

SCHEDULE 1 CONDITIONS OF DEVELOPMENT CONSENT

ADMINISTRATION CONDITIONS						
1.	Approved Development Development Consent is granted for an Educational Establishment (Private School), on land known as Lot 1 DP 527491, Magpie Hollow Road, South Bowenfels NSW 2790.					
	Condition Reason: To ensure all parties are aware of the approved development description and development address.					
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.					
	Approved Plans					
	Title	Author	Project	Sheet	Revision	Date
	Architectural Plans					
	Cover Page	Brett Moulds Design & Drafting	BMD222389	01	ZA	30/10/2024
	Site Plan	Brett Moulds Design & Drafting	BMD222389	02	ZA	30/10/2024
	Floor Plans	Brett Moulds Design & Drafting	BMD222389	03	ZA	30/10/2024
	Site Elevations 1 & 2	Brett Moulds Design & Drafting	BMD222389	04	ZA	30/10/2024
	Site Elevations 3 & 4	Brett Moulds Design & Drafting	BMD222389	05	ZA	30/10/2024
	Learning Centre – Ground Floor Plan	Brett Moulds Design & Drafting	BMD222389	06	ZA	30/10/2024
	Learning Centre – First Floor Plan	Brett Moulds Design & Drafting	BMD222389	07	ZA	30/10/2024
	Learning centre – Elevations 1 & 2	Brett Moulds Design & Drafting	BMD222389	08	ZA	30/10/2024
	Learning Centre – Elevations 3 & 4	Brett Moulds Design & Drafting	BMD222389	09	ZA	30/10/2024
	Learning Centre – Sections AA & BB	Brett Moulds Design & Drafting	BMD222389	10	ZA	30/10/2024

	Gymnasium – Ground Floor Plan	Brett Moulds Design & Drafting	BMD222389	11	ZA	30/10/2024
	Gymnasium – First Floor Plan	Brett Moulds Design & Drafting	BMD222389	12	ZA	30/10/2024
	Gymnasium – Elevations 1 & 2	Brett Moulds Design & Drafting	BMD222389	13	ZA	30/10/2024
	Gymnasium – Elevations 3 & 4	Brett Moulds Design & Drafting	BMD222389	14	ZA	30/10/2024
	Gymnasium – Sections AA & BB	Brett Moulds Design & Drafting	BMD222389	15	ZA	30/10/2024
	Site Sections	Brett Moulds Design & Drafting	BMD222389	16	ZA	30/10/2024
	Retaining Wall Setout Plan	Brett Moulds Design & Drafting	BMD222389	17	ZA	30/10/2024
	Construction Details	Brett Moulds Design & Drafting	BMD222389	18	ZA	30/10/2024
	External Renders	OneSchool Global	-	-	-	N.D
	General Arrangement Plan	Calare Civil	2022.0234	1	C	18/09/2025
	Traffic Plans					
	Carpark Certification of Proposed School	Motion Traffic Engineers Pty Ltd	N23103A	-	1c	June 2024
	Road Signage Plan	Brett Moulds Design & Drafting	BMD222389	-	U	29/02/2024
	Traffic and Parking Impact Assessment	Motion Traffic Engineers Pty Ltd	N2441020A	-	2a	March 2025
	Vehicle Swept Paths (Internal)	Brett Moulds Design & Drafting	BMD222389	1-6	X	03/10/2024
	Landscaping Plans					
	Landscape Site Plan (in compliance with the Rural Fire Service REquiremetns)	Paul Scrivener Landscape	2682/24	1/6	B	13/09/2024
	Detail Location Plan	Paul Scrivener Landscape	2682/24	2/6	B	13/09/2024

	Planning Plan & Schedules	Paul Scrivener Landscape	2682/24	3/6	B	13/09/2024
	Planning Plan & Schedules	Paul Scrivener Landscape	2682/24	4/6	B	13/09/2024
	South & Western Elevations	Paul Scrivener Landscape	2682/24	5/6	B	13/09/2024
	South & Western Elevations	Paul Scrivener Landscape	2682/24	6/6	B	13/09/2024
	Earthworks Plan	Paul Scrivener Landscape	2682/24	7/7	C	19/09/2024
	Retaining Wall Construction Details	Calare Civil	22.0234	RW1	A	16/09/2024
	Retaining Wall Structural Sections and Details	Calare Civil	22.0234	RW2	A	16/09/2024
Approved Documents						
	Title	Author	Project	Sheet	Revision	Date
	Bush Fire Assessment Report	Bushfire Planning & Design	BR-652523-B	-	-	02/02/2024
	Construction Management Plan	Tim Pridham	-	-	-	20/02/2024
	External Colour Schedule	Ashan	-	-	1	25/09/2024
	Geotechnical Investigation Report	Australian Ground Sciences Pty Ltd	24524CG	-	-	13 September 2024
	Noise Assessment	Muller Acoustic Consulting	MAC231890-01RP1	-	-	February 2024
	Operations Manual	OneSchool Global	-	-	-	October 2024
	Preliminary Site Investigation with Targeted Sampling	Australian Ground Sciences Pty Ltd	24524CE_R1V1	-	1	4 November 2024
	Security Fencing Brochure	Fencing & Gate Centre	-	-	-	-

	NABERS Embodied Emissions Report	Certified Energy	-	-	1	22/03/2024
	Flood Impact Statement	Calare Civil	2022.0234	-	-	8 July 2024
	Water Cycle Management Study	Calare Civil	2022.0234	-	P3	18/09/2025
	Road Safety Audit	AMWC RSA	-	-	03	13 March 2025
	In the event of any inconsistency between the approved plans and documents, the approved plans prevail. In the event of any inconsistency with the approved plans/documents and a condition of this consent, the condition prevails. Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.					
3.	Contract Works Insurance The developer is to ensure that Contract Works Insurance is kept current for the duration of the development and must also ensure that all Contractors and Subcontractors working within Council road reserves possess and maintain adequate Public Liability Insurance (\$20 million), with copies to be provided to Council prior to commencement of any works. Any potential claims that result from negligent actions performed by Contractors / Subcontractors engaged by the Applicant within Council road reserves will be borne by the Applicant and not Lithgow City Council. Condition Reason: To ensure the development has no impact to Council's Assets.					
4.	Council Assets Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property controlled by Council which adjoins the site including kerbs, gutters, footpaths, walkways, reserves and the like. Failure to identify existing damage will result in all damage detected after completion of the building work being repaired at the applicant's expense. Condition Reason: To ensure the development has no impact to Council's Assets.					
5.	Building Regulations All building work must be carried out in accordance with the provisions of the current Building Code of Australia, Volume 1. Condition Reason: To ensure the development complies with the Building Code of Australia.					
6.	Disability Discrimination Act It is the applicant responsibility to ensure compliance with the requirements of the Disability Discrimination Act 1992 (DDA). You are advised to seek advice from the Australian Human Rights and Equal Opportunity Commission in respect of your application. Condition Reason: To ensure the development complies with the Disability Discrimination Act 1992 (DDA).					

GENERAL TERMS OF APPROVAL AND CONCURRENCE REQUIREMENTS

RURAL FIRE SERVICE REQUIREMENTS

7.	Asset Protection Zones From the commencement of building works and in perpetuity, the entire property must be managed as an inner protection area in accordance with the following requirements of Appendix 4 of Planning for Bush Fire Protection 2019:
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	• Tree canopy cover should be less than 15% at maturity; • Trees at maturity should not touch or overhang the building; • Lower limbs should be removed up to a height of 2 m above the ground; • Tree canopies should be separated by 2 to 5 m; • Preference should be given to smooth-barked and evergreen trees; • Large discontinuities or gaps in the shrubs layer should be provided to slow down or break the progress of fire towards buildings; • Shrubs should not be located under trees; • Shrubs should not form more than 10% ground cover; • Clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation; • Grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and • Leaves and vegetation debris should be removed regularly. Condition Reason: The intent of measures is to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants.
8.	Emergency and Evacuation Planning Assessment A Bush Fire Emergency Management and Evacuation Plan must be prepared consistently with section 6.8.3 of Planning for Bush Fire Protection 2019. Condition Reason: to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.
9.	Water and Utility Services 1. The provision of water, electricity and gas must comply with section 6.8.3 of Planning for Bush Fire Protection 2019. and section 9 of Planning for Bush Fire Protection - Addendum 2022. 2. Fire hydrant spacing, design and sizing comply with the relevant clauses of AS 2419.1:2021. 7. 3. Fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2021. 4. Fire hydrants are not located within any road carriageway. Condition Reason: The intent of measure is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.
10.	Landscaping Landscaping within the required asset protection zone must comply with Appendix 4 of Planning for Bush Fire Protection 2019. In this regard, the following principles are to be incorporated: • A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building; • Planting is limited in the immediate vicinity of the building; • Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters); • Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings; • Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;

	• Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown; • Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter); • Avoid climbing species to walls and pergolas; • Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building; • Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and • Low flammability vegetation species are used. Condition Reason: The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities.																																										
11.	Construction Standards 1. New construction must comply with Sections 3 and 6 (BAL 19) of the Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas or the relevant BAL 19 requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas 2021, and Section 7.5 of Planning for Bush Fire Protection 2019. 2. Any new Class 10b structures as defined per the <i>National Construction Code</i> must be non-combustible or hardwood. Condition Reason: The intent of measures is to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants.																																										
12.	Emergency and Evacuation Planning Assessment A Bush Fire Emergency Management and Evacuation Plan must be prepared consistently with NSW RFS document: <i>A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan</i>. Condition Reason: Intent of measures: to provide suitable emergency and evacuation arrangements for occupants of SFPP developments.																																										
WATERSNSW REQUIREMENTS																																											
13.	General The development layout and works shall be implemented in accordance with the plans and supporting documents set out in the following table. <table><tr><th colspan="6">Approved Plans</th></tr><tr><th>Title</th><th>Author</th><th>Project</th><th>Sheet</th><th>Revision</th><th>Date</th></tr><tr><td colspan="6">Architectural Plans</td></tr><tr><td>Site Plan</td><td>Brett Moulds Design & Drafting</td><td>BMD222389</td><td>02</td><td>ZA</td><td>30/10/2024</td></tr><tr><td>Floor Plans</td><td>Brett Moulds Design & Drafting</td><td>BMD222389</td><td>03</td><td>ZA</td><td>30/10/2024</td></tr><tr><td>Site Elevations 1 & 2</td><td>Brett Moulds Design & Drafting</td><td>BMD222389</td><td>04</td><td>ZA</td><td>30/10/2024</td></tr><tr><td>Site Elevations 3 & 4</td><td>Brett Moulds Design & Drafting</td><td>BMD222389</td><td>05</td><td>ZA</td><td>30/10/2024</td></tr></table>	Approved Plans						Title	Author	Project	Sheet	Revision	Date	Architectural Plans						Site Plan	Brett Moulds Design & Drafting	BMD222389	02	ZA	30/10/2024	Floor Plans	Brett Moulds Design & Drafting	BMD222389	03	ZA	30/10/2024	Site Elevations 1 & 2	Brett Moulds Design & Drafting	BMD222389	04	ZA	30/10/2024	Site Elevations 3 & 4	Brett Moulds Design & Drafting	BMD222389	05	ZA	30/10/2024
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	General Arrangement Plan	Calare Civil	2022.0234	1	B	18/09/2025
	Landscape Plans	Paul Scrivener Landscape	2682/24	1/6 to 6/6	B	13/09/2024
	Supporting Documents					
	Water Cycle Management Study	Calare Civil	2022.0234	-	P3	18/09/2025
	Flood Impact Statement	Calare Civil	2022.0234	-	-	8 July 2024
	Construction Management Plan	Tim Pridham	-	-	-	20/2/2024
	No revisions to site layout or works that will have impact on water quality, shall be permitted without the agreement of Water NSW.					
	Condition Reason: Water NSW has based its assessment under State Environmental Planning Policy (Biodiversity and Conservation) 2021 on this version of the development.					
14.	Sewerage Infrastructure The facility shall be connected to Council's reticulated sewerage system and shall ensure that all new sewerage infrastructure is designed, located, and installed in accordance with Council's requirements and be to the satisfaction of Council. Condition Reason: To ensure that the design and operation of the sewerage infrastructure is undertaken in a way that minimises the risk of sewage overflows to ensure a sustainable neutral or beneficial effect on water quality over the longer term.					
15.	Stormwater Management 1. All stormwater treatment and management measures as specified in the General Arrangement Plan shall be incorporated in the final Stormwater Drainage Plan. The final Stormwater Drainage Plan shall: • be prepared prior to the issuance of the Construction Certificate and approved by the Principal Certifier, • show the final location and details of the stormwater management system including: - o pits, pipes, splitter box and gross pollutant traps (Atlan Ecoceptor or Water NSW endorsed equivalent), - o upslope diversion measures, - o suitably designed access driveway crossovers, - o rainwater tanks, - o media cartridge filtration system, - o proprietary bioretention systems, and • The final stormwater drainage plan shall be implemented.					

	2. The carpark to the south and the playground area to the east of the site shall have stormwater pits fitted with filter baskets and shall direct stormwater to the proposed stormwater management system 3. Rainwater collection and reuse systems shall be installed that: • are as specified in the General Arrangement Plan set out in the table of Condition 2, • includes rainwater tanks with a minimum total capacity of 30,000 litres above any volume required for mains top-up, • ensures that the tanks are plumbed to toilets, and other areas for non-potable use including landscape watering, • ensures roofs and gutters designed to maximise the capture of rainwater in the tanks, and • ensures that all rainwater tank overflow is directed to Council's stormwater infrastructure via the proposed stormwater management system. 4. No variation to stormwater treatment or management that will have any impact on water quality shall be permitted without the agreement of Water NSW. 5. A suitably qualified stormwater consultant or engineer shall certify in writing to Water NSW and the Principal Certifier prior to the issuance of an Occupation Certificate that all stormwater management structures have been installed as per these conditions of consent and are in a functional state. Condition Reason: To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.
16.	Operational Environmental Management Plan 1. An Operational Environmental Management Plan (OEMP) shall be prepared in consultation with Water NSW by a person with knowledge and experience in the preparation of such plans prior to the issuance of an Occupation Certificate. The OEMP shall: • be provided to the owner and the site's appointed management representative, • include details on the location and nature of stormwater management structures such as pits, pipes, splitter box, upslope diversion measures, gross pollutant traps, rainwater collection systems, cartridge filter systems, and bioretention systems, • outline the responsibilities and detailed requirements for the inspection, monitoring, and maintenance (including washing of cartridge filters) of all stormwater management structures, including the frequency of such activities • identify the individuals or positions responsible for inspection and maintenance activities including a reporting protocol and hierarchy, and • include checklists for recording inspections, monitoring, and maintenance activities, particularly for media cartridge filters including frequency for washing cartridge filters and the appropriate disposal of waste/sludge material from the cartridge filters. 2. All stormwater treatment devices shall be monitored, maintained, and managed as per the OEMP, after all comments made by Water NSW during the consultation process have been appropriately resolved and incorporated in the final Operational Environmental Management Plan.

	Condition Reason: To ensure appropriate stormwater treatment and quality control measures are designed, implemented and maintained to achieve a sustainable neutral or beneficial impact on water quality, particularly during wet weather, over the longer term.
17.	Excavation and Construction Activities 1. A Soil and Water Management Plan (SWMP) for the development shall be prepared by a person with knowledge and experience in the preparation of such plans for the development. The Plan shall: • be prepared prior to the issuance of a Construction Certificate and be to the satisfaction of the Principal Certifier, • meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004), and • ensure excavated material is tested for contaminants as defined by the EPA's Waste Classification Guideline: Part 1 (2014). Any contaminated material shall not be used for filling and capping at the site unless in accordance with the EPA's Waste Classification Guideline: Part 1 (2014), and shall be disposed of at an appropriately licensed waste facility as soon as possible after identification, and • include controls to prevent sediment and contaminated water leaving the construction site or entering roadside drains and natural drainage systems. 2. The Soil and Water Management Plan shall be implemented, and no works shall commence until effective erosion and sediment controls have been installed including during excavation works. The controls shall be regularly inspected, maintained and retained until works have been completed, groundcover established or ground stabilised. Condition Reason: To manage adverse environmental and water quality impacts during the construction phase of the development to minimise the risk of erosion, sedimentation, and pollution within or from the site during this phase.
ENDEAVOUR ENERGY REQUIREMENTS	
18.	Safety Clearances The construction of any building or structure (including fencing, signage, flag poles etc.) whether temporary or permanent must comply with the minimum safe distances/clearances for applicable voltage/s of the overhead power lines as specified in: ○ Australian/New Zealand Standard AS/NZS 7000 – 2016: 'Overhead line design' as updated from time to time. ○ 'Service and Installation Rules of NSW' which can be accessed via the following link to the NSW Planning, Industry & Environment website: https://energy.nsw.gov.au/government-and-regulation/legislative-and-regulatory-requirements/service-installation-rules Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
19.	Easement Management/Network Access The following is a summary of the main terms of Endeavour Energy's electrical easements requiring that the land owner: ○ Not install or permit to be installed any services or structures within the easement site. ○ Not alter the surface level of the easement site.

	○ Not do or permit to be done anything that restricts access to the easement site without the prior written permission of Endeavour Energy and in accordance with such conditions as Endeavour Energy may reasonably impose. ○ No easement is redundant or obsolete until it is released having regard to risks to its network, commercial and community interests. ○ The incorporation of easements into multiple/private owned lots is generally not supported. ○ Electricity infrastructure should not be subject to flood inundation or stormwater runoff.
	Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
20.	Earthing The construction of any building or structure (including fencing, signage, flag poles, hoardings etc.) whether temporary or permanent that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with Australian/New Zealand Standard AS/NZS 3000:2018 'Electrical installations'.
	Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
21.	Vegetation Management The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure. Larger trees should be planted well away from electricity infrastructure and underground cables, be installed with a root barrier around the root ball of the plant. Landscaping that interferes with electricity infrastructure could become a potential safety risk, restrict access, reduce light levels from streetlights or result in the interruption of supply.
	Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
22.	Dial Before You Dig Before commencing any underground activity the applicant is required to obtain advice from the <i>Dial Before You Dig</i> 1100 service in accordance with the requirements of the <i>Electricity Supply Act 1995</i> (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.
	Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
23.	Look up and Live Before commencing any activity near overhead power lines the applicant must obtain advice from the Look Up and Live service.
	Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
24.	Public Safety Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. Endeavour Energy's public safety training resources, which were developed to help general public/workers to understand why you may be at risk and what you can do to work safely is available via the following link: http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures.
	Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
	Emergency Contact

25.	In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours/7 days. Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
26.	Network Access and Connection It is imperative that the access to the existing electrical infrastructure on and in proximity of the site be maintained at all times. To ensure that supply electricity is available to the community, access to the electricity infrastructure may be required at any time. Applicants will need to submit an appropriate application based on the maximum demand for electricity for connection of load. Condition Reason: To ensure the development complies with Endeavor Energy Requirements.
27.	Service Conductors Low voltage service conductors and customer connection points must comply with the 'Service and Installation Rules of NSW'. Condition Reason: To ensure the development complies with Endeavor Energy Requirements.

FEES, CHARGES AND CONTRIBUTIONS CONDITIONS

28.	Contributions Prior to the issue of a Construction Certificate the applicant shall pay to Council a Section 7.12 contribution of \$108,172.62 in accordance with the Lithgow City Council Local Infrastructure Contributions Plan (Section 7.12) 2024. It is advised that the level of contribution in this plan may be adjusted at the time of actual payment, in accordance with the provisions of the Lithgow City Council Local Infrastructure Contributions Plan (Section 7.12) 2024. Condition Reason: To demonstrate compliance and ensure fees are paid in accordance with the Lithgow Contributions Plan.
29.	Water and/or Sewerage Development Contributions The approved development is subject to Council's Water and/or Sewerage Development Contributions. Contributions are levied in accordance with the Water Directorate Section 64 of the Local Government Act 1993 which allows Council to exercise this function pursuant to Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000. The amount of the contribution per Equivalent Tenement is published in Council's adopted Fees and Charges in accordance with the Development Service Plans for Water Supply and Sewerage. Contributions are subject to annual CPI increases. Condition Reason: To demonstrate compliance and ensure fees are paid in accordance with the Lithgow Council's Development Servicing Plan.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

30.	Stormwater Easement
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	The Stormwater Easement that would burden Lot 21 DP 816671 and benefit Lot 1 DP 527491 is to be registered with the NSW Land Registry Services prior to commencement of work. The plan is to be submitted to Council once registered. Condition Reason: To ensure that the development would be adequately serviced.
31.	Construction Certificate required Construction shall not commence on the site, including the placement of temporary buildings, site sheds, earthworks, site excavation, filling or other site preparation works (with the exception of site survey work), prior to the issue of a Construction Certificate by Council or a nominated Principle Certifier. Condition Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
32.	Section 68 – Local Government Act Prior to the commencement of any plumbing OR sanitary drainage work and prior to the issue of the Construction Certificate for connection to Council's Water, Sewer and Stormwater Services, separate approval must be obtained under Section 68 of the Local Government Act 1993. The Section 68 Application shall be assessed by Lithgow City Council as the regulatory authority for any activity under Section 68 Table B for water and wastewater. Condition Reason: To ensure the development is serviced by suitable water, sewer and stormwater connections, in accordance with Council's Policy.
33.	Water and Sewer Requirements 1. A Section 68 application must be submitted to Council for approval and be accompanied with all drawings of site showing council infrastructure, proposed connections to infrastructure and appurtenance such as meters and boundary connections. 2. The Section 68 application and connections to council infrastructure in accordance with the Council policy 3.1 Water Service and Meter Installation and Policy 3.5 Sewer Connection. 3. The S68 application must include the details of the proposed connection points to Council water and sewerage system as well as the construction details of the new sewerage and water connections prior to Construction Certificate 4. The applicant is to gain a pressure and flow test on the water mains to understand the available pressure and flows available and then design the connections based on the test results for the new development. Condition Reason: To ensure the development is serviced by suitable water, sewer and stormwater connections, in accordance with Council's Policy.
34.	Operational Management Plan An Operational Management Plan is to be submitted to and approved by Council prior to the issue of the Construction Certificate. The Operational Management Plan is to address relevant matters including: • Visual amenity, • Privacy, • Activities proposed for the development, • Noise, • Alarms, (Back to base alarm system), • Lighting to all areas including the car park, perimeter of the group home, walkways and pedestrian access points,

	• Visitor and traffic hours of operations, • Weekly Waste Management, • Retention of CCTV camera records for 30 days. • Hours of operational for cleaners, and other employees, • Register with Bizkeys, after hours contacts with Lithgow Police. • Security company patrols as the area currently predominantly vacant the area will have limited natural surveillance. • Signage – ○ All ingress and egress points to be well defined and clearly marked with signage and traffic flow arrows. ○ Clearly marked directional flow of traffic in car park. ○ CCTV in operation and security patrols on premises. • Any other potential operational impacts. This plan is to be implemented, once approved by Council, with the provisions of the management plan being fully complied with and maintained throughout the duration of the development. The plan is to be reviewed annually by the site operator, with any proposed changes submitted to Council for consultation and approval prior to action. Condition Reason: to ensure minimal impacts occur to the surrounding environment.
35.	Easements No part of the development is to encroach or impact the services (drainage, water and sewer) within the easements located on the property. Condition Reason: to ensure minimal impacts occur to the surrounding environment.

BEFORE BUILDING WORK COMMENCES	
36.	Certification Prior to commencing any construction works, the following requirements of the Environmental Planning and Assessment Act 1979 are to be complied with: - A principal certifier is appointed in accordance with section 6.6(1) of the Act, and - If the principal certifier is not Council, Council has been notified of the appointment of the principal certifier no later than 2 days before building work commences in accordance with section 6.6(2) of the Act, and - A construction certificate has been issued for the building works in accordance with section 6.7 of the Act, and - Council has been given at least 2 days' notice of the intention to commence building works in accordance with section 6.6(2)(e) of the Act. Condition Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
37.	Set-Out Survey Required Prior to commencing any construction works, a set-out survey (prepared by a registered practising Surveyor) is to be submitted to the Principal Certifier nominating the location of the development in accordance with the Stamped Documentation & Plans. Such a survey is to show the location of slab formwork in relation to other buildings on-site and the allotment boundaries.

	Condition Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
38.	Site Requirements - Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place. - If the work involved in the development is likely to cause pedestrians and/or vehicular traffic in a public place to be obstructed or rendered inconvenient and/or if the building involves the enclosure of a public place, it must be undertaken in accordance with WorkCover requirements. - The works site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. - Prior to commencement of any building works, a suitable lidded waste container or enclosure for the deposit of all potential windborne building rubbish and litter must be provided onsite. - The waste container must be emptied at a licensed waste disposal facility when full. - All building rubbish and litter must be contained on the building site and the site left clear of waste and debris upon completion of works. - Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site: - Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours. - Stating that unauthorised entry to the work site is prohibited and - Showing the name, address and telephone number of the principle certifying authority for the work. - The sign/s are 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. - Prior to the commencement of any works on the land, toilet facilities must be provided for construction personnel on the site on the basis of 1 toilet for every 20 workers. - Amenities are to be installed and operated in an environmentally responsible and sanitary manner. - Toilets cannot remain on site for any longer than 12 months, without the further approval of Council. Condition Reason: To ensure site management measures are implemented during the carrying out of site work.
39.	Erosion and sediment controls in place Before any site work commences, the Principal Certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time). Condition Reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
40.	Protection of adjoining areas

	A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin, and must be kept in place until after the completion of works, if the works— (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or (b) could cause damage to adjoining lands by falling objects, or (c) involve the enclosure of a public place or part of a public place.
	Condition Reason: To ensure site management measures are implemented during the carrying out of site work.
41.	Toilet facilities Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
	Condition Reason: To ensure site management measures are implemented during the carrying out of site work
42.	Garbage receptacle A garbage receptacle must be provided at the work site before works begin and must be maintained until the works are completed. The garbage receptacle must have a tight-fitting lid and be suitable for the reception of food scraps and papers
	Condition Reason: To ensure site management measures are implemented during the carrying out of site work
43.	Plumbing and/or drainage works Prior to the commencement of any plumbing and/or drainage work, a Notice of Works is to be submitted to Council from the licensed plumber contractor in accordance with the Plumbing and Drainage Act.
	Condition Reason: To ensure the development is serviced by a suitable plumbing and/or drainage works in accordance with the Plumbing and Drainage Act.
44.	Traffic Control Plan A fully certified traffic control plan will be required where machinery may obstruct traffic on public roads whilst construction work is being undertaken. Failure to comply may result in Work Cover intervention and may also include Stop Work orders from Council until such time the developer complies with suitable traffic management procedures. The Traffic Control/Management Plan is to include a Driver Code of Conduct to manage construction traffic impacts on the wider network.
	Condition Reason: To ensure minimal impact is made to traffic in the area.
46.	Access Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6.
	Condition Reason: To ensure that access complies with the Australian Standards.
47.	Engineering Requirements 1) Any driveway construction works (new or replacement of existing driveway access) needs to comply with Council's Policy 10.18 – Specification for the Construction of Driveways, Footpath/Gutter Crossing and Footpaving (available on Council's website). The application fee for the inspection is required to be paid prior to inspection being undertaken. Notification of at least 48 hours is required to arrange inspections (no inspection undertaken on Fridays). Further information can be obtained regarding

	Driveway approvals by contacting Council's Infrastructure Services Department on (02) 6354 9904 during business hours. Upon completion of all works in the road reserve, all disturbed verge areas fronting development site are to be turfed. The turf shall extend from the back of kerb to the property boundary, with the exception of driveways, concrete footpaths, service lids or other infrastructure which is not to be turfed over. Turf laid up to concrete footpaths, service lids or other infrastructure shall finish flush with the edge. 2) Any works that will have an impact on pedestrian or vehicle use of footpath/roads will require a Temporary Road/Footpath Closing Application to be submitted, with the submission of appropriate documents and fees paid. Approvals need to be submitted for assessment at least 4 weeks prior to proposed works for adequate referral and assessment. Further information can be obtained regarding Temporary Road/Footpath Closing Applications by contacting Council's Infrastructure Services Department on (02) 6354 9904 during business hours 3) Vehicular access and manoeuvring associated with the subject development shall be designed in accordance with AS 2890.2. 4) A minimum one (1) metre clearance shall be provided between proposed driveway crossings and any street tree/existing services. All existing services conflicting with the proposed driveway are to be relocated in accordance with the relevant Authority's regulations and standards. 5) Applicant shall comply with the recommendations of the Traffic and Impact Assessment prepared by Motion Traffic Engineers N2441020A (Version 1c) dated October 2024. 6) The access driveway shall have a minimum 170m sight distance in both directions along intersecting public road. 7) A construction certificate will be required to be lodged to Council prior to the commencement of any Civil Works. 8) All stormwater drainage is the responsibility of the applicant and shall be satisfactorily disposed of into Council's stormwater infrastructure. 9) The Applicant shall ensure that during the construction works all measures are taken to eliminate/suppress any dust nuisance emanating from the site. Condition Reason: To comply with Council's Engineering requirements.
48.	Remediation Works 1) That in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021; Chapter 4 Remediation of Land that the remediation work must be undertaken in accordance with: • The contaminated land planning guidelines, • The guidelines (if any) in force under the Contaminated Land Management Act 1997, and • Preliminary Site Investigation (PSI) with Targeted Sampling, by Australian Ground Sciences, dated 4 November 2024. 2) A Remediation Action Plan is to be undertaken and submitted to Council for approval. The action plan is to address the asbestos identified in the borehole (former dam area), with the steps for removal, handling and containment to prevent exposure risks during and after construction work.

- 3) The Action Plan is to then be approved by Council, implemented and managed throughout the course of the project.
- 4) The Remediation work is to be carried out by a suitably qualified & experienced contractor under the guidance of a contaminated land consultant and/or a site auditor to oversee the remediation.
- 5) Adjoining property owners must be notified in writing of the commencement date of the remediation activities at least 7 days prior to works being undertaken.
- 6) A sign identifying the contact details of the remediation contractor must be displayed at the site for the duration of the remediation activities. The sign must identify phone numbers for best contact personal.
- 7) While remediation activated are being undertaken the contractor must maintain a written record of any complaints received in relation to the conduct of the remediation. The written record must include complainants name, address, time, date of complaint and actioned taken to address the complaint. The record may be requested by Council during the conduct of the remediation. Any complaint received during remediation activities is to be notified to Council no later than 2 business days following the complaint.
- 8) Remediation activities must not cause any environmental harm outside of the area nominated for remediation within the site. The remediation area is to be contained by a suitable barrier or fencing to prevent unauthorised access. Erosion and sedimentation controls must be in place to prevent any soil leaving the remediation site. Runoff from areas of the contaminated soil must not be permitted to leave the site.
- 9) Remediation activities must be managed to ensure that dust, odour, gases or fumes are not emitted beyond the boundary of the remediation site. Appropriate monitoring equipment may be used to demonstrate compliance.
- 10) All waste must be classified in accordance with the Protection of the Environment (Waste Regulation 2014) and related guidelines and then transported to an appropriately licenced waste facility for its classification.
- 11) All waste transported from the site is to be adequately covered in a suitable vehicle(s) and no tracking of soils onto public roads.
- 12) A notice of completion of remediation work is to be provided to Council within 30 days after completion of the work in accordance with Clause 4.14 of the State Environmental Planning Policy Resilience and Hazards) 2021. This should also include a validation report to confirm the site remediation works were undertaken accordingly and the site is suitable for residential development. This should be in the form of a Site Audit Statement prepared in accordance with the regulations and guidelines which outlines that the land is suitable for the proposed development as residential land use, to Council. This condition is to be met prior to the issue of any a Construction Certificate for the development.
- 13) Any recommendations identified in the validation report shall be binding to the development. This includes any potential ongoing site management plan to be formulated in conjunction with Council.
- 14) If a Site Management Plan is required as part of recommendations from the validation report, a covenant is to be imposed under Section 88B & E of the Conveyancing Act 1919

	or section 29(3) of the Contaminated Land Management Act 1997 on the land. This covenant is to require compliance with the Site Management Plan. Council is to be listed as the authority to enable a variation or modification to such covenant. This condition is to be met prior to the release of the Occupation Certificate.
	Condition Reason: To comply with the State Environmental Planning Policy (Resilience and Hazards) 2021; Chapter 4 Remediation of Land and the Preliminary Site Investigation Report.
49.	Removal of waste materials and asbestos 1. Where there is a need to remove any identified materials from the site that contain fill/rubbish/asbestos, the waste material shall be assessed and classified in accordance with the NSW EPA Waste Classification Guidelines (2014) (refer to: www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm) Once assessed, the materials shall be disposed of to a licensed waste facility suitable for that particular classification of waste. Copies of tipping dockets shall be retained and supplied to Council upon request. 2. Only an asbestos removal contractor who holds the required class of Asbestos License issued by SafeWork NSW must carry out the removal, handling and disposal of the asbestos material; 3. Any asbestos waste load over 100kg (including asbestos containing soil) or 10m² or more of asbestos sheeting must be registered with the EPA online reporting tool Waste Locate. Condition Reason: To comply with the State Environmental Planning Policy (Resilience and Hazards) 2021; Chapter 4 Remediation of Land and the Preliminary Site Investigation Report.
50.	Unexpected Finds Protocol An Unexpected Finds Protocol (UFP) is to be established to guide contractors and environmental consultants in identifying and managing unforeseen contamination, including asbestos, heavy metals, and other hazardous materials. Condition Reason: This protocol will ensure that unexpected finds are managed in a safe, compliant manner, minimising potential risks to workers, future users, and the environment.

DURING BUILDING WORK	
51.	Compliance with plans (1) Works must be carried out in accordance with the plans and specifications to which the complying development certificate relates. (2) A copy of the stamped and approved plans, development consent and the construction certificate are to be on the site at all times. Condition Reason: To ensure the development complies with the approved plans.
52.	Maintenance of site (1) All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held. (2) Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility. (3) Copies of receipts stating the following must be given to the principal certifying authority— (a) the place to which waste materials were transported, (b) the name of the contractor transporting the materials,

	(c) the quantity of materials transported off-site and recycled or disposed of. (4) Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads. (5) During construction— (a) all vehicles entering or leaving the site must have their loads covered, and (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads. (6) At the completion of the works, the work site must be left clear of waste and debris. Condition Reason: To ensure minimal impact to the environment.
53.	Construction hours Construction may only be carried out between 7.00 am and 5.00 pm on Monday to Saturday and no construction is to be carried out at any time on a Sunday or a public holiday. Condition Reason: To protect the amenity of the surrounding area.
54.	Site management All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held. Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility. Condition Reason: To ensure site management measures are implemented during the carrying out of site work.
55.	External colours and finishes The development shall incorporate colours and finishes that are consistent with the approved plans and schedule. Condition Reason: To ensure the development complies with the approved plans and referenced documents.
56.	Earthworks Any earthworks (including any structural support or other related structure for the purposes of the development: a. Must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot, and b. Must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and c. That is fill brought to the site—must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the Protection of the Environment Operations Act 1997, and d. That is excavated soil to be removed from the site—must be disposed of in accordance with any requirements under the Protection of the Environment Operations (Waste) Regulation 2005. e. Any excavation must be carried out in accordance with Excavation Work: Code of Practice (ISBN 978-0-642-785442), published in July 2012 by Safe Work Australia. Condition Reason: To ensure site management measures are implemented during the carrying out of site work.
57.	Compaction of fill (1) Any filling carried out in accordance with this consent shall maintain a minimum requirement of 98% standard compaction. (2) Any lot filling operations carried out in accordance with this consent shall be tested to establish the field dry density every 300mm rise in vertical height. Test sites shall be

	located randomly across the fill site with 1 test per 500m² (minimum 1 test per 300mm layer) certified by a qualified geotechnical engineer. Alternatively, all footings/piers are to be taken through filled ground to foundation material of uniform adequate bearing pressure in accordance with Structural Engineers requirements. Note: A compaction report from a Geotechnical Engineer or Engineering structural plans/details for any proposed piers through fill, shall be submitted to the Principal Certifying Authority prior to the slab steel inspection. (3) Fill material used must be virgin excavated natural material within the meaning of the Protection of Environmental Operations Act 1997 (POEO) or any other waste- derived material the subject of a resource recovery exemption under cl.51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material. Note: Any waste-derived material the subject of resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority. Condition Reason: To ensure site management measures are implemented during the carrying out of site work.
58.	Procedure for critical stage inspections While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate. Condition Reason: To require approval to proceed with building work following each critical stage inspection.
59.	Plumbing and/or drainage works All plumbing and drainage work must be carried out by a licensed plumber and drainer in accordance with the requirements of Australian Standard 3500 and Complying with the Plumbing Code of Australia (PCA) and all relevant Australian Standards. Condition Reason: To ensure the development is serviced by a suitable plumbing and/or drainage works.
60.	Plumbing and/or drainage works inspections Forty-eight (48) hours' notice shall be given to Lithgow City Council for inspection of the following plumbing and drainage works: (a) Internal and external drainage lines prior to backfilling. (b) The licensed plumber/drainer shall be on site at the site of the inspection, and the drainage lines shall be charged and under test. (c) Hot and cold water installations under test bucket pressure of 1500kpa. (d) On completion of all plumbing drainage and sanitary fixture installations. Condition Reason: To ensure the development is serviced by a suitable plumbing and/or drainage works.
61.	Plumbing and/or drainage Certificate of Compliance Prior to the issue of a Certificate of Compliance for all sanitary plumbing and drainage, the plumbing and drainage works are to be inspected and approved by Lithgow City Council as the delegated regulatory authority for plumbing and drainage works within the Lithgow City Council area. Condition Reason: To ensure the development is serviced by a suitable plumbing and/or drainage works.
62.	Vehicle Movements

	All vehicles entering or leaving the site must have their loads covered, and before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads. Condition reason: To promote safe entry and exit to the construction site.
63.	Excavated Areas Excavated area/s adjacent to the building shall be retained and drained to prevent the subsidence of the excavation and/or entry of surface water to the building. Condition reason: To ensure all earthworks are adequately retained.
64.	Dust The Applicant shall ensure that during the construction works all measures are taken to eliminate/suppress any dust nuisance emanating from the site. Condition Reason: To ensure site management measures are implemented during the carrying out of site work.
65.	Waste management Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility. Copies of receipts stating the following must be given to the principal certifying authority— (a) the place to which waste materials were transported, (b) the name of the contractor transporting the materials, (c) the quantity of materials transported off-site and recycled or disposed of. Condition Reason: To promote safe and responsible disposal of waste.
66.	Contamination Should any suspect materials (identified by unusual staining, odour, discoloration or inclusions such as building rubble, asbestos, ash material, etc) be encountered during any stage of works (including earthworks, site preparation or construction works, etc) such works shall cease immediately until a qualified environmental specialist has been contact and conducted a thorough assessment. In the event that contamination is identified as a result of this assessment and if remediation is required, all works must cease in the vicinity of the contamination, and Council must be notified. Condition Reason: To ensure potential contamination is appropriately managed and mitigated onsite.
67.	Archaeology discovered during excavation If any object having interest due to its age or association with the past is uncovered during the course of the work— (a) all work must stop immediately in that area, and (b) the Office of Environment and Heritage must be advised of the discovery. <i>Note. Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the Heritage Act 1997 may be required before further the work can continue.</i> Condition reason: To ensure potential archaeology is appropriately managed.
68.	Aboriginal objects discovered during excavation If any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work— (a) all excavation or disturbance of the area must stop immediately in that area, and

	(b) the Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the <i>National Parks and Wildlife Act 1974</i>. <i>Note. If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the National Parks and Wildlife Act 1974.</i>
	Condition reason: To ensure potential archaeology is appropriately managed.
69.	Food Premises The proposed food premises areas are to be designed and constructed in accordance with the Food Act 2003. In this regard, the Applicant is to provide a detailed food premises fit-out plan and specification illustrating compliance with AS 4674-2004 - Design, construction and fit-out of food premises, for Council's approval prior to the commencement of demolition/construction activities.
	Condition Reason: To ensure compliance with the food health and safety requirements.
70.	Walls 1. The walls surrounding the food preparation areas shall be of solid construction. 2. The walls in the food preparation area of the premises shall be: sealed to prevent the entry of dirt, dust, and pests; unable to absorb grease, food particles or water; and able to be easily and effectively cleaned. Walls in food preparation areas shall be finished with one or a combination of the following materials: (i) Glazed tiles. (ii) Stainless or aluminium sheeting. (iii) Polyvinyl sheeting with welded seams. (iv) Laminated thermosetting plastic sheeting. (v) Similar impervious material adhered directly to the wall.
	Condition Reason: To ensure compliance with the food health and safety requirements.
71.	Floors 1. The flooring in the food preparation, storage and bar areas of the premises shall be designed and constructed so that they can be effectively cleaned; be unable to absorb grease, food particles or water; be laid so that there is no ponding of water; and to the extent that is practicable, be unable to provide harbourage for pests. Floors in the food preparation areas shall be finished with one or a combination of the following materials: (i) Sealed quarry tiles or ceramic tiles. (ii) Stainless steel. (iii) Polyvinyl sheeting with welded seams. (iv) Laminated thermosetting plastic sheeting. (v) Epoxy resin. (vi) Steel trowel case hardened concrete. 2. Coving of not less than 25mm in radius shall be provided to the intersections of floors with walls in the food preparation area. The coving shall be integral to the surface finish of both floor and wall in such a manner as to form a continuous uninterrupted surface. 3. The floor of the food preparation areas is to be drained to a floor waste connected to the sewer. The floor waste is to consist of a removable basket within a fixed basket arrestor and is to comply with the Sydney Water requirements.
	Condition Reason: To ensure compliance with the food health and safety requirements.
72.	Ceiling The ceiling in food preparation areas and storage areas shall be finished with impervious sealed material without joints, cracks, and crevices. (Note: Drop-in, removable panel ceilings shall not be used in food preparation areas or over areas where open food is stored, displayed, or served.)
	Condition Reason: To ensure compliance with the food health and safety requirements.
	Washing Facilities

73.	1. A separate hand wash basin, supplied with a constant supply of warm running water through a single outlet or mixer, shall be provided in food preparation areas. 2. All hand wash basins installed within the premises, including those inside the toilets, shall be supplied with warm running water delivered through a single outlet. 3. Adequate hand wash basins shall be installed inside the food preparation areas. They shall be located no further than 5m from any place where food handlers are handling open food. 4. A liquid soap dispenser (that dispenses liquid soap) and a towel dispenser (that dispenses a single-use paper or cloth towel) shall be provided adjacent to or near each hand wash basin. 5. The wash up sink shall be supplied with hot and cold water. Condition Reason: To ensure compliance with the food health and safety requirements.
74.	Lighting and Light Fittings 1. Artificial lighting provided to the premises shall comply with the requirements of AS 1680.1 and AS/NZS 1680.2.4. 2. In areas where open food is handled or stored, light fittings shall be designed and constructed to prevent contamination of food should the globe or tube shatter and free from any features that would harbour dirt, dust or insects or make the fitting difficult to clean. Condition Reason: To ensure compliance with the food health and safety requirements.
75.	Mechanical Exhaust Ventilation System 1. Where cooking or extensive heating processes or such other processes as may be specified are carried out in the kitchen or in food preparation areas, an approved mechanical exhaust ventilation system shall be installed and operated in accordance with AS/NZS 1668.1 - 1998 and AS 1668.2 – 2012. 2. The mechanical exhaust ventilation system shall be designed and installed in accordance with AS/NZS 1668.1 – 1998 and AS 1668.2 – 2012. A certificate (issued by a licensed mechanical ventilation contractor) stating compliance with these Australian Standards shall be submitted to Council. 3. A mechanical exhaust ventilation system that complies with the AS/NZS 1668.1-1998 and AS 1668.2-2012 shall be provided in the food preparation areas to remove the steam from the dishwasher or other washing and sanitizing equipment. Condition Reason: To ensure compliance with the food health and safety requirements.
76.	Coolroom 1. The open space between the top of the coolroom and the ceiling shall be fully enclosed and kept insect and pest proof. 2. The coolroom must have a smooth concrete floor, which is to be sloped to the door. A floor waste connected to the sewer must be located outside the coolroom. 3. The coolroom shall be able to be opened from the inside without a key and fitted with an alarm that can only be operated from within the coolroom. Condition Reason: To ensure compliance with the food health and safety requirements.
77.	Fixtures, Fittings and Equipment 1. All fixtures, fittings and equipment shall be constructed so as to be capable of being easily and effectively cleaned. 2. Service pipes, conduits and electrical wiring shall either be –

	(i) concealed in floors, plinths, walls, or ceiling; or (ii) fixed on brackets so as to provide at least 25mm clearance between the pipe and adjacent vertical surface and 100mm between the pipe or conduit and adjacent horizontal surfaces.
	Condition Reason: To ensure compliance with the food health and safety requirements.
78.	Toilet Cubicles The toilet cubicles shall be – (i) separated from areas where open food is handled, displayed, or stored by an intervening ventilated space fitting with self-closing doors; or (ii) provided with self-closing doors and mechanical exhaust system that operate when the sanitary compartment is in use and for at least 30 seconds after the cubicle is vacated.
	Condition Reason: To ensure compliance with the food health and safety requirements.
79.	Waste Management 1. Waste and recyclable material generated from the operations of the school shall be managed in a satisfactory manner that does not give rise to offensive odour or encourage pest activity. Food residues, food scraps, and waste material shall be regularly removed from the premises. Waste shall not be permitted to accumulate near the allocated waste storage bins. 2. A stainless steel cleaner's sink or a floor waste shall be provided for the disposal of wastewater. The cleaner's sink or floor waste shall be located outside of areas where open food is handled.
	Condition Reason: To ensure compliance with the food health and safety requirements.
80.	Pest Control 1. Practicable measures shall be taken to exclude and prevent the entry of vermin into the food preparation area through windows and doors. Where premises are enclosed, windows shall be protected against the entry of pests by being – i. tight-fitting and permanently fixed closed; ii. fitted with mesh screens that can be removed for cleaning; or i. protected by a permanent mesh screen that can be cleaned in place. 2. Entrances/exits, serving hatches and similar openings to food premises shall be protected against the entry of pests by – i. tight-fitting solid self-closing doors, roller shutters or other means of closing off the entrance; or ii. tight-fitting self-closing mesh screen doors.
	Condition Reason: To ensure compliance with the food health and safety requirements.
81.	Food Safety Supervisor A food safety supervisor shall be appointed in accordance with Food Act 2003 and a copy of the Food Safety Supervisor Certificate shall be submitted to Council prior to the commencement of the food business.
	Condition Reason: To ensure compliance with the food health and safety requirements.
82.	General Requirements 1. The layout, disposition, and method of installation of fixtures and fittings, together with wall, floor, and ceiling finishes to all preparation, storage areas and cool rooms (AS4674, the Food Act 2003 and Regulations there under). 2. Premises to be registered with Council prior to opening via the Food Premises Business Registration or Information Update form.

	3. Council's Environmental Health Officers will conduct routine inspections of the premises under the Food Act 2003. Administration and inspection fees will be charged in accordance with Council's Pricing Policy and Fees & Charges.
	Condition Reason: To ensure compliance with the food health and safety requirements.
83.	Odours A smoke and odour impact assessment shall be submitted to Council if any complaints are lodged with Council in relation to the emissions generated as a result of the school's activities. The report must be prepared by a suitably qualified environmental consultant and include modelling of the odour impact on the nearest affected receptor (e.g. residents/property occupants). Any recommendations resulting from the report are to be in accordance with AS/NZS 1668.1 – 1998 and AS 1668.2 – 2012, as well as the Office of Environment & Heritage Technical Framework – Assessments and Management of Odour from Stationary Sources in NSW (November 2006).
	Condition Reason: To ensure compliance with the food health and safety requirements.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE	
84.	Final Fire Safety Certificate Prior to the issue of an Occupation Certificate, a final fire safety certificate prepared by an Accredited Practitioner (Fire Safety) is to be submitted to the Principal Certifier in accordance with Part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
	Condition Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
85.	Identification survey required An Identification Survey (prepared by a registered practising Surveyor) is to be submitted to the Principal Certifier demonstrating the location of the development in accordance with the Stamped Documentation & Plans. Such a survey is to show the location of the external walls/eaves in relation to the allotment boundaries.
	Condition Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
86.	Disturbed areas The disturbed areas surrounding the building work shall be reinstated to the satisfaction of the Principal Certifier upon completion of the work.
	Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.
87.	Certificate of Compliance – Council Wastewater 1. Prior to the issue of an Occupation Certificate, the Applicant shall provide Lithgow City Council with a Certificate of Compliance and approved Drainage Diagram (SSD) for all sanitary plumbing and drainage installation. 2. Licensed plumber to determine correct point of connection into council's sewer and relative sewer heights.
	Condition Reason: To ensure the development is serviced by a suitable plumbing and/or drainage works.
88.	Operational Traffic Management Plan

	An Operational Traffic Management Plan (TMP), with Driver's Code of Conduct, is to be submitted and approved by Council, to effectively manage increased traffic associated with the education facility. The TMP should include mitigation measures to reduce conflict with background traffic, namely heavy vehicles, during school drop-off and pick-up peak times, consider surrounding land uses, identify school bus shuttle routes and frequencies and consider emergency and service vehicle access to the site.
	Condition Reason: To ensure road safety for all users.
89.	Traffic Control Prior to issue of any Occupation Certificate, the installation of any prescribed traffic control devices and traffic control facilities are required to be referred to and endorsed by Council's Local Traffic Forum (formerly Traffic Authority Local Committee), and recommendation to Council for action. Approval can only be granted upon Council resolution.
	Condition Reason: To ensure road safety for all users.

OCCUPATION AND ONGOING USE	
90.	Occupation Certificate The development shall not be occupied or used until an Occupation Certificate is issued by the Principal Certifier.
	Condition reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
91.	Annual Fire Safety Statement An Annual Fire Safety Statement is to be submitted to Council and NSW Fire Brigades and a copy is retained on-site to verify that the performance & maintenance of the essential fire safety measures specified in a Fire Safety Schedule is in accordance with Parts 10 & 12 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
	Condition Reason: To ensure compliance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
92.	Hours of Operation The school's hours of operation are confined to between the following: • Core student hours – 8:30am to 3:30pm, • Hours (teachers) – 8am to 5pm, • Some extracurricular activities on site hours are permissible outside of the restricted hours for sport training, performance rehearsals etc, • Infrequent fete/community type days on a couple Saturdays a year. • Infrequent mowing and yard maintenance by volunteers and Contractors on weekends. • Infrequent P&F Meetings in evenings during the year.
	Condition Reason: to ensure minimal impact to the environment and surrounding developments.
93.	Numbers of Students & Staff This approval is restricted to the school having a maximum of one-hundred and fourteen (114) school students and twenty (20) school staff at any one time
	Condition Reason: to ensure minimal impact to the environment and surrounding developments.
	External Lighting and CCT

94.	All external lighting and CCT cameras are to be directed to within the property boundaries, ensuring all lighting is downwards pointing. Lighting and CCT cameras are not to be directed towards the street or towards adjoining neighbouring properties to avoid creating a nuisance to those receivers. All lighting is to comply with AS4282.								
	Condition Reason: To minimise adverse impacts to adjoining property owners.								
95.	Noise 1. Noise Levels associated with the development shall not exceed the following at the boundary of any residential premises: <table border="1"> <thead> <tr> <th>LAeq(15min)</th><th>Period</th></tr> </thead> <tbody> <tr> <td>48</td><td>Day</td></tr> <tr> <td>43</td><td>Evening</td></tr> <tr> <td>38</td><td>Night</td></tr> </tbody> </table> Note: Day is: 7am to 6pm Monday to Saturday; 8am to 6pm Sundays and Public Holidays. Evening is: 6pm to 10pm daily. Night is: 10pm to 7am Monday to Saturday; 10pm to 8am Sundays and Public Holidays 2. A noise assessment report shall be submitted to Council if any complaints are lodged with Council in relation to the noise emissions generated as a result of the school's operations (including during construction). The report must be prepared by a suitably qualified acoustic consultant and shall include details of the noise assessment and necessary works that are required to reduce the noise to a satisfactory level. 3. In the event that council receives noise complaints from the activity the operator must demonstrate through an acoustic report that their operation is compliant with consent conditions and not exceeding the "intrusive noise" criteria as described in the NSW Industrial Noise Policy (2000) and the DECC Noise Guide for Local Government (2004).	LAeq(15min)	Period	48	Day	43	Evening	38	Night
LAeq(15min)	Period								
48	Day								
43	Evening								
38	Night								
	Condition Reason: To minimise impacts to adjoining property owners.								
96.	Storage of Dangerous Goods Should any 'dangerous goods' proposed to be stored on the premises exceed the manifest quantity as prescribed by Workcover, a Notification of Dangerous Goods on Premises (form FDG01 or FDG02) is required to be submitted to Workcover for assessment.								
	Condition Reason: To ensure compliance with the food health and safety requirements.								
97.	Environmental Controls The operation of the premises shall be conducted in such a manner as not to interfere with or materially affect the amenity of the neighbourhood by reason of noise, vibration, odour, fumes, vapour, steam, wastewater, waste products or other impurities which are a nuisance or injurious to health.								
	Condition Reason: To minimise impacts to the environment.								
98.	Waste Disposal All waste material is to be placed within the waste bins provided and taken to an approved Waste Facility via an external contractor on a daily basis.								
	Condition Reason: To minimise impacts to the environment.								
99.	Signage • All ingress and egress points to be well defined and clearly marked with signage and traffic flow. • Include signage indicating CCTV in operation and security patrols on premises. • Include signage notifying emergency contact details.								
	Condition Reason: To minimise impacts to adjoining property owners.								

100.	Vehicle Access
	Vehicles accessing the site is limited to a 12.5m MRV service vehicle.
	Condition Reason: To ensure adequate road safety.

PREScribed CONDITIONS

PREScribed CONDITIONS <i>Environmental Planning and Assessment Regulation 2021</i>	
101.	Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989 (1) It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia. (2) It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences. (3) It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with the Building Code of Australia, Volume 1, Part B1 and NSW Part I5. (4) In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the relevant date. (5) In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made. (6) This section does not apply— (i) to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or (ii) to the erection of a temporary building, other than a temporary structure to which subsection (3) applies. (7) In this section— relevant date has the same meaning as in the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, section 19. Condition reason: Condition reason: Prescribed condition (Environmental Planning and Assessment Regulation 2021).
102.	Erection of signs (1) This section applies to a development consent for development involving building work, subdivision work or demolition work. (2) It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out— (i) showing the name, address and telephone number of the principal certifier for the work, and (ii) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and (iii) stating that unauthorised entry to the work site is prohibited. (3) The sign must be— (i) maintained while the building work, subdivision work or demolition work is being carried out, and

	(ii) removed when the work has been completed. (4) This section does not apply in relation to— (i) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or (ii) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.
	Condition reason: Prescribed condition (Environmental Planning and Assessment Regulation 2021).
103.	Notification of Home Building Act 1989 requirements (1) This section applies to a development consent for development involving residential building work if the principal certifier is not the council. (2) It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following— (i) for work that requires a principal contractor to be appointed— (a) the name and licence number of the principal contractor, and (b) the name of the insurer of the work under the Home Building Act 1989, Part 6, (ii) for work to be carried out by an owner-builder— (a) the name of the owner-builder, and (b) if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit. (3) If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information. (4) This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.
	Condition reason: Prescribed condition (Environmental Planning and Assessment Regulation 2021).
104.	Shoring and adequacy of adjoining property (1) This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor. (2) It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense— (i) protect and support the building, structure or work on adjoining land from possible damage from the excavation, and (ii) if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation. (3) This section does not apply if— (i) the person having the benefit of the development consent owns the adjoining land, or (ii) the owner of the adjoining land gives written consent to the condition not applying.
	Condition reason: Prescribed condition (Environmental Planning and Assessment Regulation 2021).

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an

exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation.

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

BUILDING WORK

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

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

Building Inspection Schedule

The Principal Certifying Authority (PCA) is required to ensure all work is carried out in accordance with the consent, Building Code of Australia (BCA), and relevant standards, which is done during inspections at nominated stages of the work. The "Inspection Schedule" lists the mandatory and other required inspections that must be carried out by Lithgow City Council Certifiers during construction of the work.

Inspection schedule – Drainage and Plumbing

As the Certifying Authority, for water and sewer inspections Council must be contacted to undertake inspections of the various stages of construction as follows:

- a. Internal and any sanitary external drainage, grease arrestor, septic tank and amended soil mound.
- b. Final inspection of system prior to occupation/use of the building.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections and inspection fees must be paid.

Required and Mandatory Inspection Schedule

To ensure structural integrity, the maintenance of minimum health standards, the management of the buildings surrounds and the protection of the environment, compliance certificates are to be issued at significant stages throughout the construction period. These stages are:

- a) Pier holes/pad footings before filling with concrete.
- b) Reinforcing steel in position and before concrete is poured (slab, footings, lintels, beams, columns, floors, walls and the like).
- c) Wall and roof framing when external wall and roof cladding is in place and prior to internal linings.
- d) prior to covering of fire protection at service penetrations to building elements that are required to resist internal fire or smoke spread, inspection of a minimum of one of each type of protection method for each type of service, on each storey of the building comprising the building work.
- e) Wet area flashing prior to tiling or covering.
- f) Kitchen installation.
- g) Stormwater drainage between building and discharge point (drainage pipes, soakage pits and the like) prior to covering.
- h) Completion of the development and sign off to all conditions of the consent including landscaping, prior to occupation and use.

At each inspection, erosion and sediment control measures and site management will be inspected.

Note: forty-eight (48) hours notice shall be given to Council prior to inspections.

Termite Protection

The building is to be protected from the attack of subterranean termites by employing construction methods conforming with Australian Standard 3660.1. A durable notice must be permanently fixed to the building in a prominent location (such as the meter box) indicating:

- (i) the method of protection and
- (ii) the date of installation of the system and
- (iii) the installer's or manufacturers recommendations for the scope and frequency of future inspections for termite activity.

Wind Loading

The property is located in an area subject to high winds. The structure shall be designed and constructed to withstand the site specific wind load.

Anchorage of roof cladding

That owing to the area being subject to high wind velocities from time to time, every precaution is to be taken to ensure the building and the roof cladding are effectively secured. Manufacturer's details and directions for anchorage and fixing are to be adhered to.

SCHEDULE 2: BUSHFIRE SAFETY AUTHORITY



BUSH FIRE SAFETY AUTHORITY

SFPP – School
Lot 1 Magpie Hollow Road South Bowenfels 2790, 1//DP527491
RFS Reference: DA20240321001162-Original-1
Your Reference: CNR-66975 DA016/24

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

James Killen
Manager Planning & Environment Services
Built & Natural Environment

Thursday 2 May 2024

