

# Development Consent

## *Section 4.38 of the Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2022, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



**Karen Harragon**  
**Director**  
**Social and Infrastructure Assessments**

Sydney

7 August 2023

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### SCHEDULE 1

<b>Application Number:</b>	SSD-39005127
<b>Applicant:</b>	Meriden School
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	3 Margaret Street and 30-32 Redmyre Road, Strathfield (Lot 10 DP 862040 and SP16610)
<b>Development:</b>	Staged alterations and additions to Meriden Senior School, comprising: <ul style="list-style-type: none"><li>• Demolition of existing buildings (including 30-32 Redmyre Road) and removal of a swimming pool;</li><li>• Construction of:<ul style="list-style-type: none"><li>○ A new three-storey Design and Creative Arts building, with bridge link to existing Wallis building, roof terrace, two levels of basement car parking; and</li><li>○ A new three-storey Social Science building comprising learning / staff areas, presentation areas in two basements and roof terrace;</li></ul></li><li>• Alterations to the existing Administration building;</li><li>• Increase in students and staff;</li><li>• Replacement vehicle and pedestrian access from Redmyre Road;</li><li>• Associated works including tree removal, landscaping and play areas;</li><li>• Change of use of 30-32 Redmyre Road to educational use; and</li><li>• Construction and operation in two stages.</li></ul>

## DEFINITIONS

<b>Aboriginal object</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Aboriginal place</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Accredited Certifier</b>	Means the holder of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> acting in relation to matters to which the accreditation applies.
<b>Advisory Notes</b>	Advisory information relating to the consent but do not form a part of this consent
<b>Amendment Report</b>	The Applicant's Amended Application titled Amendment Report, State Significant Development (SSD-39005127), <i>Alterations and Additions to Meriden Senior School</i> prepared by Urbis dated 8 March 2023, submitted with the application for consent for the development.
<b>Amendment Report Submissions Report</b>	The Applicant's response to issues raised in submissions received in relation to the amended application for consent for the development under the EP&A Act, including additional info dated 6 July 2023 (Staging Report) and 20 July 2023 (Historical Archaeological Research Design).
<b>Applicant</b>	Meriden School or any other person carrying out any development to which this consent applies
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>CEMP</b>	Construction Environmental Management Plan
<b>Certifier</b>	Means a council or accredited certifier
<b>Conditions of this consent</b>	The conditions contained in Schedule 2 of this document
<b>Construction</b>	<p>All physical work to enable operation including but not limited to the demolition and removal of buildings, the carrying out of works for the purposes of the development, including bulk earthworks and erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"> <li>• building and road dilapidation surveys;</li> <li>• investigative drilling or investigative excavation;</li> <li>• Archaeological Salvage (if relevant);</li> <li>• establishing temporary site offices (in locations identified by the conditions of this consent);</li> <li>• installation of environmental impact mitigation measures, fencing, enabling works; and</li> <li>• minor adjustments to services or utilities.</li> </ul> <p>However, where heritage items, or threatened species or threatened ecological communities (within the meaning of the <i>Biodiversity Conservation Act 2016</i> or <i>Environment Protection and Biodiversity Conservation Act 1999</i>) are affected or potentially affected by any physical work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with EHG or DPE</p>

	Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation)
<b>Council</b>	Strathfield Council
<b>DACA building</b>	Design and Creative Arts Building
<b>Day</b>	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning and Environment
<b>Development</b>	The development described in the EIS, Response to Submissions and Amendment Report, including the works and activities as specified in Schedule 1, as modified by the conditions of this consent.
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
<b>EHG</b>	Environment and Heritage Group of the Department of Planning and Environment
<b>EIS</b>	The Environmental Impact Statement titled <i>Alteration and Addition to Meriden Senior School SSD-39005127</i> prepared by Urbis dated 12 August 2022, submitted with the application for consent for the development.
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2021
<b>Evening</b>	The period from 6pm to 10pm.
<b>Feasible</b>	Means what is possible and practical in the circumstances
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Heritage NSW</b>	Heritage NSW, the Department of Planning and Environment
<b>Heritage Item</b>	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
<b>Incident</b>	An occurrence or set of circumstances that causes, or threatens to cause, material harm and which may or may not be, or cause, a non-compliance <i>Note: "material harm" is defined in this consent</i>

<b>Independent Audit Post Approval Requirements</b>	Independent Audit Post Approval Requirements as available on the Department's website
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or</li> <li>b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</li> </ul>
<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Monitoring</b>	Any monitoring required under this consent must be undertaken in accordance with section 9.39 of the EP&A Act
<b>Night</b>	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>Operation</b>	The carrying out of the approved purpose of the development upon completion of construction.
<b>Planning Secretary</b>	Planning Secretary under the EP&A Act, or nominee
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Reasonable</b>	Means applying judgement in arriving at a decision, taking into account: mitigation, benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
<b>Registered Aboriginal Parties</b>	Means the Aboriginal persons identified in accordance with the document entitled " <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> " (DECCW)
<b>Rehabilitation</b>	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.
<b>Response to submissions</b>	The Applicant's response to issues raised in submissions titled <i>Response to Submissions</i> prepared by Urbis dated 21 December 2022 received in relation to the application for consent for the development under the EP&A Act.
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.
<b>Site</b>	The land defined in Schedule 1

<b>Site Auditor</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Report</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Statement</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>TfNSW</b>	Transport for New South Wales
<b>VENM</b>	Virgin Excavated Natural Material
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
<b>Year</b>	A period of 12 consecutive months

**SCHEDULE 2**  
**PART A ADMINISTRATIVE CONDITIONS**

**Obligation to Minimise Harm to the Environment**

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and, if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development.

**Terms of Consent**

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) generally in accordance with the Environmental Impact Statement (EIS), Submissions Report (RtS), unless otherwise amended by the Amendment Report, and Amended Report Submissions Report;
  - (d) generally in accordance with the Amendment Report, and Amended Report Submissions Report; and
  - (e) in accordance with the approved plans in the table below:

<b>Architectural Plans prepared by Architectus</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
DA-00-0003	H	Site Plan Proposed	24/05/2023
DA-00-010	E	Site Demolition Plan	19/05/2023
Da-00-0012	E	DaCA – Demo Plan – Level 01	19/05/2023
DA-00-0015	B	30-32 Redmyre Rd – Demo Plan	19/05/2023
DA-01-1000	F	DaCA – Floor Plan – Basement 02	03/03/2023
DA-01-1001	G	DaCA – Floor Plan – Basement 01	19/05/2023
DA-01-1002	G	DaCA – Floor Plan – Ground Floor	19/05/2023
DA-01-1003	G	DaCA – Floor Plan – Level 01	19/05/2023
DA-01-1004	G	DaCA – Floor Plan – Level 02	19/05/2023
DA-01-1005	G	DaCA – Floor Plan – Roof	19/05/2023
DA-01-2000	F	DaCA – North and South Elevation	03/03/2023
DA-01-2001	F	DaCA – East and West Elevation	03/03/2023
DA-01-2010	F	DaCA and Building Section	03/03/2023
DA-02-1000	D	Social Science – Floor Plan – Basement 2	27/06/2022
DA-02-1001	C	Social Science – Floor Plan – Basement 1	27/06/2022
DA-02-1002	E	Social Science – Floor Plan – Lower Ground	21/12/2022
DA-02-1003	E	Social Science – Floor Plan – Ground Floor	21/12/2022
DA-02-1004	E	Social Science – Floor Plan – Level 01	02/12/2022
DA-02-1005	E	Social Science – Floor Plan – Level 02 (Roof Terrace)	21/12/2022
DA-02-2000	E	Social science – North / South Elevations	21/12/2022
DA-02-2001	E	Social Science – East / West Elevations	21/12/2022
DA-02-2010	D	Social Science – Building Section	27/06/2022
DA-03-0003	F	Street Elevations	03/03/2023
DA-03-0004	D	External Finishes – DaCA	21/12/2022

DA-03-0005	D	External Finishes – Social Science	21/12/2022
<b>Landscape Plans prepared by CONTEXT Landscape Architecture</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
L-001	J	Concept Master Plan – Overall Site Plan	22/05/2023
L-001	B	Concept Plan – End State Site Plan	22/05/2023
L-002	J	Concept Plan – Design and Creative Arts	22/05/2023
L-003	I	Sections – Design and Creative Arts	02/03/2023
L-004	I	Sections – Design and Creative Arts	02/03/2023
L-005	I	Concept Plan – Design and Creative Arts	02/03/2023
L-006	I	Sections – Design and Creative Arts	02/03/2023
-	-	Proposed Tree Plan	22/05/2023
-	-	Proposed Planting Plan	22/05/2023

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary;
  - any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and
  - the implementation of any actions or measures contained in any such document referred to in (a) above.
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c), condition A2(d), and condition A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), condition A2(d), and condition A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

#### **Limits of Consent**

- A5. This consent lapses five years after the date of consent unless work is physically commenced.
- A6. This consent does not authorise the installation of demountables within 30 – 32 Redmyre Road for educational purposes. Separate planning pathways will need to be pursued (as relevant) for the installation of demountables within this property.

#### **Student and Staff Numbers**

- A7. This development consent permits the following number of students and staff to be enrolled and employed within the Meriden Senior School on completion of the development:
- a maximum of 1224 students (an increase of 144);
  - subject to the provisions of condition A7(a), the maximum enrolment may exceed 1224 by up to a maximum of 20 additional students to allow for unanticipated fluctuations on a temporary basis; and
  - a maximum of 23 additional Full time equivalent (FTE) staff.

#### **Prescribed Conditions**

- A8. The Applicant must comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the EP&A Regulation.

#### **Planning Secretary as Moderator**

- A9. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either

party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.

### **Evidence of Consultation**

- A10. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document for information or approval; and
  - (b) provide details of the consultation undertaken including:
    - (i) the outcome of that consultation, matters resolved and unresolved; and
    - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

### **Staging**

- A11. The project must be constructed and operated in stages in accordance with the approved *Staging Report*, prepared by CTPG dated 6 July 2023. Any amendments to the proposed staging must be submitted to and approved in writing by the Planning Secretary.
- A12. Where construction or operation is being staged in accordance with the approved Staging Report identified in condition A11, the terms of this consent/approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the *Staging Report* dated 6 July 2023, including independent auditing requirements for each stage.

### **Staging, Combining and Updating Strategies, Plans or Programs**

- A13. The Applicant may:
- (a) prepare and submit any strategy, plan (including management plan, architectural or design plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan (including management plan, architectural or design plan) or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan, architectural or design plan) or program);
  - (b) combine any strategy, plan (including management plan, architectural or design plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan, architectural or design plan) or programs that are proposed to be combined); and
  - (c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management plan, architectural or design plan), or programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A14. Any updated strategy, plan or program prepared in accordance with condition A13, where previously approved by the Planning Secretary under this consent, must be submitted to and approved in writing by the Planning Secretary.
- A15. If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A16. Updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.

### **Structural Adequacy**

- A17. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the Building Code of Australia (BCA).



*Note: Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.*

### **External Walls and Cladding**

A18. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

### **External Materials**

A19. The external colours, materials and finishes of the buildings must be consistent with the approved plans referenced in condition A2(e).

### **Applicability of Guidelines**

A20. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

A21. Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

### **Monitoring and Environmental Audits**

A22. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, Site audit report and independent auditing.

*Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.*

### **Access to Information**

A23. At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:

- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
  - (i) the documents referred to in condition A2 of this consent;
  - (ii) all current statutory approvals for the development;
  - (iii) all approved strategies, plans and programs required under the conditions of this consent;
  - (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;
  - (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
  - (vi) a summary of the current stage and progress of the development;
  - (vii) contact details to enquire about the development or to make a complaint;
  - (viii) a complaints register, updated monthly;
  - (ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;
  - (x) any other matter required by the Planning Secretary; and
- (b) for each stage, keep such information up to date, to the satisfaction of the Planning Secretary, and publicly available for 12 months after the commencement of operations of each of the respective stage.

## Compliance

- A24. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

## Incident Notification, Reporting and Response

- A25. The Planning Secretary must be notified through the Major Projects portal immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.
- A26. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 2**.

## Non-Compliance Notification

- A27. The Planning Secretary must be notified through the Major Projects portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the Major Projects portal within seven days after they identify any non-compliance.
- A28. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- A29. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

## Revision of Strategies, Plans and Programs

- A30. Within three months of:
- the submission of an incident report under condition A25;
  - the submission of an Independent Audit under condition D41;
  - the approval of any modification of the conditions of this consent; or
  - the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.
- A31. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) within six weeks of the review.

**Note:** This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.

## PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

### External Walls and Cladding

- B1. Prior to the issue of the relevant construction certificate, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the BCA. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

### Stormwater Management System

- B2. Prior to the issue of the relevant construction certificate, the Applicant must design an operational stormwater management system for the development and submit it to the Certifier for approval. The system must:
- (a) be designed by a suitably qualified and experienced person(s);
  - (b) be generally in accordance with the conceptual design in the *Civil Engineering Report – Alteration and Addition to Meriden School* prepared by Taylor Thomson Whitting NSW Pty Ltd and dated 01 July 2022, and Levels Plan 04 (Drawing Number L\_3004 Rev. A) prepared by Context and dated 29 March 2023;
  - (c) be in accordance with Strathfield Council's *Stormwater Management Code 1994* and applicable Australian Standards;
  - (d) include stormwater quality management features in accordance with Council's requirements to manage gross pollutants; and
  - (e) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

### Operational Noise – Design of Mechanical Plant and Equipment

- B3. Prior to the issue of the relevant construction certificate, the Applicant must submit evidence to the Certifier that:
- (a) a detailed assessment of mechanical plant and equipment with compliance with the relevant project noise trigger levels as recommended in the *Noise and Vibration Impact Assessment Report* prepared by Wilkinson Murray dated 16 December 2022 and the *Addendum* dated 3 March 2023 must be undertaken by a suitably qualified person;
  - (b) the noise mitigation recommendations for the mechanical plant and equipment and material workroom (as relevant) in the *Noise and Vibration Impact Assessment Report* prepared by Wilkinson Murray dated 16 December 2022 and the *Addendum* dated 3 March 2023 as updated by the detailed assessment of the mechanical plant and equipment required by condition B3(a) have been incorporated into the design to ensure the development will not exceed the predicted noise emission levels at receivers identified in the *Noise and Vibration Impact Assessment Report* prepared by Wilkinson Murray dated 16 December 2022 and the *Addendum* dated 3 March 2023; and
  - (c) the recommendations regarding the acoustic treatment(s) of the proposed buildings (approved in the plans listed in condition A2) as identified in Section 6 of the *Noise and Vibration Impact Assessment Report* prepared by Wilkinson Murray dated 16 December 2022 are incorporated in the detailed drawings, or any updated/alternate recommendations (prepared by a suitably qualified person(s)) incorporated into the detailed design of the proposed buildings to achieve the external noise intrusion criteria for educational institutions in *Development Near Rail Corridors & Busy Roads – Interim Guideline* (Department of Planning, 2008) and the external noise levels recommended in NSW Road Noise Policy (DECCW, 2011).

### Design of Operational Waste Storage and Processing

- B4. Prior to the issue of the relevant construction certificate, the Applicant must:

- (a) update the *Operational Waste Management Plan* prepared by Elephants Foot dated 15 August 2022 to incorporate the following:
  - (i) details of waste collection areas and/or bin storage areas associated with the proposed buildings (approved in the plans listed in condition A2) including the number and types of waste bins needed for the facilities, in accordance with Council's standards;
  - (ii) details of the paths along which the bins would be carted from the waste storage areas outlined in condition B4(a)(i) to the central waste storage facility(ies) within the site in accordance with the recommendations regarding the bin carrying routes in section 8 of the *Operational Waste Management Plan*; and
- (b) update the detailed design plans for the proposed buildings (approved in the plans listed in condition A2(e)) to incorporate the design of the operational waste storage areas required by condition B4(a) in accordance with Council's standards; and
- (c) submit the updated Operational Waste Management Plan and design plans required by condition B4(a) and B4(b) to, and obtain approval of the Certifier.

### **Car Parking and Service Vehicle Layout**

- B5. Prior to the issue of the relevant construction certificate for car parking and service vehicle parking / loading / unloading areas, evidence must be prepared by an appropriately qualified professional, submitted to and approval obtained from the Certifier demonstrating that the operational access and parking arrangements comply with the following requirements:
- (a) all vehicles can enter and leave the site from the proposed driveways/carparking areas outlined in approved plans listed in condition A2(e), in a forward direction;
  - (b) a minimum of 53 on-site car parking spaces are included for use within the DACA Building and designed in accordance with the latest versions of AS 2890.1 and AS 2890.6; and
  - (c) the swept path of the longest vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, are in accordance with the latest version of AS 2890.2.

### **Bicycle Parking and End-of-Trip Facilities**

- B6. Prior to the issue of the relevant construction certificate, the following design details in relation to the secure bicycle parking and end-of-trip facilities must be submitted to and approval obtained from the Certifier, demonstrating that:
- (a) the provision of a minimum 12 bicycle parking spaces outlined in approved plans listed in condition A2(e);
  - (b) compliance of the layout, design and security of bicycle facilities with the minimum requirements of the latest version of AS 2890.3:2015 Parking facilities - Bicycle parking, and; and
  - (c) the provision of end-of-trip facilities for staff.

### **Public Domain Works**

- B7. Prior to the issue of the relevant construction certificate for footpath or public domain works (as relevant), the Applicant must consult with Council and demonstrate to the Certifier that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of consultation for each stage from Council to the Certifier.

*Note: Separate construction certificate applications under the Roads Act 1993 are required to be submitted and approved by the relevant roads authority for roadworks or works within the public domain.*

### **Roadworks and access**

- B8. Prior to the issue of the relevant construction certificate for permanent roadworks and access, the Applicant must:
- (a) submit design plans for median extension on Redmyre Road to the relevant roads authority; and

- (b) obtain approval from the relevant roads authority with regard to roadworks and access including vehicular crossings.

**Note:**

- Approval must be obtained for roadworks under section 138 of the Roads Act 1993.
- All costs associated with the proposed road upgrade works must be borne by the Applicant.
- In accordance with Section 4.42 of the Environmental Planning and Assessment Act 1979, an approval under Section of the 138 Roads Act 1993 cannot be refused if it is necessary for carrying out state significant development that is authorised by a development consent and is substantially consistent with the consent.

### **Development Contributions**

- B9. Prior to the issue of the relevant construction certificate for any part of the development, a payment of a levy of 1% of the proposed cost of carrying out the relevant stage of the development must be paid to Council under section 7.12 of the EP&A Act and the Strathfield LGA Indirect Development Contributions Plan 2010.

*Note: The contributions payable may be indexed in as required by Council in accordance with the Strathfield LGA Indirect Development Contributions Plan 2010.*

### **Geotechnical report**

- B10. Prior to the issue of the relevant construction certificate, evidence must be provided and be approved by the Certifier, demonstrating that the construction certificate plans include the design recommendations of the *Report on Geotechnical Investigation* prepared by Douglas Partners dated July 2022.

### **Fencing on Redmyre Road**

- B11. Prior to the issue of the relevant construction certificate for the DACA Building, the Applicant must provide to the Certifier:
- (a) detailed design plans of the Inter War style fence on the western portion of Redmyre Road, which is proposed to be constructed in front of the DACA Building;
  - (b) details of the brick base incorporating pier and beam footings throughout any Tree Protection Zones of all trees to be retained (as per the Landscape Plans prepared by Context Landscape Architecture 02/02/2023 and 22/05/2023) in the vicinity of the reconstructed fence along the frontage of the DACA Building; and
  - (c) details of the proposed fence reconstruction, including evidence that a suitably qualified heritage consultant has certified that the proposed fence detail matches the style of the existing fencing (in materials, design and colour) along the Redmyre Road frontage of the site.

### **Heritage Photographic Archival Recording**

- B12. Prior to the issue of the relevant construction certificate for works within the Senior School campus at 3 Margaret Street, photographic archival recording must be undertaken of the areas of proposed works, including the front fence, prepared in accordance with the NSW Heritage Branch guidelines titled *Photographic Recording of Heritage Items using Film or Digital Capture*, A digital copy must be submitted to Council, any relevant local studies collection in the locality and the Planning Secretary prior to the issue of the relevant construction certificate.

### **Updated Landscape Plan**

- B13. Prior to the issue of the relevant construction certificate, the approved Landscape Plans (prepared by Context Landscape Architecture 02/02/2023 and 22/05/2023) listed in condition A2(e) must be updated to:
- (a) detail the retention of the existing planting at the boundary with 19 – 21 Margaret Street, or to nominate suitable replacement screen planting at the boundary with 19 – 21 Margaret Street, Strathfield to maintain the amenity of the residential flat building on this property; and
  - (b) include a minimum of 12 canopy trees or a ratio of 2:1 to trees being removed as identified in *Arboricultural Impact Assessment and Tree Protection Specification* prepared by Tree IQ dated 27 July 2022, *Addendum* dated 6 March 2023, and *Addendum* dated 24

May 2023 (whichever is more) within the landscape scheme for 3 Margaret Street and 30-32 Redmyre Road, Strathfield.

- B14. The updated landscape plans, required by condition B13 must be submitted to the Planning Secretary for approval.

## **PART C PRIOR TO COMMENCEMENT OF CONSTRUCTION**

### **Notification of Commencement**

- C1. The Applicant must notify the Planning Secretary in writing of the dates of the intended commencement of construction and operation at least 48 hours before those dates.
- C2. The Planning Secretary must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

### **Certified Drawings**

- C3. Prior to the commencement of construction of the relevant stage, the Applicant must submit to and obtain approval from the Certifier of structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.

### **Pre-Construction Dilapidation Report – Protection of Public Infrastructure**

- C4. Prior to the commencement of construction of the relevant stage, the Applicant must:
  - (a) consult with the relevant owner and provider of services and infrastructure that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
  - (b) prepare a Pre-Construction Dilapidation Report identifying the condition of all public (non-residential) infrastructure and assets in the vicinity of the site (including roads, kerb and guttering, footpaths and any stormwater drainage assets) that have potential to be affected;
  - (c) submit a copy of the Pre-Construction Dilapidation Report to the asset owner, Certifier and Council; and
  - (d) provide a copy of the Pre-Construction Dilapidation Report within 7 days to the Planning Secretary when requested.

### **Pre-Construction Survey – Adjoining Properties**

- C5. Prior to the commencement of any construction, the Applicant must offer a pre-construction survey to owners of buildings that are likely to be impacted by the construction of the development.
- C6. Where the offer for a pre-construction survey is accepted (as required by condition C5), the Applicant must arrange for a survey to be undertaken by a suitably qualified and experienced expert prior to the commencement of vibration generating works that could impact on the identified buildings.
- C7. Prior to the commencement of any vibration generating works that could impact on the buildings surveyed as required by Condition C6, the Applicant must:
  - (a) provide a copy of the relevant survey to the owner of each residential building surveyed in the form of a Pre-Construction Survey Report;
  - (b) submit a copy of the Pre-Construction Survey Report to the Certifier; and
  - (c) provide a copy of the Pre-Construction Survey Report to the Planning Secretary when requested.

### **Community Communication Strategy**

- C8. No later than two weeks before the commencement of any construction, a Community Communication Strategy must be submitted to the Planning Secretary for information. The Community Communication Strategy must provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.
- C9. The Community Communication Strategy must:

- (a) identify people to be consulted during the design and construction phases;
- (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;
- (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;
- (d) set out procedures and mechanisms:
  - (i) through which the community can discuss or provide feedback to the Applicant;
  - (ii) through which the Applicant will respond to enquiries or feedback from the community; and
  - (iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation.
- (e) include any specific requirements around traffic, noise and vibration, visual impacts, amenity, flora and fauna, soil and water, contamination, heritage.

### **Demolition**

C10. Prior to the commencement of construction, demolition work plans required by *AS 2601-2001 The demolition of structures* (Standards Australia, 2001) must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifier and a copy submitted to the Planning Secretary within 7 days, requested.

### **Ecologically Sustainable Development**

C11. Prior to the commencement of construction of the relevant stage, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by:

- (a) appointing a suitably qualified Green Star Accredited Professional to monitor the detailed design of the proposal to ensure that all ESD measures set out in the initiatives within the *SSDA Sustainability Report* prepared by Northrop dated July 2022, are incorporated;
- (b) submitting satisfactory evidence to the Certifier, a certification from the appointed consultant that the ESD measures in the initiatives within the *SSDA Sustainability Report* prepared by Northrop dated July 2022 have been incorporated into the design of the proposal; and
- (c) providing a copy of the certification within 7 days to the Planning Secretary, if requested.

### **Outdoor Lighting**

C12. Prior to the installation of outdoor lighting, evidence must be submitted to the Certifier that all outdoor lighting within the site has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

### **Bus zone relocation/extension**

C13. Prior to the commencement of any construction, the Applicant must:

- (a) consult with Transit Systems NSW (or other relevant body on behalf of TfNSW) regarding a temporary relocation, or extension (if agreed with TfNSW) of the bus zone on Redmyre Road that would be affected by construction pursuant to this development consent;
- (b) obtain necessary endorsements/approvals from the relevant road's authority (Transit Systems NSW (or other relevant body on behalf of TfNSW) or Council) for the relocation or extension of the bus zone to allow for entry/exit of construction vehicles; and
- (c) submit the details of the consultation and endorsements to the Planning Secretary.

C14. Where agreed to by the Transit Systems NSW (or other relevant body on behalf of TfNSW) The bus zone must be relocated or extended and be operational prior to the commencement of construction vehicle movements on the site.



## Environmental Management Plan Requirements

- C15. Management plans required under this consent must be prepared having regard to relevant guidelines, including but not limited to the *Environmental Management Plan Guideline: Guideline for Infrastructure Projects* (DPIE April 2020).

*Note: The Environmental Management Plan Guideline is available on the Planning Portal at: <https://www.planningportal.nsw.gov.au/majorprojects/assessment/post-approval>*

*Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans*

## Construction Environmental Management Plan

- C16. Prior to the commencement of any construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and provide a copy to the Planning Secretary within 7 days, if requested. The CEMP must be generally consistent with the *Preliminary Construction Management Plan* prepared by Buildcorp dated 17 May 2023, and include, but not be limited to, the following:

- (a) Details of:
  - (i) hours of work;
  - (ii) 24-hour contact details of site manager;
  - (iii) management of dust and odour to protect the amenity of the neighbourhood;
  - (iv) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
  - (v) community consultation and complaints handling as set out in the Community Communication Strategy required by condition C8;
  - (vi) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; and
  - (vii) detail the methods of retention of significant trees within the site identified in *Arboricultural Impact Assessment and Tree Protection Specification* prepared by Tree IQ dated 27 July 2022, *Addendum* dated 6 March 2023, and *Addendum* dated 24 May 2023.
- (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition C18);
- (c) Construction Noise and Vibration Management Sub-Plan (see condition C19);
- (d) Construction Soil and Water Management Sub-Plan (see condition C20);
- (e) an unexpected finds protocol for contamination, any required remediation (if relevant) and associated communications procedure;
- (f) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and
- (g) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site.

- C17. The Applicant must not commence construction of the development until the CEMP is approved by the Certifier.

- C18. The Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must be prepared to achieve the objective of ensuring safety and efficiency of the road network and address, but not be limited to, the following:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be generally consistent with the *Preliminary Construction Traffic Management Plan* contained in the *Transport and Accessibility Impact Assessment* prepared by TTW dated 4 August 2022, the *Traffic Impact Statement* prepared by TTW dated 8 March 2023, and the *Preliminary Construction Management Plan* prepared by Buildcorp dated 17 May 2023;
- (c) be prepared in consultation with Council and TfNSW;

- (d) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;
  - (e) include details of the bus zone relocation/extension required by condition C13;
  - (f) restriction of hours regarding heavy construction vehicle movements to be outside of the peak school hours;
  - (g) in the event that heavy vehicle movement is required during the peak school hours, additional measures must be put in place in accordance with the CTPMSP and approval needs to be sought in accordance with condition D6;
  - (h) management measures to ensure safety of students at the school throughout the construction period; and
  - (i) detail heavy vehicle routes, access and parking arrangements.
- C19. The Construction Noise and Vibration Management Sub-Plan (CNVMSP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced noise expert;
  - (b) be generally consistent with the *Noise and Vibration Impact Assessment Report* prepared by Wilkinson Murray dated 16 December 2022 and the *Addendum* dated 3 March 2023;
  - (c) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);
  - (d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
  - (e) include strategies that have been developed with the community for managing high noise generating works;
  - (f) describe the community consultation undertaken to develop the strategies in condition C19(e);
  - (g) include measures to manage construction noise impacts on existing students within the site (Senior School students) including (but not limited to) restriction of the construction hours during examination times, additional hoardings, use of quiet equipment;
  - (h) include a complaints management system that would be implemented for the duration of the construction; and
  - (i) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures in accordance with condition C15.
- C20. The Applicant must prepare a Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following:
- (a) be prepared by a suitably qualified expert, in consultation with Council;
  - (b) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
  - (c) describe all erosion and sediment controls to be implemented during construction, as a minimum, in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4<sup>th</sup> edition, Landcom 2004) commonly referred to as the 'Blue Book';
  - (d) provide a plan of how all construction will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the site);
  - (e) detail all off-Site flows from the site; and
  - (f) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events up to the 1 in 100-year ARI.
- C21. A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:
- (a) minimise the impacts of earthworks and construction on the local and regional road network;

- (b) minimise conflicts with other road users;
- (c) minimise road traffic noise; and
- (d) ensure truck drivers use specified routes.

C22. Prior to the commencement of construction, erosion and sediment controls must be installed and maintained, as a minimum, in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4<sup>th</sup> edition, Landcom 2004) commonly referred to as the 'Blue Book'.

### **Construction Worker Transportation Strategy**

C23. Prior to the commencement of any construction, the Applicant must submit a Construction Worker Transportation Strategy and obtain approval of the Certifier. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby public and residential streets or public parking facilities. A copy of the strategy must be provided to the Planning Secretary within 7 days, if requested.

### **Construction Work Zones**

C24. Prior to the commencement of construction requiring a work zone on the adjoining public road reserve(s), the Applicant must lodge an application and obtain approval for on-street work zones from Council's Local Traffic Committee.

C25. All work zones must be in place and operational, prior to the commencement of the relevant construction works which require a work zone on the public road reserve(s).

### **Site Contamination**

C26. Prior to the commencement of any construction, the Applicant must engage a NSW EPA-accredited Site Auditor to provide advice throughout the duration of works to ensure that any work required in relation to soil or groundwater contamination is appropriately managed.

C27. Following completion of the demolition of the buildings and swimming pool, and prior to the commencement of any construction works which involves ground disturbance, the Applicant must undertake additional investigations as recommended by the *Remediation Action Plan* prepared by Douglas Partners dated June 2022 and the *Report on Preliminary Site Investigation (Contamination)* prepared by Douglas Partners dated March 2023.

C28. The *Remediation Action Plan* prepared by Douglas Partners dated June 2022 must be:

- (a) updated in accordance with the recommendations of the *Report on Preliminary Site Investigation (Contamination)* prepared by Douglas Partners dated March 2023;
- (b) a comprehensive updated Remediation Action Plan be prepared by a suitably qualified consultant;
- (c) be submitted to the Site Auditor;
- (d) be supported by an Interim Audit Advice from an EPA-accredited Site Auditor certifying the updated RAP as appropriate prior to the commencement of remediation works ; and
- (e) the updated Remediation Action Plan be provided to the Planning Secretary for information, including the Interim Audit Advice.

### **Historic Archaeology and Archaeological Research Design**

C29. Prior to the commencement of construction (excluding demolition) a suitably qualified archaeologist must be appointed as the Excavation Director (as recommended by the *Historical Archaeological Research Design* prepared by Urbis, dated 6 July 2023(HARD)) and must oversee all archaeological works including excavation in accordance with the recommendations in the HARD for the entire duration of the construction works.

C30. The development must be carried out in accordance with the approved HARD under the supervision of the Excavation Director appointed under condition C29.

C31. Any amendments to the HARD must be prepared in consultation with Heritage NSW and be submitted to and approved in writing by the Planning Secretary.

C32. Prior to the commencement of any construction works (excluding demolition above ground) which results in any ground disturbance, archaeological monitoring and salvage must be undertaken as required and in accordance with the HARD.

## PART D DURING CONSTRUCTION

### Site Notice

- D1. A site notice(s) must be prominently displayed at the boundaries of the site during construction for the purposes of informing the public of project details and must satisfy the following requirements:
- (a) minimum dimensions of the site notice(s) must measure 841 mm x 594 mm (A1) with any text on the site notice(s) to be a minimum of 30-point type size;
  - (b) the site notice(s) must be durable and weatherproof and must be displayed throughout the works period;
  - (c) the approved hours of work, the name of the builder, Certifier, structural engineer, site/project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and
  - (d) the site notice(s) must be mounted at eye level on the perimeter hoardings/fencing and must state that unauthorised entry to the site is not permitted.

### Operation of Plant and Equipment

- D2. All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.

### Demolition

- D3. Demolition work must comply with the demolition work plans required by *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001) and endorsed by a suitably qualified person as required by condition C10.

### Construction Hours

- D4. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:
- (a) between 7am and 6pm, Mondays to Fridays inclusive; and
  - (b) between 8am and 1pm, Saturdays.
- No work may be carried out on Sundays or public holidays.
- D5. No heavy construction vehicle movements to and from the site onto Redmyre Road, should occur between 8am - 9.30am and 2.30pm - 4pm, to minimise potential conflict with buses on Redmyre Road during school peak hours.
- D6. Construction activities may be undertaken outside of the hours in condition D4 and condition D5:
- (a) if required by the Police or a public authority for the delivery of vehicles, plant or materials; or
  - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
  - (c) where the works are inaudible at the nearest sensitive receivers;
  - (d) if approved by Strathfield Council for the pouring of concrete only; or
  - (e) where a variation is approved in advance in writing by the Planning Secretary or his nominee if appropriate justification is provided for the works.
- D7. Notification of such construction activities as referenced in condition D6 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- D8. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:
- (a) 9am to 12pm, Monday to Friday;
  - (b) 2pm to 5pm Monday to Friday; and
  - (c) 9am to 12pm, Saturday.

## **Implementation of Management Plans**

D9. The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans) approved by the Certifier.

### **Construction Traffic**

D10. During demolition and construction works, all construction vehicles are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site or an approved on-street work zone before stopping.

### **Hoarding Requirements**

D11. The following hoarding requirements must be complied with:

- (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and
- (b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

### **No Obstruction of Public Way**

D12. The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

### **Construction Noise Limits**

D13. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved CNVMSP in condition C19.

D14. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site outside of the construction hours of work outlined under condition D4 unless approved by condition D6.

D15. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of 'quackers' to ensure noise impacts on surrounding noise sensitive receivers are minimised.

### **Vibration Criteria**

D16. Vibration caused by construction at any residence or structure outside the site must be limited to:

- (a) for structural damage, the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999); and
- (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).

D17. Vibratory compactors must not be used closer than 30m from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition D16.

D18. The limits in conditions D16 and D17 apply unless otherwise outlined in a CNVMSP in condition C19 of this consent.

### **Tree Protection**

D19. For the duration of the construction works:

- (a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;
- (b) all street trees immediately adjacent to the site and effected by the development as identified in the approved plans listed in condition A2, must be protected at all times during construction in accordance with Council's tree protection requirements. Any street

- tree, which is damaged or removed during construction due to an emergency, must be replaced with endorsement of Council;
- (c) all trees on the site that are not approved for removal must be suitably protected during construction as per the recommendations of the *Arboricultural Impact Assessment and Tree Protection Specification* prepared by Tree IQ dated 27 July 2022, *Addendum* dated 6 March 2023, and *Addendum* dated 24 May 2023; and
  - (d) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.

### **Air Quality**

- D20. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- D21. During construction, the Applicant must ensure that:
- (a) activities are carried out in a manner that minimises dust including emission of windblown or traffic generated dust;
  - (b) all trucks entering or leaving the site with loads have their loads covered;
  - (c) trucks associated with the development do not track dirt onto the public road network;
  - (d) public roads used by these trucks are kept clean; and
  - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

### **Erosion and Sediment Control**

- D22. All erosion and sediment control measures must be effectively implemented and maintained in accordance with the CSWMSP.

### **Imported Fill**

- D23. The Applicant must:
- (a) ensure that only VENM, ENM, or other material that meets the requirements of a relevant order and exemption issued by the EPA, is brought onto the site;
  - (b) keep accurate records of the volume and type of fill to be used; and
  - (c) make these records available to the appointed Site Auditor (condition C26) or the Planning Secretary upon request.

### **Disposal of Seepage and Stormwater**

- D24. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the development and these provisions must be approved by the Certifier. The prior written endorsement of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

### **Emergency Management**

- D25. The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction.

### **Unexpected Finds Protocol – Aboriginal Heritage**

- D26. In the event that surface disturbance identifies a new Aboriginal object:
- (a) all works must halt in the immediate area to prevent any further impacts to the object(s);
  - (b) a suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects;

- (c) the site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by Heritage NSW under Department of Premier and Cabinet and the management outcome for the site included in the information provided to AHIMS;
- (d) the Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement management strategies for all objects/sites; and
- (e) works may only recommence with the written approval of the Planning Secretary.

#### **Unexpected Finds Protocol – Historic Heritage**

- D27. If any unexpected archaeological relics or human remains are uncovered during the work, then the “unexpected finds procedure” in section 6.2.1 of the HARD must be implemented, including (but not limited to):
- (a) ceasing all works immediately in that area and notice given to Heritage NSW and the Planning Secretary;
  - (b) depending on the possible significance of the relics, an archaeological assessment and management strategy carried out before further works can continue in that area as determined in consultation with Heritage NSW; and
  - (c) recommence works (if possible) with the written approval of the Planning Secretary.

#### **Unexpected Finds Protocol – Burials**

- D28. In the event that a burial or skeletal remains are uncovered during work, then:
- (a) all works must cease immediately in that area and the NSW Police and Heritage NSW contacted;
  - (b) a suitably qualified archaeologist must be contacted to determine the specific nature and significance of the skeletal remains;
  - (c) the Applicant must consult with relevant stakeholders, the archaeologists and Heritage NSW to develop and implement appropriate management strategies for the skeletal remains; and
  - (d) works may only recommence with the written approval of Heritage NSW.

#### **Waste Storage and Processing**

- D29. All waste generated during construction must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.
- D30. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- D31. The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse.
- D32. The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.
- D33. The Applicant must ensure that the removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.

#### **Outdoor Lighting**

- D34. The Applicant must ensure that all external lighting is constructed and maintained in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

#### **Site Contamination**

- D35. Remediation of the site must be carried out and completed in accordance with the updated Remediation Action Plan, required by condition C28 and any variations approved by the appointed Site Auditor.



- D36. If work is to be carried out / completed in stages, a NSW EPA-accredited Site Auditor must confirm satisfactory completion of each stage by the issuance of Interim Audit Advice(s).
- D37. The Applicant must ensure the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site that would result in significant contamination.

### **Operational Flood Emergency Response Plan**

- D38. Within six months of the commencement of construction, a revised Flood Emergency Response Plan (FERP) must be prepared, that:
- (a) is prepared by a suitably qualified and experienced person(s);
  - (b) is generally consistent with the *Flood Emergency Response and Risk Management Plan* prepared by Taylor Civil and Structural dated March 2023, and *Flood Assessment Response (Amendment 3)* dated 16 May 2023 where applicable;
  - (c) has been prepared in consultation with NSW State Emergency Service (SES) and EHG, noting the limitations described in the NSW Floodplain Development Manual Appendix N, section N7;
  - (d) includes evidence of the consultation with the NSW SES and EHG;
  - (e) incorporates all advice provided by NSW SES and EHG during consultation, unless otherwise agreed by the Planning Secretary;
  - (f) addresses the provisions of the *Floodplain Risk Management Guidelines* (EHG);
  - (g) incorporates the following:
    - (i) the flood emergency management protocols for operational phase of the development;
    - (ii) predicted flood levels within the site and within the adjoining road system and other public land expected to be used by students and visitors;
    - (iii) details strategies such as early or pre-emptive school closure, and other management requirements where relevant and where consistent with SES advice;
    - (iv) clear emergency management triggers and responses;
    - (v) details of flood warning time, lag times and flood notification (as relevant);
    - (vi) details of assembly points and flood free routes where required (apart from Redmyre Road);
    - (vii) details of nature and duration of flooding;
    - (viii) demand for road network for evacuation from other sites;
    - (ix) consideration of opportunities for on-site refuge in conjunction with possible evacuation options, alongside on-site emergency management provisions;
    - (x) identification of clear roles and responsibilities for emergency flood management within the school;
    - (xi) recognition that the NSW SES is the lead combat agency for floods and state that any flood response directive issued by the SES must be followed;
    - (xii) provision of clear messaging and communication protocols;
    - (xiii) provision of clear requirements that the Plan be regularly reviewed; and
  - (h) include details of awareness training for employees, contractors, visitors, students and caregivers and induction of new staff members.
- D39. A suitably qualified independent flood consultant, as agreed to by the Planning Secretary, must:
- (a) undertake a peer-review of the revised FERP required by condition D38;
  - (b) confirm that:
    - (i) the revised FERP has been prepared by a suitably qualified person;
    - (ii) it complies with all requirements of condition D38;
    - (iii) incorporates all advice from NSW SES and EHG; and
    - (iv) provides satisfactory flood emergency management measures.

- D40. If required, the Applicant must:
- (a) amend the revised FERP to incorporate any additional advice / recommendation in the peer-review required by condition D39 (if required); and
  - (b) obtain a final confirmation in writing from the peer-reviewer that the amended FERP complies with the requirements in condition D38 and includes satisfactory flood emergency management measures for the school.

#### **Independent Environmental Audit**

- D41. Independent Audits of the development must be conducted for each stage (as per the approved Staging Report) and carried out in accordance with the Independent Audit Post Approval Requirements (2020).
- D42. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.
- D43. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in the Independent Audit Post Approval Requirements (2020), upon giving at least 4 week's notice (or timing) to the applicant of the date or timing upon which the audit must be commenced.
- D44. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under condition D39 of this consent;
  - (b) submit the response to the Planning Secretary and the Certifier; and
  - (c) make each Independent Audit Report and response to it publicly available within 60 days of submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary.
- D45. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.
- D46. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.

## **PART E PRIOR TO THE ISSUE OF OCCUPATION CERTIFICATE**

### **Notification of Occupation**

- E1. At least one month before the issue of an occupation certificate, the date of commencement of the operation of the approved development must be notified to the Planning Secretary in writing. If the operation of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

### **External Walls and Cladding**

- E2. Prior to the issue of an occupation certificate, the Applicant must provide the Certifier with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.
- E3. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

### **Post-Construction Dilapidation Report – Protection of Public Infrastructure**

- E4. Prior to the issue of an occupation certificate for the relevant stage, the Applicant must engage a suitably qualified and experienced expert to prepare a Post-Construction Dilapidation Report. This Report must:
- (a) ascertain whether the construction works created any structural damage to public infrastructure by comparing the results of the Post-Construction Dilapidation Report with the Pre-Construction Dilapidation Report required by Condition C4 of this consent;
  - (b) have, if it is decided that there is no structural damage to public infrastructure, the written confirmation from the relevant public authority that there is no adverse structural damage to their infrastructure (including roads).
  - (c) be submitted to the Certifier;
  - (d) be forwarded to Council for information; and
  - (e) be provided to the Planning Secretary when requested.

### **Repair of Public Infrastructure**

- E5. Unless the Applicant and the relevant public authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the construction works; and/or
  - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development; and/or
  - (c) pay compensation for the damage as agreed with the owner of the public infrastructure.

*Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions of this consent.*

### **Road Damage**

- E6. Prior to the issue of an occupation certificate, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development must be met in full by the Applicant.

### **Post-Construction Survey – Adjoining Properties**

- E7. Where a pre-construction survey has been undertaken in accordance with Condition C6, prior to the commencement of operation the Applicant must engage a suitably qualified and experienced expert to undertake a post-construction survey and prepare a Post-Construction Survey Report. This Report must:
- (a) document the results of the post-construction survey and compare it with the pre-construction survey to ascertain whether the construction works caused any damage to buildings surveyed in accordance with Condition C6;

- (b) be provided to the owner of the relevant buildings surveyed;
- (c) be provided to the Certifier; and
- (d) be provided to the Planning Secretary when requested.

E8. Where the Post-Construction Survey Report determines that damage to the identified property occurred as a result of the construction works, the Applicant must repair, or pay the full costs associated with repairing the damaged buildings, within an agreed timeline between the owner of the identified property and the Planning Secretary. Alternatively, the Applicant may pay compensation for the damage as agreed with the property owner.

### Utilities and Services

E9. Prior to the issue of the occupation certificate, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994* as relevant for each stage.

### Roadworks and Access

E10. Prior to the issue of the relevant occupation certificate for the basement and car parking area or the first increase of student numbers (whichever occurs earlier), the Applicant must provide satisfactory evidence to the Certifier demonstrating that:

- (a) the construction of the extension to the median on Redmyre Road, as required by condition B8, has been completed in accordance with the design plans endorsed by TfNSW / Council (as relevant);
- (b) necessary approvals from TfNSW / Council (as relevant) has been obtained with regard to the median extension and that it is operational; and
- (c) all works in relation to the construction of the vehicular crossing for the new driveway on Redmyre Road is completed and operational.

*Note: The Applicant must obtain approval for the works under section 138 of the Roads Act 1993 and provide satisfactory evidence to the Certifier as required by this development consent.*

### Works as Executed Plans

E11. Prior to the issue of the relevant occupation certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifier and be made available to the Planning Secretary if requested.

### Green Travel Plan

E12. Prior to the first increase of student numbers, a Green Travel Plan (GTP), must be submitted to and approved in writing by the Planning Secretary to promote the use of active and sustainable transport modes. The plan must:

- (a) be prepared by a suitably qualified traffic consultant in consultation with Council and TfNSW;
- (b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
- (c) include aspirational mode share targets for staff and students generally consistent with the *Green Travel Plan* prepared by TTW dated 14 December 2022;
- (d) include specific tools and actions to help achieve the objectives and mode share targets, such as:
  - (i) bike buses (which are similar to walking school buses but for cycling);
  - (ii) gamification for students using and promoting active and public transport;
  - (iii) activities for students to create and share transport (such as photos/videos/stories/art/maps from their trips to school);
  - (iv) regular events, such as active transport breakfasts and trips after school with bike buses, walking buses and real buses departing school with students, parents and teachers to arrive at a local park or other place of interest;

- (v) cycling and bike maintenance courses; and
  - (vi) promoting to parents the potential of active travel to school as an opportunity to stay active themselves.
- (e) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP;
  - (f) consider how educational material that explores the benefits and potential of sustainable transport can be incorporated into classes for different stages in the curriculum (beyond road safety education);
  - (g) include an enhanced Travel Access Guide (TAG) as a separate appendices with:
    - (i) recommended cycling and walking routes to key destinations with indicative times, and from different directions within the school catchment area beyond the 500 metre radius; and
    - (ii) location and access for end of trip facilities;
    - (iii) provide information on car share, car-pooling and priority parking for people that carpool or car-share; and
    - (iv) provide information on the Meriden school bus, including proposed times for pick up and drop off from train stations and bus stops.
  - (h) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.

### **Operational Transport and Access Management Plan (OTAMP)**

- E13. Prior to the issue of the relevant occupation certificate or the first increase in student numbers (whichever occurs earlier), an OTAMP must be prepared by a suitably qualified person, in consultation with Council and TfNSW, and submitted to and approved in writing by the Planning Secretary. The OTAMP must address the following:
- (a) detailed pedestrian analysis including the identification of safe route options – to identify the need for management measures such as staggered school start and finish times to ensure students and staff are able to access and leave the Site in a safe and efficient manner during school start and finish;
  - (b) the location of all car parking spaces on the senior school campus and their allocation (i.e. staff, visitor, accessible, emergency, etc.);
  - (c) the location and operational management procedures of the pick-up / drop-off parking located on Margaret Street, and also including staff management/traffic controller arrangements;
  - (d) the location and operational management procedures for the pick-up / drop-off of students by buses and coaches for excursions and sporting activities during the hours of bus operations along Margaret Street, including staff management/traffic controller arrangements;
  - (e) delivery and services vehicle and bus access and management arrangements;
  - (f) management of approved access arrangements;
  - (g) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing pick-up / drop-off parking along Margaret Street;
  - (h) car parking arrangements and management associated with the proposed use of school facilities by community members; and
  - (i) a monitoring and review program with targeted timeframes of monitoring and reporting back.

## School Zones

- E14. Prior to the issue of the relevant occupation certificate (in addition to existing school signages), all required additional School Zone signage (if needed), speed management signage and associated pavement markings must be installed, inspected by TfNSW and handed over to TfNSW.

*Note: Any required approvals for altering public road speed limits, design and signage are required to be obtained from the relevant consent authority.*

- E15. The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed.

## Mechanical Ventilation

- E16. Prior to the issue of the relevant occupation certificate, the Applicant must provide evidence and obtain approval of the Certifier, demonstrating that the installation and performance of the mechanical ventilation systems comply with:

- (a) AS 1668.2-2012 *The use of air-conditioning in buildings – Mechanical ventilation in buildings* and other relevant codes; and
- (b) any dispensation granted by Fire and Rescue NSW.

## Operational Noise – Design of Mechanical Plant and Equipment

- E17. Prior to the issue of the relevant occupation certificate, the Applicant must submit evidence to the Certifier that all acoustic treatments, as required by condition B3 have been incorporated in the design of mechanical plant and equipment and the components of the buildings, to ensure the development will not exceed the project specific noise criteria identified in the *Noise and Vibration Impact Assessment Report* prepared by Wilkinson Murray dated 16 December 2022 and the *Addendum* dated 3 March 2023.

## Operational Noise Management Plan

- E18. Prior to the issue of the relevant occupation certificate, the Applicant must:
- (a) prepare an Operational Noise Management Plan for the DACA Building and Social Science Building, incorporating the recommendations of *Noise and Vibration Impact Assessment Report* prepared by Wilkinson Murray dated 16 December 2022 and the *Addendum* dated 3 March 2023, including, but not limited to:
    - (i) restriction of evening exhibition events to ensure attendees have left the senior school campus before 10pm;
    - (ii) restriction of the total number of students, using the outdoor terrace areas of the DACA Building and Social Science Building within the site, at any one time;
    - (iii) hours of use of the outdoor terrace areas for speech;
    - (iv) restricting the total number of students at any one time using the outdoor lawns within 30-32 Redmyre Road and the area between DACA building and Social Science building; and
    - (v) management procedures to ensure that no unnecessarily noisy activities are conducted in the 30-32 Redmyre Road property, and to and from parking areas during the evening exhibition events; and
  - (b) submit the Operational Noise Management Plan for each operational stage to and obtain approval of the Planning Secretary.

## Car Parking, Service Vehicles and Bicycle parking Arrangements

- E19. Prior to the issue of the relevant occupation certificate evidence must be submitted to and approved by the Certifier that demonstrates that:
- (a) the car-parking, service vehicle areas, bicycle parking facilities comply with condition B5 and condition B6;
  - (b) appropriate pedestrian and cyclist advisory signs are provided;
  - (c) all works/regulatory signposting associated with the proposed developments have been undertaken at no cost to the relevant roads authority;

- (d) the bi-cycle parking spaces are located in easy to access, well-lit areas that incorporate passive surveillance; and
- (e) end-of-trip facilities for staff are provided.

### **Fire Safety Certification**

E20. Prior to the issue of the relevant occupation certificate, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.

### **Structural Inspection Certificate**

E21. Prior to the issue of the relevant occupation certificate of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the Certifier for approval. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:

- (a) the Structural Inspection Certificate or a Compliance Certificate is approved by the Certifier;
- (b) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and
- (c) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

### **Stormwater Quality Management Plan**

E22. Prior to the issue of the relevant occupation certificate, an Operation and Maintenance Plan (OMP) is to be submitted to and be approved by the Certifier along with evidence of compliance with the OMP. The OMP must ensure the proposed stormwater quality measures remain effective and contain the following:

- (a) maintenance schedule of all stormwater quality treatment devices;
- (b) record and reporting details;
- (c) relevant contact information; and
- (d) Work Health and Safety requirements.

### **Warm Water Systems and Cooling Systems**

E23. The installation of warm water systems and water cooling systems (as defined under the *Public Health Act 2010*) must comply with the *Public Health Act 2010*, Public Health Regulation 2012 and Part 1 (or Part 3 if a Performance-based water cooling system) of *AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance* and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

### **Outdoor Lighting**

E24. Prior to the issue of the relevant occupation certificate, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997).

E25. Prior to the issue of the relevant occupation certificate, way-finding signage and signage identifying the location of staff car parking must be installed.

E26. Prior to the issue of the relevant occupation certificate, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.

### **Geotechnical**

E27. Prior to the issue of the relevant occupation certificate, satisfactory evidence must be submitted to the Certifier that any recommendations provided in the additional geotechnical investigation undertaken under Condition B10 have been incorporated into the design of the development.

### **Operational Waste Management Plan**

- E28. Prior to issue of the relevant occupation certificate, satisfactory evidence must be submitted of the Certifier than the constructed waste collection areas and bin routes have incorporated the recommendations of the updated Operational Waste Management Plan required by condition B4(a).
- E29. Prior to the issue of the relevant occupation certificate, the Applicant must prepare an Operational Waste Management Plan for the development and submit it to the Certifier. The Waste Management Plan must:
- (a) detail the type and quantity of waste to be generated during operation of the development;
  - (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Department of Environment, Climate Change and Water, 2009); and
  - (c) detail the materials to be reused or recycled, either on or off site.

### **Landscaping**

- E30. Prior to the issue of the relevant occupation certificate, landscaping of the site must be completed in accordance with the *Landscape Plans* prepared by Context Landscape Architecture dated 02/02/2023 and 22/05/2023 listed in condition A2(e) as updated by condition B13.
- E31. Prior to the issue of the relevant occupation certificate, the Applicant must prepare an Operational Landscape Management Plan to manage the revegetation and landscaping on-site, and obtain approval of this Operational Landscape Management Plan from the Certifier. The plan must describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping.

### **Operational Flood Emergency Response Plan**

- E32. Prior to any increase in student numbers or prior to the issue of the occupation certificate for the DACA building (whichever occurs first), the Applicant must submit to the Planning Secretary:
- (a) the FERP required by condition D38 and any amended FERP required by condition D40 (if relevant);
  - (b) the peer review required by condition D39;
  - (c) any further confirmation from the peer-reviewer as required by condition D40 (if relevant); and
  - (d) evidence to confirm that all mitigation and management measures recommended in the FERP have been incorporated or implemented (such as any design related mitigation measures of management measures recommended by the FERP including employment of personnel, wardens etc).

### **Site Contamination**

- E33. Prior to the issue of the relevant occupation certificate, the Applicant must submit a Section A1 Site Audit Statement or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan (if required by the Site Auditor). The Section A1 or A2 Site Audit Statement must verify the relevant part of the site is suitable for the intended land use and be provided, along with any Environmental Management Plan (if required by the Site Auditor) to the Planning Secretary and the Certifier.

### **Archaeological Salvage – Historic Archaeology**

- E34. Within 12 months of completion of construction of the DACA Building or prior to the issue of the relevant occupation certificate (whichever occurs earlier) the Applicant must prepare a final post-excavation archaeological report. The post-excavation archaeological report must:
- (a) be prepared by a suitably qualified consultant;



- (b) confirm that all archaeological monitoring and salvage works have been undertaken in accordance with the HARD (or any amendments that have been approved by the Planning Secretary as required by condition C31);
- (c) detail the result of monitoring works and any salvage excavation undertaken in accordance with condition C32; and
- (d) be submitted to the Planning Secretary and a copy provided to Council and Heritage NSW prior to the issue of the relevant occupation certificate for the DACA Building.

## PART F POST OCCUPATION

### Out of Hours Event Management Plan

- F1. Prior to the commencement of the first out of hours events (school use) run by the school within the DACA building or the Social Science Building and the associated outdoor areas approved by this development consent, that involve 100 or more people, the Applicant is to prepare an Out of Hours Event Management Plan (School Use) and submit it to Council for information.
- F2. The Out of Hours Event Management Plan (School Use) plan must be made publicly available on the school's website at least one week prior to the event and include the following:
- (a) the number of attendees, time and duration;
  - (b) arrival and departure times and modes of transport;
  - (c) where relevant, a schedule of all annual events;
  - (d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);
  - (e) details of the recommendations of the Noise Management Plan in Condition E18 as relevant;
  - (f) details of the use of the DACA building rooftop terrace where applicable, restricting use before 8am and after 10pm, as well as ensuring that attendees of events have left the site before 10pm;
  - (g) measures to minimise localised traffic and parking impacts; and
  - (h) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan to ensure compliance with *Noise Policy for Industry* (2017) or any latest version.
- F3. The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified events or use.
- F4. Should any out of hours events (community use) run by the school within the DACA building or the Social Science Building and the associated outdoor areas approved by this development consent, that involves 100 or more people, be proposed, prior to the commencement of the first activity the Applicant is to prepare an Out of Hours Event Management Plan (Community Use) and submit it to Council for information.
- F5. The Out of Hours Event Management Plan (Community Use) plan must be made publicly available on the school's website at least one week prior to the event and include the following:
- (a) the number of attendees, time and duration;
  - (b) arrival and departure times and modes of transport;
  - (c) where relevant, a schedule of all annual events;
  - (d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);
  - (e) details of the recommendations of the Noise Management Plan in Condition E18 as relevant;
  - (f) details of the use of the DACA building rooftop terrace where applicable, restricting use before 8am and after 10pm, as well as ensuring that attendees of events have left the site before 10pm;
  - (g) measures to minimise localised traffic and parking impacts; and
  - (h) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan to ensure compliance with *Noise Policy for Industry* (2017) or any latest version.
- F6. The Out of Hours Event Management Plans must be implemented by the Applicant for the duration of the identified community event or use.

### **Operation of Plant and Equipment**

- F7. All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.

### **Warm Water Systems and Cooling Systems**

- F8. The operation and maintenance of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Part 2 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

### **Community Communication Strategy**

- F9. The Community Communication Strategy must be implemented for a minimum of 12 months following the completion of construction.

### **Operational Transport and Access Management Plan (OTAMP)**

- F10. The OTAMP(s) approved under Condition E13 (as revised from time to time) must be implemented by the Applicant for the life of the development.

### **Operational Noise Limits**

- F11. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the *Noise and Vibration Impact Assessment Report* prepared by Wilkinson Murray dated 16 December 2022 and the *Addendum* dated 3 March 2023.
- F12. Short term operational noise monitoring must be:
- (a) carried out within 4 months of commencement of use of the proposed buildings and associated open spaces approved by this development consent;
  - (b) carried during school term during operational hours on a typical school day(s); and
  - (c) undertaken by an appropriately qualified person in accordance with the Noise Policy for Industry (EPA, 2017) or any latest version where valid data is collected.
- F13. The resultant monitoring report prepared by the appropriately qualified person must be submitted to the Planning Secretary within 5 months of commencement of use of the proposed buildings and the associated open spaces to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in the *Noise and Vibration Impact Assessment Report* prepared by Wilkinson Murray dated 16 December 2022 and the *Addendum* dated 3 March 2023.
- F14. Should the noise monitoring program required by Condition F12 identify any exceedance of the recommended noise levels referred to above, the Applicant is required to implement appropriate noise attenuation measures so that operational noise levels do not exceed the recommended noise levels when measured at the affected noise sensitive receivers, or provide attenuation measures at the affected noise sensitive receivers.

### **Unobstructed Driveways and Parking Areas**

- F15. All driveways, footways and parking areas must be unobstructed at all times, other than for the purpose for which they have been provided. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

### **Green Travel Plan**

- F16. The Green Travel Plan required by Condition E12 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.

### **Ecologically Sustainable Development**

- F17. Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, the Applicant shall submit evidence to the Planning Secretary from a suitably qualified Green Star Accredited Professional that the ESD measures in the initiatives within the

*SSDA Sustainability Report* prepared by ESD Report prepared by Northrop and dated July 2022 have been implemented into the operation of the buildings.

### **Outdoor Lighting**

F18. Notwithstanding condition D34, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.

### **Landscaping**

F19. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Operational Landscape Management Plan required by condition E31 for the duration of occupation of the development.

### **Signage**

F20. All signage approved under this consent must be continuously maintained in a structurally sound and tidy manner by the Applicant for the duration of the development.

## APPENDIX 1 ADVISORY NOTES

### General

AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

### Long Service Levy

AN2. For work costing \$250,000 or more, a Long Service Levy must be paid for each stage. For further information please contact the Long Service Corporation on 131 441.

### Legal Notices

AN3. Any advice or notice to the consent authority must be served on the Planning Secretary.

### Access for People with Disabilities

AN4. The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifier must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.

### Utilities and Services

AN5. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

AN6. Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.

### Road Design and Traffic Facilities

AN7. All roads and traffic facilities must be designed to meet the requirements of Council or TfNSW (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.

### Road Occupancy Licence

AN8. A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.

### SafeWork Requirements

AN9. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.

### Hoarding Requirements

AN10. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

### Handling of Asbestos

AN11. The Applicant must consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

### Fire Safety Certificate

AN12. The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.

## APPENDIX 2 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary through the major projects portal within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition A25 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
  - a. identify the development and application number;
  - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - c. identify how the incident was detected;
  - d. identify when the applicant became aware of the incident;
  - e. identify any actual or potential non-compliance with conditions of consent;
  - f. describe what immediate steps were taken in relation to the incident;
  - g. identify further action(s) that will be taken in relation to the incident; and
  - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
  - a. a summary of the incident;
  - b. outcomes of an incident investigation, including identification of the cause of the incident;
  - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
  - d. details of any communication with other stakeholders regarding the incident.