

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

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

These conditions are required to:

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



Karen Harragon
Director
Social and Infrastructure Assessments

Sydney

25 October 2021

SCHEDULE 1

Application Number:	SSD-10424
Applicant:	Saint Ignatius' College Riverview Limited
Consent Authority:	Minister for Planning and Public Spaces
Site:	2-60 Riverview Street and Tambourine Bay Road, Riverview Lot 10 DP 1142773
Development:	Stage 2 of the of Saint Ignatius' College Riverview development comprising: <ul style="list-style-type: none">• demolition works, removal of services and construction of new five storey building (Ignis building) to accommodate flexible teaching and learning facilities, six pastoral care areas, staff rooms, multi-purpose hall, canteen and basement service level;• internal demolition works and refurbishment of the O'Neil Building to integrate with the new building;• redevelopment of the courtyard area and inclusion of a covered outdoor learning area; and• associated landscaping upgrade works.

DEFINITIONS

Aboriginal object	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Aboriginal place	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
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	Saint Ignatius' College Riverview Limited or any other person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
CEMP	Construction Environmental Management Plan
Certifier	Means a council or accredited certifier
Compliance Reporting Post Approval Requirements	Compliance Reporting Post Approval Requirements as available on the Department's website
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 demolition and removal of buildings, the carrying out of works for the purposes of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"> • 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 EES Group or DPIE Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation)</p>
Council	Lane Cove 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, Industry and Environment
Development	The development described in the EIS, RtS and SRtS including the works and activities comprising of alterations to existing buildings and construction of a new building, as modified by the conditions of this consent.
Development Area	The approximately triangular area between the Therry/O'Neil Building to the west, the Wallace Building and Ramsay Building to the south and Loyola

Drive to the east/south, as identified in DA100 Issue B Site Plan prepared by PMDL dated 09/07/2021.

Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
EES Group	Environment, Energy and Science Group of the Department of Planning, Industry and Environment (Former Office of Environment and Heritage)
EIS	The Environmental Impact Statement titled <i>Environmental Impact Statement, SSD10424-Saint Ignatius' College Riverview, 2-60 Riverview Street and Tambourine Bay Road, Riverview</i> , prepared by Willowree Planning Pty Ltd dated November 2020, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
ENM	Excavated Natural Material
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
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, Community Engagement of the Department of Premier and Cabinet
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
Ignis building	A new five storey building including a basement level as identified in the plans listed in condition A2.
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>
Independent Audit Post Approval Requirements	Independent Audit Post Approval Requirements as available on the Department's website
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
LTEMP	Long Term Environmental Management Plan
Management and mitigation measures	The management and mitigation measures set out in Part I of the EIS and Part F of the RtS.
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 and Public Spaces (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.
PA	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act.
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
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.
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.
Response to submissions (RtS)	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.
School	Saint Ignatius' College Riverview
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.
Supplementary Response to Submissions (SRtS)	The Applicant's response and supporting documents, responding to issues raised by the Department in relation to the application for consent for the development under the EP&A Act submitted to the Department on 9 September 2021.
Site	The land defined in Schedule 1.
Site Auditor	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Report	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Statement	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
TfNSW	Transport for New South Wales
TfNSW(RMS)	Transport for New South Wales (Roads and Maritime Services)
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

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

Terms of Consent

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) generally in accordance with the EIS and Response to Submissions (RtS) and Supplementary Response to Submissions (SRtS);
 - (d) in accordance with the approved plans in the table below:

Architectural Plans prepared by PMDL			
Dwg No.	Rev	Name of Plan	Date
DA001	B	Cover Page	09/07/2021
DA100	B	Site Plan	09/07/2021
DA110	B	North Ext. Render & Materials	09/07/2021
DA111	B	South Ext. Render & Materials	09/07/2021
DA120	B	Demolition Plan – Site Works	09/07/2021
DA121	B	Demolition Plans – O’Neil Bldg	09/07/2021
DA130	B	Level -1 Plan	09/07/2021
DA131	B	Level 0 Plan	09/07/2021
DA132	B	Level 1 Plan	09/07/2021
DA133	B	Level 2 Plan	09/07/2021
DA134	B	Level 3 Plan	09/07/2021
DA135	B	Roof Plan	09/07/2021
DA136	B	Roof Upper Plan	09/07/2021
DA200	B	Site Elevation / Sections	09/07/2021
DA201	B	Elevations Sheet 1	09/07/2021
DA202	B	Elevations Sheet 2	09/07/2021
DA300	B	Sections Sheet 1	09/07/2021
DA400	B	Detail Sections	09/07/2021
Landscape plans prepared by Arcadia			
Dwg No.	Rev	Name of Plan	Date
-	D	Cover Sheet	23/10/2020
101	D	Landscape Stage 2 Masterplan	23/10/2020
401	D	Softworks 01	23/10/2020
402	D	Softworks 02	23/10/2020
403	D	Softworks 03	23/10/2020
404	D	Softworks 04	23/10/2020
405	D	Softworks 05	23/10/2020

406	D	Softworks 06	23/10/2020
407	D	Softworks 07	23/10/2020
408	D	Softworks 08	23/10/2020
409	D	Softworks 09	23/10/2020
600	D	Landscape Details 01	23/10/2020
601	D	Landscape Details 02	23/10/2020
602	D	Landscape Specification	23/10/2020

- 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) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Limits of Consent

- A5. This consent lapses five years after the date of consent unless work is physically commenced.
- A6. This development consent does not permit any changes to the approved student/staff numbers within the school.
- A7. This development consent does not approve any additional car parking provisions or alterations to the existing car parking provisions within the site.
- A8. This development consent does not permit any out of school hours community use or any additional out of school hours events outside of those that are existing and/or have been approved by the concept approval (SSD-7140) and/or by other development consents applicable to the site.

Prescribed Conditions

- A9. 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

- A10. 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

- A11. 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

- A12. 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).
- A13. A Staging Report prepared in accordance with condition A12 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.
- A14. Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.
- A15. 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

- A16. 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).
- A17. Any strategy, plan or program prepared in accordance with condition A16, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.
- A18. 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.

- A19. 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

- A20. 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:

- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*
- *Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of Subsidence Advisory NSW's approval before carrying out certain development in a Mine Subsidence District.*

External Walls and Cladding

- A21. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

Applicability of Guidelines

- A22. 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.
- A23. 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

- A24. 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

- A25. 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

A26. 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

A27. 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.

A28. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 2**.

Non-Compliance Notification

A29. 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.

A30. 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.

A31. 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

A32. Within three months of:

- (a) the submission of a compliance report under condition A34;
- (b) the submission of an incident report under condition A28;
- (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 A3 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.

A33. 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 and / 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

A34. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (2020).

- A35. 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.
- A36. The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.
- A37. 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.

PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

External Walls and Cladding

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

Operational Noise – Design of Mechanical Plant and Equipment

- B2. Prior to the issue of any relevant construction certificate for the design of mechanical plant and equipment, the Applicant must incorporate the design related noise mitigation recommendations in the *SEARs Acoustic Report Riverview Ignis Project - Stage 2*, prepared by PKA Acoustic Consulting dated 14 October 2020 (R02v1), into the detailed design drawings. The Certifier must verify that all of the design related noise mitigation measures have been incorporated into the detailed design drawings to ensure the development will not exceed the recommended operational noise levels identified in the *SEARs Acoustic Report Riverview Ignis Project - Stage 2*, prepared by PKA Acoustic Consulting dated 14 October 2020 (R02v1).

Design of Operational Waste Storage and Processing

- B3. Prior to the issue of any relevant construction certificate for the new Ignis building, the Applicant must:
- (a) update the Ignatius College Riverview Operational Waste Management Plan prepared by Waste Audit dated September 2020 to incorporate the following:
 - (i) details of waste collection areas and/or bin storage areas associated with the canteen located at the ground floor of the building including the number and types of waste bins needed for this facility, in accordance with Council's standards;
 - (ii) details of the paths along which the bins would be carted from the waste storage areas in the Ignis building to the central waste storage facility within the site; and
 - (iii) details of bin collection frequency from the canteen of the Ignis building;
 - (b) update the detailed design plans for the Ignis building and the refurbished O'Neil building (if relevant) to incorporate the design of the operational waste storage area for the canteen and the various other relevant components of the building, in accordance with Council's standards; and
 - (c) submit the updated reports and plans required by condition B3(a) and B3(b) to the Certifier for approval.

Driveway and Service Vehicle Layout

- B4. Prior to the issue of any relevant construction certificate for the basement and service vehicle parking / loading / unloading areas, evidence must be submitted to the Certifier that the operational access and parking (where necessary) arrangements comply with the following requirements:
- (a) the swept path of the longest vehicle entering and exiting the building basement in association with the new work, as well as manoeuvrability immediately outside the Ignis Building, are in accordance with the latest version of AS 2890.2; and
 - (b) the entry and exit driveway gradients as well as all proposed work is to the internal roundabout comply with the latest version of AS 2890.2.

Landscaping

- B5. Prior to the issue of any relevant construction certificate, the Applicant must prepare a revised Landscape Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must:
- (a) be generally consistent with the approved Landscape Stage 2 Masterplan in condition A2 of this development consent;
 - (b) allow for additional planting within the proposed courtyards where possible;

- (c) include evidence of consultation with the relevant Aboriginal Party (including the Cammeraygal people) in the development of the detailed landscape plan including, but not limited to, the useability, amenity and plant species selection (being cultural and sensory);
- (d) demonstrate that the users of the approved Ignis building would have multiple points of connection with the landscaped areas at the ground level;
- (e) ensure that the Figtree (identified in *Landscape Stage 2 Master Plan* prepared by Arcadia dated 23 October 2020) has suitable ground coverage supporting amenity for rigorous student use;
- (f) include details of materials, finishes and paving, consistent with *St Ignatius College Riverview Stage 2 Landscape SSDA* prepared by Arcadia dated October 2020, that provide opportunities for multi-use outdoor play areas;
- (g) include evidence to demonstrate that the stories learnt during the Connection with Country consultation have been used in the development of landscaping design as well as patterns, paving's and surface renders;
- (h) demonstrate that the 32 replacement trees, consistent with Landscape plans listed in condition A2, have been provided;
- (i) include details of any additional infrastructure, where relevant;
- (j) detail the location, species, maturity and height at maturity of plants to be planted on-site; and
- (k) include species (trees, shrubs and groundcovers) indigenous to the local area.

Driveways, Vehicle Crossing and Access to Basement from Loyola Drive

- B6. Prior to the issue of any relevant construction certificate for the driveways and vehicular crossings connecting the Ignis building basement to Loyola Drive, the Applicant must submit design plans to the satisfaction of the Certifier which demonstrate that the proposed accesses to the development are designed to accommodate the turning path of a small rigid vehicle (SRV) and the vehicular crossings (if any) are designed to meet the Council's standards.

Building Code of Australia

- B7. The construction certificate plans must demonstrate that the site can provide accessways from the main points of pedestrian entry to the proposed works in accordance with DP1 and DP2 of the Building Code of Australia.
- B8. The construction certificate plans must demonstrate that the new parts and any affected part of the buildings comply with the Access Code under the Disability (Access to Premises – Buildings) Standards 2010 to ensure access to building, facilities and services within the building is provided for people with a disability.

Site Contamination

- B9. Prior to the issue of ANY construction certificate or within 6 months of the date of release of this development consent (whichever occurs earlier) Applicant must conduct site investigations to confirm the full nature and extent of the contamination at the project area and identified in *Report on Updated Preliminary Site (Contamination) Investigation* prepared by Douglas Partners dated 31 January 2020 and comply with the following requirements:
- (a) the site investigations must be undertaken, and the subsequent report(s), must be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997*;
 - (b) the site investigation(s) must include borehole testing pits distributed within the development area (as defined in this consent), except the carriageway of Loyola Drive;
 - (c) the recommendations of the *Report on Updated Preliminary Site (Contamination) Investigation* prepared by Douglas Partners dated 31 January 2020 and the unexpected finds procedure must be updated following results of further site investigations;

- (d) the documentation must include Detailed Investigation Reports and Remedial Action Plans, if recommended by the updated investigation report mentioned in condition B9(c); and
- (e) all reports required by condition B9 must be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.

Stormwater Management System

B10. Prior to the commencement of any relevant construction stage, 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 EIS and listed below:

Civil Engineering drawings prepared by Taylor Thomas Whitting			
Dwg No.	Rev	Name of Plan	Date
SKC00	P3	Cover Sheet and General Notes	15/10/2020
SKC10	P4	Concept Sediment and Erosion Control Site Plan	15/10/2020
SKC20	P5	Concept Locality Plan	15/10/2020
SKC21	P10	Concept Stormwater Management Plan Basement Level	15/10/2020
SKC22	P10	Concept Stormwater Management Plan Ground Level	15/10/2020
SKC50	P3	Details Sheet	15/10/2020
SKC92	P2	Stormwater Catchment Plan	15/10/2020

- (c) be in accordance with applicable Australian Standards;
- (d) include all details of stormwater quality treatment measures as outlined in *Saint Ignatius' College Riverview Stage 2 Civil Engineering Report* prepared by Taylor Thomas Whitting dated 16 October 2020; and
- (e) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

Geotechnical recommendations

B11. Prior to commencement of any relevant construction stage which involves ground disturbance, the construction certificate plans must demonstrate compliance with the recommendations as outlined in *Saint Ignatius' College Riverview: Ignis Stage 2 Structural SSDA Report* prepared by Northrop Consulting Engineers Pty Ltd dated 5 November 2020.

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 of any relevant stage, 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.

Protection of Public Infrastructure

- C4. Prior to the commencement of any construction, the Applicant must:
 - (a) consult with the relevant owner and provider of services 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 dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (along Riverview Street and Tambourine Bay Road frontage and the roundabout at the intersection of the two roads with Loyola Drive) including roads, gutters and footpaths; and
 - (c) submit a copy of the dilapidation report to the Planning Secretary, Certifier and Council.

Pre-Construction Dilapidation Report

- C5. Prior to the commencement of any construction, the Applicant must submit a pre-commencement dilapidation report to Council, and the Certifier. The report must provide an accurate record of the existing condition of adjoining private properties, heritage items and Council assets (if any) in the zone of influence that are likely to be impacted by the proposed works.

Community Communication Strategy

- C6. No later than two weeks before the commencement of any construction, a Community Communication Strategy must be submitted to the Planning Secretary for approval and approved by the Planning Secretary 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 construction of the development and for a minimum of 6 months following the completion of construction.

The Community Communication Strategy must:

- (a) identify people to be consulted during the construction phase;
- (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

- C7. Prior to the commencement of construction of any relevant stage, 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.

Environmental Management Plan Requirements

- C8. 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

- C9. Prior to the commencement of any construction (including internal demolition works), the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier 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) stormwater control and discharge;
 - (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
 - (vi) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
 - (vii) community consultation and complaints handling as set out in the Community Communication Strategy required by condition C6;
 - (viii) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations generally consistent with *Saint Ignatius College Riverview Demolition & Construction Waste Management Plan* September 2020 prepared by Waste Audit & Consultancy Services;
- (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition C13);
- (c) Construction Noise and Vibration Management Sub-Plan (see condition C14);
- (d) Construction Soil and Water Management Sub-Plan (see condition C16);
- (e) an unexpected finds protocol for contamination and associated communications procedure; and
- (f) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure.

- C10. The Applicant must not commence construction of the development until the CEMP is approved by the Certifier and a copy submitted to the Planning Secretary.

- C11. The Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must be prepared to achieve the objective of ensuring safety and efficiency of the road network and address, but not be limited to, the following:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be prepared in consultation with Council and TfNSW/TfNSW(RMS);

- (c) be consistent with the *Preliminary Construction Traffic and Pedestrian Plan* prepared by Positive Traffic Pty Ltd dated October 2020 submitted with the EIS;
 - (d) include details of predicted number of construction vehicle movements per day and detail of vehicle types, noting that vehicle movements are to be minimised during peak traffic periods;
 - (e) include assessment of potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
 - (f) include details to demonstrate the construction vehicle access arrangements and student / staff access to the site during construction works to ensure safe operation of the school at all times;
 - (g) 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;
 - (h) detail the measures regarding existing students and operation; and
 - (i) detail heavy vehicle routes, access and parking arrangements.
- C12. The Construction Noise and Vibration Management Sub-Plan (CNVMSP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced noise expert;
 - (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) and the noise guidelines criteria in section 5.4 of the *SEARs Acoustic Report Riverview Ignis Project - Stage 2*, prepared by PKA Acoustic Consulting dated 14 October 2020 (R02v1);
 - (c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
 - (d) include details of hours within which the rock hammering, sheet piling, pile driving and similar activities are proposed to be scheduled, such as (but not limited to):
 - (i) 9am to 12pm, Monday to Friday;
 - (ii) 2pm to 5pm Monday to Friday; and
 - (iii) 9am to 12pm, Saturday.
 - (e) include strategies that have been developed with the community for managing high noise generating works;
 - (f) describe the community consultation undertaken to develop the strategies in condition C12(e);
 - (g) includes details of the noise management measures (including scheduling of high noise generating activities, noise barriers within the site, hoardings etc) that would be installed to ensure that students / staff are not impacted by the construction noise;
 - (h) include a complaints management system that would be implemented for the duration of the construction; and
 - (i) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures.C8
- C13. The Applicant must prepare a Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following:
- (a) be prepared by a suitably qualified expert, in consultation with Council;
 - (b) describe all erosion and sediment controls to be implemented during construction, as a minimum, in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom 2004) commonly referred to as the 'Blue Book';
 - (c) 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);
 - (d) detail all off-Site flows from the Site; and

- (e) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to, 1 in 5-year ARI.
- C14. 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 Parking

- C15. Prior to the commencement of construction, the Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that construction traffic associated with the development does not utilise public and residential streets or public parking facilities.

Aboriginal Heritage

- C16. Prior to the commencement of any construction, an induction must be provided to all construction staff, employees, contractors and sub-contractors in respect of Aboriginal heritage protection and their responsibilities under the *National Park Act 1974* by a suitably qualified archaeologist. A written induction must also be provided and included in all environmental and safety documentation for future reference.

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 latest version of 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.

Ecologically Sustainable Development

- C18. 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.

Site Contamination

- C19. The Applicant must engage a NSW EPA-accredited Site Auditor to provide advice throughout the duration of works to ensure that any work required in relation to soil or groundwater contamination is appropriately managed.

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 C7.

Construction Hours

- D4. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:
- (a) between 7am and 6pm, Mondays to Fridays inclusive; and
 - (b) between 8am and 1pm, Saturdays.

No work may be carried out on Sundays or public holidays.

- D5. Construction activities may be undertaken outside of the hours in condition D4 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.
- D6. Notification of such construction activities as referenced in condition D5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- D7. Rock breaking, rock hammering, sheet piling, pile driving and similar activities must be scheduled during the hours as identified in the CNVMSP, unless otherwise agreed within the Planning Secretary.

Implementation of Management Plans

- D8. The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans).

Construction Traffic

- D9. All construction vehicles including site personnel vehicles are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site or an approved on-street work zone before stopping.

Hoarding Requirements

D10. 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

D11. 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

D12. The development must be constructed to achieve the noise management levels and/or management and mitigation measures in the CNVMSP.

D13. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site outside of the construction hours of work outlined under condition D4 unless approved by D5.

D14. 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

D15. 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 latest version of *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006).

D16. Vibratory compactors must not be used closer than 30m from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition D15.

D17. The limits in conditions D15 and D16 apply unless otherwise outlined in a CNVMSP, approved as part of the CEMP required by condition C12 of this consent.

Tree Protection

D18. For the duration of the construction works:

- (a) all street trees immediately adjacent to the development area and/or the site, 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;
- (b) all trees on the site that are not approved for removal must be suitably protected during construction as per the recommendations of the *Arboriculturally Impact Assessment Tree Protection Specification* prepared by Tree IQ dated 2 November 2020 revision B; 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

- D19. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- D20. 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

- D21. All erosion and sediment control measures must be effectively implemented and maintained in accordance with the CSWMSP.

Imported Soil

- D22. The Applicant must:
- (a) ensure that only VENM, ENM, or other material approved in writing by 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

- D23. 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

- D24. 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 EES Group 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 EES Group to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of EES Group.

Unexpected Finds Protocol – Historic Heritage

- D25. 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.

Protection of Aboriginal Sites

- D26. The registered Aboriginal sites within Saint Ignatius' College, Riverview campus must be protected at all times and not impacts in any way during the construction of the proposed works approved under this development consent.

Waste Storage and Processing

- D27. 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.
- D28. All waste generated during construction must be assessed, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- D29. 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.
- D30. 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.
- D31. 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

- D32. 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

- D33. Where relevant, if remediation is required for the site (as per requirements of condition B9), it must be carried out in accordance with a Remediation Action Plan (approved by an NSW EPA-accredited Site Auditor) required by condition B9 (where necessary) and the unexpected finds protocol required by condition C9.
- D34. If work is to be carried out / completed in stages, a NSW EPA-accredited Site Auditor must confirm satisfactory completion of each stage by the issuance of Interim Audit Advice(s).
- D35. 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

- D36. 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.
- D37. Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).
- D38. 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.
- D39. 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 D37 of this consent;
 - (b) submit the response to the Planning Secretary and the Certifier; and
 - (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Planning Secretary.
- D40. 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.
- D41. 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 any relevant 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 any relevant 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

- E4. Prior to the issue of any relevant occupation certificate, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is:
- (a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure;
 - (b) to be submitted to the Certifier. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifier must:
 - (i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and
 - (ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
 - (c) to be forwarded to Council for information.

Protection of Public Infrastructure

- E5. Unless the Applicant and the applicable 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 development; and
 - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

Note: This condition does not apply to any damage to roads caused as a result of general road usage.

Protection of Property

- E6. Unless the Applicant and the applicable owner agree otherwise, the Applicant must repair, or pay the full costs associated with repairing any property that is damaged by carrying out the development.

Utilities and Services

- E7. Prior to the issue of any relevant 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

- E8. Prior to the issue of any relevant occupation certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifier.

Green Travel Plan

- E9. Prior to the commencement of operation, a Green Travel Plan (GTP), must be submitted to the satisfaction of the Planning Secretary to promote the use of active and sustainable transport modes. The plan must:
- (a) be consistent with *Saint Ignatius College, Riverview Green Travel Plan FINAL* prepared by High Range Analytics Pty Ltd dated 27 November 2020;
 - (b) be prepared by a suitably qualified traffic consultant in consultation with TfNSW;
 - (c) include details based on the updated student catchment area including the number and/or proportion of students living in each postcode;
 - (d) include a travel survey of school staff and students undertaken in 2023 or prior to commencement of operation of the Ignis building (whichever occurs earlier);
 - (e) identify the number of staff and students within reasonable walking/cycling distance;
 - (f) include staged mode share targets for staff and student which reflect a commitment to increase non-car mode share for travel to and from the site;
 - (g) prepare a Transport Access Guide for staff and students providing information about the range of travel modes, access arrangements and supporting facilities that service the site;
 - (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.

Mechanical Ventilation

- E10. Prior to the issue of any relevant 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

- E11. Prior to the issue of any relevant occupation certificate, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the *SEARs Acoustic Report Riverview Ignis Project - Stage 2*, prepared by PKA Acoustic Consulting dated 14 October 2020 (R02v1) have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the *SEARs Acoustic Report Riverview Ignis Project - Stage 2*, prepared by PKA Acoustic Consulting dated 14 October 2020 (R02v1).

Driveway and Service Vehicles

- E12. Prior to the issue of any relevant occupation certificate or other timeframe agreed in writing by the Planning Secretary, evidence must be submitted to the satisfaction of the Planning Secretary that demonstrates that the proposed driveway, roundabout works and the service vehicle layout, loading and unloading areas comply with the requirements of condition B4.

Road Damage

- E13. Prior to the issue of any relevant 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.

Fire Safety Certification

- E14. Prior to issue of any relevant occupation certificate, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.

Structural Inspection Certificate

- E15. Prior to the of any relevant occupation certificate of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the 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.

Compliance with Food Code

- E16. Prior to the issue of any relevant occupation certificate, the Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 *Design, construction and fit-out of food premises* and provide evidence of receipt of the certificate to the satisfaction of the Certifier.

Stormwater Quality Management Plan

- E17. Prior to the issue of any relevant occupation certificate, an Operation and Maintenance Plan (OMP) is to be submitted to the satisfaction of the Certifier along with evidence of compliance with the OMP. The OMP must ensure the proposed stormwater quality measures remain effective and contain the following:
- (a) maintenance schedule of all stormwater quality treatment devices;
 - (b) record and reporting details;
 - (c) relevant contact information; and
 - (d) Work Health and Safety requirements.

Warm Water Systems and Cooling Systems

- E18. 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

- E19. Prior to the issue of any relevant occupation certificate, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:
- (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.

Signage

- E20. Prior to the issue of any relevant occupation certificate or the commencement of operation of the buildings approved by this development consent (whichever occurs first), way-finding signage and signage identifying the necessary elements of this development must be installed.

Operational Waste Management

- E21. Prior to the issue of any relevant occupation certificate for the canteen area of the Ignis building, the Applicant must prepare a final Operational Waste Management Plan for the development and submit it to the Certifier. The Waste Management Plan must:
- (a) be generally consistent with the updated Operational Waste Management Plan in condition B3;
 - (b) indicate the location of the waste storage areas, compliance of the bin storage area dimensions and number of bins with Council's standards;
 - (c) detail the type and quantity of waste to be generated during operation of the development;
 - (d) detail the methodology of collecting waste from the Ignis building and carting the waste to the central waste collection area within the site;
 - (e) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Department of Environment, Climate Change and Water, 2009); and
 - (f) detail the materials to be reused or recycled, either on or off site.
- E22. Prior to the any relevant occupation certificate for the canteen area of the Ignis building, the Applicant must demonstrate to the satisfaction of the Certifier that all waste collection areas within the building and the landscaped areas (if relevant) have been designed and incorporated in accordance with condition B3.

Site Contamination

- E23. If, based on further site investigations undertaken in accordance with condition B9, it is determined that ongoing on-site management of soil or groundwater contamination is required, then the following requirements must be satisfied, prior to the issue of the any relevant occupation certificate for proposed works that would result in ground disturbance:
- (a) the Applicant must engage a NSW EPA-accredited Site Auditor to confirm the appropriateness of the site for the proposed use. The Applicant must obtain from a NSW EPA-accredited Site Auditor a Section A2 Site Audit Statement accompanied by an Environmental Management Plan prepared by a certified consultant and submit it to the Planning Secretary and relevant Council for information prior to the issue of the relevant occupation certificate or the commencement of operation (whichever occurs earlier);;
 - (b) the development must not be used for the purpose approved under the terms of this consent until a Site Audit Statement determines the land is suitable for that purpose and any conditions on the Site Audit Statement have been complied with.

Landscaping

- E24. Prior to the issue of any relevant occupation certificate, landscaping of the site must be completed in accordance with condition B5.
- E25. Prior to the issue of the any relevant occupation certificate, the Applicant must prepare an Operational Landscape Management Plan to manage the revegetation and landscaping on-site, to the satisfaction of the Certifier. The plan must describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping.
- The Applicant must not commence operation until the Operational Landscape Management Plan is submitted to the Certifier.

PART F POST OCCUPATION

Operation of Plant and Equipment

- F1. 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

- F2. 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.

Decommissioning of the existing canteen within the site

- F3. Within 3 months of the commencement of operation for the canteen within the Ignis building, the existing canteen within the site must be decommissioned and satisfactory evidence in this regard must be submitted to the Certifier.

Community Communication Strategy

- F4. The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 6 months following the completion of construction.

Operational Noise Limits

- F5. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in *SEARs Acoustic Report Riverview Ignis Project - Stage 2*, prepared by PKA Acoustic Consulting dated 14 October 2020 (R02v1).

Unobstructed Driveways and Parking Areas

- F6. 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

- F7. The Green Travel Plan required by condition E9 of this consent must be updated every three years and implemented unless otherwise agreed by the Planning Secretary.

Ecologically Sustainable Development

- F8. 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 C18, evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.

Outdoor Lighting

- F9. Notwithstanding condition D32, 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

- F10. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition E24 for the duration of occupation of the development.

APPENDIX 1 ADVISORY NOTES

General

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

Long Service Levy

AN2. For work costing \$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 Design and Traffic Facilities

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

Road Occupancy Licence

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

SafeWork Requirements

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

Hoarding Requirements

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

Handling of Asbestos

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

Fire Safety Certificate

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

APPENDIX 2 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary through the major projects portal within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition A27 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.