

## CONDITIONS OF CONSENT (DRAFT)

<b>Description of development</b>	Alterations and additions to existing educational establishment
<b>Property</b>	61 Train Street BROULEE NSW 2537 Lot 1 DP 1037342

	<b>GENERAL CONDITIONS</b>																																																																					
1	<p><b><i>Approved plans and supporting documentation</i></b></p> <p>Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.</p> <table border="1"><tr><td><b>Approved Plans</b></td></tr></table> <p><b>ARCHITECTURAL</b> (All architectural drawings prepared by Cox Architecture)</p> <table><tr><th>Drawing No.</th><th>Drawing Title</th><th>Date of drawing</th><th>Revision</th></tr><tr><td>DA 01.00</td><td>COVER SHEET - DRAWING INDEX</td><td>3 February 2023</td><td>5</td></tr><tr><td>DA 11.01</td><td>CAMPUS SITE PLAN</td><td>29 June 2023</td><td>7</td></tr><tr><td>DA 11.02</td><td>CAMPUS PLAN - STAGING OF WORKS PLAN</td><td>29 June 2023</td><td>5</td></tr><tr><td>DA 11.03</td><td>DEMOLITION PLAN</td><td>3 February 2023</td><td>6</td></tr><tr><td>DA 11.04</td><td>ACCESSIBLE PATH OF TRAVEL</td><td>29 June 2023</td><td>3</td></tr><tr><td>DA 11.21</td><td>FRONT OF CAMPUS PLAN – PARKING PLAN</td><td>29 June 2023</td><td>9</td></tr><tr><td>DA SR 21.01</td><td>FLOOR PLAN - SPORTS AND RECREATION CENTRE</td><td>3 February 2023</td><td>5</td></tr><tr><td>DA SR 21.02</td><td>ROOF PLAN - SPORTS AND RECREATION CENTRE</td><td>3 February 2023</td><td>4</td></tr><tr><td>DA SR 30.01</td><td>ELEVATIONS - SPORTS AND RECREATION CENTRE</td><td>3 February 2023</td><td>4</td></tr><tr><td>DA SR 30.02</td><td>ELEVATIONS - SPORTS AND RECREATION CENTRE</td><td>3 February 2023</td><td>4</td></tr><tr><td>DA SR 40.01</td><td>SECTIONS - SPORTS AND RECREATION CENTRE</td><td>3 February 2023</td><td>4</td></tr><tr><td>DA CH 21.01</td><td>FLOOR PLAN - COMMUNITY HUB</td><td>28 July 2022</td><td>3</td></tr><tr><td>DA CH 21.02</td><td>ROOF PLAN - COMMUNITY HUB</td><td>28 July 2022</td><td>2</td></tr><tr><td>DA CH 30.01</td><td>ELEVATIONS 01 - COMMUNITY HUB</td><td>28 July 2022</td><td>2</td></tr><tr><td>DA CH 30.02</td><td>ELEVATIONS 02 - COMMUNITY HUB</td><td>28 July 2022</td><td>2</td></tr><tr><td>DA CH 40.01</td><td>SECTIONS - COMMUNITY HUB</td><td>28 July 2022</td><td>2</td></tr></table>	<b>Approved Plans</b>	Drawing No.	Drawing Title	Date of drawing	Revision	DA 01.00	COVER SHEET - DRAWING INDEX	3 February 2023	5	DA 11.01	CAMPUS SITE PLAN	29 June 2023	7	DA 11.02	CAMPUS PLAN - STAGING OF WORKS PLAN	29 June 2023	5	DA 11.03	DEMOLITION PLAN	3 February 2023	6	DA 11.04	ACCESSIBLE PATH OF TRAVEL	29 June 2023	3	DA 11.21	FRONT OF CAMPUS PLAN – PARKING PLAN	29 June 2023	9	DA SR 21.01	FLOOR PLAN - SPORTS AND RECREATION CENTRE	3 February 2023	5	DA SR 21.02	ROOF PLAN - SPORTS AND RECREATION CENTRE	3 February 2023	4	DA SR 30.01	ELEVATIONS - SPORTS AND RECREATION CENTRE	3 February 2023	4	DA SR 30.02	ELEVATIONS - SPORTS AND RECREATION CENTRE	3 February 2023	4	DA SR 40.01	SECTIONS - SPORTS AND RECREATION CENTRE	3 February 2023	4	DA CH 21.01	FLOOR PLAN - COMMUNITY HUB	28 July 2022	3	DA CH 21.02	ROOF PLAN - COMMUNITY HUB	28 July 2022	2	DA CH 30.01	ELEVATIONS 01 - COMMUNITY HUB	28 July 2022	2	DA CH 30.02	ELEVATIONS 02 - COMMUNITY HUB	28 July 2022	2	DA CH 40.01	SECTIONS - COMMUNITY HUB	28 July 2022	2
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DA CC 21.01	FLOOR PLAN – CULTURAL CENTRE EXTENSION	28 July 2022	3
DA CC 21.02	ROOF PLAN - CULTURAL CENTRE EXTENSION	28 July 2022	2
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DA CC 30.02	ELEVATIONS 02 - CULTURAL CENTRE EXTENSION	28 July 2022	2
DA CC 40.01	SECTIONS - CULTURAL CENTRE EXTENSION	28 July 2022	2
DA.90.01	MATERIALS AND FINISHES	28 July 2022	3
DA 90.02	SHADOW DIAGRAMS – SPORTS & RECREATION CENTRE	3 February 2023	4

  

<b>Approved Documents</b>		
<b>Document title</b>	<b>Date of document</b>	<b>Prepared by</b>
Aboriginal Objects Due Diligence Assessment	10 February 2023 Rev 01	Niche Environment and Heritage
Access Report	7 February 2023 Rev V2	SQC Group
Acoustic Design Report for Development Application	15 Dec 2022 Rev 04A	ACOR Consultants
BCA Assessment Report Report 2022/0949	July 2022 Rev 1.0	Steve Watson & Partners
BCA Letter 2022/0949	6 December 2022	Steve Watson & Partners
Biodiversity Development Assessment Report Project Code LE1481	19 September 2023 Rev.3 FINAL	Lodge Environmental
Bushfire Hazard Assessment	29 July 2022 Version 1.2	Harris Environmental Consulting
CPTED Report	12 December 2022	Mecone
Clause 4.6 Variation Request	February 2023	Rygate and West
Demolition and Construction Waste Management Plan	29 July 2022 Version 1.0	Low Impact Development Consulting
Design Quality Statement	July 2022	Cox Architecture
Preliminary Environmental Site Assessment Report	July 2022	ACT Geotechnical Engineers
Social Benefit Assessment	July 2023	Umwelt (Aust) P/L
Statement of Environmental Effects (SEE)	8 February 2023 Rev C	Rygate and West

	Vegetation Management Plan	3 February 2023 Version 1.0	Harris Environmental Consulting																																			
	Visual Impact assessment	February 2023	Cox Architecture																																			
	Waste Management Plan and Operations Guide	9 February 2023 Version 4.0	Low Impact Development Consulting																																			
	<p>In the event of any inconsistency between the approved plans and documents, the plans prevail.</p> <p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails. [0001]</p> <p><b>Reason:</b> To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p> <p><i>Note:</i></p> <p><i>The following documents DO NOT <u>form part of the approval documents</u> and are provided for reference purposes only (referred to in Condition No. 19):</i></p> <p><b>LANDSCAPE</b> (All landscape plans prepared by Harris Hobbs Landscape)</p> <table border="1"> <thead> <tr> <th>Drawing No.</th><th>Drawing Title</th><th>Date of drawing</th><th>Revision</th></tr> </thead> <tbody> <tr> <td>101</td><td>COVER SHEET</td><td>August 2022</td><td>D</td></tr> <tr> <td>201</td><td>TREE ASSESSMENT SHEET 1</td><td>July 2022</td><td>A</td></tr> <tr> <td>203</td><td>TREE PROTECTION/REMOVAL PLAN</td><td>February 2023</td><td>G</td></tr> <tr> <td>301</td><td>LANDSCAPE PLAN GENERAL ARRANGEMENT</td><td>August 2022</td><td>D</td></tr> <tr> <td>302</td><td>LANDSCAPE DETAIL PLAN SHEET 1</td><td>August 2022</td><td>C</td></tr> <tr> <td>303</td><td>LANDSCAPE PLAN DETAIL SHEET 2</td><td>July 2022</td><td>B</td></tr> <tr> <td>401</td><td>MATERIALS + PLANT IMAGES</td><td>July 2022</td><td>C</td></tr> <tr> <td>501</td><td>DETAILS</td><td>July 2022</td><td>B</td></tr> </tbody> </table>			Drawing No.	Drawing Title	Date of drawing	Revision	101	COVER SHEET	August 2022	D	201	TREE ASSESSMENT SHEET 1	July 2022	A	203	TREE PROTECTION/REMOVAL PLAN	February 2023	G	301	LANDSCAPE PLAN GENERAL ARRANGEMENT	August 2022	D	302	LANDSCAPE DETAIL PLAN SHEET 1	August 2022	C	303	LANDSCAPE PLAN DETAIL SHEET 2	July 2022	B	401	MATERIALS + PLANT IMAGES	July 2022	C	501	DETAILS	July 2022
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2	<p><b>Staging</b></p> <p>The development shall be constructed in two stages. The breakdown of the stages are as follows:</p> <p><b>Stage 1</b></p> <ul style="list-style-type: none"> <li>• Construction of Sports and Recreation Centre (P10)</li> <li>• Construction of the Community Hub and Administration Building (P7)</li> <li>• Construction of the Cultural Centre Extension (P6), and</li> <li>• Construction of the new Bus Loop (P3) and Staff Carpark (P13)</li> <li>• Construction of the new front of campus carpark (P4)</li> </ul>																																					

	<p><b>Stage 2</b></p> <ul style="list-style-type: none"> <li>• Construction of the new Junior School</li> <li>• Construction of the bicycle enclosure</li> </ul> <p>At a minimum a construction certificate is required for each stage of the development. Within each stage of development, individual Construction Certificates and Occupancy Certificates may be applied for, and obtained, at different times for each building/s or civil works.</p> <p><b>Reason:</b> To ensure the environmental, social and economic impact of the development are minimised.</p>
	<p><b>GENERAL CONDITIONS – ALL STAGES</b></p>
3	<p><b>Requirement to Notify about New Evidence</b></p> <p>Any new information which comes to light during remediation, excavation or construction works which has the potential to alter previous conclusions about site contamination, heritage significance, threatened species or other relevant matters must be immediately notified to Council and the Certifier. Remediation is at the full cost of the owner.</p> <p><b>Reason:</b> To ensure the environmental, social and economic impact of the development are minimised. [11.19]</p>
4	<p><b>Earthworks, retaining walls and structural support</b></p> <p>Any earthworks (including any structural support or other related structure for the purposes of the development):</p> <ul style="list-style-type: none"> <li>(a) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and</li> <li>(b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and</li> <li>(c) that if fill brought to the site - must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the Protection of the Environment Operations Act 1997, and</li> <li>(d) that if excavated soil is to be removed from the site - it must be disposed of in accordance with any requirements under the Protection of the Environment Operations (Waste) Regulation 2005.</li> </ul> <p><b>Reason:</b> To ensure the environmental, social and economic impact of the development are minimised. [11.16]</p>
5	<p><b>Vehicle Direction</b></p> <p>All vehicles to enter and exit the development in a forward direction to avoid possible conflict with through traffic on Train Street.</p>

	<p><b>Reason:</b> To ensure that the development complies with the standards of the Roads Authority. [14.25]</p>
6	<p><b><i>Carpark/Road/Public Space Lighting</i></b> All external lighting shall be installed and operated in accordance with the Australian Standard AS1158.1 'Lighting for roads and public spaces' and AS4282:1997 'Control of the obtrusive effects of outdoor lighting'.</p> <p><b>Reason:</b> To ensure compliance with the legislation, Council Policies and applicable planning controls applying to the land. [15.09]</p>
7	<p><b><i>Water &amp; Sewer Inspections</i></b> All plumbing and drainage works (water supply, sanitary plumbing and drainage, stormwater drainage and hot water) are to comply with Plumbing and Drainage Act 2011 and the Plumbing Code of Australia. Works must only be installed by a licensed person and must be inspected and given final clearance from Council prior to issue of any Occupation Certificate.</p> <p>The following inspections are required to be carried out by Council in regard to the installation of plumbing and drainage works. Inspections may be arranged by contacting Council:</p> <ul style="list-style-type: none"> <li>(a) Sanitary drainage under hydrostatic test and prior to backfilling trenches or covering;</li> <li>(b) Hot and cold water plumbing under pressure test prior to covering;</li> <li>(c) Internal stackwork under hydrostatic test prior to covering; and</li> <li>(d) The installation of the septic tank and any sullage trenches prior to backfilling or covering.</li> <li>(e) Issue of final satisfactory inspection.</li> </ul> <p><b>Reason:</b> To ensure that the development complies with the standards of the Water Authority. [2.16]</p>
8	<p><b><i>Demolition Standards</i></b> Building demolition works are to be carried out in accordance with AS 2601 (2001) - <i>The Demolition of Structures</i>.</p> <p><b>Note:</b> <i>Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.</i></p> <p><b>Reason:</b> To ensure compliance with the legislation, Council Policies and applicable planning controls applying to the land. [21.01]</p>
9	<p><b><i>Demolition Works</i></b> All demolition works must be carried out totally within the allotment boundaries and must not extend onto footpath area, public roadway or adjoining properties.</p>

	<p><b>Reason:</b> To ensure the development does not conflict with the public interest. [21.02]</p>
10	<p><b><i>Demolition - Damage to Footpath etc</i></b></p> <p>In the event of any damage being caused to the existing kerb, guttering, footpath, water mains, sewer mains or public roadway during demolition works, the applicant shall reimburse the Council for the full costs of repairing and making good. Any temporary cross-over material must not remain in the street gutter.</p> <p><b>Reason:</b> To ensure the development does not conflict with the public interest. [21.07]</p>
11	<p><b><i>Asbestos Removal</i></b></p> <p>Where asbestos material is to be removed or disturbed as a result of any proposed demolition, alteration or addition:</p> <ul style="list-style-type: none"> <li>(a) Building demolition works are to be carried out in accordance with AS2601-2001 - The Demolition of Structures:</li> <li>(b) The removal of bonded asbestos material (of an area of more than 10m<sup>2</sup>) or any amount of friable asbestos material must be undertaken by a licenced contractor. An Asbestos Removal Control Plan is to be prepared and complied with in accordance with the 'Code of Practice - How to Safely Remove Asbestos' published by WorkCover NSW (Catalogue No.WC03561), available at: <a href="http://www.workcover.nsw.gov.au">http://www.workcover.nsw.gov.au</a>;</li> <li>(c) Standard commercially manufactured signs containing the words "Danger Asbestos Removal in Progress" measuring not less than 400 x 300mm are to be erected in prominent visible positions during asbestos removal process;</li> <li>(d) All asbestos material removed is to be disposed of to a landfill site licensed to receive asbestos.</li> </ul> <p><b>Reason:</b> To ensure compliance with the legislation, Council Policies and applicable planning controls applying to the land. [25.01]</p>
12	<p><b><i>Waste disposal verification statement</i></b></p> <p>On completion of demolition work:</p> <ul style="list-style-type: none"> <li>a) a signed statement must be submitted to verifying that demolition work, and any recycling of materials, was undertaken in accordance with the waste management plan approved under this consent, and</li> <li>b) if the demolition work involved the removal of asbestos, an asbestos clearance certificate issued by a suitably qualified person, must be submitted to within 14 days of completion of the demolition work.</li> </ul> <p><b>Reason:</b> To provide for the submission of a statement verifying that demolition waste management and recycling has been undertaken in accordance with the approved waste management plan.</p>

13	<p><b><i>Bushfire Requirements</i></b></p> <p>The development is located in bush prone land and therefore is subject to the requirements of Planning for Bush Fire Protection 2019 and the Australian Standard AS 3959-2009 Construction of Buildings in Bushfire-Prone Areas. <b>Attachment D</b> to this consent is the NSW Rural Fire Service conditions that must be complied with prior to the commencement of building works. These required bushfire protection measures are to be maintained in perpetuity.</p> <p><b>Reason:</b> To ensure compliance with the legislation, Council Policies and applicable planning controls applying to the land. [9.03a]</p>
	<b>PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE – ALL STAGES</b>
14	<p><b><i>Provision of detailed documentation for construction certificate application</i></b></p> <p>Prior to the issue of any Construction Certificate, detailed documentation must be prepared by a suitably qualified person and provided to the satisfaction of the Certifier that are consistent with the plans and documentation approved under this consent.</p> <p>Detailed documentation must include (but is not limited to) the following (documents referenced in Condition No. 1):</p> <ul style="list-style-type: none"> <li>• Car parking facilities</li> <li>• Acoustic measures</li> <li>• Disability access</li> <li>• Pedestrian access</li> <li>• Signage location and structures</li> <li>• Mechanical ventilation</li> <li>• Building Fire Safety measures</li> <li>• Vegetation management, retention and removal</li> <li>• Aboriginal heritage protection and management measures</li> <li>• Bushfire requirements</li> </ul> <p><b>Reason:</b> To ensure that detailed construction certificate plans and documentation is consistent with the approved plans and supporting documentation.</p>
15	<p><b><i>External lighting</i></b></p> <p>Prior to the issue of any Construction Certificate, plans detailing external lighting must be prepared by a suitably qualified person.</p> <p>The lighting plan must be consistent with the approved plans and documents, and the following requirements:</p> <ol style="list-style-type: none"> <li>a) comply with AS 1158: Lighting for Roads and Public Spaces;</li> <li>b) comply with AS 4282: Control of Obtrusive Effects of Outdoor Lighting</li> <li>c) lighting must provide coverage of the premises and surrounding areas for visibility and to reduce hidden areas;</li> <li>d) lighting must not interfere with traffic safety;</li> </ol>

	<ul style="list-style-type: none"> <li>e) lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties; and</li> <li>f) external lighting must not flash or intermittently illuminate unless required for safe ingress/egress of vehicles crossing a pedestrian footway or approved vehicle entrance.</li> <li>g) Relevant council development control plan.</li> </ul> <p>The lighting plan must be submitted to the certifier:</p> <p><b>Note</b> – All above documents refer to the version in effect at the time the consent is granted.</p> <p><b>Reason:</b> To ensure external lighting is provided for safety reasons and to protect the amenity of the local area.</p>
16	<p><b><i>Biodiversity Management Plan</i></b></p> <p>Prior to the issue of any Construction Certificate, a Biodiversity Management Plan must be prepared by a suitably qualified environmental consultant or ecologist to the satisfaction of the consent authority.</p> <p>The Biodiversity Management Plan must:</p> <ul style="list-style-type: none"> <li>a) Identify the development site as per the approved Biodiversity Development Assessment Report (BDAR) and approved plans.</li> <li>b) Identify areas of land to be retained as outlined in the approved BDAR.</li> <li>c) Construction impacts must be restricted to the development site and must not encroach into areas of retained native vegetation and habitat. All materials stockpiles, vehicle parking, machinery storage and other temporary facilities must be located within the areas for which biodiversity impacts were assessed in the BDAR.</li> <li>d) Identify all measures proposed in the BDAR and this consent to mitigate and manage impacts on biodiversity, including performance measures, timing and responsibility for each commitment.</li> <li>e) Require measures to be installed and maintained during construction for the protection of all trees to be retained, in accordance with AS 4970 – Protection of trees on development sites.</li> <li>f) Identify all habitat-bearing trees on site, showing those to be removed and those to be retained, in accordance with the approved BDAR and plans.</li> <li>g) Include vegetation removal protocols, as recommended in section 5.3.4 of the approved BDAR.</li> <li>h) Include a Nest-box Installation Plan in accordance with recommendations in the approved BDAR and to the satisfaction of the consent authority.</li> <li>i) Include measures to protect and rehabilitate the ~0.8 ha native vegetation along the western boundary of the subject lot (Lot 1 DP 1037342). This area forms part of a conservation area identified in the Broulee Biodiversity Certification Strategy, Addendum 2014. Plant species for revegetation must be consistent with Plant Community Type (PCT) 659 – <i>Bangalay Sand Forest of the Sydney Basin and South</i></li> </ul>



	<p><i>East Corner bioregions</i>, listed as Endangered under the <i>Biodiversity Conservation Act 2016</i>.</p> <p>j) Include measures for weed control, including: identification of noxious and environmental weeds, initial control (during and post construction), and monitoring and maintenance measures (ongoing).</p> <p>Please contact Council's Natural Resources Supervisor on 4474 7493, for advice in relation to items (h) and (i).</p> <p><b>Reason:</b> To ensure that the proposed development is undertaken in accordance with the recommendations of the approved Biodiversity Development Assessment Report and biodiversity impacts are avoided and minimised.</p>
17	<p><b><i>Tree removal and retention plan</i></b></p> <p>Prior to the issue of any Construction Certificate, an accurately drawn Tree Removal and Retention Plan showing trees to be removed and those to be retained is to be submitted to the consent authority for approval.</p> <p>With reference to the Tree Protection &amp; Removal Plan submitted with the DA, Harris Hobbs Landscapes (Job 22105, Revision G, Drawing 203) the Plan should be updated to:</p> <ol style="list-style-type: none"> <li>Show the final approved development layout, as per approved plan referenced in Condition No. 1 (<i>Architectural Plans – DA11.01 Campus Site Plan</i>)</li> <li>Native vegetation removal is to be to the minimum extent necessary to achieve the proposal in accordance with: <ul style="list-style-type: none"> <li>- Planning for Bushfire Protection 2019 requirements</li> <li>- Recommendations in the approved BDAR</li> <li>- AS 4970-2009 Protection of trees on development sites</li> </ul> </li> </ol> <p><b>Reason:</b> To ensure tree removal is limited to the minimum extent necessary to achieve the proposal.</p>
18	<p><b><i>Vegetation Management Plan for Asset Protection Zones</i></b></p> <p>Prior to the issue of any Construction Certificate, the Vegetation Management Plan submitted with the development application (Harris Environmental, 3 Feb 2023) is to be updated and submitted to the consent authority for approval.</p> <p>The Vegetation Management Plan for Asset Protection Zones must:</p> <ol style="list-style-type: none"> <li>demonstrate that native vegetation removal is to the minimum extent necessary to establish the asset protection zones in accordance with Planning for Bushfire Planning 2019</li> <li>identify and avoid any areas to be retained and 'no-go areas/zones' in accordance with approved BDAR and approved Aboriginal Objects Due Diligence Assessment and Addendum.</li> </ol> <p><b>Reason:</b> To ensure tree removal is limited to the minimum extent necessary to achieve the proposal.</p>

19	<p><b>Landscape Plan</b></p> <p>Prior to the issue of any Construction Certificate an updated detailed Landscape Plan for the development shall be prepared by a qualified landscape architect or landscape designer, and submitted to and approved by the consent authority.</p> <p>With reference to the Landscape Plan submitted with the DA, Harris Hobbs Landscapes (Job 22105, Revision C, Drawing 302) the Plan should be updated to:</p> <ul style="list-style-type: none"><li>a) Show the final approved development layout, as per approved plan referenced in Condition No. 1 (<i>Architectural Plans – DA11.01 Campus Site Plan</i>).</li><li>b) include species that are preferentially local native species. The ratio of non-native to native should be no greater than 1:5.</li></ul> <p><b>Reason:</b> To ensure tree removal is limited to the minimum extent necessary to achieve the proposal.</p>										
20	<p><b>Ecosystem Credit Retirement Conditions</b></p> <p>Prior to the issue of any Construction Certificate:</p> <ul style="list-style-type: none"><li>a) the class and number of ecosystem credits in the table of ecosystem credits required be retired - like for like - non-threatened ecological community must be retired to offset the residual biodiversity impacts of the development; and/or</li><li>b) the class and number of ecosystem credits in the table of ecosystem credits required to be retired - like for like - threatened ecological community must be retired to offset the residual biodiversity impacts of the development.</li><li>c) Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.</li></ul> <p><b>Table of ecosystem credits required to be retired - like for like - non-threatened ecological community</b></p> <table><tr><th>Impacted plant community type</th><th>Number of ecosystem credits</th><th>Hollow bearing trees (HBTs)</th><th>IBRA subregions from which credits can be used to offset the impacts from development</th><th>Trading group that can be used to offset the impacts from development</th></tr><tr><td>PCT 659 - Bangalay Sand Forest of the Sydney Basin and South East Corner bioregions</td><td>9</td><td>Yes</td><td>Bateman, Bungonia, Ettrema, Jervis and South East Coastal Ranges. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site</td><td>Bangalay Sand Forest of the Sydney Basin and South East Corner bioregions</td></tr></table>	Impacted plant community type	Number of ecosystem credits	Hollow bearing trees (HBTs)	IBRA subregions from which credits can be used to offset the impacts from development	Trading group that can be used to offset the impacts from development	PCT 659 - Bangalay Sand Forest of the Sydney Basin and South East Corner bioregions	9	Yes	Bateman, Bungonia, Ettrema, Jervis and South East Coastal Ranges. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site	Bangalay Sand Forest of the Sydney Basin and South East Corner bioregions
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	<p><b>Reason:</b> To ensure that biodiversity impacts are appropriately offset through the retirement of ecosystem credits (or payment to the Biodiversity Conservation Fund) before biodiversity impacts occur.</p>												
21	<p><b>Species Credit Retirement Conditions</b></p> <p>Prior to the issue of any Construction Certificate:</p> <ul style="list-style-type: none"><li>a) the class and number of species credits identified in the table of Species credits must be retired – like for like must be retired to offset the residual biodiversity impacts of the development; and</li><li>b) (b) evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to the consent authority.</li></ul> <table><tr><th>Impacted species credit</th><th>Number of species credits</th><th>IBRA subregions as from which credits can be used to offset the impacts from development</th></tr><tr><td><i>Callocephalon fimbriatum</i>/ Gang-gang Cockatoo</td><td>7</td><td>Any in NSW</td></tr><tr><td><i>Callocephalon latham</i>/ Glossy Black Cockatoo</td><td>7</td><td>Any in NSW</td></tr><tr><td><i>Petauroides volans</i> - endangered population Greater Glider population in the Eurobodalla local government area</td><td>9</td><td>Any in NSW</td></tr></table> <p><b>Reason:</b> To ensure that biodiversity impacts are appropriately offset through the retirement of ecosystem credits (or payment to the Biodiversity Conservation Fund) before biodiversity impacts occur.</p>	Impacted species credit	Number of species credits	IBRA subregions as from which credits can be used to offset the impacts from development	<i>Callocephalon fimbriatum</i> / Gang-gang Cockatoo	7	Any in NSW	<i>Callocephalon latham</i> / Glossy Black Cockatoo	7	Any in NSW	<i>Petauroides volans</i> - endangered population Greater Glider population in the Eurobodalla local government area	9	Any in NSW
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22	<p><b>Stormwater Disposal</b></p> <p>Prior to the issue of any Construction Certificate submission of plans to the Principal Certifier. The plans are to be certified by a suitably qualified engineer, addressing the following requirements:</p> <ul style="list-style-type: none"><li>i) Plans must demonstrate that stormwater flows towards neighbouring properties do not exceed pre-development (greenfield) flows for up to and including the 1%AEP event.</li><li>ii) Overland flow paths within the site effectively manage stormwater for design events up to and including the 1%AEP event.</li><li>iii) The portion of the site discharging into Council’s stormwater network (pit) is to incorporate on-site detention. Site discharge is not to exceed the receiving networks’ capacity.</li><li>iv) Connection with Council’s stormwater network (pit) is to be in accordance with Council’s IDS.</li></ul>												

	<p>v) Stormwater from the access driveway/s is to be controlled at the property boundary.</p> <p>The plans are to include the following statement from the design engineer, "I certify that this plan addresses the requirements of <b>Condition No. 22</b> of DA0078/23".</p> <p><b>Reason:</b> To ensure that the development complies with the standards of the Water Authority.</p>
23	<p><b>Water Meter</b></p> <p>Prior to the issue of any Construction Certificate Submission to Council of certification and a layout plan for the service by a suitably qualified hydraulic engineer/consultant on the recommended water meter size required for the development in accordance with AS 3500.1:2003 National Plumbing and Drainage Code and AS2441-2005 Installation of Fire Hose reels.</p> <p><b>Note:</b> All fire hose reels must be supplied through the metered supply.</p> <p>Council will provide a quote to construct the water service complete with meter with prepayment required prior to works being scheduled. The meter is to be located so as to be accessible to Council's Water Meter Reader at all times. Any work required to Council's infrastructure to extend the main or allow installation of the meter other than a standard meter connection, is to be undertaken at full cost to the applicant.</p> <p><b>Note:</b> A backflow prevention device is to be installed and certified by a private plumber in accordance with Council's Backflow Prevention policy.</p> <p>A standard meter connection is where the water main is located on the same side of the street as the property, the meter is to be located approximately 2.4 metres from the water main to just inside the property boundary and laid in a non-hard surface area (grassed). Please contact Council's Water and Sewerage Project Engineer on 44741342 to arrange the quote and prepayment will be required to be receipted at Council Administration Centre at Vulcan Street Moruya, the Batemans Bay or Narooma depot.</p> <p><b>Reason:</b> To ensure that the development complies with the standards of the Water Authority.</p>
24	<p><b>Access</b></p> <p>Prior to the issue of any Construction Certificate submission of plans to the Principal Certifier. The plans are to be certified by a suitably qualified engineer, addressing the following requirements:</p> <ul style="list-style-type: none"> <li>(a) The location of the driveway/s within the site and extending to the existing road, in accordance with the approved plans.</li> <li>(b) A long section showing existing and final levels along the centre line of the driveway/s from the road centre line to the back of the vehicle standing area, with final levels providing grades conforming to <u>Council's</u></li> </ul>

	<p><u>Infrastructure Design Standards</u> or to AS/NZS 2890.1:2004 and AS2890.2:2002.</p> <ul style="list-style-type: none"> <li>(c) Method of containing all fill and excavation associated with the driveway within the lot.</li> <li>(d) The extent of earthworks within the footpath area adjacent to the driveway to provide a maximum slope of 1 in 8 (12.5%).</li> <li>(e) The location of all services in plan and elevation and any alterations required to conform to the standards of the service provider.</li> <li>(f) The method of controlling water flows to address safety, short- and long-term erosion to industry standards.</li> <li>(g) Pavement designs addressing the expected vehicle loadings.</li> </ul> <p>The plans are to include the following statement from the design engineer, “I certify that this plan addresses the requirements of Condition [insert number] of DA0078/23”.</p> <p><b>Reason:</b> To ensure that the development complies with the standards of the Roads Authority.</p>
25	<p><b><i>Footpath Construction</i></b></p> <p>Before the issue of any Construction Certificate submission to and approval by Council of a detailed plan for footpath construction for the full frontage of the property.</p> <p><b>Reason:</b> To ensure that the development complies with the standards of the Roads Authority. [14.06]</p>
26	<p><b><i>Requirements of Public Authorities for Connection to Services</i></b></p> <p>The applicant shall comply with the requirements of any public authorities (eg Essential Energy, NBN, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the applicant. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the Principal Certifier prior to the issue of the Construction Certificate.</p> <p><b>Reason:</b> To ensure the development is adequately serviced by appropriate infrastructure. [0240]</p>
27	<p><b><i>Long Service Levy</i></b></p> <p>Before the issue of any Construction Certificate, the long service levy, as calculated at the date of this consent, must be paid to the Long Service Corporation under the <i>Building and Construction industry Long Service Payments Act 1986</i>, section 34, and evidence of the payment is to be provided to the Certifier. The levy rate is 0.25% of the cost of building and construction works of \$250,000 or more (incl GST).</p> <p><b>Reason:</b> To ensure the long service levy is paid. [2.03]</p>

28	<p><b>Waste Management Plan - an approved document of this consent</b></p> <p>Before the issue of any Construction Certificate, a waste management plan for the development must be provided to Certifier.</p> <p><b>Reason:</b> To ensure resource recovery is promoted and local amenity protected during construction. [22.02]</p>
29	<p><b>Construction Site Management Plan</b></p> <p>Prior to the issue of any Construction Certificate, a construction site management plan must be provided and provided to the Certifier. The plan must include the following matters:</p> <ul style="list-style-type: none"> <li>a) The location and materials for protective fencing and hoardings on the perimeter of the site;</li> <li>b) Provisions for public safety;</li> <li>c) Pedestrian and vehicular site access points and construction activity zones;</li> <li>d) Details of construction traffic management, including: <ul style="list-style-type: none"> <li>i. Proposed truck movements to and from the site;</li> <li>ii. Estimate frequency of truck movements, and</li> <li>iii. Measures to ensure pedestrian safety near the site;</li> </ul> </li> <li>e) Details of bulk earthworks to be carried out;</li> <li>f) The location of site storage areas and sheds;</li> <li>g) The equipment used to carry out works;</li> <li>h) The location of temporary toilets;</li> <li>i) Dust, noise and vibration control measures;</li> <li>j) The location of temporary toilets;</li> <li>k) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: <ul style="list-style-type: none"> <li>i. AS4970 - Protection of trees on Development sites;</li> <li>ii. An applicable Development Control Plan;</li> <li>iii. An arborist's report approved as part of this consent.</li> </ul> </li> </ul> <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p><b>Reason:</b> To require details of measures that will protect the public, and the surrounding environment, during site works and construction. [23.14]</p>
30	<p><b>Water/Sewer Developer Contributions - Development</b></p> <p>Prior to the issue of any Construction Certificate, the developer/consent holder will have to be eligible to obtain a Section 307 Certificate of Compliance under the Water Management Act 2000/ compliance with Section 64 of the Local Government Act 1993. To be eligible, the developer/consent holder will have to contribute:</p> <ul style="list-style-type: none"> <li>a) <b>Water:</b> \$79,380.00 (10.5 ET) for the augmentation of water supply mains and storage within Eurobodalla Shire where 1.0 ET = \$7,560.</li> <li>b) <b>Sewer:</b> \$245,306.50 (25.7 ET) for the augmentation of sewerage works within</li> </ul>

	<p>Eurobodalla Shire where 1.0 ET = \$9,545.00</p> <p>The contribution shall be paid to the Eurobodalla Shire Council. Evidence of the payment shall be submitted to Principal Certifier prior to the issue of the Construction Certificate.</p> <p><b>Note:</b> <i>The above contributions are reviewed at least annually and may be subject to increases as a result of indexation or other forces. Contributions can be paid prior to each stage of the development.</i></p> <p><b>Reason:</b> To ensure the development contributes to the increased demand of public amenities and infrastructure services. [3.11a]</p>
31	<p><b><i>Bushfire Protection Construction Details required</i></b></p> <p>Prior to the issue of any Construction Certificate detailed plans and specifications of the building construction shall be submitted to the Principal Certifier demonstrating compliance with the BAL levels stipulated in this consent.</p> <p><b>Reason:</b> To ensure compliance with the legislation, Council Policies and applicable planning controls applying to the land. [9.02]</p>
	<p><b>PRIOR TO COMMENCEMENT OF WORKS – ALL STAGES</b></p>
32	<p><b><i>Implementation of recommendations and management measures</i></b></p> <p>All recommendations to be implemented in the prior to commencement of works/prior to construction stage of the development outlined in the reports (Approved Documents) referenced in condition No. 1 must be complied with and implemented, including but not limited to:</p> <ul style="list-style-type: none"> <li>- Aboriginal heritage</li> <li>- Access</li> <li>- Acoustic</li> <li>- Building Code</li> <li>- Biodiversity</li> <li>- Vegetation management</li> <li>- Bushfire management</li> <li>- Crime prevention</li> <li>- Demolition and construction management</li> <li>- Preliminary Site Assessment (contamination)</li> <li>- Waste management</li> </ul> <p><b>Reason:</b> To implement measures that will protect the public, and the surrounding environment, during site works and construction.</p>
33	<p><b><i>Implementation of the Aboriginal Objects Due Diligence Assessment protection measures</i></b></p> <p>Prior to works commencing and while work is being carried out, the commitments and measures required by the approved Aboriginal Objects Due Diligence Assessment (and</p>



	<p>Addendum) referenced in Condition 1 and as outlined in the Recommendations section of the report must be implemented at all times prior to and during the construction phase of the development.</p> <p>This includes but is not limited to:</p> <ul style="list-style-type: none"> <li>• fencing and protection of identified areas</li> <li>• implementation of avoidance and mitigation measures</li> </ul> <p>An inspection is to be undertaken by a suitably qualified person prior to works commencing and documentation provided that confirms all implementation of avoidance and mitigation measures outlined in the Aboriginal Objects Due Diligence Assessment required prior to commencement of works have been constructed and implemented on site.</p> <p><b>Reason:</b> To ensure the required aboriginal heritage management measures are implemented during site works stage.</p>
34	<p><b><i>Construction in a Road Reserve</i></b></p> <p>Prior to commencement of any works within the road reserve a separate approval is to be obtained from Council under section 138/139 of the Roads Act. The application would consider:</p> <ul style="list-style-type: none"> <li>• Design of the two (2) new access driveways along Train Street, plans are to be certified by a suitably qualified engineer, addressing the following requirements: <ul style="list-style-type: none"> <li>○ The location of the driveway/s within the site and extending to the existing road, in accordance with the approved plans.</li> <li>○ A long section showing existing and final levels along the centre line of the driveway/s from the road centre line to the back of the vehicle standing area, with final levels providing grades conforming to <u>Council's Infrastructure Design Standards</u> or to AS/NZS 2890.1:2004 and AS2890.2:2002.</li> <li>○ Method of containing all fill and excavation associated with the driveway within the lot.</li> <li>○ The extent of earthworks within the footpath area adjacent to the driveway to provide a maximum slope of 1 in 8 (12.5%).</li> <li>○ The location of all services in plan and elevation and any alterations required to conform to the standards of the service provider.</li> <li>○ The method of controlling water flows to address safety, short- and long-term erosion to industry standards.</li> <li>○ Pavement designs addressing the expected vehicle loadings.</li> </ul> </li> <li>• Design for the concrete median required to prevent right turn movements at the eastern exit access driveway onto Train Street, in accordance with <u>Council's Infrastructure Design Standards</u>.</li> <li>• Footpath construction for the missing footpath linkage adjacent the Northeastern quadrant of the roundabout in accordance with <u>Council's Infrastructure Design Standards</u>.</li> </ul>



	<ul style="list-style-type: none"> <li>Public safety, WH&amp;S issues, risk assessment, public liability insurance, control of vehicle and pedestrian traffic, location of plant and equipment, inspections bonding and an application fee.</li> <li>Where a traffic control plan is required, the plan is to be prepared by a suitably qualified consultant, certified by the Roads and Maritime Service (RMS), in work site traffic control plan preparation.</li> <li>Where the Traffic control plan requires a reduced speed, or temporary traffic signals, a Speed Zone Authorization (SZA) is to be obtained from Council for the specific days of work</li> <li>Where works are on a Roads and Maritime Services (RMS) road or would impact traffic on an RMS road, a Road Occupancy Licence (ROL) is to be obtained from the RMS Ms Peta Smith (02 42212509) or email. <a href="mailto:rol_southern@rta.nsw.gov.au">rol_southern@rta.nsw.gov.au</a></li> </ul> <p>Where works are undertaken by other than the applicant, the supervisor of the works is to be advised of this condition. Details for an application form and fees are available by contacting council Engineering Development Assessment Officer (44741254) &amp; form available from <a href="http://www.esc.nsw.gov.au/media/395951/Section_138_Roads_Act.pdf">http://www.esc.nsw.gov.au/media/395951/Section_138_Roads_Act.pdf</a> Carrying out works contrary to this condition will result in a penalty being issued under the roads act and works being suspended until such time as a Section 138 consent being issued.</p> <p>A restoration bond to the value of \$20,000 is to be paid to Council prior to the issue of a Section 138/139 approval.</p> <p><b>Reason:</b> To ensure that the development complies with the standards of the Roads Authority.</p>
35	<p><b><i>Erosion and Sedimentation Control</i></b></p> <p>Before any site work commences, THE PRINCIPAL CERTIFIER, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).</p> <p><b>Reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways. [11.13]</p>
36	<p><b><i>Construction Certificate (Class 3-9)</i></b></p> <p>The construction works subject of this development consent <b>MUST NOT</b> be commenced until:</p> <p>(a) Detailed plans/specifications of the building have been endorsed with a Construction Certificate by:</p> <p>(i) the Council, or</p> <p>(ii) a registered certifier, and</p>

	<p>(b) The person having the benefit of the development consent:</p> <ul style="list-style-type: none"> <li>(i) has appointed a Principal Certifier, and</li> <li>(ii) has notified the Council of the appointment, and</li> </ul> <p>(c) The person having the benefit of the development consent has given at least two (2) day's notice to the Council of the person's intention to commence the erection of the building; and</p> <p>(d) Builders name and licence number has been supplied to Council or the Principal Certifier; and</p> <p>(e) A report describing how compliance with Section J of the National Construction Code addressing the energy efficiency requirements for Class 3-9 buildings has to be submitted to the Principal Certifier prior to issue of a Construction Certificate. If the Section J report was approved with issue of the development consent a further report is not required to be provided; and</p> <p>(f) A sign has been erected on site in a prominent position containing the information prescribed by Clause 98A(2) &amp; (3) of the EP &amp; A Regulations being the name, address and telephone number of the Principal Certifier for the work, and name of the principal contractor (if any) for the work and telephone number on which that person may be contacted outside working hours, and stating that unauthorised entry to the site is prohibited. This sign must be maintained on site while work is being carried out and removed when the work has been completed.</p> <p><b>Reason:</b> To ensure compliance with the legislation, Council Policies and applicable planning controls applying to the land. [2.06a]</p>
37	<p><b>Site Waste Management</b></p> <p>A site rubbish enclosure must be provided prior to commencement of any work for the period of the proposed work and remain in place for the duration of all works. All waste materials from the site must be disposed of at an authorised waste facility.</p> <p><b>Reason:</b> To ensure the environmental, social and economic impact of the development are minimised. [22.01]</p>
38	<p><b>Certification Height of Building</b></p> <p>The Sports and Recreation Centre (P10) must be constructed in accordance with the maximum finished levels outlined below:</p> <ul style="list-style-type: none"> <li>- ground floor level RL 5.7m AHD;</li> <li>- first floor level RL9.7m AHD;</li> <li>- building roof ridge level RL17.35m AHD</li> </ul> <p>The floor levels and ridge level must be certified by a registered surveyor. Evidence is to be submitted to the satisfaction of the Principal Certifier, prior to continuing construction. Construction is not to continue until the Principal Certifier has signed off that the floor level or ridge level is in accordance with the approved levels outlined in</p>

	<p>this condition.</p> <p><b>Reason:</b> To ensure the development does not conflict with the public interest. [23.33]</p>
	<p><b>DURING CONSTRUCTION– ALL STAGES</b></p>
39	<p><b><i>Erosion and Sediment Controls - Installation</i></b></p> <p>The Principal Contractor or Owner-builder must install and maintain water pollution, erosion and sedimentation controls in accordance with:</p> <ul style="list-style-type: none"> <li>a) The Soil and Water Management Plan if required under this consent;</li> <li>b) “Do it Right On Site, Soil and Water Management for the Construction Industry” published by the Southern Sydney Regional Organisation of Councils, 2001; and</li> <li>c) “Managing Urban Stormwater - Soils and Construction” 2004 published by the NSW Government (The Blue Book).</li> </ul> <p>Where there is any conflict, The Blue Book takes precedence.</p> <p><b>Reason:</b> To ensure the environmental, social and economic impact of the development are minimised. [11.20]</p>
40	<p><b><i>Implementation of the Biodiversity Management Plan</i></b></p> <p>While work is being carried out, the commitments and measures required by the approved Biodiversity Management Plan must be implemented at all times and impacts do not encroach into areas of retained native vegetation and habitat.</p> <p>A copy of the approved plan is kept on site at all times and made available to Council officers upon request.</p> <p><b>Reason:</b> To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during site works and subdivision construction.</p>
41	<p><b><i>Implementation of construction management measures – Reports</i></b></p> <p>All recommendations to be implemented in to the construction stage of the development outlined in the reports (Approved Documents) referenced in condition No. 1 must be complied with and implemented, including but not limited to:</p> <ul style="list-style-type: none"> <li>- Aboriginal heritage</li> <li>- Access</li> <li>- Acoustic</li> <li>- Building Code</li> <li>- Biodiversity</li> <li>- Vegetation management</li> <li>- Bushfire management</li> <li>- Crime prevention</li> <li>- Demolition and construction management</li> <li>- Preliminary Site Assessment (contamination)</li> <li>- Waste management</li> </ul>

	<p><b>Reason:</b> To ensure the environmental, social and economic impact of the development are minimised.</p>
42	<p><b><i>Discovery of Relics and Aboriginal Objects</i></b> While site work is being carried out, if a person reasonable suspects a relic of Aboriginal object is discovered:</p> <ul style="list-style-type: none"> <li>a) The work in the area of the discovery must cease immediately</li> <li>b) The following must be notified <ul style="list-style-type: none"> <li>i. for a relic - the Heritage Council; or</li> <li>ii. for an Aboriginal object - the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85.</li> </ul> </li> </ul> <p>Site work may recommence at a time confirmed in writing by:</p> <ul style="list-style-type: none"> <li>a) for a relic - the Heritage Council; or</li> <li>b) for an Aboriginal object - the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85.</li> </ul> <p><b>Reason:</b> To ensure the protection of objects of potential significance during works. [13.07]</p>
43	<p><b><i>Loading and Unloading of Construction Vehicles</i></b> All loading and unloading associated with construction must be accommodated on-site. If this is not feasible, an application may be made for the provision of a construction zone, during the specified hours of work.</p> <p><b>Reason:</b> To ensure that the development complies with the standards of the Roads Authority. [0131]</p>
44	<p><b><i>Responsibility for Changes to public infrastructure</i></b> While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority.</p> <p><b>Reason:</b> To ensure payment of approved changes to public infrastructure. [0210]</p>
45	<p><b><i>Spoil Removal</i></b> No spoil to be deposited on public roads during the cartage of materials from or to the site. The deposition spoil shall cease, as directed by Council, if the Council determines that excessive deposition of spoil onto the road is taking place.</p> <p><b>Reason:</b> To ensure the environmental, social and economic impact of the development are minimised. [11.12]</p>

46	<p><b>Construction Works Inspection</b></p> <p>Council is to be notified two (2) days prior to commencement of any works or construction within the footpath or road reserve (Telephone [02] 44741393) to make arrangements for inspection.</p> <p><b>Reason:</b> To ensure that the development complies with the standards of the Roads Authority. [14.08]</p>
47	<p><b>Public Way to be Unobstructed</b></p> <p>The public way shall not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances at any time during construction.</p> <p><b>Reason:</b> To ensure that the development complies with the standards of the Roads Authority. [14.10]</p>
48	<p><b>Approved Plans to be On-Site</b></p> <p>A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of Council or the Principal Certifier.</p> <p><b>Reason:</b> To ensure the development does not conflict with the public interest. [2.22]</p>
49	<p><b>Construction Hours - NOISE</b></p> <p>Site work must only be carried out between the following times -</p> <p>from 7am to 6pm on Monday to Friday from 8am to 1pm on Saturday No work on Sundays or public holidays</p> <p>Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p><b>Reason:</b> To protect the amenity of the surrounding area. [20.01]</p>
50	<p><b>Floor Level</b></p> <p>The minimum floor level of the proposed buildings shall be at or above the flood planning level (FPL) for the site. This level is to be certified by registered Surveyor prior to the structure proceeding past the nominated level.</p> <p><b>Note:</b> 1%AEP levels for the site are: 4.38m AHD in the NW corner and 5.07mAHD in the SW corner. Flood planning levels are 1%AEP levels plus 500mm.</p> <p><b>Reason:</b> To ensure the environmental, social and economic impact of the development are minimised. [7.09]</p>

51	<p><b>Site Lighting</b></p> <p>The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.</p> <p><b>Reason:</b> To ensure the environmental, social and economic impact of the development are minimised. [23.16]</p>
52	<p><b>Protection of Adjoining Areas</b></p> <p>If site or building works will:</p> <ul style="list-style-type: none"> <li>• cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient or unsafe; or</li> <li>• involve the enclosure of a public place; or</li> <li>• have the potential to damage adjoining private land by way of falling objects</li> </ul> <p>then a temporary hoarding, fence or awning must be erected between the work site and the adjoining area before the works begin. Any such hoarding, fence or awning must be removed when the work has been completed.</p> <p><b>Reason:</b> To ensure that the development complies with the standards of the Roads Authority. [23.17]</p>
	<p><b>PRIOR TO OCCUPATION OR COMMENCEMENT OF USE – ALL STAGES</b></p>
53	<p><b>Verification of biodiversity management commitments</b></p> <p>Prior to the issue of any Occupation Certificate, provide a report to the consent authority, prepared by a suitably qualified person verifying that all commitments and harm minimisation measures required by the approved Biodiversity Management Plan have been satisfied.</p> <p><b>Reason:</b> To ensure that the required biodiversity management measures to avoid and minimise biodiversity impacts were implemented prior to issue of the Subdivision Certificate.</p>
54	<p><b>Access Management</b></p> <p>Prior to the issue of any Occupation Certificate submission of an Access Management Strategy, developed by a suitably qualified consultant, to the Certifying Authority. The Strategy is to address bus access to the site for both the short and long-term. The Strategy is to ensure that there is sufficient storage for buses on site to cater for both current and future demand. Buses are not permitted to utilise any part of Council's road reserves that is not dedicated for parking. Scheduling of bus arrivals is required for the future use of the bus drop off area to prevent bus storage or queuing on public land. The access management strategy is to incorporate the proposed management measures to be implemented in the bus access/ staff carpark interface area including management and mitigation measures such as provision of 'Give Way' signage and instructions about how to use the area, with consideration of requirements of relevant stakeholders.</p>

	<p><b>Reason:</b> To ensure the development does not unduly impede traffic and prevent bus parking in undesignated areas.</p>
55	<p><b><i>Special Event Parking</i></b></p> <p>Prior to the issue of any Occupation Certificate submission of a Parking Strategy, developed by a suitably qualified consultant, to the Certifying Authority with a copy submitted to Council.</p> <p>The Strategy is to clearly identify how all parking required to service events at the site will be accommodated on site without requiring use of parking available in the surrounding street network.</p> <p><b>Reason:</b> To ensure the development is not reliant on public parking spaces.</p>
56	<p><b><i>Restricted Access</i></b></p> <p>Prior to the issue of any Occupation Certificate, gates and locks are to be installed on the Caitlin Crescent access driveway. The access is not to be used between the hours of 5pm and 7am or Saturdays, Sundays or Public Holidays.</p> <p>Access to/from George Bass Drive is to be for emergency purposes only.</p> <p><b>Reason:</b> Minimise impact from the development on surrounding properties and ensure that the development complies with the standards of the Roads Authority.</p>
57	<p><b><i>Water/Sewer Developer Contributions - Development</i></b></p> <p>Prior to the issue of any Occupation Certificate, the developer/consent holder will have to be eligible to obtain a Section 307 Certificate of Compliance under the Water Management Act 2000/ compliance with Section 64 of the Local Government Act 1993. To be eligible, the developer/consent holder will have to contribute:</p> <p>a) <b>Water:</b> \$49,896 (6.6 ET) for the augmentation of water supply mains and storage within Eurobodalla Shire where 1.0 ET = \$7,560.</p> <p>b) <b>Sewer:</b> \$105,949.5 (11.1 ET) for the augmentation of sewerage works within Eurobodalla Shire where 1.0 ET = \$9,545.00</p> <p>The contribution shall be paid to the Eurobodalla Shire Council. Evidence of the payment shall be submitted to Principal Certifier prior to the issue of the Construction Certificate.</p> <p><b>Note:</b> <i>The above contributions are reviewed at least annually and may be subject to increases as a result of indexation or other forces. Contributions can be paid prior to each stage of the development.</i></p> <p><b>Reason:</b> To ensure the development contributes to the increased demand of public amenities and infrastructure services. [3.11a]</p>



58	<p><b><i>Completion of public utility services</i></b></p> <p>Prior to the issue of any Occupation Certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.</p> <p><b>Reason:</b> To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation. [0209]</p>
59	<p><b><i>Compliance of works as executed</i></b></p> <p>Prior to the issue of any Occupation Certificate, certification from a suitably qualified person must be provided to the principal certifier that the following works as executed are consistent with the plans and documents including specifications approved under this consent (including but not limited to):</p> <ul style="list-style-type: none"> <li>- Car parking facilities</li> <li>- Disability access</li> <li>- Pedestrian access</li> <li>- Signage location and structures</li> <li>- Mechanical ventilation</li> <li>- Stormwater management</li> <li>- Aboriginal heritage</li> <li>- Access</li> <li>- Acoustic</li> <li>- Building Code</li> <li>- Biodiversity</li> <li>- Vegetation management</li> <li>- Bushfire management</li> <li>- Crime prevention</li> <li>- Demolition and construction management</li> <li>- Preliminary Site Assessment (contamination)</li> <li>- Waste management</li> </ul> <p><b>Reason:</b> To ensure work has been completed in accordance with the development consent.</p>
60	<p><b><i>Occupation Certificate</i></b></p> <p>Prior to the issue of any Occupation Certificate for any development an inspection will be required to ensure formal compliance with the conditions of this consent. In this respect the Principal Certifier, or if no building work is required then Council should be contacted to arrange for an inspection.</p> <p><b>Reason:</b> To ensure compliance with the legislation, Council Policies and applicable planning controls applying to the land. [2.15]</p>



61	<p><b><i>Removal of Temporary Structures - Toilet Facilities</i></b></p> <p>Any temporary toilet facilities provided during construction works are to be appropriately dismantled, disconnected and removed from the site prior to the occupation of the building(s) or commencement of the use.</p> <p><b>Reason:</b> To protect the amenity of the local area. [23.19]</p>
62	<p><b><i>Removal of Temporary Structures - Erosion &amp; Sediment Control Devices</i></b></p> <p>Any temporary erosion or sediment control devices employed during construction are to be removed and other permanent measures are to be implemented in accordance with the consent, prior to the occupation of the building(s) or commencement of the use.</p> <p><b>Reason:</b> To protect the amenity of the local area. [23.20]</p>
63	<p><b><i>Removal of Temporary Structures - Builder's Signs</i></b></p> <p>Any temporary builder's signs or other site information signs are to be removed upon completion of the site works and prior to the occupation of the building(s) or commencement of the use.</p> <p><b>Reason:</b> To protect the amenity of the local area. [23.21]</p>
64	<p><b><i>Removal of Temporary Structures - Site Access</i></b></p> <p>Any temporary site access provided for the purpose of construction works is to be removed, and the kerb and gutter and/or previous roadworks reinstated in a satisfactory manner prior to the occupation of the building(s) or commencement of the use. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works, a separate approval from Council is to be obtained at the applicant's expense prior to such works commencing.</p> <p><b>Reason:</b> To protect the amenity of the local area. [23.22]</p>
65	<p><b><i>Section 7.11 Contributions for development &gt;\$10 Million</i></b></p> <p>Prior to the issue of any Occupation Certificate Payment to Council pursuant to 7.11 of the Environment Planning and Assessment Act 1979, of contributions towards the provision of public amenities or services. The current contribution rates for the current financial year are as follows:</p> <p><b><i>Amount payable - \$230,083.00.</i></b></p> <p>The above contributions are to be paid prior to the issue of any Occupation Certificate, and will be payable at the rate applicable at the time of payment.</p> <p><b>Note:</b> <i>The above contributions are reviewed at least annually and may be subject to increases as a result of indexation or other forces.</i></p> <p>The plan can be viewed on Council's website at</p>

	<p><a href="https://www.esc.nsw.gov.au/property/Planning-guides-and-tools/development-contributions-plans">https://www.esc.nsw.gov.au/property/Planning-guides-and-tools/development-contributions-plans</a></p> <p><b>Reason:</b> To ensure the development contributes to the increased demand of public amenities and infrastructure services. [3.07a]</p>
66	<p><b><i>Works as Executed Plans and any other Documentary Evidence</i></b></p> <p>Prior to the issue of any Occupation Certificate, the applicant must submit, to the satisfaction of the principal certifier, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works (including but not limited to):</p> <ul style="list-style-type: none"> <li>a) All stormwater drainage systems and storage system</li> <li>b) The following matters that Council requires to be documented <ul style="list-style-type: none"> <li>- asbestos clearance certificate</li> <li>- operational management plan/s</li> <li>- emergency evacuation plan</li> <li>- biodiversity management plan</li> <li>- Acoustic Implementation</li> <li>- Noise Management</li> </ul> </li> </ul> <p>The principal certifier must provide a copy of the plans to Council with the occupation certificate.</p> <p><b>Reason:</b> To ensure the development does not conflict with the public interest. [6.06]</p>
67	<p><b><i>Road Damage</i></b></p> <p>Prior to the issue of any Occupation Certificate the cost of repairing any damage caused to Council or other public authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the applicant/developer prior.</p> <p><b>Reason:</b> To ensure that the development complies with the standards of the Roads Authority. [14.15]</p>
68	<p><b><i>Train Street Median</i></b></p> <p>Prior to the issue of an Occupation Certificate for the sports and recreation centre (P10) a concrete median is to be constructed in front of the eastern access point along Train Street to prevent right turn movements. Works will be subject of a Section 138/139 Road Act approval.</p> <p><b>Reason:</b> To ensure that the development complies with the standards of the Roads Authority.</p>
69	<p><b><i>Works within the Road Reserve</i></b></p>

	<p>Prior to the issue of an Occupation Certificate for the sports and recreation centre (P10) the driveway/s, footpath and median associated with the development are to be constructed under a Section 138/139 Roads Act approval. The conditions of the Roads Act approval are to be complied with prior to the issue of an Occupation Certificate.</p> <p><b>Reason:</b> To ensure that the development complies with the standards of the Roads Authority.</p>
70	<p><b>Entry and Exit Signs</b></p> <p>Prior to the issue of an Occupation Certificate for the sports and recreation centre (P10) Entry and exit signs are to be erected within the property boundaries, clearly identifying each driveway to the public. Signs to be erected prior to issue of any Occupation Certificate.</p> <p><b>Reason:</b> To ensure the development does not conflict with the public interest. [14.29]</p>
71	<p><b>Car Park Signage</b></p> <p>Prior to the issue of an Occupation Certificate for the sports and recreation centre (P10) Signage shall be installed at the entry to the car park to warn pedestrians of vehicles exiting the car park. Further signage shall be installed near the car park exit to warn drivers of the presence of pedestrians using the footpath. The signage shall be installed prior to occupation of the building(s).</p> <p><b>Reason:</b> To ensure the development does not conflict with the public interest. [14.34]</p>
72	<p><b>Parking</b></p> <p>Prior to the issue of an Occupation Certificate for the sports and recreation centre (P10), construct/provide car parking in accordance with the approved plans.</p> <p><b>Reason:</b> To ensure that the development complies with the standards of the Roads Authority. [15.06]</p>
	<p><b>OCCUPATION AND ONGOING USE</b></p>
73	<p><b>Student numbers</b></p> <p>Student numbers are limited to a maximum of 900 students.</p> <p><b>Reason:</b> To ensure the development does not conflict with the public interest.</p>
74	<p><b>Managing noise – acoustic treatment</b></p> <p>During ongoing use of the premises, the premises must be operated in accordance with any approved acoustic report.</p> <p>As the approved acoustic report recommends ongoing acoustic treatments, an Acoustic Implementation Report and Noise Management Plan from a suitably qualified person must be submitted to Council <b>within 12 months</b> of the date of the issue of the occupation certificate.</p>

	<p>The report must confirm the implementation of acoustic treatment and demonstrate the external and internal noise levels satisfy the criteria nominated in accordance with the approved acoustic report.</p> <p><b>Reason:</b> To ensure operational noise levels comply with the approved acoustic report and do not unreasonably impact on the amenity of adjoining and nearby premises.</p>						
75	<p><b><i>Operational Hours – trial period</i></b></p> <p>The approved operational hours of the Sports and Recreation Centre (P10) are to operate on a trial period for a period of 12 months for the following hours from the date of the occupation certificate:</p> <table border="1"> <tr> <td>Monday – Sunday</td><td>7am to 9pm</td></tr> <tr> <td>Saturdays</td><td>7am to 9pm</td></tr> <tr> <td>Sundays and Public Holidays</td><td>8am – 5pm <i>i.e. Limited to school hours for Sundays and public holidays</i></td></tr> </table> <p>Council must be informed before the date of commencement of the trial period hours in writing.</p> <p>An application to extend or continue the operating hours must be lodged no less than 3 months before the end of the trial period. The request for continued or extended operational hours is to be accompanied by an acoustic implementation report from a suitably qualified person.</p> <p>Once the prescribed trial period of operating hours lapses, the hours of operation will revert to the standard school operating hours.</p> <p><i>Note: standard school operational hours are: 8am – 5pm (Monday – Friday)</i></p> <p><b>Reason:</b> To enable a trial period to ensure the amenity of the locality is maintained and implemented during the occupation of the site.</p>	Monday – Sunday	7am to 9pm	Saturdays	7am to 9pm	Sundays and Public Holidays	8am – 5pm <i>i.e. Limited to school hours for Sundays and public holidays</i>
Monday – Sunday	7am to 9pm						
Saturdays	7am to 9pm						
Sundays and Public Holidays	8am – 5pm <i>i.e. Limited to school hours for Sundays and public holidays</i>						
76	<p><b><i>External lighting during ongoing use</i></b></p> <p>During ongoing use of the premises, all lighting must be operated and maintained in accordance with the approved plans and the requirements of this consent.</p> <p><b>Reason:</b> To ensure the safe operation of the premises and protect the amenity of the local area.</p>						
77	<p><b><i>Ongoing Biodiversity Management Plan</i></b></p> <p>During ongoing use, all commitments in the approved Biodiversity Management Plan must be met.</p>						

	<p><b>Reason:</b> To ensure the required biodiversity management measures to avoid and minimise biodiversity impacts are implemented during and following the occupation of the site.</p>
78	<p><b>Storage and disposal of waste materials during ongoing use</b></p> <p>During ongoing use of the premises:</p> <ul style="list-style-type: none"> <li>a) a waste storage area of sufficient capacity must be put on the premises for the storage of any waste that is generated (including for recycling),</li> <li>b) all garbage and recyclable materials generated from the premises must be stored wholly within any approved storage area and must not be stored outside the premises (including any public place) at any time</li> <li>c) arrangements must be implemented for the separation of recyclable materials from garbage</li> <li>d) any approved waste storage area must be appropriately maintained to prevent litter and the entry of pests</li> <li>e) where council does not provide commercial garbage and recyclable materials collection services: <ul style="list-style-type: none"> <li>i) a contract must be entered into with a licensed contractor to provide these services for the premises; and</li> <li>ii) a copy of the contract must be kept on premises and provided to relevant authorities including council officers on request.</li> </ul> </li> <li>f) where the collection of garbage and recyclable materials from the premises is undertaken by a licensed contractor, it must only occur between 7am- 5pm Monday - Friday</li> <li>g) all liquid trade waste discharged to sewerage system must comply with the trade waste approval issued by the relevant water authority</li> <li>h) all liquid trade waste pre-treatment devices must be regularly maintained to remain effective in accordance with the conditions of the liquid trade waste approval issued by the relevant water authority.</li> </ul> <p><b>Reason:</b> To ensure proper handling of waste, garbage and recyclable materials generated during operation of the premises.</p>
79	<p><b>Emergency management and evacuation</b></p> <p>The Bushfire Emergency Management and Evacuation Plan referenced in <b>NSW RFS General Terms of Approval</b> is to be prepared and submitted to the satisfaction of the Principal Certifier.</p> <p><b><i>Emergency and Evacuation Planning Assessment The intent of measure is to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.</i></b></p> <p><i>9. Prepare/update the St Peters Anglican College Bush Fire Emergency Management and Evacuation Plan consistent with Table 6.8d of Planning for Bush Fire Protection 2019.</i></p> <p><i>note: reference should be made to applicable plans and guidelines</i></p>

	<p>The Plan is to be kept updated and a copy of any updated plan provided to Council.</p> <p><b>Reason:</b> To ensure procedures and measures for managing the premises are maintained.</p>
80	<p><b>Out of hours event management plan</b></p> <p>The applicant is to prepare an Operational Plan of Management's 'Out of School Hours Event Management Plan' to include at a minimum:</p> <ul style="list-style-type: none"> <li>a) The number of attendees, time and duration.</li> <li>b) A schedule of all annual events (where known).</li> <li>c) Demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternative modes of transport.</li> <li>d) Measures to minimise localised traffic and parking impacts.</li> <li>e) include measures to minimise noise impacts on any sensitive residential receivers.</li> <li>f) Outline means of notifying the local community of larger events such as dances and fetes.</li> </ul> <p>A copy is to be provided to the Certifier and Council. Copies of updated management plans are to be provided to Council every 18 months.</p> <p><b>Reason:</b> To ensure the safe operation of the premises and protect the amenity of the local area.</p>

### Advisory notes – Project specific

#### **Commonwealth Environment Protection and Biodiversity Conservation Act 1999**

The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* provides that a person must not take an action which has, will have, or is likely to have a significant impact on:

- (a) A Matter of National Environmental Significance (MNES); or
- (b) Commonwealth land without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales *Environmental Planning & Assessment Act, 1979*. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation.

It is the proponent's responsibility to consult the Australian Government (Department of Climate Change, Energy, the Environment and Water) to determine the need or otherwise for Commonwealth approval and you should not construe this grant of consent as notification to you that the Environment Protection and Biodiversity Conservation Act 1999 does not have application.

The *Environment Protection and Biodiversity Conservation Act 1999* may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

**Energy Provider:**

- 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;
- Any activities in proximity to electrical infrastructure 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); and
- 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](http://www.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.

**General advisory notes**

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

## Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

**Approved plans and documents** means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

**AS** means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

**Building work** means any physical activity involved in the erection of a building.

**Certifier** means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

**Construction certificate** means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

**Council** means Eurobodalla Shire Council.

**Court** means the Land and Environment Court of NSW.

**EPA** means the NSW Environment Protection Authority.

**EP&A Act** means the *Environmental Planning and Assessment Act 1979*.

**EP&A Regulation** means the *Environmental Planning and Assessment Regulation 2021*.

**Independent Planning Commission** means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

**Occupation certificate** means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

**Principal certifier** means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

**Site work** means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

**Stormwater drainage system** means all works and facilities relating to:  
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.



**Strata certificate** means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

**Subdivision certificate** means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

**Subdivision works certificate** means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

**Sydney district or regional planning panel** means Southern Regional Planning Panel.[Title]