**Draft Conditions:**

**APPROVED DEVELOPMENT**

1. Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

|  |  |  |  |
| --- | --- | --- | --- |
| Drawings | | | |
| Drawing No. | Rev. | Name of Plan | Date |
| **Science Building/ Block M** | | | |
| 2106.03-A011 | C | Site Plan – Proposed | 01/11/2023 |
| 2106.03-A012 | A | Site Plan – Demolition | 01/11/2023 |
| 2106.03-A110 | C | Demolition Plan | 01/11/2023 |
| 2106.03-A130 | G | Ground Floor Plan | 01/11/2023 |
| 2106.03-A131 | H | First Floor Plan | 01/11/2023 |
| 2106.03-A129 | G | Basement Plan | 01/11/2023 |
| 2106.03-A300 | G | Sections | 01/11/2023 |
| 2106.03-A301 | G | Sections | 01/11/2023 |
| 2106.03-A205 | G | Elevations 1 | 01/11/2023 |
| 2106.03-A206 | G | Elevations 2 | 01/11/2023 |
| 2106.03-A160 | G | Roof Plan | 01/11/2023 |
|  |  |  |  |
| **Administration Building** | | | |
| 2106.02-A013 | F | Detail Site Plan – Proposed | 15/01/2024 |
| 2106.02-A004 | F | Site Plan | 15/01/2024 |
| 2106.02-A005 | E | Site Analysis | 14/12/2023 |
| 2106.02-A011 | C | Detailed Site Plan – Demolition | 15/01/2024 |
| 2106.02-A110 | K | Demolition Plan – Ground Floor | 15/01/2024 |
| 2106.02-A111 | K | Demolition Plan – First Floor | 15/01/2024 |
| 2106.02-A130 | L | General Arrangement Plan – Ground Floor | 16/01/2024 |
| 2106.02-A135 | L | General Arrangement Plan – First Floor | 16/01/2024 |
| 2106.02-A300 | K | Sections | 15/01/2024 |
| 2106.02-A301 | K | Sections | 15/01/2024 |
| 2106.02-A302 | K | Sections | 15/01/2024 |
| 2106.02-A205 | K | Elevations 1 | 15/01/2024 |
| 2106.02-A206 | K | Elevations 2 | 15/01/2024 |
| 2106.02-A136 | K | Roof Plan | 15/01/2024 |
| 2106.02-A310 | C | RAMP01 Plan | 15/01/2024 |
| 2106.02-A311 | C | Ramp Section and Details | 15/01/2024 |
|  |  |  |  |
| * Statement of Environmental Effects, prepared by SQC Group Pty Ltd, dated 25 January 2024. * Design Verification Statement (Education SEPP Design Quality Principles), prepared by SQC Group Pty Ltd, dated 18 January 2024. * Statement of Heritage Impact, prepared by SQC Group Pty Ltd, dated 14 December 2023. * Structural Report Structural Feasibility & Recommendations Administration Building - Hennessy College, Young, prepared by NDY Management Pty Ltd, dated 6 September 2023. * Compliance Report (BCA), prepared by Hilltops Certifying Services Pty Ltd, dated 25 April 2022. | | | |

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

1. No approval is granted by this consent to increase the maximum permitted student enrolment at the school from the existing approved capacity.
2. No signage is approved as part of the development, no signs or advertising material (other than exempt development) shall be erected on the site without a subsequent Development Application being approved by Council.
3. All recommendations in the approved Statement of Heritage Impact, prepared by SQC Group Pty Ltd, dated 14 December 2023, are to be adhered to and implemented as part of the development.
4. All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the Construction Certificate was made).
5. All prescribed conditions under the Environmental Planning & Assessment Regulation 2021 apply and must be complied with.
6. All works, including any service adjustments, associated with the development shall be at no cost to Hilltops Council.
7. A copy of the plans and documentation approved by this consent must be kept onsite for the duration of site works and be made available upon request to either the Certifying Authority or an officer of the Council.

**Prior to release of Construction Certificate**

1. A Construction Certificate must be obtained from Council or an Accredited Certifier prior to any building work commencing for the development. When applying for a Construction Certificate, all plans must comply with the Building Code of Australia. All detail must be shown on the plans or accurately detailed in the building specification.

**Building upgrades (Administration Building)**

1. The existing building (Block F - Administration Building) shall be upgraded to comply with the applicable performance requirements of the Building Code of Australia to achieve acceptable standards of structural sufficiency, safety (including fire safety), health and amenity and to prevent the spread of fire to adjoining buildings. Compliance with the performance requirements may be achieved by:

(a) Complying with the deemed to satisfy provisions, or

(b) Formulating an alternative solution which:

(i) complies with the performance requirements, or

(ii) is shown to be at least equivalent to the deemed to satisfy provision, or

(iii) A combination of (a) and (b).

Detailed plans demonstrating compliance are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

1. Mechanical ventilation system(s) are to be installed in accordance with the Building Code of Australia and Australian Standards AS1668.1

the use of ventilation and air conditioning in building and AS1668.2 mechanical ventilation in buildings. The system(s) are to be located to not obscured views of the significant building (Block F – Administration Building) and to minimise impact on original building fabric. The design of the system is to be prepared by a suitably qualified person and certified in accordance with the Building Code of Australia, to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

**Access for people with disabilities**

1. Pedestrian access to the development and parking for persons with disabilities shall be designed in accordance Australian Standards 2890.6 Parking facilities Off-street parking for people with disabilities and AS1428.1 Design for Access and Mobility - General Requirements for Access - New Building Work. Detailed plans demonstrating compliance are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

**Services**

1. Council’s water main must be extended to meet the fire service requirements for the development, at full cost to the person having the benefit of this consent. Detailed plans for any extension must be submitted to the Certifying Authority and approved prior to the issue of the Construction Certificate.
2. Prior to the issue of the Construction Certificate, detailed plans associated with the drainage of sewer for the development, including required pre-treatment equipment to allow for the discharge of liquid trade waste to sewer, shall be submitted to Hilltops Council and approved in accordance with Section 68 of the Local Government Act, 1993 and NSW Department of Planning, Industry and Environment Liquid Trade Waste Management Guidelines for Councils in Regional NSW 2021.
3. A comprehensive stormwater drainage system must be designed and constructed to collect and treat all stormwater generated by the development (from roof and hard stand areas), in accordance with Council’s Engineering Guidelines for Subdivisions and Developments*.* The plan must address hydraulic requirements, discharge details, pipe sizes, pit details and conveyance and disposal details. The hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff. Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

**Contributions**

1. Pursuant to Section 7.12 of the Environmental Planning and Assessment Act, 1979 the monetary contribution set out in the following table is to be paid to Council prior to the issue of the Construction Certificate. The contribution is current as at the date of this consent and is levied in accordance with the Young Shire Section 94A Developer Contributions Plan, adopted on 20 April 2016, which may be viewed on Council’s website: www.hilltops.nsw.gov.au.

|  |  |  |  |
| --- | --- | --- | --- |
| **Contribution type** | **Development value** | **Levy percentage** | **Total contribution** |
| Section 7.12 Contribution | $6,350,000.00 | 1% | **$63,500.00** |

The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Canberra) published by the Australian Bureau of Statistic. Contribution amounts will be adjusted by Council each quarter.

**Long Service Levy**

1. In accordance the *Environmental Planning and Assessment Act 1979,* a Construction Certificate for Building Works shall NOT be issued until any Long Service Levy payable under Section 34 of the *Building and Construction Industry Long Service Payments Act, 198*6 (or where such levy is payable by instalments, the first instalment of the levy) has been paid (as applicable). Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided.

**PRIOR TO WORKS COMMENCING**

1. The person having the benefit of this consent must obtain all relevant approvals under Section 68 of the Local Government Act, 1993 to carry out sewerage, stormwater drainage and/or water supply work from Council prior to commencing such works and comply with any conditions of that approval. All plumbing work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia.

**Archival record**

1. Prior to any works commencing on the Administration Building (Block F), an archival record of the building is to be prepared in accordance with the NSW Heritage Office Guidelines for Recording of Heritage Items. A copy of the archival record is to be submitted to Hilltops Council for archival purposes.

**Dilapidation report**

1. A dilapidation report is to be prepared prior to demolition works commencing. The report is to document/record any existing damage to kerbs, footpaths, roads, trees and street furniture in the road reserve adjoining the development. A copy of the dilapidation report shall be submitted to Hilltops Council.

**Construction management plan**

1. A management plan to address demolition and construction activity access and parking is to be prepared to ensure that suitable provision is available on site for all vehicles associated with the development to alleviate any need to park within, or load/unload from the public road reserves. Appropriate signage and fencing is to be installed and maintained to effect this requirement.
2. Suitable hoarding or protective barrier is to be erected and maintained between the work site and adjoining roads prior to demolition or building works commencing.
3. A sign must be erected in a prominent position on the site on which demolition or building work is being carried out:
4. showing the name, address and telephone number of the principal certifying authority for the work, and
5. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
6. stating that unauthorised entry to the site is prohibited.

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

1. No work must commence until:
2. a Principal Certifying Authority has been appointed. Where an Accredited Certifier is the appointed, Council must be notified within two (2) days of the appointment; and
3. a minimum of two (2) days written notice must be given to Council of the intention to commence work.

**DURING WORKS**

1. The works must be undertaken in accordance with the ‘Interim Construction Noise Guideline’ published by the NSW Environment Protection Authority. Demolition work, building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations should only be carried out between 7:00 am and 6:00 pm on weekdays and 8:00 am and 1:00 pm Saturdays.
2. The development shall provide adequate on-site vehicle parking for tradesmen, plant and equipment and the storage of materials at all times during works. No materials, goods, etc. shall be stored in the road reserve unless approved by Council under Section 138 of the Roads Act, 1993.
3. The carrying out of work during the construction of the development shall be done in such a manner as to not to interfere with the amenity of the locality by reason of the emission of noise, vibration, dust, smell, fumes, smoke vapour, steam, soot, ash, wastewater, waste products or grit, oil or otherwise.
4. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at a lawful waste facility. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the development.
5. Toilet facilities are to be provided during construction, on the work site, at the rate of one (1) toilet for every twenty (20) persons or part of twenty (20) persons employed at the site. The toilets must be in place prior to the commencement of work.
6. All trees, including street trees, to be retained must be protected during works in accordance with Australian Standard AS4970:2009 Protection of trees on development sites.
7. The gardens and rose plants in front of the former Convent building (Block F - Administration Building) must be protected from damage during works.
8. The tree removal works shown on the approved plans must be carried out in accordance with Australian Standard AS4373:2007 Pruning of Amenity Trees.
9. All works near electricity infrastructure is undertaken in accordance with the ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure, prepared by the NSW Industry Steering Committee (as amended).
10. Any damage caused to footpaths, roadways, utility installations and the like by reason of demolition or construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of works. The full cost of restoration/repairs of property or services damaged during the works shall be met by the person having the benefit of this consent.
11. Soil and water management measures consistent with Managing Urban Stormwater - Soils and Construction Volumes 1 and 2, 4th Edition (Landcom, 2004) shall be employed during the construction of the development to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters. The measures shall be installed prior to works commencing and must not be removed until such time as the ground cover has been re-established.

**Demolition**

1. Demolition works shall comply with the provisions of Australian Standard AS2601:2001 The Demolition of Structures and the Work Health and Safety Act, 2011.
2. All utility service connections must be properly disconnected as part of the demolition works. The person having the benefit of this consent must consult with the service authorities regarding their requirements for the disconnection of services prior to demolition works commencing.
3. All works involving the removal and disposal of asbestos cement and other products containing asbestos must only be undertaken by contractors who hold a current SafeWork NSW licence appropriate to the work being undertaken. All removal, transport and disposal of asbestos or other contaminated waste materials shall be controlled in accordance with the Work Health and Safety Act, 2011 and the Safe Work Australia Code of Practice – How to Manage and Control Asbestos in the Workplace.
4. All excavated material and demolition waste to be removed from the site is to be assessed, classified, transported and disposed of in accordance with the NSW Department of Environment and Climate Change’s ‘Waste Classification Guidelines Part 1: Classifying Waste’ publication and disposed of at a lawful waste facility. Copies of the disposal dockets must be retained and given to the Certifying Authority or Hilltops Council on request.
5. Upon the conclusion of the demolition works the area of the demolition work is to be appropriately levelled and graded, ensuring no depressions are left in which rainwater may accumulate and stagnate.

**Setout**

1. A survey report prepared by a Registered Surveyor is to be submitted to the Certifying Authority to ensure the development is located on-site and at the approved distances from the boundary. This is to be verified by pegging the site prior to commencement of any construction works.

**Earthworks**

1. All cut or fill must be appropriately graded, drained and revegetated or suitably retained by a retaining structure, designed and constructed to appropriate engineering standards. All works must be carried out without effecting the structural integrity of boundary fencing or neighbouring structures.
2. Only fill material characterised as Virgin Excavated Natural Material or Excavated Natural Material (VENM) and Excavated Natural Material (ENM) under the guidelines of the NSW Environment Protection Authority may be used in this development. All fill material must be suitably compacted in accordance with the approved Geotechnical Investigation and Australian Standard AS3798:2007 Guidelines on earthworks for commercial and residential developments.
3. Where development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of this consent must at the person’s own expense:

a) protect and support the adjoining premises from possible damage from the excavation, and

b) where necessary, underpin the adjoining premises to prevent any such damage.

1. In the event that any Aboriginal artefacts or other archaeological material is found, all work likely to affect the site(s) shall cease immediately at that location and NSW Heritage shall be consulted in terms of the appropriate course of action. Prior to recommencement of works any required permits/approvals shall be obtained.
2. Alterations to the natural surface contours must not impede, increase or divert natural surface water runoff, so as to cause a nuisance to adjoining properties, including road and rail reserves.

**Construction**

1. All plumbing and drainage work is to comply with the requirements of Australian Standard AS3500 Plumbing and Drainage and the Plumbing Code of Australia. After completion of the drainage works, and prior to the issue of an Occupation Certificate, the person having the benefit of this consent shall submit to Council a detailed Works As Executed Plan.

Note: Council requires a ‘Certificate of Compliance’ and Works as Executed Plan to be submitted and approved by Council prior to the issue of a Final Plumbing Certificate. The Works as Executed Plan must be submitted in electronic format in accordance with NSW Fair Trading requirements.

1. Access for the disabled must be provided to the buildings in accordance with Australian Standard AS1428.1 Design for Access and Mobility – General Requirements for Access – New Building Work. All required tactile indicators, audible indicators and signage applicable to the level of development proposed shall be provided.
2. Toilet accommodation shall be provided for disabled persons in accordance with the design criteria in Australian Standard AS1428.1 Design for Access and Mobility – General Requirements for Access – New Building Work.
3. Ramps provided for disabled access shall comply with Australian Standard AS1428.1 Design for Access and Mobility – General Requirements for Access – New Building Work.
4. All roofed and paved areas shall be properly drained so that stormwater from those areas is conveyed to the approved stormwater drainage system in accordance with AS/NZS 3500.3.2003 Stormwater Drainage, Plumbing Code of Australia and Council’s Engineering Guidelines for Subdivisions and Developments. Stormwater disposal drains shall be connected to all roof gutter down pipes within fourteen (14) days of installation of the down pipes and/or the construction of hard standing areas, as may be appropriate, to discharge stormwater to the approved method of disposal.

**Amenity**

1. All external lights, including the illuminated cross shown on the approved plans, shall be designed, operated and maintained in accordance with the Australian Standard AS4282:2019 - Control of the Obtrusive Effects of Outdoor Lighting so as not to cause a nuisance or adverse impact on the amenity of the surrounding area or motorists on nearby roads.

**Landscaping**

1. All landscape works must be completed in accordance with the approved plans prior to occupation of the development and maintained in good order at all times.
2. Any landscaping, fencing or signage to be provided within the site or along the boundary with any adjoining road reserve is to be designed and maintained to provide safe sight distance to pedestrians for motorists entering and exiting the site to minimise conflict in accordance with Australian Standard AS2890.1:2004 Off-street car parking.

**Prior to release of Occupation Certificate**

1. An Occupation Certificate must be issued by the Certifying Authority prior to occupation or use of the development. When all work as indicated on the approved plans/specifications is completed, the person having the benefit of this consent shall notify the Certifying Authority to arrange for the issue of an **Occupation (Completion) Certificate.**
2. Prior to the issue of any Occupation Certificate, the owner must submit to Council a final Fire Safety Certificate stating that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates:
3. has been assessed by a properly qualified person; and
4. was found, when it was assessed, to be capable of performing to a standard not less than that required by the current Fire Safety Schedule for the building.

Further, the assessment must be carried out within a period of three (3) months of the date on which the final Fire Safety certificate was issued. The owner of the building must forward a copy of the certificate to the New South Wales Fire Brigades and must prominently display a copy in the building.

1. Prior to issue of any Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with the Building Code of Australia, must be provided to the Certifying Authority from a qualified person.
2. A trade waste approval (or exemption) must be obtained from Hilltops Council, in accordance with Section 68 of the Local Government Act, 1993 and the NSW Department of Planning, Industry and Environment Liquid Trade Waste Management Guidelines for Councils in Regional NSW 2021 prior to the issue of any Occupation Certificate.
3. All works under this consent are to be completed prior to the issue of an Occupation Certificate.

**GENERAL**

1. The use of the premises and operating noise level of plant and equipment shall not give rise to an ‘offensive noise’ as defined by the Protection of the Environment Operations Act, 1997.
2. No injury must be caused to the amenity of the area by the emission of noise, smoke, smell, vibration, gases, vapours, odours, dust, particulate matter, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health, the exposure to view of any unsightly matter or otherwise.
3. The owner/operator must submit to Hilltops Council an Annual Fire Safety Statement, each twelve (12) months after the final Fire Safety Certificate is issued.