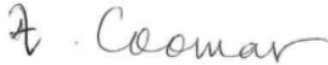


Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, under delegation executed on 26 April 2021, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Aditi Coomar
Team Leader
School Infrastructure Assessments

Sydney

17 December 2021

SCHEDULE 1

Development consent:	SSD 10260 granted by the Acting Executive Director, Infrastructure Assessments on 16 July 2020.
For the following:	Use of an existing building as a new school (International Chinese School), for up to 160 students (Kindergarten – Year 6) and associated works in three stages, including: <ul style="list-style-type: none">• construction of a one-way vehicular loop road within The Avenue to accommodate a drop-off / pick-up zone for five vehicles;• construction of three car parking spaces and modifications to the entry/exit within the public carpark of Gore Hill Park;• construction of a deceleration lane on the Pacific Highway and the entry to the public carpark adjoining Gore Hill Park;• landscaping, planting, security fencing and pathways; and• school building identification signage.
Applicant:	The Trustee for Anglo Australian Christian and Charitable Trust
Consent Authority:	Minister for Planning and Public Spaces
The Land:	No. 211 Pacific Highway, St Leonards (Lot 101 DP 791327) Lot 101 DP 11911604 (The Avenue) and Lot 7083 DP93642 (Gore Hill Park public carpark) - for vehicular / pedestrian access and drop-off / pick-up zone only
Modification:	SSD-10260-Mod-2: Increased school population from 74 to 88 students in the interim stages of the development and extended timeframe to complete Stage 2 and Stage 3 works.

SCHEDULE 2

The consent (SSD-10260) is modified as follows:

1. Schedule 2 – Part A – Administrative Conditions – Condition A11 is amended by the deletion of the ~~struckout~~ words/numbers and adding the words/numbers in **bold and underline** as follows:

Student and Staff Numbers

A11. Prior to the student numbers at ICS exceeding 74 **88** students or **by 30 May 2022** ~~within 9 months of commencement of operation~~, unless otherwise agreed by the Planning Secretary, a deceleration lane, removal of driveway crossing, and associated pedestrian fencing and footpath, as identified in the plans listed in condition A2, must be constructed with appropriate approvals obtained from Transport for NSW (TfNSW) and Council (where applicable) and be operational.

2. Schedule 2 – Part A – Administrative Conditions – Condition A18 is amended by the deletion of the ~~struckout~~ words/numbers and adding the words/numbers in **bold and underline** as follows:

Staging

A18. The commencement of construction works and operation of the Site as ICS must be undertaken in accordance with the following stages:

- (a) Stage 1 – use of the existing building as ICS with a maximum of 74 **88** students, completion of landscaping, fencing and signage within 211 Pacific Highway, St Leonards;
- (b) Stage 2 – Within 6 **12** months of commencement of Stage 1 completion of drop-off / pick-up zone within The Avenue and operation of this area including completion of all works within the public carpark, unless an alternate timing is agreed by the Planning Secretary; and
- (c) Stage 3 – **By 30 May 2022** ~~Within 9 months of Stage 4~~ or prior to student numbers exceeding 74 **88**, completion of the deceleration lane and associated works, unless an alternate timing is agreed by the Planning Secretary.

3. Schedule 2 – Part A – Administrative Conditions – Condition A35 is amended by the deletion of the ~~struckout~~ words/numbers and adding the words/numbers in **bold and underline** as follows:

Independent Environmental Audit

A35. Table 1 of the Independent Audit Post Approval Requirements, is amended so that the Independent Audit Schedule frequency of Independent Audits required in the operational phase is:

- (a) An initial operational Independent Audit must be undertaken within three months of the notified commencement date of operation; and
- (b) A subsequent operational Independent Audit must be undertaken no later 3 months of student numbers exceeding 74 **88**.

4. Schedule 2 – Part E – Prior To The Issue of Occupation Certificate / Commencement of Operation – Condition E33 is amended by the deletion of the ~~struckout~~ words/numbers and adding the words in **bold and underline** as follows:

Green Travel Plan

- E33. Prior to the student numbers exceeding 74 **88**, a final Green Travel Plan (GTP), must be submitted to the satisfaction of the Certifier and a copy submitted to Council for information, to promote the use of active and sustainable transport modes. The plan must:
- (a) be prepared by a suitably qualified traffic consultant in consultation with TfNSW;
 - (b) include operational hours including OOSH and provide number of trips made during these periods;
 - (c) confirm staging of student enrolments;
 - (d) identify school enrolment catchment and proportion students reside within walking and cycling distance;
 - (e) confirm number of students eligible for School Student Transport scheme;
 - (f) include a Travel Access Guide to provide materials that are easily understood by students;
 - (g) details of access provisions for students with special needs;
 - (h) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
 - (i) include specific tools and actions to help achieve the objectives and mode share targets;
 - (j) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and
 - (k) include details regarding the methodology and monitoring / review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.
5. Schedule 2 – Part E – Prior To The Issue of Occupation Certificate / Commencement of Operation – Condition E35 is amended by the deletion of the ~~struckout~~ words/numbers and adding the words in **bold and underline** as follows:

Operational Management Plan

- E35. The OMP must be submitted to the Certifier for approval and a copy submitted to Council after approval. The OMP must be updated prior to:
- (a) Completion of the drop-off / pick-up zone within The Avenue; and
 - (b) Prior to increase in student numbers beyond 74 **88**.
6. Schedule 2 – Part F – Post Occupation – Condition F2 is amended by the deletion of the ~~struckout~~ words/numbers and adding the words/numbers in **bold and underline** as follows:

Completion of roadworks /deceleration lane and dedication of land

- F2. Prior to the student numbers exceeding 74 **88**, the following evidence must be submitted to the satisfaction of the Certifier and a copy submitted to Council for information:
- (a) all roadworks including removal of the driveway, reinstatement of kerb and gutter, construction of the deceleration lane, construction of realigned pedestrian pathway and pedestrian fence have been completed;

- (b) associated infrastructure upgrades (including relevant stormwater works) have been completed;
- (c) signage and line-marking has been completed;
- (d) relevant agency approvals have been obtained;
- (e) matters in relation to dedication of the deceleration lane to TfNSW have been completed; and
- (f) relevant boundary adjustment is completed and registered.

**End of modification
(SSD-10260-Mod-2)**