

Development Consent

Section 75J of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Infrastructure under delegation effective from 1 October 2011, the Planning Assessment Commission of NSW approve the project application referred to in Schedule 1, subject to the conditions in Schedule 2 and Statement of Commitments in Schedule 3.

Abigail Goldberg
Member of the Commission

David Furlong
Member of the Commission

Sydney

9 November 2012

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

CONSOLIDATED CONSENT

SCHEDULE 1

Application Number:	MP 10_0150										
Applicant:	Sydney Church of England Grammar School (Shore)										
Consent Authority:	Minister for Planning and Infrastructure										
Land:	<p>Sydney Church of England Grammar School Campus and Graythwaite site, Edward Street, Union Street, William Street and Hunter Crescent, North Sydney (Lot 2 in DP539853 and Part of Lot 1 in DP 120268). The proposal also includes related development on the following lots:</p> <table><tr><td>Lot 1 in DP 539853</td><td>Lot 1 in DP 57339</td></tr><tr><td>Lot D in DP 975970</td><td>Lot C in DP 975970</td></tr><tr><td>Lot 3 in DP 75717</td><td>Lot 3 in DP 570829</td></tr><tr><td>Lot 1 in DP 570826</td><td>Lot 2 in DP 18725</td></tr><tr><td>Lot 1 in DP 60719</td><td>Lot 3 in DP 18725</td></tr></table>	Lot 1 in DP 539853	Lot 1 in DP 57339	Lot D in DP 975970	Lot C in DP 975970	Lot 3 in DP 75717	Lot 3 in DP 570829	Lot 1 in DP 570826	Lot 2 in DP 18725	Lot 1 in DP 60719	Lot 3 in DP 18725
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Project:	<p>Stage 1 of the extension of Shore school campus onto the Graythwaite site, including:</p> <ul style="list-style-type: none">• use of the Graythwaite site and buildings as an educational establishment, being an extension to the adjoining Shore school campus;• conservation and refurbishment of Graythwaite House, the Coach House, Tom O'Neill Centre and associated garden area;• transport, traffic, parking, access, drainage, stormwater, fencing, lighting and landscaping works.										

CONSOLIDATED CONSENT

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
MP 10_0150-Mod-1	13 June 2013	Director, Metropolitan and Regional Projects North	Alterations to refurbishment works; revised landscaping and tree removal; revised car parking arrangements; revised fence and gate; revised requirements regarding light reflectivity from building materials.
MP 10_0150-Mod-2	22 October 2013	Director, Industry, Social Projects and Key Sites	Changes to the staging of works; revised landscaping and tree removal; alterations to refurbishment works; revised fencing.
MP 10_0150-Mod-3	2 May 2014	A/Director, Industry, Key Sites and Social Projects	Modify acoustic report referred to in condition E1.
MP 10_0150-Mod-4	21 January 2025	Acting Director, Social Infrastructure Assessments	Modification to staging of the approved increase in student/staff and associated interim parking.

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DEFINITIONS

Advisory Notes	Advisory information relating to the approved project but do not form a part of this approval										
BCA	Building Code of Australia										
Certifying Authority	a person who is authorised by or under section 109D of the <i>Environmental Planning and Assessment Act 1979</i> to issue Part 4A certificates.										
Concept Plan	Refer to the Graythwaite Concept Plan (MP10_0149) and as described in the EA										
Conservation Management Plan	Titled <i>Graythwaite Union Street, North Sydney Conservation Management Plan</i> , Issue B, prepared by Tanner Architects dated June 2011 and endorsed by the NSW Heritage Council on 14 June 2011										
Construction	Any works, including earth and building works.										
Council	North Sydney Council										
Department	Department of Planning and Infrastructure or its successors										
Director-General	Director-General of the Department of Planning and Infrastructure, or nominee.										
EA	Environmental Assessment titled “Revised Environmental Assessment Report (Volumes 1A, 1B, 2 and 3) Concept Plan (MP10_0149) and Project Application (MP10_0150), Extension of Shore School onto the Graythwaite site at 20 Edward Street, North Sydney”, and Appendices prepared by Robinson Urban Planning Pty Ltd dated October 2011										
EP&A Act	Environmental Planning and Assessment Act 1979										
EP&A Regulation	Environmental Planning and Assessment Regulation 2000										
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval.										
Major Development SEPP	State Environmental Planning Policy (Major Development) 2005.										
Minister	Minister for Planning and Infrastructure, or nominee										
PPR	Preferred Project Report titled “Preferred Project Report and Statement of Commitments” and Appendices prepared by Robinson Urban Planning Pty Ltd dated March 2012.										
Proponent	Sydney Church of England Grammar School (Shore)										
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.										
Stage 1	Refer to the Graythwaite Stage 1 Project Application as identified in the EA and described in Schedule 2										
Statement of Commitments	The Proponent’s Statement of Commitments in Schedule 3										
Subject Site	<p>Sydney Church of England Grammar School Campus and Graythwaite site, Edward Street, Union Street, William Street and Hunter Crescent, North Sydney (Lot 2 in DP539853 and Part of Lot 1 in DP 120268). The proposal also includes related development on the following lots:</p> <table> <tr> <td>Lot 1 in DP 539853</td><td>Lot 1 in DP 57339</td></tr> <tr> <td>Lot D in DP 975970</td><td>Lot C in DP 975970</td></tr> <tr> <td>Lot 3 in DP 75717</td><td>Lot 3 in DP 570829</td></tr> <tr> <td>Lot 1 in DP 570826</td><td>Lot 2 in DP 18725</td></tr> <tr> <td>Lot 1 in DP 60719</td><td>Lot 3 in DP 18725</td></tr> </table>	Lot 1 in DP 539853	Lot 1 in DP 57339	Lot D in DP 975970	Lot C in DP 975970	Lot 3 in DP 75717	Lot 3 in DP 570829	Lot 1 in DP 570826	Lot 2 in DP 18725	Lot 1 in DP 60719	Lot 3 in DP 18725
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SCHEDULE 2
CONDITIONS OF APPROVAL
PART A ADMINISTRATIVE CONDITIONS

Development Description

A1. The development as described in the EA includes:

- use of the Graythwaite site and buildings as an educational establishment, being an extension to the adjoining Shore school campus;
- conservation and refurbishment of Graythwaite House, the Coach House, Tom O'Neill Centre and associated garden area;
- demolition of the Ward Building and other minor demolition works;
- drainage and stormwater improvements, site levelling and landscaping (particularly on the middle and lower terraces) including tree retention, removal and transplantation;
- use of the Graythwaite middle and lower terraces as a play and educational space;
- transport, traffic, parking and access improvements to the Graythwaite site and existing Shore school campus;
- miscellaneous works including site fencing and lighting (to Graythwaite House and the driveway);
- landscape works along the western side boundary adjoining properties that have an interface with the West Building (west building part of stage 3);
- increase of up to 450 students (including a maximum of 72 preparatory students) and 45 staff; and
- provision of 48 interim car parking spaces.

Approval is granted to carry out the development as described in the EA subject to the modifications detailed in this Schedule. Development must be carried out consistently with the conditions in Schedule 2 and the Statement of Commitments in Schedule 3.

Development in Accordance with Plans and Documentation

A2. The development will be undertaken in accordance with the following plans and documentation:

- (a) Environmental Assessment titled *Revised Environmental Assessment Report (Volumes 1A, 1B, 2 and 3) Concept Plan (MP10_0149) & Project Application (MP10_0150), Extension of Shore School onto the Graythwaite site at 20 Edward Street, North Sydney, and Appendices* prepared by Robinson Urban Planning Pty Ltd, dated 28 October 2011;
- (b) Preferred Project Report titled *Preferred Project Report and Statement of Commitments, Extension of Shore School onto the Graythwaite site at 20 Edward Street, North Sydney, and Appendices* prepared by Robinson Urban Planning Pty Ltd, dated March 2012;
- (c) Amended by the Section 75W Modification prepared by Robinson Urban Planning Pty Ltd dated 7 March 2013;
- (d) Amended by Section 75W Modification prepared by Robinson Urban Planning dated 17 September 2013;
- (e) Amended by Section 75W Modification prepared by Robinson Urban Planning dated 23 April 2014;
- (f) Amended by Section 4.55(1A) Modification prepared by Robinson Urban Planning and dated 17 October 2024;
- (g) the following plans:

Architectural (or Design) drawings prepared by Tanner Architects			
Drawing No.	Revision	Name of Plan	Date
AR.DA.0001	E	Cover & Location Plan	11 / 09 / 2013
AR.DA.0002	E	Site Plan	11 / 09 / 2013

AR.DA.0003	D	Graythwaite House – Demolition Basement and Ground Floor Plans	11 / 09 / 2013
AR.DA.1001	D	Graythwaite House Basement and Ground Floor Plans	11 / 09 / 2013
AR.DA.1002	D	Graythwaite House First and Attic Floor Plans	11 / 09 / 2013
AR.DA.1003	C	Graythwaite House Roof Plan	01 / 03 / 2013
AR.DA.2001	D	Graythwaite House Elevations	11 / 09 / 2013
AR.DA.2002	D	Graythwaite House Sections	11 / 09 / 2013
AR.DA.2003	C	Graythwaite House Elevations	01 / 03 / 2013
AR.DA.3001	C	Coach House – Proposed Plans, Sections and Elevations	01 / 03 / 2013
AR.DA.4001	C	Tom O'Neill Centre – Proposed Plans and Elevations	01 / 03 / 2013
AR.DA.-S75W.14	P1	Union Street Fence and Gate Details	Via letter dated 24/10/2012
AR.DA.6001	A	Edward Street Gate – Stone Wall	02 / 04 / 2013
Architectural Drawings prepared by MHDP Architects			
Drawing No.	Revision	Name of Plan	Date
A001	A	Locality Plan	02/09/2024
A101	A	Interim Parking Area No.1	02/09/2024
A102	A	Interim Parking Area No.2	02/09/2024
A103	A	Interim Parking Area No.3	02/09/2024
A104	A	Interim Parking Area No.4	02/09/2024
A105	A	Interim Parking Area No.5	02/09/2024
Landscape (or Design) Drawings prepared by Taylor Brammer			
Drawing No.	Revision	Name of Plan	Date
LT.003	I	Tree Removal and Retention Plan	11 / 09 / 2013
LT.004	E	Existing Tree Schedule – Heritage Significance & Action	11 / 09 / 2013
LT.005	E	Landscape Hardworks	11 / 09 / 2013
LT.006	E	Landscape Softworks	11 / 09 / 2013
LT.007	E	Landscape Tree Plan	11 / 09 / 2013
LT.008	E	Landscape Lighting Plan	11 / 09 / 2013
LT.009	A	Landscape Details	24 / 11 / 2010
LT.0010	B	Early Works Planting	17 / 10 / 2011

LT.0011	B	Early Works Landscape Details	17 / 10 / 2011
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- (h) Any modifications which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA.
- (i) Otherwise provided by the conditions of this approval.

Inconsistency between documents

- A3. In the event of any inconsistency between conditions of this approval and the documents and plans referred to above, including the proponent's Statement of Commitments in Schedule 3, the conditions of this approval prevail.

Lapsing of Approval

- A4. This approval shall lapse 5 years after the date of this approval, unless construction works authorised by this project approval has physically commenced, on or before that lapse date.

Demolition

- A5. The proponent shall ensure that all demolition work is carried out in accordance with Australian Standard AS2601 2001: The Demolition of Structures, or its latest version.

Development Expenses

- A6. It is the responsibility of the developer to meet all expenses incurred in undertaking the development, including expense incurred in complying with the conditions imposed under this approval.

MODIFICATIONS

Vehicular Drop-off/Pick-Up Facility and William Street Bus Stop

- A7. This approval includes the new vehicular drop-off/pick-up facility and the William Street bus stop. Detail design for both are to be approved by the relevant traffic committee prior to the issue of the relevant Construction Certificate.

The vehicular drop-off/pick-up facility:

- Is to be Option 3 of the pick-up options detailed in the Revised EA;
- Is to be used as a drop-off in the morning period as well; and
- shall include landscaping between the access road to the vehicular drop-off/pick-up facility and Union Street; and
- will ban right hand turns in to the facility from Union Street (left in and left out only) unless future performance review concludes that the control should be modified for road safety and maintaining traffic flow. The performance review shall be carried out 6 months after operation commencing.

Note: Under S75V of the EP&A Act, any future authorisations required by the RMS or the Council under Section 138 of the Roads Act 1993 cannot be refused if it is necessary for carrying the project or that stage of the project and is to be substantially consistent with an approval under Part 3A.

Union Street Fencing

- A8. This approval includes fencing along the entire frontage of Union Street in accordance with Plan No AR.DA-S75W.14.

Boundary Fence

A9.

- (a) This approval includes the provision of a new steel palisade fence along the northern boundary of the Graythwaite site (near the headmaster's house) and a new timber paling fence around the substation in the south of the Graythwaite site.

- (b) No approval is granted to the timber paling fence along the western boundary of the Graythwaite site with Bank Street residences as proposed in the Section 75W Modification prepared by *Robinson Urban Planning Pty Ltd* dated 7 March 2013.
- (c) This approval requires the provision of a boundary fence along the western boundary of the Graythwaite site with Bank Street residences, however the fence is to be the subject of negotiations between the proponent and Bank Street residences, and the school is to pay reasonable costs.

PART B PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Construction Certificates

- B1. Stamped drawings must be lodged with the Certifying Authority (North Sydney Council, or a private certifier) for a Construction Certificate. The proponent must supply the council and the Department of Planning & Infrastructure with a copy of the Construction Certificate within two days from the date of its issue.

Note: Conditions below that refer to actions “prior to issue of a construction certificate” may be read as prior to issue of a construction certificate for the relevant stage, unless otherwise indicated as to be satisfied prior to issue of the first construction certificate.

Construction Management Plan

- B2. Prior to the issue of a Construction Certificate, a Construction Management Plan (CMP) shall be prepared and approved by the Certifying Authority. A copy of the CMP is to be sent to the department and to the council. The CMP shall include, but not be limited to, the following matters which are to be addressed by suitably qualified person(s):
- (a) **Hours of work**, which must be in accordance with the conditions of this approval;
 - (b) **Contact details** of the site manager and all principal contractors;
 - (c) **Traffic management**, which is to be developed in consultation with council and is to include:
 - (i) ingress and egress of vehicles to the site;
 - (ii) management of loading and unloading of materials;
 - (iii) number and frequency of vehicles accessing the site;
 - (iv) the times vehicles are likely to be accessing the site; and (v) management of existing vehicular, pedestrian and bicycle movements / routes around the site throughout the various stages of construction;
 - (d) **Erosion and sediment control**, identifying appropriate measures to be installed during construction which shall be designed in accordance with in accordance with the document Managing Urban Stormwater – Soils & Construction Volume 1 (2004) by Landcom; and must include:
 - (vi) The procedures by which stormwater and waste water deposited or generated on site is to be collected and treated prior to discharge including details of any proposed pollution control device; and
 - (vii) The procedures to be adopted for the prevention of run-off of loose material and litter from the site onto the public way.
 - (e) **Noise and vibration management**, identifying specific activities that will be carried out and associated noise sources, identify all potentially affected sensitive receivers, noise and vibration monitoring reporting and response procedures, description of specific mitigation treatments management measures and procedures to be implemented, and address any other relevant provisions of Australian Standard 2436- 1981 Guide to Noise Control on Construction, Maintenance and Demolition Sites and DECCW’s Interim Construction Noise Guideline;
 - (f) **Waste management**, identifying options for minimising waste in construction; reuse and recycling of materials; the storage, control and removal of construction waste;
 - (g) **Dust control** measures to be implemented to prevent the movement of airborne particles from the site throughout the construction process, and the tracking of material from the site by trucks and other vehicles. This is to include the appropriate use of physical barriers and the dampening of exposed excavated surfaces. The storage and stockpiling areas for material is also to be detailed; and
 - (h) Complaint handling procedures

Heritage Conservation

- B3. All works in the stage 1 project application are to be in accordance with the policies of the endorsed Conservation Management Plan. Additionally, prior to the issue of a Construction Certificate, the proponent is to engage a suitably qualified heritage expert to certify that the interiors of Graythwaite House of exceptional significance will be conserved

(restored/reconstructed) in accordance with Policy 31 of the endorsed Conservation Management Plan. A copy of this certification is to be sent to the department and to the Heritage Council of NSW.

Stormwater Plan

- B4. Prior to the issue of a Construction Certificate, the proponent is to prepare and submit a detailed stormwater management plan to the satisfaction of the Certifying Authority. The stormwater management shall be designed by a chartered civil engineer and constructed in accordance with the following requirements:
- (a) The piped stormwater drainage shall be designed and constructed for a minimum average recurrence interval of 1 in 20 years
 - (b) The stormwater drainage system shall prevent stormwater egress into adjacent properties through the provision of surface and subsurface drainage interception measures
 - (c) The provision of subsurface drains are to avoid interception of existing deep ground water flows
 - (d) The stormwater drainage system is to incorporate provisions for a groundwater infiltration drain immediately to the west of the stage 3 West Building. The groundwater infiltration drain is to provide for the reintroduction of groundwater in this location, whilst also ensuring the drainage system does not impact on adjoining properties in Bank Street

Access and Movement

- B5. An Access and Safety Plan will be prepared to maintain access and use of the site during the construction of the building to ensure the safety of staff, visitors and the public.

Disabled Access

- B6. Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA's Access Policy.

Long Service Levy

- B7. Prior to the issue of a Construction Certificate, evidence of the payment of the long service levy under section 34 of the Building and Construction Industry Long Service Payment Act 1986 must be provided to the Certifying Authority (or, where such a levy is payable by instalments, the first instalment of the levy).

Reflectivity

- B8. The light reflectivity from any building materials used on the facades of the buildings within the site shall not exceed 20% and shall be designed so as to not result in glare that causes any nuisance or interference to any person or place (other than the approved zinc cladding to the upper section of the lift shaft which may have a light reflectivity of 22%). A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

Sydney Water – Notice of Requirements

- B9. An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, Section 73 of the Sydney Water Act 1994 (compliance Certificate) prior to the issue of a Construction Certificate.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e_Developer" icon or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and changes to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveways or landscape design

BCA Upgrades

- B10. Prior to the issue of a Construction Certificate, the proponent is to engage a suitably qualified heritage architect to work with a BCA consultant and fire engineer to resolve the detailed design

of existing heritage buildings to be refurbished (Graythwaite House, the Coach House and Tom O'Neill Centre) to ensure the buildings are upgraded in accordance with the fire and life safety provisions of the current version of the BCA. Fire safety and BCA upgrade works and the installation of new services should have the least impact on significant fabric and be undertaken in a manner consistent with the policies of the endorsed Graythwaite Conservation Management Plan. In particular, the following matters are to be resolved:

- (a) All balustrades (including the balustrades on the first level verandah of Graythwaite House and the Widows Walk) are to be based on historical evidence. Where BCA compliance is not achieved, the heritage architect and BCA consultant shall modify the design to achieve a performance solution.
- (b) Should the smoke hazard management system result in a non-compliance with the requirements of the BCA or AS 1670.1-2005, then justification by the fire engineer is to be provided.
- (c) The fire panel is to be located away from the primary façades of Graythwaite House (the southern and eastern facades) to ensure it does not detract from the historic character of the building from these primary facades.
- (d) Fire hydrant(s) are to be located in a box and labelled in a contrasted colour and located sympathetically within the landscape. The fire board is to be located and painted to be sympathetic to the historic character of the building.
- (e) All building and fire regulation notices, signs, emergency lighting are to be sympathetic to the historic character of the building, and where possible, use traditional materials.
- (f) All hose reels and fire extinguishers are to be enclosed, coloured in a contrasting colour and labelled
- (g) Alternative fire solution is to be designed such that the original Victorian round handles and timber doors are to be retained and cupboards under staircase are retained (subject to justification by the fire engineer).
- (h) The location of air conditioning and / or heating, including any condenser units, ductwork and registers are to be sympathetic to the historic character of the building

Vegetation Management Plan

B11. Prior to the issue of a Construction Certificate, the proponent is to prepare and submit a Vegetation Management Plan (VMP) to be approved by the Certifying Authority. The VMP shall be prepared by a qualified ecologist and heritage landscape architect and is to supplement the vegetation management details provided in the Landscape Design Report by Taylor Brammer dated October 2011. The VMP shall be implemented as part of the approved landscaping works and maintained as part of the ongoing landscaping management of the site. The VMP shall address the following ongoing vegetation management matters:

- (a) Weed control measures, including the use of pesticide and herbicides and physical hand removal.
- (b) the ongoing management of all significant trees to be retained, in particular, existing Morton Bay Figs along the western boundary of the Graythwaite site and the additional vegetation and landscape works along the western side boundary adjoining properties (including Nos 25 to 37 Bank Street) that have an interface with the future West Building.
- (c) details of the on-going maintenance, monitoring and reporting measures.

Revised Landscape Plan

B12. Prior to the issue of a Construction Certificate, the landscape plans prepared by Taylor Brammer identified in Condition A2 shall be amended to include additional dense screen plantings to the north west of the West Building to match the size, type and density of the planting generally proposed along the western side of the site. The revised landscape plans shall be submitted for the approval of the Certifying Authority prior to the issue of a Construction Certificate.

Car Parking

B13.

- (a) approval allows for the provision of an interim locations for 48 at-grade car parking spaces in accordance with the plans prepared by MHDP Architects listed in condition A2.

- (b) The interim car parking spaces in Interim Parking Area No.1 identified in drawing number A101, prepared by MDHP Architects and dated 2 September 2024, shall be provided within a turf margin, with the exception of an accessible car space, which must be provided on hard stand space.
- (c) The final permanent location of the six 48 at-grade interim car parking spaces must be resolved as part of the detailed design in the future development application for Stage 2 in consultation with the Heritage Council of NSW and North Sydney Council. The car spaces are to be removed from their interim location and established in their approved permanent location prior to issue of an occupation certificate for the East Building.
- (d) The proponent must make good and reinstate any approved landscaping following relocation of the interim spaces to their permanent location.

Retention of Washington Palm

- B14. The Washington Palm tree (identified as T51 in the arborist report) must be retained within the Graythwaite site. Should retention of the tree in its current location prove to be untenable either in terms of the ongoing health of the tree or the realisation of the approved redevelopment of the site, the tree is to be transplanted to an alternative location on the site using appropriately qualified persons and accepted methodology.

PART C PRIOR TO CONSTRUCTION

Notice to be given Prior to Commencement / Excavation

C1. Prior to commencement of works:

- (a) The Certifying Authority, council and residences between 25 and 37 Bank Street shall be given written notice, at least 48 hours prior to the commencement of minor demolition, excavation, shoring or underpinning works on site for each stage of the project.
- (b) The Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Certifying Authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.

Outdoor Lighting

- C2.** All outdoor lighting shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

Barricade Permit

- C3.** Where construction/building works require the use of a public place including a road or footpath, approval for a Permit is to be obtained from council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of council.

Road / Asset Opening Permit

- C4.** A Road / Asset Opening Permit must be obtained from the relevant Roads Authority, if required, prior to carrying out any works within or upon a road, footpath, nature strip or in any public place, in accordance with section 138 of the Roads Act 1993, and all of the conditions and requirements contained in the Road / Asset Opening Permit must be complied with.

Vehicle Cleansing

- C5.** Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

Utility Services

- C6.** Prior to the commencement of work the proponent is to negotiate with the utility authorities (e.g. Energy Australia, Sydney Water Corporation Limited and Telecommunications Carriers) in connection with the relocation and / or adjustment of the services affected by the construction of the underground structure.

Any costs in the relocation, adjustment or support of services are to be the responsibility of the proponent. Any necessary alterations to public utility installations being at the proponent's/demolisher's expense and to the requirements of both council and the appropriate authorities.

Where possible, all services shall be provided underground

Contact Telephone Number

- C7.** The proponent shall ensure that a 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development. The contact number shall be forwarded to council and the department prior to commencement of works.

Haulage Routes

- C8.** The routes for import of any fill materials or export of any spoil being submitted to and agreed to by the relevant road authorities prior to the commencement of haulage, if required. Unacceptable deterioration or failures within public roads attributable to these operations are to be restored to the requirements of, and at no cost to the road authorities.

Dilapidation Report

- C9. A dilapidation survey of council's assets and adjoining properties (Nos 25 to 37 Bank Street) including photographs and written record must be prepared and submitted to council and adjoining properties prior to the commencement of works. Failure to identify any damage to council's assets and the adjoining properties will render the proponent liable for the costs associated with any necessary repairs.

Photographic Survey

- C10. A black and white photographic survey of the Graythwaite site is to be submitted to council prior to commencement of works. The black and white photographic survey is to be in accordance with the guidelines of the Heritage Council of NSW for archival purposes.

Stage 1 Construction Works

- C11. This approval requires that all construction traffic must access the site from Union Street.

PART D DURING CONSTRUCTION

Hours of Work

D1. The hours of excavation and work on the development must be as follows:

- (a) All minor demolition, excavation and construction work and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools) in connection with the approved development must only be carried out between the hours of:
 - (i) 7.00am and 6.00pm Mondays to Fridays
 - (ii) 8.00am and 1.00pm on Saturdays
 - (iii) No work must be carried out on Sundays or public holidays
- (b) Works may be undertaken outside these hours where
 - (i) the delivery of materials is required outside these hours by the Police or other authorities
 - (ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm
 - (iii) the work is approved by the Director General or his nominee

Site Notice

D2. A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to:

- (a) Details of the Building, Certifying Authority and Structural Engineer for all stages of the project;
- (b) The approved hours of work;
- (c) the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (d) To state that unauthorised entry to the site is not permitted

Protection of Trees – Street Trees

D3. All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction of any stage of the project, shall be replaced, to the satisfaction of council.

Protection of Trees – Trees on Site

D4.

- (a) All trees identified for retention in the Tree Removal and Retention Plan shall be protected at all times during construction. Any tree that is damaged and is required to be removed and / or replaced during construction shall be approved by council.
- (b) Tree planting shall be undertaken in accordance with the approved landscape plan
- (c) Tree removal and relocation shall be in accordance with the Tree Removal and Retention Plan and shall be undertaken or supervised by a qualified Arborist or Horticulturalist (minimum AQF Level 4). Any changes to the planting schedule shall be endorsed by council.

Noise Control

D5.

- (a) All work, including minor demolition, excavation and construction work must comply with the Australian Standard 2436-1981 'Guide to Noise Control on Construction, Maintenance and Demolition Sites'.
- (b) Noise and vibration emissions from equipment and associated site works must not result in damage to nearby premises and the relevant provisions of the Protection of the Environment Operations Act 1997 must be satisfied at all times.

Standards and Codes

- D6. All building works shall be constructed in accordance with safe work practices and complying with the relevant Australian Standards, Codes of Practice and the Building Code of Australia.

Work Cover Requirements

- D7. To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.

Loading and Unloading During Construction

- D8. A Works Zone is required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to council prior to commencement of the work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the day to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

No Obstructing of Public Way

- D9. The public way (outside of the work area) must not be obstructed by any materials, vehicles, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all work on site.

Disposal of Seepage and Stormwater

- D10. Any seepage or rainwater collected on-site during excavation shall not be pumped to the street stormwater system unless separate prior approval is given in writing by the relevant Authority.

Erosion and Sediment Control

- D11. Sediment controls are to be in place for the duration of the works to ensure that no sediment, fines, and like material can enter the waterway or drainage system. The proponent is to carry out works generally in accordance with the Construction Management Plan and controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

Dust Control Measures

- D12. Dust control measures are to be in place or are to be undertaken for the duration of the works to prevent dust from affecting the amenity of the immediate area during construction. The proponent is to carry out works generally in accordance with the Construction Management Plan, and controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

Pedestrian Access During Construction

- D13. Pedestrian access along Union Street or Edward Street is to be maintained throughout construction. Alternative routes, including those for persons with disabilities, shall be clearly identified and signposted for the duration of the works, and until such time as the permanent accessible paths are provided.

Directional Signage

- D14.
- (a) Directional signage shall be modified as required to accommodate any altered pedestrian and vehicular movements within the area.
 - (b) Particular attention is to be paid to:
 - wheelchair accessible paths of travel
 - safe road crossing areas including signalised and other designated crossings
 - key landmarks
 - access to transport nodes including public transport

- the vehicular entrance and exit driveways and the direction of traffic movement within the site being clearly indicated by means of reflectorised signs and pavement markings.

Construction Traffic Management

D15.

- (a) All loading and unloading associated with works must occur on site.
- (b) All vehicles must enter and leave the site via Union Street in a forward direction.
- (c) The cost of all traffic management works shall be borne by the proponent.
- (d) No trucks associated with the approved works are permitted to park or stand on public roadways.
- (e) Gates shall be closed between vehicle movements.
- (f) Movement of trucks to and from the site shall be staggered so as to limit access and egress during peak traffic periods.
- (g) The Contractor shall make provision for safe, continuous movement of traffic and pedestrians in public roads and private roads accessible to the public and erecting traffic warning signs conforming to the Roads and Traffic Authority's General Specifications (RTA Spec. Part G10 "Control of Traffic" and RTA Spec. 3355). Traffic control is to be carried out only by flagmen with certification that they have been trained in accordance with Australian Standard 1742.3 – 2002

Approved Plans to be on-site

D16. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval shall be kept on the site at all times and shall be readily available for perusal by any officer of the department or council.

Works to Cease on site – Archaeology

D17.

- (a) If any unidentified historical archaeological remains or deposits are exposed during the works excavation is to cease immediately in the affected areas and the archaeologist is to undertake an evaluation of the potential extent and significance of such relics. The Heritage Council of NSW is to be notified in accordance with section 146 of the NSW Heritage Act, 1977
- (b) Should any Aboriginal relics or artefacts be discovered during the course of any works on-site, then work is to cease immediately. Work may only be resumed following written consent being obtained from the National Parks and Wildlife Service.

Excavated Material

D18. Any excavated material to be removed from the site must be assessed, classified, transported and disposed of in accordance with the EPA's Guidelines: Assessment, Classification and Management of Liquid and NonLiquid Wastes.

Imported Fill

D19. Any imported fill onto the site being validated to ensure its suitability for the proposed land use from a contamination perspective. Imported fill is to be certified that it is not contaminated, based upon analysis or the known past history of the site from which it is obtained.

PART E PRIOR TO ISSUE OF OCCUPATION CERTIFICATE / PRIOR TO OPERATIONS

Noise Control – Plant and Machinery

- E1. Prior to the issue of an Occupation Certificate for the building a report is to be prepared by a qualified acoustic engineer and submitted to the Certifying Authority confirming that the installation and performance of the mechanical systems complies with:
- (a) The noise emission assessment (Part 4) of Acoustic Impact Assessment included in the EA (SLR Consulting Australia Pty Ltd, Report Number 10-8964 R1, dated 28 September 2011, Revision 3)
 - (b) the Building Code of Australia
 - (c) Australian Standard AS1668 and other relevant codes
 - (d) the project approval and any relevant modifications
 - (e) any dispensation granted by the New South Wales Fire Brigade.

Fire Safety Certificate

- E2. A Fire Safety Certificate shall be furnished to the Certifying Authority for all the Essential Fire or Other Safety Measures forming part of this approval prior to issue of the Occupation Certificate for the building. A copy of the Fire Safety certificate must be submitted to the relevant authority and council.

Structural Inspection Certificate

- E3. A Structural Inspection Certificate or a Compliance Certificate for any structural work is to be submitted to the satisfaction of the Certifying Authority prior to issue of the Occupation Certificate.

Road Damage

- E4. 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, is to be met in full by the proponent prior to the issue of the Occupation Certificate for the building.

Waste Management

- E5. Prior to the issue of the Occupation Certificate, the Certifying Authority must ensure that waste handling works have been completed in accordance with the Waste Management Plan; other relevant approval conditions; and any relevant council policy.

Vegetation and Landscaping

- E6. Prior to the issue of the Occupation Certificate, all vegetation planting and landscaping works along the western side boundary adjoining properties (including Nos 25 to 37 Bank Street) that have an interface with the future West Building are to be completed.

Heritage Conservation of Graythwaite House

- E7. Prior to the issue of the Occupation Certificate, the interiors of Graythwaite House of exceptional significance are to be conserved (restored/reconstructed) in accordance with Policy 31 of the endorsed Conservation Management Plan.

Whole of School Operation Traffic Management Plan

- E8. Prior to the issue of the Occupation Certificate, the whole of school operation traffic management plan must be approved by the Certifying Authority and implemented.

Installation of Bollards on Driveway Extension

- E9. Prior to the issue of the Occupation Certificate, removable bollards are to be installed on the driveway extension between the Graythwaite site and Shore senior school campus. The removable bollards are to enforce the primary pedestrian function of the driveway extension and to ensure that the driveway is not used by general school traffic (staff, visitor and student vehicles). The bollards may be removed to allow for limited emergency and maintenance vehicles access between the Graythwaite site and Shore senior school campus.

PART F POST OCCUPATION

Annual Fire Safety Certificate

- F1. An annual Fire Safety Statement must be given to council and the NSW Fire Brigade commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued. This must ensure that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard.

Noise Control – Plant and Machinery

- F2. Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:
- (a) Transmission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy;
 - (b) A sound pressure level at any affected residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a LAeq, 15 minute.

Noise emission criteria for residences on Bank Street and Union Street are:

Bank Street	
Time of day	INP Noise Criteria
Day	47
Evening	43
Night	39
Union Street	
Time of day	INP Noise Criteria
Day	47
Evening	41
Night	39

*Note: **Day:** the period from 7:00 am to 6:00 pm Monday to Saturday or 8:00 am to 6:00 pm on Sundays and public holiday. **Evening:** the period from 6:00 pm to 10:00 pm. **Night:** the remaining periods.*

Noise criteria are to be achieved at the boundary of residential properties

- (c) Notwithstanding compliance with (1) and (2) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential property between the hours of 12.00 midnight and 7.00am.

Loading and Unloading

- F3. All loading and unloading, including deliveries to and from the site in connection with the use must be carried out in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality.

Unobstructed Driveways and Parking Areas

- F4. All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

ADVISORY NOTES

Use of Mobile Cranes

- AN1. The proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the proponent shall ensure the following matters are complied with:
- (a) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from council:
 - at least 48 hours prior to the works for partial road closures which, in the opinion of council will create minimal traffic disruptions
 - at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of council, will create significant traffic disruptions.
 - (b) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of council

Movement of Trucks Transporting Waste Material

- AN2. The proponent shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

Disability Discrimination Act

- AN3. This application is to comply with the Disability Discrimination Act 1992. The proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

Temporary Structures

- AN4. A Barricade/Hoarding Permit must be obtained prior to the commencement of construction works from the relevant Authority. The permit application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.
- Structural certification from an appropriately qualified practicing structural engineer must also be submitted to the relevant Authority to certify the structural adequacy of the design of the temporary Barricades/Hoarding.

Structural Capability for Existing Structures

- AN5. The structural capabilities of any existing structure will need to meet the requirements of the BCA and may require engaging a structural engineer.

Commonwealth Environmental Protection and Biodiversity Conservation Act 1999

- AN6. The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

SCHEDULE 3

STATEMENT OF COMMITMENTS

Subject	Commitment	Timing
1. General	<p>The project will be generally in accordance with the following reports:</p> <ul style="list-style-type: none"> - Revised EAR (dated October 2011) prepared by Robinson Urban Planning (including Appendices) except as amended by the PPR. - Concept Architectural and Concept Landscape Plans listed at Table 1 of the Revised EAR. - PPR (dated March 2012) prepared by Robinson Urban Planning (including Attachments). - Modification Report titled “Staging of Population and Parking Increase - Section 4.55 Application for Modification of Project Approval MP No. 0150 (MOD 4)” (dated 17 October 2024) prepared by Robinson Urban Planning (including Attachments) 	During and after Construction
2. Parking	<p>The Stage 1 Project allows for the provision of 48 car parking spaces across the Graythwaite site and Shore Campus (in addition to any existing parking on the Shore site) comprising:</p> <p>(a) Interim Parking Area 1: 7 car parking spaces to the west of Graythwaite House</p> <p>(b) 41 interim car parking spaces across the Graythwaite site and Shore Campus in the following locations:</p> <ul style="list-style-type: none"> - Interim Parking Area 2: 6 spaces - Interim Parking Area 3: 7 spaces - Interim Parking Area 4: 7 spaces - Interim Parking Area 5 (after hours use only): 21 spaces <p>(c) The locations of the interim car parking spaces (described at (b) and (c) above) must be made good including landscaping following relocation of the interim spaces to their permanent locations. Consistent with Condition A14 of the RAI Grant Centre Consent (SSD-7507), no car parking would occur along the internal road west of Bishopsgate Carpark and Hodges Boarding House (Interim Parking Areas 3 and 4) after relocation of the interim spaces to their permanent locations.</p>	<p>Prior to and after occupation</p> <p>Stage 1</p> <p>Stage 2</p>
3. ESD	The recommendations of the Sustainability Report and Indicative ESD Assessment (by SLR) (that are relevant to Stage 1) will be implemented.	During and after construction
4. Disabled access	The detailed design of Stage 1 is to comply with the Stage 1 Project Application Access Capability Statement (by Access Associates Sydney).	During and after construction

5. Existing trees	All trees on the site shall be retained except for the trees nominated for removal and transplanting on the Tree Removal Plan & Retention Plan (LA.DA.002 Rev P3, by Taylor Brammer). All construction and other activities will implement the recommendations in the Development Impact Assessment (by Earthscape Horticultural Services).	During and after to construction
6. Public access to Graythwaite	Community access to the Graythwaite site will be available at nominated times throughout the year (eg. Heritage Week by arrangement). Community access will only be provided on the basis that it does not interfere with normal school activities.	On going
7. Contamination & hazardous materials	The recommendations of the Soil Report (by WSP) and Supplementary Hazardous Materials Assessment Report (by WSP) are to be implemented as part of the Stage 1 project works.	Prior to occupation
8. Water management	The recommendations of the IWMP (by ACOR) (that are relevant to Stage 1) will be implemented.	During and after to construction
9. BCA and Fire Engineering	The recommendations of the BCA Reports (by David Langdon) will be implemented.	Prior to construction
10. Construction management	Construction activities are to implement the recommendations of the Construction Management Plan (by WSP). A detailed CTMP will also be prepared addressing the matters identified in the Transport and Accessibility Impact Assessment (by Halcrow).	Prior to and during to construction
11. Waste management	The project will implement waste minimisation and recycling measures.	After construction
12. Lighting	External lighting will be designed to comply with Australian Standard AS4282 on "The Control of the Obtrusive Effects of Outdoor Lighting".	Prior to construction
13. Construction Certificates	The proponent will obtain all relevant construction and compliance certificates as required by the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2000.	Prior to construction
14. Crime prevention	The crime prevention through environmental design measures set out in the EAR (that are relevant to Stage 1) will be implemented.	Prior to occupation
15. Transport	Implement a Workplace (Green) Travel Plan for Shore students and staff.	During and after to construction