply. Fees are in accordance with Council's schedule of fees and charges and are required to be paid prior to any inspection/s. It is the licensed plumber's responsibility to monitor the requirements for inspection and payment of inspection fees.

**Reason:** Required by Clauses 12 and 13 of the Plumbing and Drainage Act 2011.

## BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

### Access for People with Disabilities

6. Access provisions for people with disabilities shall be clearly shown on the plans submitted to the Certifying Authority **for approval with the Construction Certificate**. Access for people with disabilities is to achieve compliance with the provisions of the *Disability Discrimination Act 1992*, and the relevant provisions of the Building Code of Australia.

**Reason:** To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.

### **Emergency Management Plan (Flood)**

7. **Prior to the issue of any Construction Certificate**, the proponent shall submit to Council an Emergency Management Plan (Flood) and Continuity Plan. The plan shall identify the following:
- The height at which the Lismore (Wilsons River) Rowing Club station (Station No 058176) needs to reach before evacuation procedures begin;
  - The procedure for evacuation of people from the development site along with the actions taken to minimise damage to equipment, goods or other property stored in the development;
  - The available evacuation routes out of Lismore and at what flood heights the routes applicable to your development get impacted.

The emergency and continuity plan shall be undertaken (or endorsed) by a suitably qualified consultant.

**Reason:** *To ensure adequate protection from frequent flooding. (EPA Act Section 4.15(c))*

### **External lighting**

8. **Prior to the issue of any Construction Certificate**, plans detailing external lighting must be prepared by a suitably qualified person. The lighting plan must be consistent with the approved plans and documents, and the following requirements:
- a) comply with AS 4282: Control of Obtrusive Effects of Outdoor Lighting
  - b) lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties; and
  - c) external lighting must not flash or intermittently illuminate unless required for safe ingress/egress of vehicles crossing a pedestrian footway or approved vehicle entrance.

The lighting plan must be submitted to the certifier.

**Reason:** *To protect the amenity of the local area*

### **Territorial reinforcement**

9. Keep areas under windows free of any structures that can be climbed on to assist to gain access to them. At the time Police did a site inspection the majority if not all the premises exterior windows were covered with Security Grille or bars. If the intention is to remove these security measures thoughtful consideration should be given to replacement security screens or grille that are able to be opened from inside the development to assist in emergency situations.

**Reason:** *To comply with the recommendations of the NSW Police*

### **Fire Safety Measures**

10. **Prior to issue of any Construction Certificate** provide to the registered certifier a list of existing and proposed, new or modified fire safety measures associated with the land or existing building on the land and any proposed building work, from a registered fire safety practitioner. The list is to include the minimum standard of performance of each fire safety measure.

**Reason:** To comply with the requirements of the EP&A (Development Certification and Fire Safety) Regulation 2021

### **Construction Management Program**

11. **Prior to the issue of any Construction Certificate**, a Construction Management Plan must be prepared and submitted to Council for the development by a suitably qualified professional/s. The plan shall detail:

- (a) The proposed scope of works, including the duration of construction period and days/hours of operation; phases of the works; number of employees and sub-contractors; etc.
- (b) The proposed method of access to and egress from the site for construction vehicles, including access routes through any Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed;
- (c) The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, and the erection of any part of the structure within the site.
- (d) The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period;
- (e) The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site;
- (f) Proposed protection for Council assets (including existing sewer main) and adjoining properties;
- (g) Dilapidation report, including identification and photography of all roads, footpaths, and other public assets in the vicinity of the construction site; analysis of the current quality of all such assets, with attention to existing damage/faults; etc.
- (h) Traffic or pedestrian management plan if closure of any road or footpath needs to occur.
- (i) A Construction Noise Management Plan (CNMP), all noise generated by any demolition and construction activities must be managed in accordance with the Interim Construction Noise Guideline, DECC July, 2009.
- (j) A Soil Erosion and Sedimentation Control Plan (SECP), the SECP must consider and be in accordance with the Managing Urban Stormwater-Soils and Construction - 4th Edition (blue book).

All work and excavation, demolition or construction activities shall be undertaken in accordance with the approved Construction Management Plan (CMP). The CMP must remain in place until all development activities have been completed and the site has been adequately stabilised, revegetated or landscaped.

**Reason:** To ensure appropriate measures have been considered during all phases of the construction process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community.

## Dilapidation Report

12. **Prior to the issue of any Construction Certificate**, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the principal certifier.

Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the principal certifier, that all reasonable steps were taken to obtain access to the adjoining properties.

No less than 14 days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to council (where council is not the principal certifier) at the same time.

The proponent shall bear the cost of all restoration works to the road reserve that is damaged during the course of this development. A dilapidation survey of the road reserve along the frontage of the property and extending to the neighbouring properties, must be submitted to the principal certifying authority **prior to the issue of any Construction Certificate**.

**Note:** This documentation will be used to resolve any dispute over damage to infrastructure. It is in the proponents interest for it to be as full and detailed as possible.

**Reason:** To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.

## Flood Structural Certification

13. A risk analysis report prepared by a structural engineer certifying the design criteria adopted for all structures will withstand the impacts of floodwaters and debris for floods up to the PMF flood event. A certificate prepared by an appropriately qualified and practising Civil Engineer, shall be provided with the design plans to the Certifying Authority to certify compliance with these requirements **for approval with the Construction Certificate**.

Note: The following flood information is from LCC 2024 flood modelling data and shall be used to prepare the certificate.

Event	Height (m AHD)	Velocity (m/s)
1% AEP (1 in 100yr)	12.56	0.57
0.2% AEP (1 in 500yr)	13.08	0.55
PMF	16.76	0.74

**Reason:** To comply with Development Control Plan No. 1, Part A, Chapter 8.

## Flooding Requirements

14. **Prior to the issue of any Construction Certificate**, the following details shall be provided to the Principal Certifying Authority;
- All new materials used in the building below the adopted flood planning level of 13.58m (AHD), shall be flood compatible. Services such as air conditioning units, electrical switchboards, storage hot water units and water tanks shall be placed above the flood planning level.
  - Development is compliant with the Australian Building Codes Board's Standard on Construction of Buildings in Flood Hazard Area.

**Reason:** *To ensure adequate protection from frequent flooding. (EPA Act Section 4.15(c))*

### **Flood Refuge**

15. The development shall be provided with a mezzanine level (with emergency exit for evacuation purposes) above the 1 in 10,000yr ARI flood level (14.40m AHD) as a last resort emergency flood refuge for employees. The refuge must include:

- Permanent internal access via permanent staircase with minimum width of 1.2m;
- External access to refuge provided, accessible by boat during flooding;
- Identify what will be provided in the refuge in Emergency Management Plan;
- Must have natural light and ventilation.

Details shall be provided with the design plans to the Certifying Authority to demonstrate compliance with these requirements **prior to the issue of a Construction Certificate.**

**Reason:** *To ensure adequate protection from frequent flooding. (EPA Act Section 4.15(c))*

### **Line Marking**

16. All off-street carparking spaces, together with access driveways, shall be constructed, paved, line marked and signposted in accordance with the approved development plans, appropriate Australian Standards, and industry best practice as appropriate. The plans shall also nominate the allocation of accessible parking space. Design plans are to be submitted to the Certifying Authority to demonstrate compliance with these requirements **prior to the issue of a Construction Certificate.**

**Reason:** *To ensure ongoing compliance with this development consent and Australian Standards relating to manoeuvring and access of vehicles.*

### **Stormwater**

17. The proponent shall make satisfactory provision for stormwater to be directed through piped drains that are constructed in accordance with *Australian Standard AS3500 Plumbing and Drainage Part 3: Stormwater Drainage*. All roof water from any proposed building, surface water from paved areas and water from the internal atrium shall be directed to a Principal Certifying Authority approved drainage system. All piped drainage lines over adjoining land are to be located within drainage easements. All costs shall be the responsibility of the proponent. Design plans are to be submitted to and approved by the Council **prior to the release of any Construction Certificate**

Approval under Section 68 of the *Local Government Act 1993* must be obtained from Council for all stormwater works.

These stormwater drainage engineer's details must be approved by the Certifier as part of the relevant Construction Certificate.

*Note: Where existing stormwater infrastructure makes up part of the drainage system, assessment, and maintenance to ensure the existing infrastructure is operational will need to be included as part of Section 68 Application.*

**Reason:** *To protect the environment (EPA Act Sec 4.15(b)), to satisfy the requirements of the Local Government Act, 1993, and to ensure the environmental management of stormwater complies with contemporary standards.*

## **Water & Sewer Services**

18. **Prior to the issue of any Construction Certificate**, engineers plans and details for extension of all services as required to service the development must be submitted to the Certifier for approval. These engineering plans must be prepared by a suitably qualified Civil Engineer, demonstrate compliance with Council's adopted engineering standard, Design and Construction Manuals (as amended), the Water Supply Code of Australia; and the sewerage code of Australia. For large and complex developments and any application that contains essential services, (e.g. Fire Hydrants, Hose Reels or Sprinkler systems) and or Liquid Trade Waste, Council will require full Hydraulic Design plans submitted by a suitably qualified and experienced hydraulic consultant. Onsite pressure testing will be required to validate any predicted water model used.

Approval under Section 68 of the *Local Government Act 1993* must be obtained from Council for all water supply and sewerage works.

These engineer's plans and details must be approved by the Certifier as part of the relevant Construction Certificate.

Note: All redundant services will need to be removed and mains reinstated to the satisfaction of Council.

**Reason:** *To ensure the efficient and effective delivery of water and sewer services as per the Northern Rivers Local Government Design and Construction Manual for Water Supply and Sewerage Systems.*

## **DURING BUILDING/DEMOLITION WORK**

### **Demolition**

19. Demolition works must be undertaken in accordance with Sections 2 and 3 of AS 2601 *"The Demolition of Structures"*.

**Reason:** *Required by the Environmental Planning and Assessment Act 1979.*

### **Aboriginal Heritage**

20. Any person undertaking works as part of this consent shall not knowingly destroy, deface or damage any Aboriginal relic or other item of archaeological significance within the development area without the prior written consent of Heritage NSW.

**Reason:** *To protect Aboriginal and Archaeological significance.*

21. Upon discovery of any Aboriginal relics within the meaning of the *National Parks and Wildlife Act 1974* (as amended) during site or excavation works, the person undertaking the works and the developer shall immediately notify Heritage NSW, the local Aboriginal Land Council and Council and shall cease operations within the vicinity thereof until such time as the consent of Heritage NSW is obtained (if required) for the destruction, removal or protection thereof and the developer has complied with the directions of Heritage NSW in that respect. The developer shall provide to Council copies of any direction given by the Heritage NSW in respect of Aboriginal relics that are subject of this condition.

**Reason:** *To protect Aboriginal and Archaeological significance.*

### **Demolition**

22. The existing building may have materials which contain asbestos. All demolition materials that may contain asbestos and/or other hazardous materials of concern must be managed strictly in accordance with NSW SafeWork Guidelines and technical report

*'Destructive Hazmat Survey Report – Commercial Property 65 Woodlark Street, Lismore NSW' prepared by ENV Services Pty Ltd dated 9 August 2024.*

Copies of NSW SafeWork Guidelines can be obtained by contacting the SafeWork Assistance Service on 131050 or visit [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au) and download a copy of the publication.

**Reason:** *To ensure the safe and proper management of asbestos products.*

23. All waste materials generated from demolition & construction works shall only be disposed of at licensed waste management facilities capable of receiving the waste as classified under the NSW Department of Environment and Climate Change (EPA) guideline document *'Waste Classification Guidelines: Part 1 Classifying Waste 2014'*. All contractors must be properly supervised and auditing procedures put into place to ensure compliance with this condition.

**Reason:** *To protect the environment and manage wastes appropriately.*

24. Soil removed from or imported to the site must be managed in accordance with the following principles:
- (A) All excavated material removed from the site must be classified in accordance with the Department of Environment, Climate Change and Water NSW's Waste Classification Guidelines prior to disposal to an approved waste management facility and reported to the Principal Certifying Authority.
  - (B) All fill material imported to the site is to wholly consist of Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material approved under the Department of Environment and Climate Change's general resource recovery exemption.

**Reason:** *To protect human health and the environment.*

25. Site remediation works are to be completed in accordance with the technical report ***'Remedial Action Plan – 65-69 Woodlark Street, Lismore NSW Job No. 218078'*** prepared by ENV Solutions Pty Ltd dated April 2024. Remediation works are to be supervised by a suitably qualified professional.

**Reason:** *To ensure the proper management of land contamination.*

#### **Noise**

26. Noise emissions and vibration must be minimised where possible and work is to be carried out in accordance with *Environment Protection Authority* guidelines for noise emissions from construction/demolition works and must also comply with the provisions of the *Protection of the Environment Operations Act 1997*.

**Reason:** *To ensure residential amenity is maintained in the immediate vicinity.*

#### **Construction Hours**

27. Building, Civil and/or Excavation works/construction shall be restricted to within the hours of 7.00 am to 5.00 pm Monday to Friday and on Saturday to within the hours of 8.00 am to 1.00 pm inclusive, with no work on Sundays and Public Holidays.

Demolition and excavation works shall be restricted to within the hours of 8.00 am to 5.00 pm Monday to Friday only.



Where it is necessary for works to occur outside those hours allowed by these conditions, approval may be sought by contacting council's planning department.

**Notes:**

For the purposes of this condition:

*"Building construction"* means any physical activity on the site involved in the erection of a structure, cladding, external finish, formwork, fixture, fitting of service installation and the unloading of plant, machinery, materials or the like.

*"Demolition works"* means any physical activity to tear down or break up a structure (or part thereof) or surface, or the like, and includes the loading of demolition waste and the unloading of plant or machinery.

*"Civil/Excavation work"* means the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders, or the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site and includes the unloading of plant or machinery associated with excavation work.

The builder and excavator shall display, on-site, their twenty-four (24) hour contact telephone number, which is to be clearly visible and legible from any public place adjoining the site.

**Reason:** *To ensure that works do not interfere with reasonable amenity expectations of residents and the community.*

**Installation and Maintenance of Sediment Control**

28. Techniques used for erosion and sediment control on building sites are to be adequately maintained at all times and must be installed in accordance with the "Lismore City Council Guidelines on Sediment and Erosion Control". All techniques shall remain in proper operation until all development activities have been completed and the site fully stabilised.

**Reason:** *To protect the environment from the effects of sedimentation and erosion from development sites.*

**Stormwater**

29. Downpipes must be connected to an approved stormwater drainage system as soon as the roof is sheeted and guttering fixed.

**Reason:** *To reduce site erosion.*

**Plumbing works**

30. Within two (2) days of commissioning works the licensed plumber shall submit to Council a Certificate of Compliance and a "sewerage service diagram" using a NSW Fair Trading pre-formatted Service Plan template.

**Reason:** *Required by Clauses 15 and 16 of the Plumbing and Drainage Act 2011.*

**Prohibition on Use of Pavements**

31. Building materials shall not be placed on Council's footpaths, roadways, parks or grass verges, (unless a permit is obtained from Council beforehand) and a suitable sign to this effect shall be erected adjacent to the street alignment.

**Reason:** *To ensure public safety and amenity on public land.*

### **On-site Sanitary Facilities**

32. Toilet facilities must be provided on the site in accordance with the requirements of SafeWork NSW and must be maintained until permanent facilities are provided. Pit or pan toilets are not permitted without the prior consent of Council.

***Reason:** To ensure the provision of minimum amenities to the site.*

### **BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

33. **Prior to the issue of any Occupation Certificate**, all separate parcels of land being:

- DP 397258 lot A, 69 Woodlark Street LISMORE 2480
- DP 780375 lot 1, 65 Woodlark Street LISMORE 2480
- DP 516552 lot 2, 21 Larkin Lane LISMORE 2480
- DP 341874 lot 1, 7 Eggins Lane LISMORE 2480
- DP 341873 lot 1, 29 Larkin Lane LISMORE 2480
- DP 331232 lot 1, 17 Eggins Lane LISMORE 2480
- DP 962388 lot 1, 15 Eggins Lane LISMORE 2480
- DP 340279 lot 1, 15B Eggins Lane LISMORE 2480
- DP 772969 lot 1, 15a Eggins Lane LISMORE 2480

shall be consolidated into one allotment under one title and lodged with the Registrar General.

***Reason:** To prevent future dealing in separately titled land, the subject of one consolidated site development application. (EPA Act Sec 4.15(c))*

### **Walkway (Airspace) over 29A Larkin Lane**

34. **Prior to the issue of any Occupation Certificate**, the applicant is to enter into a lease arrangement for the Walkway (Airspace) over 29A Larkin Lane.

***Reason:** To formalise the Lawful use of the airspace.*

35. **Prior to the issue of any Occupation Certificate**, a detailed Travel Management Plan (TMP) must be submitted to and approved in writing by Council. The TMP must include, at a minimum, the following:

a) Procedures for enforcing and monitoring student mode share targets outlined in Section 3 of the Green Travel Plan by ABTT Consulting, dated 25 June 2024.

b) Comprehensive bus procedures to optimise the pickup and drop-off of students and staff. This must include queuing procedures and designated locations to ensure no adverse impact on the surrounding road network. The assessment must demonstrate that existing facilities are sufficient to accommodate traffic demands.

c) Any additional measures necessary to minimise daily vehicle trips and peak-hour traffic associated with the development.

d) Details pertaining to the school's maintenance of its privately owned bus fleet that services all campus sites.

e) Confirmation that "kiss and ride" facilities will only ever be available at the Conway Street campus.

The approved Travel Management Plan must be complied with at all times.

**Reason:** *To ensure activities relating to the development do not interfere with the movement of traffic along the public road.*

#### **Civil Works**

36. **Prior to the issue of any Occupation Certificate**, the applicant must obtain a certificate of completion for all works approved under Section 138, and Section 68 approvals from Council. Prior to obtaining this certificate, a qualified and practising Civil Engineer shall submit a construction certification. The certification must certify that all roads and civil works required by this development consent and the approved design plans have been completed in accordance with Council's Development and Construction Manual (as amended).

**Reason:** *To ensure an adequate road network in accordance with adopted standards. (EPA Act Sec 4.15(a) & and to specify requirements for approval under section 138 of the Roads Act.*

#### **Line Marking**

37. All off-street carparking spaces, together with access driveways, shall be constructed, paved, line marked and signposted in accordance with the Council's Development Control Plan No. 1, Part A, Chapter 7 - *Off Street Carparking*, approved development plans, appropriate Australian Standards and industry best practice as appropriate.

A certificate prepared and certified by an appropriately qualified person for the construction of these areas in accordance with this requirement shall be submitted to the Certifying Authority **prior to the issue of any Occupation Certificate**.

**Reason:** *To ensure ongoing compliance with this development consent and Australian Standards relating to manoeuvring and access of vehicles.*

#### **Civil Works**

38. **Prior to the issue of any Occupation Certificate** a suitably qualified person is required to furnish a statutory certificate confirming:

- All civil works have been completed in accordance with the approved engineering construction design plans, relevant Australian Standards, and industry best practice.
- A post dilapidation inspection has been carried out and all identified defects have been repaired to the satisfaction of Council.

**Reason:** *To ensure the development is completed in accordance with the conditions and approved engineering construction design plans. (EPA Act Sec 4.15(a))*

#### **Remediation Action Plan**

39. **Prior to the issue of any Occupation Certificate** a validation report and certification prepared by a suitably qualified professional confirming that the approved Remediation Action Plan works have been completed shall be submitted to the Principal Certifying Authority. The validation report must be prepared in accordance with the *Consultants Reporting on Contaminated – Contaminated Land Guidelines* (NSW EPA). A copy of the approved documentation must be submitted to the Consent Authority (LCC) for record purposes.

**Reason:** *To ensure the proper management of land contamination.*

#### **Structural Adequacy**

40. **Prior to issue of any occupation certificate** provide the principal certifier a report from a practising structural engineer confirming the structural adequacy of the building for the

proposed new use. This may require inspection by the engineer during the course of works, it is recommended that the contractor appoint an engineer early in the project.

**Reason:** *To satisfy council that the building is structurally adequate for the proposed new use.*

#### **Fire Safety**

41. **Prior to the issue of any Occupation Certificate**, a Final Fire Safety Certificate shall be submitted to the Principal Certifier, certifying the fire safety measures listed on the Fire Safety Schedule have been installed in the building and are operational.

**Reason:** *Required by Section 84 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.*

#### **CONDITIONS WHICH MUST BE COMPLIED WITHIN ONE (1) YEAR OF THE ISSUE OF ANY OCCUPATION CERTIFICATE**

42. **Within One (1) year of the issue of an Occupation Certificate**, the following roadworks identified in the Road Safety Review by ABTT Consulting, dated 24 June 2024, must be completed in accordance with Council's adopted engineering standards; Design and Construction Manuals (as amended); and any other relevant standards/guidelines.

Description of Works
Installation of 40kph High Pedestrian Area sign on Keen Street and Molesworth Street, as well as review existing signage on Woodlark Street to ensure CBD bounded by Keen Street, Woodlark Street, Molesworth Street and Magellan Street is consistently signposted as a 40 kph High Pedestrian Area, with all marked foot crossings within the precinct designed in a similar manner.
Upgrade laneway precincts, including review and update of Shared Zone signage in Laneways Precinct; review and update of one-way pavement marking in the Laneways Precinct; and add further pavement markings of warning and regulatory signs – noting space is limited for signage and pavement markings are in keeping with a 'shared zone' philosophy.
New Marked Foot Crossing on Keen Street (between Conway Street and Magellan Street), as well as TGSIs on the pram ramps as well as approaching the Woolworths driveways.
Woodlark Street (between Molesworth Street and Keen Street) pedestrian crossing enhancement (additional signs, crocodile line marking, white on red marking of marked foot crossing).
Dawson Street pedestrian crossing enhancement (signage replacement, crocodile line marking, edge line marking).
Install TGSIs on western approach to the Molesworth Street / Magellan Street roundabout and update approach pedestrian warning signage when exiting the transit centre car park.
Molesworth Street pedestrian crossing enhancement (signage replacement, crocodile line marking, edge line marking, TGSIs deficiencies).

Magellan Street pedestrian crossing enhancement (address No Stopping marked bays, address TGSi deficiencies, address pavement marking zebra crossing. Signage placement, crocodile line marking, edge line marking).
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Review of sight lines (possible conversion of end bays to 'small car' spaces) at the Keen Street and Molesworth Street pedestrian crossings (between Magellan Street and Woodlark Street) as well as the installation of crocodile markings on approach.
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Approval under Section 138 of the Roads Act 1993 must be obtained from Council for any works within the road reserve.

A certificate prepared by an appropriately qualified and practising Civil Engineer, must be provided to Council to certify compliance with the roadworks **within One (1) year of the issue of an Occupation Certificate.**

**Reason:** *To facilitate suitable road access for vehicular traffic and to ensure appropriate access and infrastructure protection that is integral with infrastructure on surrounding sites.*

## OCCUPATION AND ONGOING USE

### Approved student and staffing numbers

43. The Educational Establishment, being the Living School Brown & Jolly campus, is not to exceed the maximum capacity of 200 students, and 20 staff.

Records of the numbers of students/children in the approved development are to be kept at all times and are to be made available to Council on request.

**Reason:** *To confirm what has been considered and approved as part of this approval.*

### Signage

44. No advertising sign(s) shall be erected or displayed without the prior submission of a development application to and approval by Local Consent Authority, unless the proposed signage is consistent with the terms and conditions of exempt development in *State Environmental Planning Policy Industry and Employment and Signage* or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* or other relevant legislation at the time.

**Reason:** *To preserve the amenity of the area and traffic safety*

### Hours of Operation

45. The Educational Establishment is limited to operate under the following hours:

- School: 9.00am – 3.10pm
- Office: 8.30am – 4.30pm

Note: It is acceptable that special school events may operate outside of these hours on occasions, such as parent interviews, performance/productions, guest speakers.

**Reason:** *To confirm what has been considered and approved as part of this approval.*

### Fire Safety

46. The statutory fire safety or other safety measures listed in the Fire Safety Schedule which are installed in the building must be maintained in accordance with the relevant provisions of the National Construction Code Vol. 1 – Building Code of Australia 2022 or relevant Australian Standard or other performance standard as is specified on the Fire Safety Schedule.

**Reason:** Required by Section 84 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

#### **Service Vehicle Restriction**

47. All loading and unloading shall take place within the property boundaries, as will the parking of construction and private vehicles associated with the development.

**Reason:** To provide adequate off street parking space for the anticipated traffic that will be generated by the development. (EPA Act Sec 4.15(a)).

#### **Surveillance**

48. Promote visibility and surveillance opportunities around the premises by keeping sightlines clear of obstructions, such as large items of street furniture, placement of garbage bins, and any other items that may provide concealment areas.

- Keep exterior windows free of excessive promotional material to allow for improved surveillance opportunities.
- CCTV - Installation of a quality CCTV system is encouraged in all public/shared spaces, entry and exit points including the car park. The Installed CCTV cameras should be placed in areas to capture a person's face and be of sufficiently high resolution to discern facial features and clothing details. Staff should be trained to review and download images should they be required by Police. Ensure that the CCTV cameras can be remotely monitored by staff onsite during school hours and/or a reputable security company for monitoring out of school hours.
- Alarm - Installation of an audible alarm system is encouraged. Consideration should be given to a system that can be remotely monitored after hours by Staff and/or a reputable Security company.
- Lighting - Installation of adequate external lighting around the proposed exterior of the buildings, entry/exit points and the carpark.
- Lighting - Ensure that damaged lighting both internally and externally is repaired or replaced in a timely manner.

**Reason:** To comply with the recommendations of the NSW Police

#### **Wayfinding**

49. Ensure that the premises business name/s are clearly signposted and identifiable from the street. Ensure that wayfinding signage is clearly displayed in case there is a need for emergency services to respond to the premises.

**Reason:** To comply with the recommendations of the NSW Police

#### **Space management**

50. Ensure the rapid removal of graffiti and/or repair of any damage to the premises which may be visible to members of the public.

**Reason:** To comply with the recommendations of the NSW Police