

Attachment A – Draft Conditions of Consent

General Conditions

1. Staging

The development will occur in two stages as follows:

- a) Stage 1: Building A (Reception, Administration, Library, Covered Outdoor Learning Area (COLA), carparking, part of Building C (Primary School) with capacity for 90 students and associated landscaping.
- b) Stage 2: Remaining Building C (Primary School) with capacity for 120 students, COLA and associated landscaping.

Reason: To reflect the proposed construction staging.

2. Approved plans and supporting documentation

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

Approved plans

Drawing Number	Revision Number	Plan Title	Drawn by	Date of plan
210026/DA000	6	DA Cover Page	Clarke Hopkins Clarke	7/8/2024
210026/DA001	6	Site Plan – Existing & Demolition	Clarke Hopkins Clarke	7/8/2024
210026/DA002	8	Site Plan - Proposed	Clarke Hopkins Clarke	7/8/2024
210026/DA003	6	Site Plan - Analysis	Clarke Hopkins Clarke	7/8/2024
210026/DA004	6	Site Plan - Staging	Clarke Hopkins Clarke	7/8/2024
210026/DA005	1	Site Plan – Bulk Excavation	Clarke Hopkins Clarke	7/8/2024
210026/DA010	9	Precinct Masterplan – Ground Level	Clarke Hopkins Clarke	7/8/2024
210026/DA100	5	Building A – Ground Level	Clarke Hopkins Clarke	7/8/2024
210026/DA101	5	Building A – Roof Plan	Clarke Hopkins Clarke	7/8/2024
210026/DA120	2	Building C – Ground Level	Clarke Hopkins Clarke	7/8/2024
210026/DA121	2	Building C – Roof Plan	Clarke Hopkins Clarke	7/8/2024
210026/DA200	5	Building A - Elevations	Clarke Hopkins Clarke	7/8/2024
210026/DA220	2	Building C - Elevations	Clarke Hopkins Clarke	7/8/2024
210026/DA500	6	Overall Site Elevations	Clarke Hopkins Clarke	7/8/2024
210026/DA600	5	Building A - Sections	Clarke Hopkins Clarke	7/8/2024
210026/DA620	2	Building C - Sections	Clarke Hopkins Clarke	7/8/2024
210026/DA800	6	Shadow Diagrams	Clarke Hopkins Clarke	7/8/2024
210026/DA801	6	Shadow Diagrams	Clarke Hopkins Clarke	7/8/2024
210026/DA860	4	Functional Areas & Unencumbered Space	Clarke Hopkins Clarke	7/8/2024
210026/DA870	4	Site Perimeter Fence Layout	Clarke Hopkins Clarke	7/8/2024
210026/DA900	3	3D Perspective View	Clarke Hopkins Clarke	7/8/2024
210026/DA901	3	3D Perspective View 2	Clarke Hopkins Clarke	7/8/2024
210026/DA902	3	3D Perspective View 3	Clarke Hopkins Clarke	7/8/2024
N0201396 B100	4	Site Infrastructure Plan	JN	Nov 2021

N0201396 C001	3	Cover Sheet & Locality Plan	JN	Dec 2021
N0201396 C002	3	General Notes & Legends	JN	Dec 2021
N0201396 C100	2	Siteworks and Stormwater Plan	JN	Dec 2021
N0201396 C110	2	Typical Details – Sheet 1	JN	Dec 2021
N0201396 C111	2	Typical Details – Sheet 2	JN	Dec 2021
N0201396 C200	2	Erosion and Sediment Control Plan	JN	Dec 2021
N0201396 C210	2	Erosion and Sediment Control Details – Sheet 1	JN	Dec 2021
N0201396 C211	2	Erosion and Sediment Control Details – Sheet 2	JN	Dec 2021
SQ1-MOA-000	0	Landscape Cover Sheet	Square One	31/7/2024
SQ1-MOA-001	0	Plant Palette	Square One	N/A
SQ1-MOA-100	0	Landscape Master Plan	Square One	31/7/2024
SQ1-MOA-101	0	Landscape Master Plan – Forecourt, Building A & C	Square One	31/7/2024
SQ1-MOA-102	0	Landscape Detail Sections	Square One	31/7/2024
SQ1-MOA-103	0	Soft Landscape Details	Square One	31/7/2024

Approved documents

Document Title	Version number	Prepared by	Date of document
Statement of Environmental Effects	3	Salvestro Planning	Sept 2024
Traffic Impact Assessment Report	6	Traffic Works	24/9/2024
Green Travel Plan	3	Traffic Works	29/8/2024
Construction Traffic and Pedestrian Management Plan	3	Traffic Works	29/8/2024
Biodiversity Development Assessment Report (BDAR)	3.2	OzArk	May 2022
Addendum Biodiversity Report	3.1	OzArk	Sept 2024
Arborist Report	Ref 21/413B	Mark D McCrone	Oct 2022
BCA & DDA Capability Statement	3	BMplusG	30 July 2024
Preliminary Construction Management Plan	A	Clarke Hopkins Clarke	Sept 2022
Provisional Contamination Assessment	N/A	Landserv Environment	7 Dec 2018
Preliminary Geotechnical Investigation Report	N/A	ACT Geotechnical Engineers	13 Sept 2021
Aboriginal Cultural Heritage and Historic Heritage Assessment Report	3.1	OzArk	Apr 2022
Noise & Vibration Impact Assessment	3	Octave Acoustics	19 Aug 2024
Waste management Plan	FO2	Salt	9 Aug 2024
Integrated Water Cycle Management Report	C	JN	7 Aug 2024
Survey – Existing Conditions	01	North East Survey Design	May 2021
NABERS Embodied Emissions Report	1	Certified Energy	14 Nov 2024

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

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

3. Inconsistency between Documents

If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this approval prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Reason: To indicate what is to occur should there be any inconsistency between the approved plans and documentation.

4. Limits of Approval

This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

Reason: To ensure that development occurs in a timely manner

5. National Construction Code

The work must be carried out in accordance with the requirements of the National Construction Code.

Reason: To ensure compliance with relevant legislative requirements.

6. Structural Adequacy

The applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the Building Code of Australia.

Notes: Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.

Reason: To ensure compliance with relevant legislative requirements.

7. Compliance with Disability Discrimination Act

The building shall comply with the requirements of the Commonwealth Disability (Access to Premise Standard) 2010.

Reason: To ensure compliance with relevant legislative requirements.

8. Hours of operation

The hours of operation are limited to:

- a) Core school hours: Monday to Friday from 8:00am to 5:00pm
- b) After hours use: Monday to Friday from 5:00pm to 9:00pm

No activity, events or use of the site is permitted on weekends without prior written approval from Council.

Reason: To reduce any adverse impacts of the school on neighbouring properties.

9. Provision of Parking Spaces

- a) The development is required to be provided with 43 off-street car parking spaces (including a minimum of 7 spaces for pick-up/drop off that is to include the 7 spaces within the vehicle circulation area directly adjoining Lignum Road), including 5 accessible spaces. These car parking spaces shall be available for off street parking at all times.
- b) 16 bicycle parking spaces are to be provided with all spaces being under cover.

Reason: To avoid the use of off-street parking to service the school.

10. Student and Staff Numbers

A maximum of 210 enrolled children and 40 staff are permitted to be at the school. Any change to the number of children or staff will require an application to Council to modify this condition.

Reason: To ensure that the development does not exceed the capacity for which it was designed.

11. Loading and unloading

All loading and unloading associated with the development must be carried out within the site.

Reason: To ensure such operations do not interfere with use of the adjoining roadway and/or footpath.

12. Canteen

The canteen must be constructed and fitted out in accordance with the minimum requirements of AS 4674 –2004 Construction and fit out of food premises.

Reason: To satisfy the requirements of the Food Act 2003 and to protect public health.

13. Security

Any security alarms or similar devices installed on the land must be of a silent type in accordance with any current standard published by Standards Australia and be connected to a security service.

Reason: To ensure the use of the property does not detrimentally affect neighbouring properties.

14. Flood Planning

- a) The finished floor level of all habitable rooms must be constructed to at least the height of RL 96.5m AHD.
- b) All buildings to be designed and constructed so as not to impede the free flow of flood waters or overland flow, to ensure that other properties are not adversely affected by the development.
- c) Construction materials used below the probable maximum flood level are to be of suitable flood compatible materials that result in flood proofing to prevent water ingress into building structures.
- d) Fixtures and power outlets below the adopted flood level shall be flood compatible, to ensure safety of building occupants. Electrical fittings (wiring, connections etc.) are to be flood proofed or relocated to at least RL 96.5m AHD.
- e) Materials used for structural purposes and located below the FHL must be capable of resisting damage, deterioration, corrosion or decay taking into account the likely time the material would be in contact with flood water and the likely time it would take for the material to subsequently dry out.

Note: Materials used for structural purposes include loadbearing columns, bracing members, structural connections, fasteners, wall framing members and the like.

Reason: To ensure flood resilience during a 0.2% AEP Flood Event.

15. Outdoor lighting

Outdoor lighting, where provided, must be designed, baffled and located so as to prevent any direct light being emitted outside the boundaries of the subject land.

Reason: To protect the amenity of the adjoining area.

16. Services

No permanent or temporary building works are to occur within zone of influence of Council's piped assets including the use or storage of heavy machinery and equipment.

Reason: To protect Council's assets.

17. Servicing of development site

The development site must be appropriately serviced by (but not limited to) the following utilities:

- a) Sewer
- b) Water
- c) Communications
- d) Electricity

Reason: To ensure the development is serviced.

18. Planting Requirements

All trees planted as part of the approved landscape plan pursuant to condition no. 2 of this consent, as amended by applicable Landscaping condition within this consent, are to be minimum 75 litre pot size. All shrubs planted as part of the approved landscape plan are to be minimum 200mm pot size. Groundcovers and ornamental grasses are to be minimum 150mm pot sizes. Any species that need substituting requires confirmation from Council.

Reason: To ensure that landscaping is more likely to survive and reach maturity more quickly.

19. Retention of Trees

All trees not specifically identified on the approved plans for removal are to be retained and afforded adequate protection during excavation and construction works, with remedial work to be carried out in accordance with the AS 4970- 2009 Protection of Trees on Development Sites.

Reason: To protect existing trees that have not been approved for removal.

Compliance with Transport for NSW (TfNSW) requirements

20. School Zone

The following requirements shall be complied with in relation to the implementation and maintenance of the School Zone at full cost to the development;

- a) A school zone that complies with current TfNSW requirements is required to be implemented within the adjoining road network. The developer/landowner shall provide details on the school zone and the associated speed zone reductions (e.g. location of required signage, pavement marking, etc) to TfNSW for approval at least 12 weeks prior to occupation of the site. The developer/landowner should liaise with the TfNSW Community Partnering Riverina Precinct Team regarding the above (Joanne Cheshire, Senior Manager Community and Place Partner – 02 6923 6586).
- b) Installation of all required/approved school zone signage, speed management signage and pavement markings is to be undertaken as part of the development and are to be in place prior to occupation/use of the development as a school.
- c) Following installation of school zone signage, speed management signage and associated pavement markings, as required by condition 2 above, the developer/landowner must arrange an inspection with TfNSW for formal approval/handover of assets. The handover of assets must occur prior to the commencement of occupation of the development.
- d) The approved school zone shall be maintained in accordance with approvals issued by TfNSW for the life of the development.

Reason: To ensure the safety of pedestrians in the vicinity of the school.

21. Bus Bays

The indented bus bays on Lignum Road shall comply with Austroads Guide to Road Design (2021) Part 3: Geometric Design (refer to Figure 4.63). Before finalising the indented bus bay design contact shall be made with the TfNSW Rural and Regional Contracts team (Tanya Jennison, Commercial Manager Southern Region – 02 4253 2683) to discuss the number of buses required to service the site and the suitability of the indented bus bay (e.g. its length to cater for the required/determined number of buses).

Reason: To ensure adequate provision of public transport to service the school.

22. School Travel Plan

The following requirements shall be complied with in relation to the implementation of the School Travel Plan:

- a) Prior to occupation of the school premises the Travel Plan shall be finalised in consultation with Council and Transport for NSW,
Note: Transport for NSW has developed a Travel Plan Toolkit designed for developing and implementing a Plan. This toolkit provides the steps, templates and resources for developing a Travel Plan and may be accessed at: <https://www.mysydney.nsw.gov.au/travelchoices/tdm>.
- b) The plan shall address the operational and supervision requirements and route for access of students to the site including those who reside on the eastern side of the Cobb Highway,
- c) Every 6 months the operation of the travel plan shall be reviewed with the travel plan being updated annually. As part of updating the travel plan consultation should be had with Council, TfNSW and the school community/parents.

Reason: To reduce traffic and parking impacts by encouraging sustainable travel.

23. **Bus Services**

The following requirements shall be complied with in relation to the implementation of the Bus Services

- a) Before the commencement of construction the Diocese of Wilcannia-Forbes (DWF) shall contact the TfNSW Rural and Regional Contracts team and provide the required information to enable the school to be registered on the School Student Transport Scheme (SSTS) portal which will allow students to enrol for a bus pass. TfNSW Rural and Regional Contracts team can be contact via rrcontracts@transport.nsw.gov.au
- b) A minimum of 8 months before the occupation/use of the development as a school, the Diocese of Wilcannia-Forbes (DWF) shall contact the TfNSW Rural and Regional Contracts team to enable discussions with bus operators. This is required to ascertain whether TfNSW can vary existing school bus routes under a Bus Service Alteration Request (BSAR) with existing buses or determine if a new service is required.

Reason: To ensure the adequate provision of bus services for the school.

24. **Traffic Management Plan**

A detailed Construction Traffic Management Plan (CTMP) shall be prepared for construction activities and submitted prior to the commencement of works. The CTMP is to address access and parking and maintain safe access for pedestrians and cyclists as well as addressing access and parking for vehicles. The CTMP shall include, but not be limited to, the following matters which are to be addressed by suitably qualified person(s):

- a) Strategies to manage traffic volumes and movement anticipated during construction activities.
- b) Management of loading and unloading of materials on the development site and not from the adjoining road reserves;
- c) Identify strategies and procedures for the parking of construction worker vehicles that will minimise impact on existing parking availability within the area.
- d) Measures to minimise the impact of construction traffic on the surrounding road network.
- e) Complaint management and contingency measures.

Reason: To minimise traffic and parking impacts during construction.

25. **Access from Kiely Road**

Prior to commencement of construction, physical measures are to installed in Kiely Road at its intersection with the Cobb Highway, its intersection with Kirchhofer Street/Racecourse Lane and its intersection with Lignum Road to ensure that vehicular access directly to the subject site from Kiely Road is denied.

Reason: To prevent vehicular access to the school from Kiely Road, which is a future open space corridor.

Conditions which must be fulfilled prior to the release of a Construction Certificate

A separate Construction Certificate is to be issued for each stage of development identified at condition (1).

26. Construction Certificate Plans

Full Engineering Plans (Construction Certificate Plans) in respect to the provision of the following services must be submitted with the Construction Certificate application for each stage:

- a) Pavement Design, including intersection details.
- b) Vehicle access (driveways).
- c) Sewer.
- d) Filtered and Raw Water.
- e) Stormwater Management (including utilising Water Sensitive Urban Design).
- f) Environmental and sedimentation details.
- g) Details of any fill material to be brought on site.
- h) Concrete pedestrian and bicycling shared paths
- i) Streetscaping.
- j) Street lighting
- k) Certified Essential Energy (electricity) plans.
- l) Indicative details of utilities (gas, telecommunications).

Reason: To ensure the adequacy of all engineering works.

27. Dilapidation Report

A detailed dilapidation report must be prepared on all adjacent Council infrastructure (roads, footpaths, drainage, etc.) with clear photographs and descriptions of any pre-existing wear or damage. Submit the report to Council at least 14 days before construction begins for approval. Council may inspect the site as part of the process.

Post-Construction Inspection: Provide a follow-up dilapidation report after project completion. Any damage identified must be repaired at the developer's expense.

Reason: To ensure protection of Council assets during construction.

28. Biodiversity Conservation - Ecosystem Credit Retirement

- a) Prior to the issue of a construction certificate or commencement of any works for stage 1 of the development (as identified at condition 1), the class and number of ecosystem credits in Table 1 must be retired to offset the residual biodiversity impacts of the development.

The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits as calculated by the BAM Credit Calculator (BAM-C) (Case 00027290).

Note: the price of credits in the BAM-C are subject to change. The amount payable to discharge an offset obligation will be determined at the time of the payment.

- b) Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of this condition must be provided to the consent authority prior to the issue of any construction certificate/commencement of any works.

Table 1 - Ecosystem Credits to be retired — like for like.

Impacted Plant Community Type	Number of ecosystem credits	IBRA Region	Plant community type(s) that can be used to offset the impacts from the development
Riverine Western Grey Box grassy woodland of the semi-arid (warm) climate zone (PCT 237)	9	Murray Fans, Inland Slopes, Lower Slopes, Murrumbidgee, Robinvale Plains, South Olary Plain and Robinvale Plains OF Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.	76, 80, 81, 82, 101, 110, 237, 248, 267, 3405,

Reason: To compensate for ecosystem impacts generated by the development.

29. Biodiversity Conservation - Species credit retirement

- a) Prior to the issue of any construction certificate/commencement of any works for stage 1 of the development (as identified at condition 1), the class and number of species credits in Table 2 must be retired to offset the residual biodiversity impacts of the development.

The requirement to retire credits outlined in this condition may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the BAM credit calculator (BAM-C) (Case 00027290).

Note: the prices of credits in the BAM-C are subject to change. The amount payable to discharge an offset obligation will be determined at the time of payment.

- b) Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of Table Y must be provided to the consent authority prior to the issue of any construction certificate/commencement of any works.

Table 2 - Species Credits to be retired Like for Like.

Impacted species credit species	Number of species credits	IBRA Subregion
Masked Owl Tyto novaehollandiae	9	Anywhere in NSW

Reason: To compensate for biodiversity impacts generated by the development.

30. Biodiversity Management Plan

Prior to the issue of any construction certificate/commencement of any works, a Biodiversity Management Plan must be prepared to the satisfaction of Council. The BMP may form part of a Construction Environmental Management Plan. The Biodiversity Management Plan must identify the development site as per the Biodiversity Development Assessment Report (BDAR) and approved plans. The Biodiversity Management Plan must identify areas of land that are to be retained as outlined in the BDAR. 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. The Biodiversity Management Plan must identify all measures proposed in the BDAR to mitigate and manage impacts on biodiversity, including performance measures for each commitment.

Reason: To minimise the biodiversity impacts of the development.

31. Stormwater Management Plan

A Stormwater Management Plan must be prepared and submitted to Council with the application for a Construction Certificate. This Stormwater Management Plan must provide a suitable stormwater disposal system to service the area. The plan must be consistent with the requirements of Council's Infrastructure Department. The plan must incorporate Water Sensitive Urban Design techniques and be consistent with Managing Urban Stormwater: Soils and Construction (i.e. 'The Blue Book' produced by LANDCOM). All infrastructure proposed as part of the plan as well as any required upgrades to existing infrastructure must be fully funded by the Applicant. The plan must be consistent with the required Streetscape Plan. These plans must be approved by Council prior to the release of the Construction Certificate.

Reason: To ensure stormwater from the development is managed and disposed of in an acceptable manner.

32. Water Sensitive Urban Design

The Applicant must demonstrate the development complies with Water Sensitive Urban Design principles. Compliance with Water Sensitive Urban Design requirements (including environmental targets etc.) must be demonstrated by using 'MUSIC', 'STORM' or another similar relevant software program. These details must be approved by Council prior to the release of the Construction Certificate.

Reason: To ensure the development incorporates Water Sensitive Urban Design principles.

33. Car Parking and Access

- a) All parking must meet the requirements of AS2890.1 and AS2890.6.
- b) Dimensions are to be included on the detailed design plans and approved by Council's Infrastructure Department prior to the issue of a Construction Certificate.
- c) The detailed design of the 2 egress points to Lignum Road should ensure compliance with the desirable entry sight distance (ESD) requirement of 69 m as stipulated in AS/NZS 2890.1. This must be implemented to the satisfaction of Council's Infrastructure Department prior to the issue of a Construction Certificate.

Reason: To ensure the development provides appropriate parking and vehicle access.

34. Construction Noise and Vibration Management Plan

A Construction Noise and Vibration Management Plan is to be prepared and submitted to the Principal Certifier for approval prior to the issuing of a Construction Certificate. The Plan is to include all feasible noise and vibration management practices outlined in the Noise and Vibration Impact Assessment prepared by Octave Acoustics on 19 August 2024 that are necessary to minimise noise and vibration impacts to the greatest extent possible.

Reason: To ensure appropriate environmental management measures are implemented.

35. Section 7.11 Contributions and Section 64 charges

The payment of Section 7.11 Development Contributions and Section 64 sewerage and water headworks charges are applicable and must be paid to Council prior to the release of the Construction Certificate for each stage. The fees are charged and calculated in accordance with Council's Adopted Fees and Charges at the time the Development Application is determined/at the time the Construction Certificate is lodged with the Principal Certifier. The payment required prior to release of the stage 1 Construction Certificate and the stage 2 Construction Certificate are shown below:

Section 7.11 Development Contributions

	CONTRIBUTION RATE (% OF ET)	CONTRIBUTION AMOUNT (24/25 rates)					
DEVELOPMENT		Road Upgrade	Open Space	Community Facilities	Waste	Storm Water	Car parking
	Fee/ET for Moama	\$2,246.00	\$562.00	\$198.00	\$374.00	\$562.00	\$832.00
Stage 1: School - 90 enrolments	1.4 trips per enrolment 1.4 x 90 = 126 trips 126/6.5 = 19.39 ET's	\$43,549.94	\$10,897.18	\$3,839.22	\$7,251.86	\$10,897.18	N/A
Stage 2: School - 120 enrolments	1.4 trips per enrolment 1.4 x 120 = 168 trips 168/6.5 = 25.85 ET's	\$58,059.10	\$14,527.70	\$5,118.30	\$9,667.90	\$14,527.70	N/A
Total Stage 1 = \$76,435.38							
Total Stage 2 = \$101,900.70							

Section 64 Servicing Charges

	CONTRIBUTION RATE (% OF ET)	CONTRIBUTION AMOUNT (24/25 rates)		
DEVELOPMENT		SEWER	RAW WATER	FILTERED WATER
	Fee/ET for Moama	\$1,768.00	\$416.00	\$3,796.00
Stage 1: School (Primary and Secondary) - 90 enrolments + 10 staff	Water ET = 0.03/person = 100x0.03 = 3ET Sewer ET = 0.05/person = 100x0.05 = 5 ET	\$8,840.00	\$1,248.00	\$11,388.00
Stage 2: School (Primary and Secondary) - 120 enrolments + 20 staff	Water ET = 0.03/person = 140x0.03 = 4.2ET Sewer ET = 0.05/person = 140x0.05 = 7 ET	\$12,376.00	\$1,747.20	\$15,943.20
Total Stage 1 =		\$21,476.00		
Total Stage 2 =		\$30,066.40		

Stage 1 Contributions =

\$97,911.38

Stage 2 Contributions =

\$131,967.10

Lot Size (m ²)	High Security Water per Lot (kL)	Lots (Qty)	Total KL
Up to 1000	500		
1001 – 1500	750		
1501 - 2000	1000		0
2001 - 2500	1250		0
2501 - 3000	1500		0
3001 - 3500	1750		0
3501 - 4000	2000	1	2000
		Total =	2000

Please contact Council for a Fee Invoice at time of Construction Certificate lodgement.

It is noted Council staff do not have delegation to vary Council's adopted Contributions Policy and any variations are required to be approved by Council. The Applicant may request a review of determination under Section 8.3 of the *Environmental Planning and Assessment Act 1979* within 6 months of the date of this notice. A fee is payable to Council.

The subject Section 7.11 Development Contributions are imposed under the former Murray Shire Council Section 94 Development Contributions Plan 2011, of which is available for inspection at Murray River Council's Moama office, 52 Perricoota Road, Moama NSW 2731, or on Council's website at www.murrayriver.nsw.gov.au.

Reason: To comply with Council's Development Contribution policies.

36. Liquid Trade Waste

A Liquid Trade Waste Approval must be issued by Council prior to the release of a Construction Certificate. You can obtain an application to discharge Liquid Trade Waste from Council (Note: a fee on application submission will apply).

Reason: To ensure compliance with Murray River Council Liquid Trade Waste Regulation Policy and State Government requirements.

37. Canteen fitout

Prior to the release of a Construction Certificate, details of the fit-out for the food preparation areas, complying with the Food Standards Code and AS4674 - 2004 must be submitted to and approved by Council. All works must be undertaken in accordance with the approved plans.

Reason: To ensure compliance with the Food Standards Code and AS4674-2000.

38. Stormwater

Prior to the issue of a Construction Certificate a stormwater drainage plan must be submitted to Council for approval. The stormwater drainage plan must be prepared by a suitably qualified engineer showing stormwater from the site area and development being collected and disposed of to a lawful point of discharge with adequate capacity. A Construction Certificate must not be issued for the development until the above requirements are deemed an acceptable design by the relevant Council Officers.

Reason: To ensure stormwater is adequately and appropriately disposed of from the building.

39. Roof and Surface Drainage

To prevent surface water from entering the building:

a) The applicant is to provide certification from a registered surveyor confirming that the Finished Floor Level (FFL) has been constructed to a minimum height of RL 96.5m AHD, prior to:

- (i) Proceeding past floor level for platform flooring; or
- (ii) Prior to pouring the concrete slab in slab on ground construction.

Note: Care is to be taken to ensure that no run-off is diverted to adjoining properties

b) Guttering and down-piping shall be provided and connected to the proposed rain water tanks.

c) All surplus roof water must discharge a minimum of 3 m clear of any structure and incorporate protection against scouring of the ground surface at the point of discharge and be disposed of without nuisance.

Reason: To ensure appropriate disposal of storm water from the site.

40. Long Service Levy

Before the issue of a Construction Certificate, the long service levy must be paid to the Long Service Corporation of Council under the *Building and Construction Industry Long Service Payments Act 1986*, Section 34, and evidence of the payment must be provided to the Principal Certifier.

Reason: To ensure the long service levy is paid.

41. Structural Certification

Prior to the issue of the Construction Certificate, a detailed structural report from a suitably qualified person (i.e. qualified engineer) demonstrating the development is structurally sound and can withstand the force of flowing floodwaters must be submitted to Council in accordance with the relevant Australian Standards.

Reason: To ensure the structure can withstand the force of flowing floodwaters and is structurally sound.

42. Appropriate Building Work Plans and Specifications

The Applicant shall provide the Principal Certifier with specifications for the development:

- a) That describe the construction and materials of which the building is to be built and the method of drainage, sewerage and water supply, and
- b) Design drawings for all structural elements of the building including connection details and member specifications, and
- c) Design drawings for the roof and wall frames, including a bracing and tie down schedule showing all calculations, kN ratings and wind classification., and
- d) Copies of any compliance certificate to be relied on.

Reason: Structural safety

43. Details of Materials, Colours and Finishes

Final design details of the proposed external materials and finishes shall be submitted to and approved by Council prior to the issue of a Construction Certificate.

Reason: To protect visual amenity.

44. Mechanical Ventilation

All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the National Construction Code and shall comply with Australian Standards AS1668.2 and AS3666 Microbial Control of Air Handling and Water Systems of Building, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

Reason: Compliance with relevant standards and amenity.

45. Architectural and Landscape Plans

Prior to the issue of the Stage 1 Construction Certificate:

- a) the approved Landscape Plans prepared by Square One Landscape Architects, dated 31 July 2024 are to be amended to show stage 1 and stage 2 landscaping works and approved by Council's Manager Parks, Open Spaces & Bio Security.

- b) the detailed design plans are to be updated to accurately reflect the approved Landscape Plans prepared by Square One Landscape Architects, dated 31 July 2024, as amended by condition no.47(a).

Reason: To ensure that approved landscaping is implemented at each construction stage.

46. Suitability of proposed easements

Appropriate easements must be created over services that are not contained within the road reserve or the subject site or don't have the appropriate width Council requires over a service. The proposed easements must be labelled on the construction certificate plans to the satisfaction of Council's Infrastructure Department prior to the release of a construction certificate.

Reason: To ensure that appropriate service easements are in place.

47. Road Safety Audit

Prior to the issue of the Construction Certificate, the following details shall be complied with in relation to the preparation and implementation of a Road Safety Audit:

- a) a Detail Design Stage Road Safety Audit including a site inspection of the existing Lignum Road must be conducted.
- b) The Audit must be prepared by suitably qualified Road Safety Auditor.
- c) The Audit must specify that it is a condition of consent that all recommendations of the Road Safety Audit will to be carried out at no cost to council and in consultation with council.
- d) The Audit must be submitted to Council for approval.
- e) Recommendations of the approved Audit are to be incorporated into the Construction Certificate plans to the satisfaction of Council.

Reason: To ensure public safety.

Conditions which must be fulfilled prior to the commencement of any works

48. Construction Certificate

A Construction Certificate must be **submitted to and approved by a nominated Certifier** prior to any building works taking place on the subject site. The Construction Certificate must be lodged via the [NSW Planning Portal](#).

Reason: To comply with the [Environmental Planning and Assessment Act 1979](#).

49. Property Condition Report – Public Assets

A property condition report must be prepared and submitted to Council recording the condition of all public assets in the direct vicinity of the development site. This includes, but is not limited to, the road fronting the site along with any access route used by heavy vehicles. If uncertainty exists with respect to the necessary scope of this report, it must be clarified with Council before works commence. The report must include:

- a) Planned construction access and delivery routes; and
- b) Dated photographic evidence of the condition of all public assets.

Reason: To protect public assets.

50. Management of Building Sites

The erection of suitable fencing or other measures to restrict public access to the site and building works, materials or equipment when the building work is not in progress, or the site is otherwise unoccupied. The erection of a sign, in a prominent position, stating that unauthorised entry to the site is not permitted and giving an after-hours contact name and telephone number.

Reason: To protect public safety.

51. Notification to Neighbours

The person having the benefit of this development consent must give at least two days' notice in writing of the intention to commence the works to the owner or occupier of each dwelling that is situated within 20m of the lot on which the works will be carried out.

Reason: To notify the surrounding residences of the approved development.

52. Utility Services

Prior to the commencement of work the Applicant is to negotiate with the utility authorities in connection with the relocation and/or adjustment of the services affected by the development. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to the council.

Reason: Protection of infrastructure.

53. Approval under s138 of the Roads Act 1993

Where construction / building works require the use of a public place including a road or footpath the applicant shall obtain approval under s138 of the Roads Act 1993. The applicant shall lodge a Traffic and / or Pedestrian Management Plan including a site plan, details of any barricade construction and period of work to the satisfaction of Council.

Reasons: Statutory requirement.

54. Erosion and sedimentation controls in place

Erosion and sedimentation controls must be installed and maintained on site 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).

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

55. Temporary water closet

A temporary water closet accommodation must be provided onsite during construction. This facility must be located onsite to not create a nuisance to any adjoining properties.

Reason: To ensure suitable facilities are provided for workers during construction and to comply with requirements for Work Health and Safety on worksites.

56. Section 68 Application

An application under Section 68 of the Local Government Act 1993 must be lodged with Council via the NSW Planning Portal (**application fees apply**) and approved prior to the following works commencing on the site:

- a) **Part B** - To carry out water supply, sewerage and stormwater drainage work in accordance with Part B of Section 68 of the Local Government Act 1993.
- b) **Part C** - Operate a system of sewage management (within the meaning of section 68A) in accordance with Part C6 of Section 68 of the Local Government Act 1993.

Once the Section 68 approval has been granted, before any sanitary plumbing and drainage work or water supply work (up to the point of connection) is commenced, a Notice of Work (NoW) must be submitted to Council 48 hours **prior to works commencing**. On completion of work, the licensed plumber/drainer must apply for an inspection (inspection fees apply) and a Certificate of Compliance (CoC) must be submitted to Council. A Sewer Service Diagram (SSD) must also be provided to Council upon completion of the drainage works.

Reason: To comply with the Local Government Act 1993 and to ensure the installation of plumbing and drainage work is in accordance with Australian Standards and the Plumbing Code of Australia.

57. Payment of Fees

Before any site work commences, the following must be paid to council and written evidence of these payments provided to the Principal Certifier:

- a) inspection fees

Reason: To ensure fees are paid for inspections carried out by council in connection with the completion of public work such as footway construction or stormwater drainage required in connection with the consent or the making good of any damage to council property.

Conditions which must be complied with during works

58. Biodiversity Management Plan

A suitably experienced and qualified Project Arborist (Minimum AQF Level 5 Arborist) must be appointed prior to the commencement of construction. The Project Arborist is to be responsible for supervising all mitigation measures and tree management works identified in the Biodiversity Management Plan.

Reason: To protect the biodiversity values of the site.

59. Site Contamination – unexpected finds

Ground conditions are to be monitored during excavation and construction and should evidence (such as, but not limited to, imported fill and/or inappropriate waste disposal) indicate the likely presence of contamination on site, works are to cease, Council is to be notified, and a site contamination investigation is to be carried out in accordance with the State Environmental Planning Policy (Resilience and Hazards) 2021. The report is to be submitted to Council for review prior to works recommencing on site. If remediation works are required, works must not recommence on the subject site until Council is satisfied any required remediation has been appropriately completed.

Reason: To ensure the subject site is not contaminated.

60. Aboriginal Cultural Heritage – unexpected finds

- a) Should any Aboriginal object or cultural heritage (including human remains) be discovered all site works must cease immediately and the Moama Local Aboriginal Land Council (MLALC) are to be notified. The find is to be reported to the Biodiversity and Conservation Division of the NSW Department of Planning, Industry and Environment. No works or development may be undertaken until the required investigations have been completed and any permits or approvals obtained, where required, in accordance with the *National Parks and Wildlife Act, 1974*.
- b) skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.

Reason: To protect Aboriginal heritage and to ensure compliance with the [National Parks and Wildlife Act 1974](#).

61. Erosion and Sediment Control

Run-off and erosion controls must be effectively maintained until the site has been stabilised and landscaped.

Reason: Environmental protection.

62. Vehicles during construction

Vehicle access to the construction site must be restricted to a single, all-weather driveway. This access point must be stabilized and maintained until construction onsite is completed. Vehicles must be clean and free of debris prior to leaving the site. Deposited material may be ordered to be removed at the Applicant/operator's expense.

Reason: To ensure sediment is not trafficked onto Council's road network.

63. Waste Containment

Building litter must be prevented from spreading around the site and beyond the site boundary.

Sufficient suitable containers must be provided on building sites and removed from the site at regular intervals to store building waste that is likely to become windblown.

Note: *Building Waste includes: plastic containers, plastic and paper wrappings or any waste that can be carried by wind.*

Reason: To comply with the [Protection of the Environment Operations Act 1997](#) and to preserve the environmental health and amenity of the adjoining area.

64. Waste Management Plan

The works must be undertaken in accordance with the submitted and approved Waste Management Plan. Every effort must be made to recycle or repurpose waste generated onsite. Please contact Council's Waste Team for more information.

Reason: To protect the natural environment.

65. Maintenance of Site

- a) Building materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
- b) Waste materials must be disposed of at a waste management facility.
- c) The work site must be left clear of waste and debris at the completion of the works.

Reason: To ensure that building and any other site works are undertaken in a manner which will be non-disruptive to the local area.

66. Council property

Any damage or deterioration to any Council property including footpaths, road reserves, or removal of any existing street trees, must be reinstated to its original condition at the Applicant's expense to the satisfaction of Council. Replacement tree(s) must be the same species and size as the one removed.

Reason: To maintain safe access for pedestrians and to protect the amenity of the area.

67. Public liability insurance

Where construction / building works require the use of a public place including a road or footpath the applicant shall have (at all times whilst undertaking work on the public place) public liability insurance to a level of \$20,000,000 indemnifying Council in the event of any accident/incident occurring as a result of the construction / building works. In addition, the public liability insurance policy shall indemnify Murray River Council of any liability and note them as an interested party on their insurance in the event of: Accidents/incidents occurring from the construction / building works interfering with public thoroughfare. Murray River Council shall be named on the public liability policy as an interested party. Evidence (photocopy) of which is to be provided to Council.

Reason: Statutory requirement

68. Minimise dust and noise

The noise and vibration management measures within the approved Construction Noise and Vibration Management Plan must be implemented during excavation and construction to minimise noise and vibration impacts on neighbouring properties.

Reason: to preserve the environmental health and amenity of the adjoining area.

69. Source and Content of Imported Fill

The person responsible for importing fill if any, to the site shall provide validation by way of a statutory declaration confirming the source and content of the fill to ensure that it is suitable for the proposed land use and free from contamination. Details are to be provided to Council prior to the pouring of any slab or footings.

Reason: To ensure that imported fill is of an acceptable standard for environmental protection purposes.

70. Hours of work

The hours of construction, including the delivery of materials to and from the subject site, shall be restricted as follows:

- a) Between 7:00 am and 6:00 pm, Mondays to Fridays inclusive;
- b) Between 8:00 am and 1:00 pm, Saturdays;
- c) No work on Sundays and public holidays.

Reason: To protect the amenity of the area.

71. Site Notice

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a) Showing the name, address and telephone number of the principal certifying authority for the work, and
- b) Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) Stating that unauthorised entry to the work site is prohibited.

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

Reason: Statutory requirement.

72. Road carriageway to be kept clean

The Lignum road carriageway is to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of an Occupation Certificate.

Reason: To ensure vehicular safety.

Conditions which must be fulfilled prior to the release of the Occupation Certificate

A separate Occupation Certificate is to be issued for each stage of development identified at condition (1).

73. Occupation Certificate

The Applicant must not allow or permit the school to be occupied or used, until:

- a) All conditions of this consent applicable to the relevant construction stage identified at condition (1) have been completed in full;
- b) An application for an Occupation Certificate for the relevant stage has been completed and lodged with the Principal Certifier via the [NSW Planning Portal](#); and
- c) The Principal Certifier has issued an Occupation Certificate for the relevant stage identified at condition (1).

Reason: To comply with the [Environmental Planning and Assessment Act 1979](#).

74. Damage to Public Infrastructure

Adequate protection must be provided for public infrastructure prior to work commencing and during building operations. Council must be notified of any damage to the public infrastructure such as road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the development.

Prior to the issue of a Final Occupation Certificate the applicant shall submit to Council an updated public infrastructure inventory report identifying any damage to such and means of rectification for the approval of Council. Any damage to public infrastructure caused during construction shall be made good prior to the issue of a Final Occupation Certificate.

Reason: To protect Council infrastructure.

Note: The applicant/owner shall be held responsible for and may be required to pay the full reinstatement costs for damage caused to Council's property (such as road pavement, kerb and guttering, footway, stormwater drainage etc), unless the applicant/owner notifies Council in writing and provides proof of any existing damage to Council's property. However, if in the opinion of Council, works associated with the development have worsened any existing damage, Council may require full reinstatement. If damage does occur during construction, prior to reinstating any damage to Council's property, the applicant/owner shall obtain design specifications of all proposed restoration works. Restoration/construction works within the road reserve shall be carried out by a licensed construction contractor at the applicant/owners' expense and shall be inspected by Council prior to placement of concrete and/or asphalt.

75. Easements

The easements referred to under condition no.48 must be included on the relevant instrument(s).

The wording of the covenants/restrictions must be to the satisfaction of Council prior to the release of an occupation certificate.

Reason: To ensure the adequate registration of easements.

76. Mechanical Ventilation

Following completion, installation and testing of all the mechanical ventilation systems, the Applicant shall provide evidence to the satisfaction of the Principal Certifier, prior to the issue of any Occupation Certificate, that the installation and performance of the mechanical systems complies with:

- a) The National Construction Code;
- b) Australian Standard AS1668 and other relevant codes;
- c) The development consent and any relevant modifications; and,
- d) Any dispensation granted by the New South Wales Fire Brigade.

Reason: To ensure compliance with approved plans.

77. Acoustic review of public address and school bell systems

Prior to the issue of an occupation certificate the installed public address and school bell systems are to be reviewed by an acoustic consultant to confirm that the use of these systems does not cause offensive noise to the residential receivers. The acoustic consultant shall prepare an acoustic report to be submitted to the Principal Certifier for review and acceptance. The acoustic report must confirm:

- a) that the speakers are directed inwards towards the school and not directed towards residential receivers.
- b) that the speaker placement ensures that the noise from the use of the speakers does not have hard surfaces reflecting sound towards residential receivers.
- c) the speakers are installed to a maximum level of 80dB(A) at 3m to ensure that the surrounding residential properties are not affected by offensive noise.
- d) that all maintenance requirements have been implemented to ensure that the public address speakers and school bell are operated at a noise level that is not in excess of 5 dB(A) above the background noise level at the property boundary.

Reason: To minimise noise impacts on surrounding development.

78. Noise Management Plan

Prior to the issue of an occupation certificate, a noise management plan shall be submitted to Council for approval. The noise management plan is to incorporate the following items:

- a) A clear commitment by the school to minimising noise from the school.
- b) A description of each type of event, activity and/or use to be undertaken.
- c) Identification of noise sensitive receivers, existing and proposed, likely to be adversely affected by activities undertaken.
- d) Clearly defined noise management objective that incorporates all recommended mitigation measures contained in the DA Acoustic Report.
- e) Provision of information for neighbours including the issuing of the noise management plan to any potentially impacted neighbour and contact details of the person responsible for investigating offensive noise complaints.
- f) Actions to be taken in the event of excessive noise from people within the car park area or noise break out from within the school.
- g) Any other item or action deemed relevant to minimising noise within the school.
- h) Details of noise complaints handling procedures and actions to be taken at the time of each complaint to monitor and minimise noise impacts. The procedures must include:
 - (i) the time and date each complaint was received.
 - (ii) how the complaint was received.
 - (iii) the contact details of the person lodging the complaint.
 - (iv) the proposed actions to prevent a reoccurrence of the noise impact.

Reason: To minimise noise impacts on surrounding development.

79. Driveway

Prior to the issue of the stage 1 Occupation Certificate, a commercial/industrial standard plain concrete driveway and layback gutter, to Council specifications, must be constructed from the kerb to the property boundary. A separate application must be made to Council for approval to construct the driveway.

Note: Please contact Council's Infrastructure Department to ascertain who undertakes these works.

Reason: To protect Council assets and to comply with the [Roads Act 1993](#).

80. Car parking

All areas set aside of access and vehicle parking on the approved construction plans must be constructed to the satisfaction of the Council, including:

- (a) All driveways and parking areas must have a concrete or bitumen surface.
- (b) Line marking of approved car parking spaces shall be undertaken in accordance with *Australian Standard AS 2890.1 - Parking Facilities: Off-Street Car Parking*
- (c) The design of off-street disabled parking shall be as per AS2890.6.
- (d) Drained in accordance with an approved stormwater drainage plan;
- (e) Properly illuminated with lighting designed, baffled and located to prevent any adverse effect on adjoining land;
- (f) Provision of traffic control signage or structures as required;
- (g) Provision of signage directing drivers to areas set aside for staff parking, visitor parking and the drop-off/pick up area;

Reason: To ensure there is suitable car parking on the site.

81. Landscaping

Landscaping of the site shall be carried out in accordance with the approved landscape plans, as amended by condition no.47(a), to the satisfaction of Council prior to issue of an Occupation Certificate for each stage of the development. The Landscaping for each stage shall be either certified to be in accordance with the approved plans by an Accredited Landscape Architect or be to the satisfaction of Council's Manager Parks, Open Spaces & Bio Security.

Reason: To ensure the site is appropriately landscaped.

82. Waste receptacle area

An adequate waste receptacle area must be provided on-site to store all waste pending disposal. Such area must be screened, regularly cleaned and accessible to collection vehicles in the interest of amenity, safety and public convenience.

Reason: To ensure a waste receptacle area is provided.

83. Fire Safety Certificate

Council requires the essential fire safety measures, as determined by the Principal Certifier upon assessment of the Construction Certificate, to be installed and maintained to comply with the requirements of the Building Code of Australia. Prior to the issue of an Occupation Certificate the owner must provide Council with a Fire Safety Certificate certifying all essential services installed in the building have been inspected and tested by a competent person and were found to have been designed and installed to be capable of operating to the minimum standard required by the Building Code of Australia.

Note: Annual Fire Safety Statements must be submitted to Council and to the Commissioner of Fire and Rescue NSW (FRNSW) (<https://www.fire.nsw.gov.au/page.php?id=9418>) within each twelve-month period certifying the maintenance standard of the Essential Fire Safety Measure installed on the property. Please see the following link for further information regarding notification to FRNSW (<https://www.fire.nsw.gov.au/page.php?id=9157>).

Reason: To comply with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

84. Emergency Management Plan

Prior to the issue of the Occupation Certificate, an Emergency Management Plan must be submitted to Council for approval. This plan is to include but is not limited to:

- a) Flood Emergency and Evacuation Plan
- b) Bushfire
- c) Building fire, etc.

Reason: To ensure an Emergency Management Plan is developed and approved.

85. Stormwater Drainage – Works as Executed

A copy of the stormwater drainage plan showing work as executed details shall be submitted to and approved of by Council's Engineering Department prior to the issue of a Final Occupation Certificate. The work as executed plan shall be in accordance with Council's standards and specifications for stormwater drainage and on-site stormwater detention.

Reason: To ensure compliance with the approved design

86. Government Agencies

Prior to the release of the Occupation Certificate, evidence must be provided to Council outlining how relevant conditions from Government Agencies listed in the subject DA have been complied with. The evidence must be to the satisfaction of Council and the relevant Government authority.

Reason: To ensure Government Department requirements are met.

87. Provision of Pedestrian Footpath

Prior release of the Occupation Certificate for Stage 1, a pedestrian footpath is to be provided at no cost to Council along the eastern side of Lignum Road for the full length of the school property boundary. Please contact Council's Infrastructure Department for specifications of the required footpath.

Reason: To protect pedestrian safety.

Ongoing Operational Conditions

88. Vehicle Movement

All vehicle movements to and within the site shall be in a forward direction under no circumstances shall vehicles be permitted to reverse on or off a public road.

Reason: To protect safety and access.

89. Public Way to be Unobstructed

No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath.

Reason: To protect safety and amenity.

90. Stormwater Discharge

Overland flows from the site must not impact on adjoining or adjacent land and all excess storm water must be discharged in accordance with the approved work as executed stormwater drainage plan.

Reason: To ensure appropriate disposal of storm water from the site.

91. External Lighting

External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

Reason: To protect the neighbourhood amenity.

92. Landscaping

The approved landscaping must be maintained in a healthy state and in accordance with the approved plan, throughout the life of the development, by the existing or future owners and occupiers of the property. If any of the vegetation dies or is removed, it must be replaced with the same species and the same maturity.

Reason: To contribute to the amenity of the site and locality.

93. Operational Traffic Management Plan

An Operational Traffic Management Plan shall be prepared, implemented and maintained prior to/from the date of school commencement. The OTMP shall be reviewed periodically, at least on an annual basis, by the school management to ensure the school car park, parent drop-off and pick-up bays and bus bays will operate in a safe and efficient manner.

Reason: To minimise traffic and parking impacts generated by the development.

94. Waste and Recycling Management

To ensure the adequate storage and collection of waste from the use of the premises, all garbage and recyclable materials emanating from the premises must be stored in the designated waste storage area(s), which must include provision for the storage of all waste generated on the premises between collections. Arrangement must be in place in all areas of the development for the separation of recyclable materials from garbage. All waste storage areas must be screened from view from any adjoining residential property or public place. Waste storage area(s) must be kept clean and tidy, bins must be washed regularly, and contaminants must be removed from bins prior to any collection.

Reason: To protect public health.

95. Waste and Recycling Collection Contract

There must be a contract in place with a licenced contractor for the regular removal and lawful disposal of all waste generated on site. Written evidence of a valid and current collection and disposal contract must be held on site at all times and produced in a legible form to any authorised officer of the Council who asks to see it.

Reason: To protect public health.

96. Hours of operation for waste collection, delivery / dispatch of goods

Delivery of goods and collection of waste is not permitted during school drop-off and pick-up times.

Reason: To minimise traffic and parking impacts generated by the development.

97. Offensive Noise - Acoustic Report

The use of the premises (including use of amplified music, public address system, school bell, air conditioning units and other mechanical plant or equipment) must not create offensive noise so as to interfere with the amenity of the neighbouring properties. Should an offensive noise complaint be received and verified by Council staff, an acoustic assessment is to be undertaken (by an appropriately qualified consultant) and an acoustic report is to be submitted to Council for review and any noise attenuation measures directed by Council must be implemented.

Reason: To minimise noise impacts on adjoining development.

98. Noise Management Signage

Noise management signage is to be installed in prominent locations within the school and the carpark advising attendees to please consider neighbours and minimise noise when entering and exiting the premises.

Reason: To minimise noise impacts on adjoining development.

99. Ground Maintenance

Grounds maintenance involving the use of power equipment must be restricted to the school's core operating hours.

Reason: To minimise noise impacts on adjoining development.

100. Energy Efficiency

Electricity use from the local energy supplier is to be metered and monitored on an ongoing basis in order to identify the school's electricity demand and consider whether any additional energy efficiency measures can be implemented to reduce non-renewable energy consumption.

Reason: To address the requirements of s3.2 of State Environmental Planning Policy (Sustainable Buildings) 2022.

101. Maintaining Sight Distances

The following requirements must be implemented and adhered to for the life of the development:

- a) The detailed design of the two egress points to Lignum Road should ensure compliance with the desirable ESD requirement of 69 m as stipulated in AS/NZS2890.1.
- b) The lot boundary fence and landscape design should achieve the sight distance required for pedestrians in AS/NZS 2890.1.

Reason: To comply with legislative requirements.

102. **Road Safety Audit**

Prior to the issue of the Occupation Certificate, all recommendations from the Road Safety Audit must be carried out at no cost to Council and in consultation with Council.

Reason: To ensure recommendations from the Road Safety Audit are complied with.

Advisory Notes

1. Other Approvals and Permits

The Applicant is solely responsible for obtaining any necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993 or Section 138 of the Roads Act, 1993.

2. Responsibility for other Consents / Agreements

The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

3. Essential Energy has provided the following advice:

- a) If the proposed development changes, there may be potential safety risks, and it is recommended that Essential Energy is consulted for further comment.
- b) Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.
- c) In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity of the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as [*ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*](#). Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure. [Development Applications \(essentialenergy.com.au\)](http://essentialenergy.com.au)
- d) 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).
- e) Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) 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.
- f) It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the development, which may include the payment of fees and contributions

4. Disability Discrimination Act

This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The Applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the National Construction Code which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

5. Covenants

It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which affect the land.

6. Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

7. General

- a) Development Consent does not lapse if the approved use has actually commenced, or the proposed work is physically commenced before the lapse date except where a condition specifies a limit to the duration of the consent.
- b) Where construction work is proposed, the granting of development consent is the first step in the process. Before construction work may commence, a Construction Certificate must be obtained from Council or an accredited certifier.
- c) Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under 4.55 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.