

SCHEDULE 1

Application Number:	SSD-19989744
Applicant:	SCEGGS Darlinghurst Ltd
Consent Authority:	Minister for Planning
Site:	165-215 Forbes Street, Darlinghurst (Lot 200 DP 1255617)
Development:	<p>Restoration and adaptive re-use of Wilkinson House on the SCEGGS Darlinghurst school campus, involving:</p> <ul style="list-style-type: none">• retention and restoration of existing external facades, entrance lobby and lounge hall;• removal of the roof and unsympathetic external additions to the building;• demolition of internal elements including stairs, walls, floors and ceilings to all levels;• excavation to create a new basement level sports hall with connection to the Centenary Sports Hall;• construction of new internal floors and ceilings to all levels;• construction of a new roof and rooftop courtyard;• creation of general learning areas, breakout spaces, multi-purpose room, meeting rooms, staff rooms, offices, amenities and rooftop courtyard;• extension of the building to accommodate a lift core;• plant enclosure on the roof of the Joan Freeman Building;• erection of 11 temporary demountable classrooms; and• landscaping.

DEFINITIONS

Accredited Certifier	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.
Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	SCEGGS Darlinghurst Ltd or any other person carrying out any development to which this consent applies
BCA	Building Code of Australia
CEMP	Construction Environmental Management Plan
Certifier	Means a council or accredited certifier
Conditions of this consent	The conditions contained in Schedule 2 of this document
Construction	<p>All physical work to enable operation including but not limited to the carrying out of works for the purposes of the development, including bulk earthworks, erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"> • building and road dilapidation surveys; • investigative drilling or investigative excavation; • Archaeological Salvage; • establishing temporary site offices (in locations identified by the conditions of this consent); • installation of environmental impact mitigation measures, fencing, enabling works; and • minor adjustments to services or utilities. <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 Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation)</p>
Council	City of Sydney Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning and Environment
Development	The development described in the EIS and Response to Submissions, including the works and activities comprising, as modified by the conditions of this consent.
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
EHG	Environment and Heritage Group of the Department of Planning and Environment
EIS	The Environmental Impact Statement titled <i>Environmental Impact Assessment, SCEGGS Darlinghurst – Adaptive re-use of Wilkinson House (SSD-19989744)</i> , prepared by Urbis Pty Ltd dated 15 February 2022, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>

EP&A Regulation	Environmental Planning and Assessment Regulation 2000
Evening	The period from 6pm to 10pm.
Feasible	Means what is possible and practical in the circumstances
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage NSW	Heritage, Department of Planning and Environment
Heritage Item	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
Incident	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>
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Management and mitigation measures	The management and mitigation measures set out in Section 10.15 of the EIS
Material harm	Is harm that: <ul style="list-style-type: none"> a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or 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)
Minister	NSW Minister for Planning (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.39 of the EP&A Act
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Operation	The carrying out of the approved purpose of the development upon completion of construction.
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
Reasonable	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.
Response to submissions	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act.
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.
Site	The land defined in Schedule 1
TfNSW	Transport for New South Wales

Waste	Has the same meaning as the definition of the term in the Dictionary to the <i>Protection of the Environment Operations Act 1997</i>
Year	A period of 12 consecutive months

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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 EIS and Response to Submissions;
 - (d) in accordance with the approved plans in the table below:

Architectural Plans prepared by Smart Design Studio			
Dwg No.	Rev	Name of Plan	Date
DA003	A	SUBJECT SITE PLAN	15.10.21
DA005	B	TEMP DEMOUNTABLES PLANS 01	11.02.22
DA006	B	TEMP DEMOUNTABLES PLANS 01	11.02.22
DA010	A	TEMP DEMOUNTABLES ELEV 01	11.02.22
DA011	A	TEMP DEMOUNTABLES ELEV 02	11.02.22
DA050	A	L00 DEMOLITION PLAN	15.10.21
DA051	A	L01 DEMOLITION PLAN	15.10.21
DA052	A	L02 DEMOLITION PLAN	15.10.21
DA053	A	L03 DEMOLITION PLAN	15.10.21
DA055	A	LG DEMOLITION PLAN	15.10.21
DA060	A	DEMO EAST ELEVATION	15.10.21
DA061	A	DEMO NORTH ELEVATION	15.10.21
DA062	A	DEMO WEST ELEVATION	15.10.21
DA063	A	DEMO SOUTH ELEVATION	15.10.21
DA066	A	E-W DEMOLITION SEC	15.10.21
DA100	A	L00 PLAN	15.10.21
DA101	A	L01 PLAN	15.10.21
DA102	A	L02 PLAN	15.10.21
DA103	A	L03 PLAN	15.10.21
DA104	A	L04 PLAN	15.10.21
DA105	A	LG PLAN	15.10.21
DA400	A	EAST ELEVATION	15.10.21
DA401	A	NORTH ELEVATION	15.10.21
DA402	A	WEST ELEVATION	15.10.21
DA403	A	SOUTH ELEVATION	15.10.21
DA450	A	SECTION AA	15.10.21
DA451	A	SECTION BB	15.10.21
DA452	A	SECTION CC	15.10.21

DA551	A	STL WINDOWS	15.10.21
DA750	A	GFA PLANS	15.10.21
SK100	A	L00 – HERTIAGE INLAY	15.10.21
SK101	A	L01 – HERTIAGE INLAY	15.10.21
SK102	A	L02 – HERTIAGE INLAY	15.10.21
Landscape Plans prepared by Context Landscape Architecture			
Dwg No.	Rev	Name of Plan	Date
L_0002	C	PLANTING SCHEDULES	16.06.22
L_1001	C	LANDSCAPE PLAN GROUND FLOOR	16.06.22
L_1002	B	LANDSCAPE PLAN LEVEL 3	16.06.22
L_7001	B	TYPICAL DETAILS	25.05.22

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) 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;
 - (b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and
 - (c) 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). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), 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.

Prescribed Conditions

- A6. The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.

Planning Secretary as Moderator

- A7. 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

- A8. 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

- A9. The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the satisfaction of the Planning Secretary. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).
- A10. A Staging Report prepared in accordance with condition A9 must:
- (a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;
 - (b) if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);
 - (c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and
 - (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.
- A11. Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.
- A12. Where construction or operation is being staged in accordance with a Staging Report, the terms of this consent 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.

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 strategy, plan or program prepared in accordance with condition A13, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of 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 BCA.

Notes:

- *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. Any minor changes to the colour and finish of approved external materials may be approved by the Certifier provided:
- (a) the alternative colour/material is of a similar tone/shade and finish to the approved external colours/building materials;
 - (b) the quality and durability of any alternative material is the same standard as the approved external building materials; and
 - (c) a copy of any approved changes to the external colours and/or building materials is provided to the Planning Secretary for information.

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) keep such information up to date, to the satisfaction of the Planning Secretary and publicly available for 12 months after the commencement of operations.

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:
- (a) the submission of a compliance report under condition A32;
 - (b) the submission of an incident report under condition A26;
 - (c) the submission of an Independent Audit under condition D37;
 - (d) the approval of any modification of the conditions of this consent; or
 - (e) the issue of a direction of the Planning Secretary under condition A2 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.

Compliance Reporting

- A32. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (2020).
- A33. Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.
- A34. The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.
- A35. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.

Use of Heritage Consultant

- A36. The Applicant must engage a suitably qualified heritage consultant to work with the project team throughout the detailed design, contract documentation and construction stages of the project.
- A37. The heritage consultant must be involved in the resolution of all matters where existing significant fabric and spaces within Wilkinson House are subject to preservation, restoration, reconstruction, adaptive re-use, recording and/or demolition.
- A38. The heritage consultant must be provided with full access to the site and is to be authorised to respond directly to the Planning Secretary where information or clarification is required regarding the resolution of heritage matters.

Photographic Archival Recording of Wilkinson House

- A39. The photographic archival recording of Wilkinson House required by condition C13 and condition C14 must be submitted in stages and in consultation with the heritage consultant required by condition A36. The photographic archival recording must occur in stages, including:
 - (a) prior to the removal of any significant building fabric or furnishings;
 - (b) during the removal of fabric that will expose significant building fabric or furnishings; and
 - (c) after works have been completed.

PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

External Walls and Cladding

- B1. Prior to the issue of any 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.

Operational Noise – Design of Mechanical Plant and Equipment

- B2. Prior to the issue of any construction certificate for the mechanical plant and equipment, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the *SCEGGS Wilkinson House, Noise Impact Assessment, Acoustics Report* prepared by ADP Consulting Pty Ltd and dated 15 October 2021 (Revision 2) have been incorporated into the design to ensure the development will not exceed the project noise trigger levels identified in the title of relevant report.

Public Domain Works

- B3. Prior to the issue of construction certificate for public domain works, 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 approval 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.

Schedule of Conservation Works

- B4. Prior to the issue of construction certificate, the Applicant must prepare a Schedule of Conservation Works that identifies all significant heritage elements in Wilkinson House that are must be retained and conserved during construction. The Schedule of Conservation Works must be prepared in consultation with Council and the heritage consultant required by condition A36 and be submitted to the Planning Secretary for approval.

Use of Heritage Consultant – Notification to Council

- B5. Prior to the issue of a construction certificate, the Applicant must provide Council with the contact details of the heritage consultant engaged to work with the project team required by condition A36.

Flood mitigation

- B6. Prior to the commencement of construction, the Applicant must provide a signed certification from a suitably qualified consultant, to satisfaction of the Certifier, identifying that any new structural components of the buildings, located below the 1% Annual Exceedance Probability (AE)) level are constructed of flood resistant materials, in accordance with the relevant Australian Standards (where possible).

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. If the construction or operation of the development is to be staged, 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, the Applicant must submit to the satisfaction of the Certifier 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, 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, gutters and footpaths) 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 to the Planning Secretary when requested.

Pre-Construction Dilapidation Survey – Adjoining Properties

- C5. Prior to the commencement of any construction, the Applicant must offer a pre-construction survey to owners of residential and heritage listed buildings that are likely to be impacted by 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 C5, 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.

Development Contributions

- C8. Prior to the commencement of construction for any part of the development, development contributions must be paid to Council under section 7.12 of the EP&A Act and in accordance with the City of Sydney Development Contributions Plan 2015.

Community Communication Strategy

- C9. No later than two weeks before the commencement of construction, a Community Communication Strategy must be submitted to the Planning Secretary for approval, prior to the commencement of construction or within another timeframe agreed with the Planning Secretary. 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.

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 Planning Secretary.

Excavation Permit Exception

- C11. Prior to the commencement of construction, the Applicant must submit an application for an Excavation Permit Exception under Section 139(4) of the *Heritage Act 1977*.

Heritage Conservation Works Program

- C12. Prior to the commencement of construction, the Applicant must prepare a Heritage Conservation Works Program for Wilkinson House and submit it to the Planning Secretary for approval. The program must:
- (a) include a methodology to implement the policies and recommendations set out in:
 - (i) *Conservation Management Plan (Part 1) SCEGGS Darlinghurst Campus* prepared by Urbis Pty Ltd and dated 26 November 2021;
 - (ii) *Conservation Management Plan (Part 2) SCEGGS Darlinghurst: Wilkinson House* prepared by Urbis Pty Ltd and dated 17 January 2022;
 - (iii) *Heritage Impact Statement SCEGGS Darlinghurst: Wilkinson House (SSD-19989744)* prepared by Urbis Pty Ltd and dated 17 January 2022;
 - (b) detail the conservation of all fabric identified as having a heritage significance including, but not limited to, any relevant stonework, brickwork, door and window joinery, glazing, hardware, pavements, signage and tiling;
 - (c) outline specifications, methodologies and detailed architectural sections, elevations and plans at a scale of 1:20 and 1:5. The details must incorporate any structural and/or building services design for the building;
 - (d) demonstrate that the eave lining to the new roof matches the existing roof in terms of detailing and design. Archival records should be undertaken to document the eave lining in detail to assist in the exact representation.
 - (e) document the salvage, re-use and recycling methodology for traditional building materials;
 - (f) ensure works are carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the building;

- (g) ensure conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter (2013); and
- (h) ensure that appropriately qualified contractors and tradespersons are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works within the heritage building.

Photographic Archival Recording of Wilkinson House

- C13. Prior to the commencement of demolition works, or alternative timing as agreed to in writing by the Planning Secretary, a photographic archival record of Wilkinson House must be prepared in accordance with the NSW Heritage Branch guidelines titled *Photographic Recording of Heritage Items using Film or Digital Capture* (2006) and in accordance with the recommendations in the *Heritage Impact Statement SCEGGS Darlinghurst: Wilkinson House (SSD-19989744)* prepared by Urbis Pty Ltd and dated 17 January 2022. The photographic archival record must capture the exterior and interior of Wilkinson House and show its relationship to the streetscape.
- C14. The digital form of the photographic archival recording must be submitted to Council, any relevant local studies collection in the locality and the Planning Secretary, and must include:
- (a) a summary report detailing the application number, project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record;
 - (b) electronic images taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4 to 6 MB and cross-referenced to the digital catalogue sheets and base plans; and
 - (c) written confirmation, issued with the authority of the Applicant and the photographer that Council is granted a perpetual non-exclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties. The signatures of the Applicant and the photographer must be included.

The report must be submitted on a USB, or digital file transfer in PDF/A format (created directly from the digital original) with a digital catalogue of images with the following data for each location, image subject/description and date.

Ecologically Sustainable Development

- C15. Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either:
- (a) registering for a minimum 4-star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifier; or
 - (b) seeking approval from the Planning Secretary for an alternative certification process.

Stormwater Management System

- C16. Prior to the commencement of construction, 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 documents and plans referred to in condition A2 of this consent;
 - (c) be in accordance with applicable Australian Standards; and
 - (d) 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.

Outdoor Lighting

- C17. 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.

Environmental Management Plan Requirements

- C18. 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

- C19. Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier for approval and provide a copy to the Planning Secretary. The CEMP must 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) groundwater management plan including measures to prevent groundwater contamination;
 - (v) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting; and
 - (vi) community consultation and complaints handling as set out in the Community Communication Strategy required by condition C9;
- (b) an unexpected finds protocol for contamination and associated communications procedure;
- (c) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;
- (d) Construction Traffic and Pedestrian Management Sub-Plan (see condition C20);
- (e) Construction Noise and Vibration Management Sub-Plan (see condition C21);
- (f) Construction Waste Management Sub-Plan (see condition C22);
- (g) Construction Soil and Water Management Sub-Plan (see condition C23); and
- (h) Construction Flood Emergency Response (see condition C24).

- C20. The Construction Traffic and Pedestrian Management Sub-Plan 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 prepared in consultation with Council and TfNSW;
- (c) 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;
- (d) detail heavy vehicle routes, access and parking arrangements;
- (e) ensure that construction vehicle movements do not occur during the school drop-off (7:30am to 9:00am) and pick up (2:30pm to 4:00pm) periods on school days;
- (f) detail the operational requirements for a Works Zone along Forbes Street, including activities to be carried out, measures for safe access and egress and hours of operation; and
- (g) include traffic control sub-plans for each of the following stages of work:
 - (i) demolition;
 - (ii) excavation;

- (iii) construction; and
 - (iv) traffic control for vehicles reversing into or out of the site.
- C21. The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:
 - (a) be prepared by a suitably qualified and experienced noise expert;
 - (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);
 - (c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
 - (d) include strategies that have been developed with the community for managing high noise generating works;
 - (e) describe the community consultation undertaken to develop the strategies in condition C21(d);
 - (f) include a complaints management system that would be implemented for the duration of the construction; and
 - (g) 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 C18.
- C22. The Construction Waste Management Sub-Plan must address, but not be limited to, the procedures for the management of waste comprising:
 - (a) the recording of quantities, classification (for materials to be removed) and validation (for materials to remain) of each type of waste generated during construction and proposed use;
 - (b) information regarding the recycling and disposal locations; and
 - (c) confirmation of the contamination status of the development areas of the site based on the validation results.
- C23. The Applicant must prepare a Construction Soil and Water Management Sub-Plan 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, including as a minimum, measures in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom 2004) commonly referred to as the 'Blue Book';
 - (d) provide a plan of how all construction works 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).
- C24. The Construction Flood Emergency Response Sub-Plan (FERSP) must address, but not be limited to, the following:
 - (a) be prepared by a suitably qualified and experienced person(s);
 - (b) address the *Floodplain Risk Management Guidelines* (EHG);
 - (c) include details of:
 - (i) the flood emergency responses for the construction phase of the development;
 - (ii) flood warning time and flood notification;
 - (iii) assembly points and evacuation routes;
 - (iv) evacuation and refuge protocols; and

- (v) awareness training for employees and contractors, and users/visitors.

C25. 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.

Construction Worker Transportation Strategy

C26. Prior to the commencement of construction, the Applicant must submit a Construction Worker Transportation Strategy to the satisfaction 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 submitted to the Planning Secretary for information.

Construction and Demolition Waste Management

C27. Prior to the commencement of the removal of any waste material from the site, the Applicant must notify the TfNSW Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site.

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.

Retention of Internal Features

- D4. The existing entrance lobby and lounge hall to Wilkinson House must be retained in their entirety consistent with the approved plans referenced in condition A2. This includes all walls, floors and ceiling finishes, fireplaces, timber joinery and carpentry, glazing, doors, windows, architraves, cornices, picture rails, skirtings, fixtures and fittings and moveable items.

Salvage, Re-use and Recycling of Traditional Building Materials

- D5. Any suitable stone, bricks, joinery, timber balustrade, timber floorboards and decorative architectural elements to be demolished including stairs, windows and doors, architraves, skirtings, picture rails, cornices, fireplaces, chimney pieces and ceiling roses must be salvaged and re-used on the project, where possible. The salvage, re-use and recycling of traditional building materials must be documented in the Heritage Conservation Works Program required by condition C12.
- D6. Where it is demonstrated that the traditional building materials listed in condition D5 cannot be re-used on the project, the materials must be transferred to an established second-hand building material dealer for recycling.

Materials for Making Good

- D7. Where new materials are used for making good and repairs, these must match the existing in terms of colours, finishes, sizes, profile and properties.

Use of Heritage Consultant – Construction Stage

- D8. The heritage consultant engaged to work with the project team in accordance with condition A36 is required undertake the following during construction:
- (a) site inspections of not less than fortnightly intervals; and
 - (b) maintain a record of site inspections that includes photographs of the works, details of heritage advice and decisions arising out of each inspection and any further physical evidence uncovered during the works.

Construction Hours

D9. 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.

D10. Construction activities may be undertaken outside of the hours in condition D9 if required:

- (a) 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; or
- (d) where a variation is approved in advance in writing by the Planning Secretary or his nominee if appropriate justification is provided for the works.

D11. Notification of such construction activities as referenced in condition D10 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.

D12. 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

D13. The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans).

Hoarding Requirements

D14. 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

D15. 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

D16. 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 Construction Noise and Vibration Management Plan.

D17. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition D9.

D18. 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

- D19. 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).
- D20. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition D19.
- D21. The limits in conditions D19 and D20 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition C21 of this consent.

Tree Protection

- D22. 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 approved disturbance area 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, to the satisfaction of Council; and
 - (c) 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

- D23. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- D24. 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

- D25. All erosion and sediment control measures must be effectively implemented and maintained in accordance with the Construction Soil and Water Management Sub-Plan.

Imported Fill

- D26. 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 Certifier upon request.

Disposal of Seepage and Stormwater

- D27. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the Certifier. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

Unexpected Finds Protocol – Aboriginal Heritage

- D28. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by EHG and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and EHG to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of EHG.

Unexpected Finds Protocol – Historic Heritage

- D29. If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the Heritage NSW contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of the Heritage NSW.

Waste Storage and Processing

- D30. 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.
- D31. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- D32. 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.
- D33. 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.
- D34. 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

- D35. 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

- D36. 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.

Independent Environmental Audit

- D37. 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.
- D38. Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).

- D39. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those agreed to above, upon giving at least 4 week's notice to the applicant of the date or timing upon which the audit must be commenced.
- D40. 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 D38 of this consent;
 - (b) submit the response to the Planning Secretary; and
 - (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Planning Secretary.
- D41. 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.
- D42. 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/ COMMENCEMENT OF OPERATION

Notification of Occupation

- E1. At least one month before the issue of the occupation certificate, the date of commencement of the operation of the 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 the 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, 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 Dilapidation Report – Adjoining Properties

- E7. Where a Pre-Construction Dilapidation Survey has been undertaken in accordance with condition C5, 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 Dilapidation Report. The 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 C5;
 - (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 Dilapidation 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*.

Works as Executed Plans

- E10. Prior to the issue of the 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.

Green Travel Plan

- E11. Prior to the commencement of operation, a Green Travel Plan must be submitted to the satisfaction of the Planning Secretary to promote the use of active and sustainable transport modes. The plan must be prepared by a suitably qualified traffic consultant in consultation with Council.

Mechanical Ventilation

- E12. Prior to the issue of the occupation certificate, the Applicant must provide evidence to the satisfaction of the Certifier that the installation and performance of the mechanical ventilation systems complies 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

- E13. Prior to the commencement of operation, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the *SCEGGS Wilkinson House, Noise Impact Assessment, Acoustics Report* prepared by ADP Consulting Pty Ltd and dated 15 October 2021 (Revision 2) have been incorporated into the design of mechanical plant and equipment to ensure the development will not exceed the recommended project trigger noise levels.

Fire Safety Certification

- E14. Prior to commencement of occupation, 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

- E15. Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifier. 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 site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and

- (b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Stormwater Operation and Management Plan

- E16. Prior to the issue of the occupation certificate, a Stormwater Operation and Maintenance Plan is to be submitted to the satisfaction of the Certifier. The plan 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

- E17. 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

- E18. Prior to the issue of the 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:
- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
 - (b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Heritage Consultant – Post-Construction Report

- E19. Prior to the issue of the occupation certificate, the Applicant must submit a final Post-Construction Report that has been prepared by the project heritage consultant to the satisfaction of the Planning Secretary. The report must:
- (a) outline how the relevant heritage conditions have been satisfied throughout the construction stage of the project; and
 - (b) confirm that all works have been completed in accordance with the Heritage Conservation Works Program for Wilkinson House required by condition C12.

A copy of the final report must be provided to Council.

Heritage Interpretation Plan

- E20. Prior to the issue of the occupation certificate, the Applicant must submit a Heritage Interpretation Plan to acknowledge the heritage of the site to the satisfaction of the Planning Secretary. The plan must:
- (a) be prepared by a suitably qualified heritage consultation with Council;
 - (b) include provision for naming elements within the development that acknowledges the site's heritage;
 - (c) incorporate interpretive information as part of the development, including:
 - (i) the original internal terrazzo staircase and timber balustrade;
 - (ii) details on the reuse of skirtings, architraves, picture rails, doors, windows and timber floorboards within the proposal;
 - (iii) the original planning and room layout must be included on each floor using floor or/and ceiling inlays;
 - (d) detail how information on the history and significance of the Wilkinson House will be provided for the public and make recommendations regarding public accessibility,

- signage and lighting (i.e. public art, details of the heritage design and/or display of selected artefacts);
- (e) specify the location, size, type and materials and contents of the interpretation device being proposed; and
- (f) detail future management and maintenance policies and timeframes for implementation.

Cyclical Maintenance Plan

- E21. Prior to the commencement of operation, the Applicant must prepare a Cyclical Maintenance Plan to the satisfaction of the Certifier. The plan must be prepared by a suitably qualified heritage consultant and must specify the frequency and methodologies to conduct building inspections and maintenance works to building elements and services.

Operational Waste Management Plan

- E22. Prior to the commencement of operation, the Applicant must prepare a 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);
 - (c) detail the materials to be reused or recycled, either on or off site; and
 - (d) include the management and mitigation measures included in the SCEGGS Darlinghurst Wilkinson House Redevelopment Operational Waste Management Plan prepared by Foresight Environmental and dated 11 November 2021 (Revision 3).

Landscaping

- E23. Prior to the commencement of operation, the Applicant must:
- (a) ensure landscaping of the site is completed in accordance with landscape plan(s) listed in condition A2(d); and
 - (b) prepare a Landscape Management Plan for the ongoing maintenance and management of landscaping on the site that must be submitted to the satisfaction of the Planning Secretary.

Operational Flood Emergency Management Plan

- E24. Prior to the issue of any occupation certificate for the development, the Applicant must engage a suitably qualified and experienced person(s) to prepare a Flood Emergency Management Plan that:
- (a) addresses the provisions of the Floodplain Risk Management Guidelines (EESG);
 - (b) includes details of:
 - (i) the flood emergency responses for the operational phase of the development;
 - (ii) predicted flood levels inundation;
 - (iii) flood warning time and notification;
 - (iv) strategies such as early or pre-emptive school closure to avoid shelter-in-place, evacuation, and refuge protocols where relevant;
 - (v) assembly points and evacuation routes where relevant, including detailed plans of the entire campus with delineated evacuation routes from the site or within the site;
 - (vi) the identification of access roads within the wider catchment, relevant to staff and caregiver, that will not be flood affected under certain flood events (not limited to Probable Maximum Flood events);
 - (vii) proposed signage within the site in relation to flood warnings;
 - (viii) safe vehicle evacuation routes; and

- (ix) details of awareness training for employees, contractors, visitors, students and caregivers.

E25. Prior to the issue of the issue of any occupation certificate for the development, the Applicant must submit the Flood Emergency Management Plan to the Planning Secretary and obtain approval.

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PART F POST OCCUPATION

Temporary demountable classrooms

- F1. All temporary demountable classrooms erected in association with the development must be removed within three months of the issue of an occupation certificate for Wilkinson House. Evidence of compliance with this condition must be provided to the Certifier and the Planning Secretary.

Operation of Plant and Equipment

- F2. 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

- F3. 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

- F4. The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.

Heritage Interpretation Plan

- F5. The Applicant must implement the most recent version of the Heritage Interpretation Plan approved under condition E20.

Operational Noise Limits

- F6. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the *SCEGGS Wilkinson House, Noise Impact Assessment, Acoustics Report* prepared by ADP Consulting Pty Ltd and dated 15 October 2021 (Revision 2).
- F7. The Applicant must undertake short term noise monitoring in accordance with the *Noise Policy for Industry* where valid data is collected following the commencement of use of each stage of the development. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within two months of commencement use of each stage of the development to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in the *SCEGGS Wilkinson House, Noise Impact Assessment, Acoustics Report* prepared by ADP Consulting Pty Ltd and dated 15 October 2021 (Revision 2). Should the noise monitoring program 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 or provide attenuation measures at the affected noise sensitive receivers.

Unobstructed Driveways and Parking Areas

- F8. All driveways, footways and parking areas must be unobstructed at all times. 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

- F9. The Green Travel Plan required by condition E11 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.

Ecologically Sustainable Development

- F10. Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star Design & As Built rating. If required to be obtained, evidence of

the certification must be provided to the Certifier and the Planning Secretary. If an alternative certification process has been agreed to by the Planning Secretary under condition C15, evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.

Outdoor Lighting

- F11. Notwithstanding condition D35, 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

- F12. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved with the approved landscape plan(s) listed in condition A2(d) for the duration of occupation of the development.

Flood Mitigation

- F13. No hazardous materials must be stored in areas below the 1% AEP flood level.
- F14. All critical services and associated infrastructure and equipment (including electrical equipment) must be set above the 1% AEP flood level.

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 \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline 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 Occupancy Licence

AN7. 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

AN8. 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

AN9. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

Handling of Asbestos

AN10. 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

AN11. 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.