

APPENDIX D

PARAMETERS OF THIS CONSENT

- The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan No./ Supporting Document	Version	Prepared by	Dated
Location / Site Plan Project No. 17-03 Drawing No. A-1	A	Roger G Veness	3/05/2017
Existing & Demolition Plan Project No. 17-03 Drawing No. A-2	B	Roger G Veness	25/5/2017
Proposed Floor Plan Project No. 17-03 Drawing No. A-3	A	Roger G Veness	25/5/2017
Reflected Ceiling Plan Project No. 17-03 Drawing No. A-4	A	Roger G Veness	25/5/2017
Section at Grid 2 Project No. 17-03 Drawing No. A-5	A	Roger G Veness	25/5/2017
Elevations Project No. 17-03 Drawing No. A-6	A	Roger G Veness	25/5/2017
Elevations Project No. 17-03 Drawing No. A-7	-	Roger G Veness	24 March 2017
Statement of Heritage Impact	-	Elizabeth Evans Heritage Consultant	July 2017

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

- All building work must be carried out in accordance with the requirements of the Building Code of Australia as in force on the date the application for the relevant construction certificate or complying development certificate was made.
- The development shall comply with the *Disability (Access to Premises) Standards*.
- The development is to be carried out in accordance with the materials and colours as outlined in the Statement of Heritage Impact, dated July 2017.
- Tree removal is to be performed by a qualified arborist or tree felling contractor having the necessary insurance policies current at the time of removal.
- This development consent does not authorise an increase in the permitted number of students at the school.

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THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

7. Prior to the issue of any Construction Certificate structural details and a Structural Certificate for Design prepared by a qualified practising structural engineer and in accordance with Clause 1.2.2(iii) of Volume 2 of the BCA (applicable to Class 1 and 10 buildings) must be submitted to the Principal Certifying Authority.
8. Prior to the issue of any Construction Certificate that includes earthworks, a Sediment and Erosion Control Plan shall be submitted to the Certifier for approval. This Sediment and Erosion control Plan shall be prepared by an appropriately experienced and qualified professional, in accordance with the most recent version of the Landcom publication "*Managing Urban Stormwater – Soils and Construction*". This Sediment and Erosion Control Plan shall include measures to manage weeds in and around the disturbed areas. This Sediment and Erosion Control Plan shall be approved by the Certifier as part of the relevant Construction Certificate.
9. Prior to the issue of any Construction Certificate, plans and specifications that indicate disposal of stormwater via the existing on-site stormwater infrastructure, shall be provided to the Certifier for approval.
10. Prior to the commencement of any works a Long Service Levy shall be paid to the Long Service Payments Corporation. The amount payable is currently based on 0.35% of the cost of the work. This is a State Government Levy and is subject to change without notice. The requirements of the State Government supersede this condition.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO WORKS COMMENCING

11. Prior to the commencement of any works adequate erosion and sedimentation controls shall be in place in accordance with *Kempsey Development Control Plan 2013*.
12. Council shall be notified of the commencement of works not less than two (2) days prior to the date of any works commencing. The two (2) day notification to Council shall be in writing and specify the date of commencement.
13. Prior to the commencement of any works a sign or signs shall be erected in a prominent position at the frontage to the site:
 - a) Showing the name, address and telephone number of the Principal Certifying Authority (PCA) for the work;
 - 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.

The sign/s shall be maintained while the building work, subdivision work or demolition work is being carried out, and shall be removed when the work has been completed. No sign is to have an area in excess of one (1) m².

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14. Trees to be retained are to be protected by a fence so as to minimise disturbance to existing ground conditions within the dripline of the trees. The fence is to be constructed:
- (a) with a minimum height of 1.2 metres;
 - (b) outside the dripline of the tree;
 - (c) of steel star pickets at a maximum distance of 2 metres between pickets;
 - (d) using a minimum of 3 strands of steel wire;
 - (e) to enclose the tree; and
 - (f) with orange barrier mesh, or similar, attached to the outside of the fence and continuing around its perimeter.

The fence is to be maintained for the duration of the site clearing, preparation and construction works.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH DURING ANY WORKS

15. Works must not interfere in any way with the continued operation of the street, adjoining premises, car parking areas, pedestrian walkways, etc., unless such interference is authorised by an approval under Section 138 of the *Roads Act 1993* to erect and maintain hoardings.
16. Works shall not unreasonably interfere with the amenity of the neighbourhood. In particular noise, when audible on adjoining residential premises, can only occur:
- a) Monday to Friday, from 7 am to 6 pm.
 - b) Saturday, from 8 am to 1 pm.

No work shall take place on Sundays or Public Holidays.

17. Construction noise is to be limited as follows:
- a) For construction periods of four(4) weeks and under, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation must not exceed the background level by more than 20dB(A); or
 - b) For construction periods greater than four (4) weeks and not exceeding twenty-six (26) weeks, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation must not exceed the background level by more than 10dB(A).
18. All demolition works are to be undertaken in accordance with the provision of *Australian Standard AS 2601 - The Demolition of Structures*.

All demolition waste shall be removed from the site and disposed of at an authorised waste transfer facility.

Any asbestos wastes or suspected wastes associated with demolition works shall be disposed of in accordance with the requirements of "*Working with Asbestos Guide 2008*", the *Occupational Health and Safety Act 2000*, the *Occupational Health and Safety Regulations 2008*, and any other guidelines or requirements. All asbestos waste removal work shall be undertaken by a WorkCover licensed operator.

Until transferred to an authorised waste transfer facility all demolition waste shall be contained on the site in a 'Builders Skips' or an enclosure. Footpaths, road reserve

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and public reserves are to be maintained clear of waste materials and all other items associated with the works at all times.

Council requires forty-eight (48) hours notice prior to disposal of any hazardous wastes at Council's waste depot.

19. All builders rubbish is to be contained on the site in a 'Builders Skips' or an enclosure. Building materials are to be delivered directly onto the lease site. Roads, taxi-ways, airstrips, etc., are to be maintained clear of waste materials and all other items associated with the works at all times.
20. Sediment and erosion control measures shall be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.
21. The burning off of trees and associated vegetation felled by clearing operations or builders waste is prohibited. Such materials shall be recycled or disposed of at an approved waste transfer station.
22. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal at the request of any officer of the PCA, Council, and/or any other Government Agency.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO OCCUPATION/USE
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23. All of the works shown on the plans and granted by this consent, including any other consents that are necessary for the completion of this development, are to be completed and approved by the relevant consent authority/s prior to the issue of an Occupation Certificate.
24. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the site as a result of construction works associated with the approved development, is to be met in full by the applicant/developer prior to the occupation/use of any part of the development.
25. The building is not to be occupied or a final occupation certificate issued until a fire safety certificate has been issued for the building to the effect that each required essential fire safety measure has been designed and installed in accordance with the relevant standards.

THE FOLLOWING CONDITIONS MUST BE COMPLIED WITH AT ALL TIMES

26. All driveways and on-street parking areas shall be unobstructed and available for use at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the short term parking of vehicles. Alternative access and manoeuvring measures are to be implemented if internal driveways and parking areas are to be obstructed during construction.
27. No loading and/or unloading shall occur within any road reserve unless an approval under Section 138 of the *Roads Act 1993* has been obtained.
28. The use is to be conducted so as to not cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust and odours or the like.

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GENERAL TERMS OF APPROVAL – NSW RURAL FIRE SERVICE
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29. The following conditions of consent have been imposed by the NSW Rural Fire Service as 'general terms of approval' under Section 100B of the 'Environmental Planning and Assessment Act 1979'.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

- a) An emergency and evacuation plan addressing Section 4.2.7 of 'Planning for Bush Fire Protection 2006' shall be prepared, or the existing plan for the school is to be amended to include the proposed building.

ADVICE

- A** All earthmoving contractors and operators should be instructed that, in the event of any bone, or stone artefacts, or discrete distributions of shell, being unearthed during earthmoving, work must cease immediately in the affected area, and the Local Aboriginal Land Council and officers of the National Parks and Wildlife Service, informed of the discovery. Work must not recommence until the material has been inspected by those officials and permission has been given to proceed. Those failing to report a discovery and those responsible for the damage or destruction occasioned by unauthorised removal or alteration to a site or to archaeological material may be prosecuted under the *National Parks and Wildlife Act 1974*.
- B** Should any historical relics be unexpectedly discovered in any areas of the site during excavation, then all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW is to be informed in accordance with Section 146 of the *Heritage Act 1977*.

Right of Appeal

If you are dissatisfied with this decision, Section 97 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this Notice.

You are further advised that pursuant to Section 82A of the Environmental Planning and Assessment Act, 1979, a request may be made to review a determination at any time within six (6) months of the date of notification. This right of review does not apply in respect to designated development, integrated development or an application by the Crown.

Signature:

Marnie Jeffery
TOWN PLANNER

Date:

* 2017