

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

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

These conditions are required to:

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

Karen Harragon
Director
Social and Infrastructure Assessment

Sydney

30 August 2022

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

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

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SCHEDULE 1

Application Number:	SSD-2728140
Applicant:	St Aloysius College, Rozelle Campus
Consent Authority:	Minister for Planning
Site:	48 Victoria Road, Rozelle (Lot 1 DP 82780 and Lot 2 DP 656961) 2A and 2B Gordon Street (Lot 1 DP 169780)
Development:	Fit-out and adaptive re-use of two existing buildings (on two separate sites) for a new school (St Aloysius College, Rozelle campus) to accommodate a maximum of 200 students (age group 13 – 15 years) and 15 staff members with associated car parking, landscaping, shuttle bus services and on street drop-off/pick-up zones.

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SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-27208140-Mod-1	10 February 2023	Team Leader, School Infrastructure Assessments	To stage the occupation certificate to enable the students to occupy the buildings on Victoria Road and Gordon Street prior to commissioning of the lifts and completion of landscaping.

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	St Aloysius College 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
Certified Contaminated Land Consultant	A person certified in accordance with the requirements of the Contaminated Land Consultant Certification Policy Version 2 (EPA November 2017) or any subsequent policies as in force from time to time
Certifier	Means a council or accredited certifier
Conditions of this consent	The conditions contained in Schedule 2 of this document
Construction	<p>All physical work to enable operation including but not limited to the 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 EHG or DPE Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation)</p>
Council	Inner West Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning and Environment
Development	The development described in the EIS and Response to Submissions, including the works and activities comprising alterations and additions to the existing buildings, landscaping and associated works for the new school, as modified by the conditions of this consent.
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services

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EHG	Environment and Heritage Group of the Department of Planning and Environment
EIS	The Environmental Impact Statement titled “Environmental Impact Statement - St Aloysius’ College Off-Site Campus”, prepared by Willowtree Planning Pty Ltd dated 10 November 2021, 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	Environmental Planning and Assessment Regulation 2000 <i>[Note: in line with the savings and transitional provisions of Schedule 6 sections (2) & (3) of the EP&A Reg 2021, if the application was made but not determined prior to 1 March 2022, the 2000 Regulation applies]</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
Incident	An occurrence or set of circumstances that causes, or threatens to cause, material harm and which may or may not be, or cause, a non-compliance <i>Note: “material harm” is defined in this consent</i>
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act.
Material harm	Is harm that: a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	NSW Minister for Planning (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.39 of the EP&A Act
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
OMP	Operational Management Plan
OTAMP	Operational Traffic and Access Management Plan

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Operation	The carrying out of the approved purpose of the development upon completion of construction.
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
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.
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.
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, titled "Response to Submissions - St Aloysius College Rozelle Campus", prepared by Willowtree Planning Pty Ltd dated 9 May 2022.
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.
Site	The land defined in Schedule 1.
SRtS	The Applicant's supplementary RtS, prepared by Willowtree Planning Pty Ltd dated 6 June 2022.
TfNSW	Transport for New South Wales
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

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SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

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

Terms of Consent

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) generally in accordance with the EIS, Response to Submissions (RtS), supplementary RtS (SRtS) and **Modification Report and Modification Report Addendum for SSD-27208140-Mod-1**; and
 - (d) in accordance with the approved plans in the table below:

Architectural Plans prepared by PDML Architecture			
Dwg No.	Rev	Name of Plan	Date
DA100	-	Site Plan	April 2022
DA101	-	48 Victoria Road - Demolition Plan L0	April 2022
DA102	-	48 Victoria Road - Demolition Plan L1	April 2022
DA103	-	48 Victoria Road - Proposed Plan L0	April 2022
DA104	-	48 Victoria Road - Proposed Plan L1	April 2022
DA105	-	48 Victoria Road - Roof Plan	April 2022
DA106	A	2A -2B Gordon Street – L1	May 2022
DA200	-	48 Victoria Road - Elevations	April 2022
Landscape Plans prepared by Arcadia Landscape Architecture			
Dwg No.	Rev	Name of Plan	Date
000	F	Cover Sheet	November 2021
101	F	Landscape Masterplan	November 2021
201	F	Softworks Plan	November 2021

- 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.

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- 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 **Error! Reference source not found.** or **Error! Reference source not found.**. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition **Error! Reference source not found.** and **Error! Reference source not found.**, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Limits of Consent

- A5. This consent lapses five years after the date of consent unless work is physically commenced.
- A6. This consent does not permit any alterations and/ or demolition of any parts of the heritage listed buildings at 2A – 2B Gordon Street apart from that approved by plans listed in condition A2(d) or any other conditions of this development consent.
- A7. This consent only permits works within those sections of 2A and 2B Gordon Street, Rozelle as identified in DA106 Issue A dated May 2022 listed in condition **Error! Reference source not found.** and the disturbance areas at 48 Victoria Road as listed in the drawings in condition **Error! Reference source not found.**
- A8. This consent only permits removal of trees marked for removal in landscape Masterplan 101, Issue F, prepared by Arcadia Landscape Architecture, dated November 2021.
- A9. This consent does not allow the use of the area of the site that is identified for use as a school in this development application, for the purpose of a school or for community use during weekends and outside the core operating hours approved by this development consent. A maximum of six out-of-hours events per calendar year for school use only (as identified in the submitted Operational Management Plan) are permitted subject to the approved Out-of-Hours Event Management Plan.

Student and Staff Numbers

A10A. This consent permits that:

- a) following completion of Stage 1, a maximum of 160 students (aged 13-15 years) and 10 staff will be permitted in the St Aloysius, Rozelle campus; and
- b) following the completion of Stage 3, a maximum of 200 students (aged 13 – 15 years) and 15 staff will be permitted in the St Aloysius, Rozelle campus.

Post approval traffic monitoring

- A11. A suitably qualified independent traffic consultant must undertake audits of the drop-off/pick-up (DOPU) zone, one within 6 months after the first day of opening and one at 12 months of the date of commencement of operation of the school. The assessment(s) must:
- (a) include traffic counts at the DOPU zone on Maney Street during the AM and PM school peak periods; and
 - (b) demonstrate that the proposed DOPU zone on Maney Street is:
 - (i) adequate to cater for the school traffic;
 - (ii) does not result in queuing across Maney Street and the adjoining intersections to the north and south; and
 - (iii) impede the movement of passing vehicles or other emergency vehicles on Maney Street and the surrounding roads.
- A12. Should the traffic assessment (required by condition A11) demonstrate that the use of Maney Street DOPU zone results in queuing across the nearby intersections (Victoria Road/Maney Street, Maney Street/Quirk Street extending to Quirk Street/Gordon Street) or impedes movement of passing vehicles, the Applicant must:
- (a) prepare an updated Operational Traffic and Access Management Plan (required by condition B12) prepared by the independent traffic consultant, outlining the necessary operational management or physical mitigation measures in this area to ensure that the DOPU zone on Maney Street operates satisfactorily;
 - (b) provide the above updated document to Council for endorsement; and

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- (c) provide the Planning Secretary with an updated document (including endorsement from Council) for approval.
- A13. The Applicant must obtain all necessary approvals under section 138 of the *Roads Act 1993* from the relevant roads authority (including Council where needed), or other necessary agreements as applicable from the adjoining landowners, and implement any additional physical mitigation measure as identified in condition A12 (if any), within six months of preparation of the DOPU audit assessment (required by condition A11) which identifies the need for additional mitigation.
- A14. At any time, outside of the stipulated timeframe for DOPU monitoring outlined in condition A11, if Council identifies significant operational issues at the Maney Street DOPU zone (including, but not limited to queuing, double parking, illegal parking, illegal DOPU) and contacts the Applicant in this regard, the Applicant must:
- (a) undertake a monitoring of the DOPU zone on Maney Street within 2 months of such a request;
 - (b) include traffic counts at the DOPU zone on Maney Street during the AM and PM school peak periods;
 - (c) demonstrate that the OTAMP, as required by condition B12, is being continually implemented;
 - (d) identify the causes due to which the DOPU zone does not achieve the outcome as desired in the OTAMP; and
 - (e) submit the DOPU review report to Council within 3 months of Council's request.
- A15. If the review of the DOPU zone, required by condition A14 concludes that additional traffic management measures or alterations to the implemented OTAMP is required, then the Applicant must implement additional traffic management measures at the Maney Street DOPU zone in consultation with Council within 6 months of the request from Council.

Prescribed Conditions

- A16. 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

- A17. 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

- A18. 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

A19A. The proposed development must be constructed and operated in three stages as outlined in the Modification Report prepared by Willowtree Planning Pty Ltd (dated 9 August 2022), unless otherwise agreed in writing by the Planning Secretary.

A19B. Stage 1 of the proposal must include (but not limited to) internal works and all relevant roadworks and DOPU zone works on Maney Street (including signage etc) in addition to the works indicated in the Modification Report prepared by Willowtree Planning Pty Ltd (dated 9 August 2022).

Structural Adequacy

A23. 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 (where applicable).

Notes:

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

External Walls and Cladding

A24. The external walls of all buildings including additions to existing buildings (where applicable) must comply with the relevant requirements of the BCA.

Applicability of Guidelines

A25. 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.

A26. 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

A27. 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

A28. 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 **Error! Reference source not found.** 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;

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- (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

A29. 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

A30. 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.

A31. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 1**.

Non-Compliance Notification

A32. 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.

A33. 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.

A34. 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

A35. Within three months of:

- (a) the submission of an incident report under condition A31; and
- (b) the approval of any modification of the conditions of this consent; or
- (c) the issue of a direction of the Planning Secretary under condition **Error! Reference source not found.** 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.

A36. If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) within six weeks of the review.

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

PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

Acoustic details

- B1. Prior to the issue of any construction certificate, a suitably qualified acoustic consultant must:
- (a) include a detailed assessment of mechanical plant and equipment with compliance with the project noise trigger levels recommended in the Acoustic Report prepared by Stantec Australia dated 27 January 2022;
 - (b) include a detailed assessment of the existing glazing for the entire building at 48 Victoria Road and the relevant tenancy at 2A and 2B Gordon Street and recommend any required upgrades to the glazing required to achieve the internal noise criteria of 35dB(A) for learning areas; and
 - (c) provide the specifications of the 'Perspex barrier' on the western boundary of 48 Victoria Road as recommended in the Acoustic Report prepared by Stantec Australia dated 27 January 2022; **or**
 - (d) submit an updated Acoustic Report demonstrating that all required project noise trigger levels recommended in the Acoustic Report prepared by Stantec Australia dated 27 January 2022 for the site at 48 Victoria Road can be achieved by:
 - (i) limiting the outdoor playtime for children to a maximum of 2 hours during a school day;
 - (ii) without the installation of a the 'Perspex barrier' on the western boundary of 48 Victoria Road; and
 - (iii) without the relocation of the basketball court hoop within the 48 Victoria Road site.

Heritage

- B2. Prior to the issue of any relevant construction certificate, a suitably qualified Project Heritage Architect must be appointed for review and certify:
- (a) the design of the proposed new handrails within the lobby of the building at 2A and 2B Gordon Street or provide recommendations for the design of a new handrail within the lobby which does not impact on the heritage significance of the building at 2A and 2B Gordon Street; and
 - (b) the amendments to the glazing and the fire safety upgrades to the building at 2A and 2B Gordon Street does not impact on the heritage significance of the building.

Design amendments

- B3. Prior to the issue of any construction certificate the following documents and design details/updates must be submitted to the Planning Secretary for approval:
- (a) the updated Acoustic Report required by condition B1;
 - (b) details of the Perspex barrier if required by the updated Acoustic Report in B1;
 - (c) details of the 2.2m high acoustic wall fronting Victoria Road as recommended by the Acoustic Report prepared by Stantec Australia dated 27 January 2022 including the design, any articulation of the wall and colours;
 - (d) details of landscape screening in front of the wall to reduce any adverse visual impacts on Victoria Road, unless satisfactory evidence is submitted that landscaping cannot be installed;
 - (e) details of permanent privacy screens for all windows on the western façade of the building on 48 Victoria Road at its interface with adjoining residential properties;
 - (f) details of alternate handrails to the lobby at 2A and 2B Gordon Street, (if required by condition B2);

- (g) details of any required glazing upgrades to both buildings on 48 Victoria Road and 2A and 2B Gordon Street to achieve the noise criteria for learning areas (if required by condition B1(b));
- (h) details of access via the rear gate of 2A and 2B Gordon Street (if demonstrated to be feasible under condition B4); and
- (i) updated Landscape Plan to:
 - (i) be consistent with the approved architectural plans in condition A2; and
 - (ii) relocate the basketball court hoop within 48 Victoria Road, away from the residential properties on the western boundary of that site (unless otherwise demonstrated by condition B1(d) that this is not required); and
 - (iii) include details of rainwater tanks within the landscaped areas.

Rear gate access to Maney Street

- B4. Prior to the issue of the Operational Transport and Access Management Plan to Council as required by B12, the Applicant must provide evidence to the satisfaction of the Planning Secretary to:
- (a) demonstrate that a direct access to Maney Street from 2A and 2B Gordon Street via a rear gate; **OR**
 - (b) demonstrate that there are sufficient reasons that would preclude the provision of a rear gate on the site for direct access of students to Maney Street DOPU zone.

External Walls and Cladding

- B5. 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 (wherever applicable and relevant) 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.

Fire Safety and BCA Compliance

- B6. The construction certificate plans for the buildings at 48 Victoria Road and 2A and 2B Gordon Street, must demonstrate compliance with the recommendations of the BCA Assessment Report prepared by BCA Logic dated 26 October 2021 and the addendum BCA reports dated 5 May 2022 and 17 August 2022.

Stormwater Management System

- B7. Prior to the issue of any relevant construction certificate for the stormwater works within 48 Victoria Road 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 consistent, with the Stormwater Management Report, ref. 301350424, prepared by Stantec, dated 22 October 2022;
 - (c) be in accordance with applicable Australian Standards; and
 - (d) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.

Acoustic and Design requirements,

- B8. The construction certificate plans must demonstrate that all acoustic and design updates required by conditions **Error! Reference source not found.** are incorporated in the final design drawings.

Bicycle Parking and End-of-Trip Facilities

- B9. Prior to the issue of any relevant construction certificate, the following design details in relation to the secure bicycle parking and end-of-trip facilities must be submitted to the Certifier for approval:
- (a) the provision of a minimum 12 staff and visitor/student bicycle parking spaces within 48 Victoria Road outlined in plans listed in condition A2;
 - (b) compliance of the layout, design and security of bicycle facilities with the minimum requirements of the latest version of *AS 2890.3:2015 Parking facilities - Bicycle parking*; and
 - (c) the provision of end-of-trip facilities for staff.

Car Parking and Service Vehicle Layout

- B10. Prior to the issue of any relevant construction certificate, evidence must be submitted to the Certifier that the operational access and parking arrangements comply with the following requirements:
- (a) all vehicles can enter and leave 48 Victoria Road and 2A and 2B Gordon Street in a forward direction;
 - (b) a minimum of 18 on-site car parking spaces are included for use during operation of the development at 2A and 2B Gordon Street and designed in accordance with the latest versions of AS 2890.1 and AS 2890.6; and
 - (c) the swept path of the longest vehicle (including the shuttle buses, waste collection vehicles and other service vehicles) entering and exiting 48 Victoria Road and 2A and 2B Gordon Street in association with the development, as well as manoeuvrability through the site, are in accordance with the latest version of AS 2890.2.

Operational Waste Storage and Processing

- B11. Prior to the issue of the construction certificate for waste storage and processing areas, the Applicant must obtain agreement from Council for the design of the operational waste storage area (where waste removal will be undertaken by Council). Where waste removal will be undertaken by a third party, evidence must be provided to the Certifier that the design of the operational waste storage area:
- (a) is constructed using solid non-combustible materials;
 - (b) is designed to ensure the door/gate to the waste storage area is vermin proof and can be openable from both inside and outside the storage area at all times;
 - (c) includes a hot and cold-water supply with a hose through a centralised mixing valve;
 - (d) is naturally ventilated or an air handling exhaust system must be in place; and
 - (e) includes signage to clearly describe the types of materials that can be deposited into recycling bins and general garbage bins.

Operational Transport and Access Management Plan (OTAMP)

- B12. Prior to the issue of any relevant construction certificate, the Applicant must prepare an OTAMP. The OTAMP must be:
- (a) prepared by a suitably qualified person, in consultation with Council and TfNSW;
 - (b) endorsed by Council;
 - (c) submitted to the satisfaction of the Planning Secretary and be approved prior to the issue of the construction certificate.
- B13. The OTAMP, required by condition B13, must address the following:
- (a) be generally consistent with preliminary measures outlined in Section 11 of the Traffic Impact Assessment Report (V7) prepared by Traffix dated June 2022;
 - (b) detailed pedestrian analysis including the identification of safe route options – to identify the need for management measures such as staggered school start and finish times to

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ensure students and staff are able to access and leave the site in a safe and efficient manner during school start and finish;

- (c) the location and operational management procedures of the DOPU parking located within Maney Street, including staff management/traffic controller arrangements including, but not limited to, the following:
 - (i) management of the DOPU area by staff members including an allocated standby area, to minimise vehicle dwell time;
 - (ii) ability for parents to communicate DOPU operations with staff by phone or through signage, to expedite the operations;
 - (iii) management measures for drivers/parents whose students are not ready; and
 - (iv) management of vehicles to avoid situations where the DOPU area is occupied to capacity;
- (d) active and ongoing measures to minimise illegal parking, double parking, queuing across intersections, U-turns, and illegal DOPU in the area without relying on Council's parking enforcement or NSW Police;
- (e) active and ongoing measures to discourage use of cars for student DOPU at the school;
- (f) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing DOPU parking in Maney Street;
- (g) measures to promote use of sustainable transport measures (including a Green Travel Plan for students and Transport Access Guide for students identifying cycleways, walking routes and public transport options), in lieu of private vehicle usage; and
- (h) a monitoring and review program.

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 relevant construction, the Applicant must submit to the satisfaction of the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.

Pre-Construction Dilapidation Report – Protection of Public Infrastructure

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

Pre-Construction Survey – Adjoining Properties

- C5. Prior to the commencement of any construction on 48 Victoria Road, the Applicant must offer a pre-construction survey to owners of adjoining buildings (where relevant) that are likely to be impacted by the development.
- C6. Where the offer for a pre-construction survey is accepted (as required by condition C5), the Applicant must arrange for a survey to be undertaken by a suitably qualified and experienced expert prior to the commencement of vibration generating works that could impact on the identified buildings.
- C7. Prior to the commencement of any vibration generating works that could impact on the buildings surveyed as required by condition C6, the Applicant must:
 - (a) provide a copy of the relevant survey to the owner of each residential building surveyed in the form of a Pre-Construction Survey Report;
 - (b) submit a copy of the Pre-Construction Survey Report to the Certifier; and
 - (c) provide a copy of the Pre-Construction Survey Report to the Planning Secretary when requested.

Hazardous materials

- C8. Prior to commencement of any demolition works which may impact on asbestos containing materials (ACM) within 48 Victoria Road, Rozelle, all (ACM) must be removed in accordance with the recommendations of the Hazardous Materials Survey prepared by Eiaustralia dated 27 October 2021.
- C9. An asbestos clearance certificate must be provided to the Certifier in accordance with the recommendations of the Hazardous Materials Survey prepared by Eiaustralia dated 27 October 2021, prior to the commencement of demolition works.

Demolition

- C10. Prior to the commencement of demolition (including asbestos removal), a 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.

Ecologically Sustainable Development (ESD)

- C11. Prior to the commencement of relevant construction, the Applicant must provide details to the satisfaction of the Certifier, of design/construction related ESD measures implemented on the site (as applicable) as per the recommendations of the ESD Mem dated 11 October 2021 prepared by Integral, including but not limited to recycling of building materials, energy efficient lighting and materials.

Heritage Photographic Archival Recording

- C12. Prior to the commencement of any construction, the Applicant must undertake a photographic archival record of the external and internal areas of 2A and 2B Gordon Street that would be impacted by the development. The archival recording must be prepared in accordance with the NSW Heritage Branch guidelines titled Photographic Recording of Heritage Items using Film or Digital Capture. A digital copy must be submitted to the Certifier, Council and any relevant local studies collection in the locality prior to works commencing on the site.

Outdoor Lighting

- C13. Prior to the installation of outdoor lighting, evidence must be submitted to the Certifier that all outdoor lighting within 48 Victoria Road has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.
- C14. Any new lighting within the impacted areas of the building within 2A and 2B Gordon Street, must be designed to the Project Heritage Architect's requirements. Evidence of agreement from Project Architect must be submitted to the Certifier for information prior to the installation of the lighting.

Environmental Management Plan Requirements

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

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

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

Construction Environmental Management Plan

- C16. Prior to the commencement of any construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and provide a copy to the Planning Secretary. 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 during construction;
 - (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; and

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- (viii) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations;
 - (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition C18);
 - (c) Construction Noise and Vibration Management Sub-Plan (see condition C19);
 - (d) an unexpected finds protocol for contamination and associated communications procedure;
 - (e) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and
 - (f) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site.
- C17. The Applicant must not commence construction of the development until the CEMP is approved by the Certifier and a copy submitted to the Planning Secretary.
- C18. A 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;
 - (c) be consistent with the preliminary construction traffic and pedestrian management plan within the Traffic Impact Assessment Report (V7) prepared by Traffix dated June 2022;
 - (d) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;
 - (e) include the swept path of the longest construction vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, in accordance with the latest version of AS 2890.2;
 - (f) include details of work zones, where applicable, if construction vehicles are proposed to be parked on the road; and
 - (g) detail heavy vehicle routes, access and parking arrangements.
- C19. The Construction Noise and Vibration Management Sub-Plan (CNVMSP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced noise expert;
 - (b) be consistent with the construction noise and vibration management measures listed within Acoustic Report prepared by Stantec Australia dated 27 January 2022;
 - (c) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);
 - (d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
 - (e) describe the measures to be implemented to ensure that the noise from the construction works on 2A and 2B Gordon Street do not impact adversely on the other uses within the site;
 - (f) include strategies that have been developed with the community for managing high noise generating works;
 - (g) include a complaints management system that would be implemented for the duration of the construction; and
 - (h) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures.
- C20. 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.

Unexpected Contamination Procedure

- C21. Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. Where any material identified as contaminated is to be disposed off-site, the disposal location and results of testing must be submitted to the Planning Secretary prior to its removal from the site.

Soil and Water

- C22. Prior to the commencement of any relevant construction, erosion and sediment controls must be installed and maintained, as a minimum, in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book' and generally consistent with the Stormwater Management Report, ref. 301350424, prepared by Stantec, dated 22 October 2021.

Construction Worker Transportation Strategy

- C23. Prior to the commencement of any construction, the Applicant must submit a Construction Worker Transportation Strategy to the satisfaction of the Certifier. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby public and residential streets or public parking facilities. A copy of the strategy must be submitted to the Planning Secretary for information.

Project Arborist and Certification

- C24. Prior to the commencement of any relevant construction, the Applicant must engage a suitably qualified Arborist to oversee the tree protection, retention and removal within the site. The Arborist must be appointed throughout the duration of the construction works.
- C25. Prior to commencement of any relevant construction, the appointed project arborist must certify that the tree protection measures are correctly installed in accordance with the Arboricultural Impact Assessment Report, prepared by Sita Bresnihan Consulting Arborist, dated 3 November 2021.

PART D DURING CONSTRUCTION

Site Notice

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

Operation of Plant and Equipment

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

Demolition

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

Construction Hours

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

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

- D5. 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 (if required) may only be carried out between the following hours:
- (a) 9am to 12pm, Monday to Friday;
 - (b) 2pm to 5pm Monday to Friday; and
 - (c) 9am to 12pm, Saturday.

Implementation of Management Plans

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

Construction Traffic

- D9. All construction vehicles (excluding 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 construction noise management levels detailed in the *Interim Construction Noise Guideline* (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.
- D13. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition D4.
- 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 *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).
- D16. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition D15.
- D17. The limits in conditions D15 and D16 apply unless otherwise outlined in a Construction Noise and Vibration Management Sub-Plan, approved as part of the CEMP required by condition C19 of this consent.

Tree Protection

- D18. For the duration of the construction works:
- (a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;
 - (b) all street trees immediately adjacent to the property boundaries 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;

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- (c) all trees on the site that are not approved for removal must be suitably protected during construction as per the recommendations of the Arboricultural Impact Assessment Report, prepared by Sita Bresnihan Consulting Arborist, dated 3 November 2021; and
- (d) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of the Project 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 the Project 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 conditions of this consent.

Imported Fill

- D22. The Applicant must:
- (a) ensure that only VENM, ENM, or other material that meets the requirements of a relevant order and exemption issued by the EPA, is brought onto the site;
 - (b) keep accurate records of the volume and type of fill to be used; and
 - (c) make these records available to the Certifier upon request.

Disposal of Seepage and Stormwater

- 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 EHG and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and EHG to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of the Planning Secretary.

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 EHG 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 Planning Secretary.

Waste Storage and Processing

- D26. 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.
- D27. All waste generated during construction must be assessed, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- D28. 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.
- D29. 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.
- D30. 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

- D31. 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.

PART E PRIOR TO THE ISSUE OF OCCUPATION CERTIFICATE/ COMMENCEMENT OF OPERATION

Notification of Occupation

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

Occupation of the site and commencement of operation

E2A. The site (inclusive of 48 Victoria Road and 2A and 2B Gordon Street) must not be occupied or be used for the purpose of the school unless an occupation certificate for the completion of Stage 1 works is issued, and all relevant roadworks and DOPU zone works on Maney Street (including signage etc) have been completed and installed to Council satisfaction.

Stages 2 and 3 shall be completed within two months of the commencement of operations and a final occupation certificate for shall be issued for those works.

External Walls and Cladding

- E3. Prior to the issue of the occupation certificate, the Applicant must provide the Certifier with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels (where relevant) comply with the requirements of the BCA.
- E4. 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.

Certification of works for the heritage building

- E5. Prior to the issue of the occupation certificate, the Project Heritage Architect must certify that, unless otherwise required by the conditions of this consent:
- (a) all external and internal alterations to the existing heritage listed building have been undertaken in accordance with the plans listed in A2 and the condition B2;
 - (b) all original door and windows of the existing building have been retained, unless otherwise required by this development consent or to maintain the internal noise criteria as required by the acoustic assessment in condition B1;
 - (c) all new door and window locking fixtures are discrete and reflect the design and materials of the original hardware and installed to the Project Heritage Architect's requirements (where relevant);
 - (d) any new lighting plan has been installed to the Project Heritage Architect's requirements; and
 - (e) all significant fabric of the existing heritage listed building is retained.

Post-Construction Dilapidation Report – Protection of Public Infrastructure

- E6. Prior to the issue of an occupation certificate for 48 Victoria Road, the Applicant must engage a suitably qualified and experienced expert to prepare a Post-Construction Dilapidation Report. This Report must:
- (a) ascertain whether the construction works created any structural damage to public infrastructure by comparing the results of the Post-Construction Dilapidation Report with the Pre-Construction Dilapidation Report required by condition C4 of this consent;
 - (b) have, if it is decided that there is no structural damage to public infrastructure, the written confirmation from the relevant public authority that there is no adverse structural damage to their infrastructure (including roads).
 - (c) be submitted to the Certifier;
 - (d) be forwarded to Council for information; and

- (e) be provided to the Planning Secretary when requested.

Repair of Public Infrastructure

- E7. Unless the Applicant and the relevant public authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the construction works; and/or
 - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development; and/or
 - (c) pay compensation for the damage as agreed with the owner of the public infrastructure.

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

Road Damage

- E8. Prior to the issue of an occupation certificate, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the site as a result of construction works associated with the approved development must be met in full by the Applicant.

Protection of Property

- E9. 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.

Post-Construction Survey – Adjoining Properties

- E10. Where a pre-construction survey has been undertaken in accordance with condition C5 prior to the commencement of operation the Applicant must engage a suitably qualified and experienced expert to undertake a post-construction survey and prepare a Post-Construction Survey Report. This Report must:
- (a) document the results of the post-construction survey and compare it with the pre-construction survey to ascertain whether the construction works caused any damage to buildings surveyed in accordance with condition C5;
 - (b) be provided to the owner of the relevant buildings surveyed;
 - (c) be provided to the Certifier; and
 - (d) be provided to the Planning Secretary when requested.
- E11. Where the Post-Construction Survey Report determines that damage to the identified property occurred as a result of the construction works, the Applicant must repair, or pay the full costs associated with repairing the damaged buildings, within an agreed timeline between the owner of the identified property and the Planning Secretary. Alternatively, the Applicant may pay compensation for the damage as agreed with the property owner.

Utilities and Services

- E12. Prior to the issue of the occupation certificate, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

Works as Executed Plans

- E13. Prior to the issue of the occupation certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage at 48 Victoria Road has been constructed as approved, must be submitted to the Certifier.

Green Travel Plan

- E14. Prior to the issue of any occupation certificate, 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 prepared by a suitably qualified traffic consultant in consultation with Inner West Council and (Sydney Coordination Office) Transport for NSW;

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- (b) include objectives and modes share targets (i.e. site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
- (c) include specific tools and actions to help achieve the objectives and mode share targets;
- (d) provide a Transport Access Guide (TAG) to be distributed to the students and teachers;
- (e) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and
- (f) 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.

Updated OTAMP

E15. Prior to the issue of any occupation certificate, the OTAMP required by conditions B12, must be updated to include the following details (in addition to the Maney Street DOPU zone management measures) and submitted to the Planning Secretary for approval:

- (a) the location and operational management procedures for the DOPU of students by shuttle buses on a daily basis and for excursions and sporting activities, including staff management/traffic controller arrangements;
- (b) the location of all car parking spaces for St Aloysius at 2A and 2B Gordon Street and their allocation (i.e. staff, visitor, accessible, emergency, etc.);
- (c) the location of the shuttle bus parking within 2A and 2B Gordon Street and the transport of students to the two sites from this location;
- (d) access provisions for disabled users of the site and the delineation of disabled access to/from 2A and 2B Gordon Street and 48 Victoria Road;
- (e) communication strategies with parents regarding transporting students between the Kirribilli campus and Rozelle campus to avoid more students using the DOPU zone on Maney Street;
- (f) delivery and services vehicle and bus access and management arrangements;
- (g) waste collection vehicle access arrangement and times for the site to ensure that there is no conflict between the loading/unloading and/or waste collection with the occupancy of the parking spaces within 2A and 2B Gordon Street;
- (h) management of approved access arrangements;
- (i) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing DOPU zone on Maney Street;
- (j) measures for safe student movement between 48 Victoria Road and 2A and 2B Gordon Street including staff engagement;
- (k) management measures to be implemented so that **a minimum of 4 car parking spaces of the total of 18** car spaces within 2A and 2B Gordon Street are available for school use during the core school hours on a typical school day; and
- (l) a final monitoring and review program for the overall OTAMP.

School Zones

E16. Prior to the commencement of operation, all required School Zone signage, speed management signage and associated pavement markings on the surrounding roads must be installed and inspected by TfNSW.

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

E17. The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed.

DOPU Signage

- E18. The Applicant must ensure that the provision of time limited “No Parking” restrictions are in place on Maney Street, during the AM and PM DOPU activities and appropriate approvals are obtained from the relevant roads authority in this regard.

Mechanical Ventilation

- E19. Prior to the issue of the occupation certificate for mechanical plant and equipment, the Applicant must provide evidence to the satisfaction of the Certifier that the installation and performance of the mechanical ventilation systems comply with:
- (a) *AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings* and other relevant codes; and
 - (b) any dispensation granted by Fire and Rescue NSW.

Operational Community Communication Strategy

- E20. Prior to the commencement of operation, an Operational Community Communication Strategy must be submitted to 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 operation of the development. The Operational Community Communication Strategy must:
- (a) set out procedures and mechanisms for ongoing engagement with the community;
 - (b) set out procedures and mechanisms:
 - (i) through which the community can discuss or provide feedback to the Applicant, including the details of the relevant contacts;
 - (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 operation of the development, including disputes regarding rectification or compensation;
 - (c) identify how complaints will be considered, managed and escalated; and
 - (d) include any specific requirements around traffic, noise and amenity.

Operational Noise

- E21. Prior to the issue of any occupation certificate, a suitably qualified acoustic consultant must undertake a review and must certify, including satisfactory evidence, that:
- (a) the noise mitigation recommendations in the Acoustic Report prepared by Stantec Australia dated 27 January 2022 (and all additional requirements in condition B1) have been incorporated into the design of mechanical plant and equipment to ensure the development will not exceed the project noise trigger levels in that report;
 - (b) all upgrades to the glazing for 48 Victoria Road and 2A and 2B Gordon Street have been undertaken (where needed);
 - (c) the Perspex barrier on the western boundary and the acoustic wall along the northern (front) boundary of 48 Victoria Road have been constructed;
 - (d) the internal noise criteria for all learning areas within 48 Victoria Road and 2A and 2B Gordon Street would meet the required 35dB(A); and
 - (e) all installed Public Address Systems and any loudspeakers comply with recommendations of Stantec Australia dated 27 January 2022 (and all additional requirements in condition B1) in terms of location and specifications.
- E22. Prior to the issue of any occupation certificate, the certification from the acoustic consultant required by condition E21 must be submitted to the Planning Secretary.

Car Parking, Service Vehicles and Bi-cycle parking Arrangements

E23. Prior to the issue of the occupation certificate, evidence must be submitted to the satisfaction of the Planning Secretary that demonstrates that:

- (a) the car-parking, service vehicle areas, bi-cycle parking facilities comply with conditions B9 and B10;
- (b) appropriate pedestrian and cyclist advisory signs have been provided;
- (c) all works/regulatory signposting associated with the proposed developments have been undertaken at no cost to the relevant roads authority;
- (d) the bi-cycle parking spaces are located in easy to access, well-lit areas that incorporate passive surveillance; and
- (e) end-of-trip facilities for staff are provided.

Fire Safety Certification

E24. Prior to the issue of any occupation certificate, a Fire Safety Certificate(s) must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate(s) must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the buildings at 48 Victoria Road and 2A and 2B Gordon Street.

Structural Inspection Certificate

E25. Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifier (where applicable). A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:

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

Stormwater Quality Management Plan

E26. Prior to the issue of the occupation certificate, a Stormwater Operation and Maintenance Plan (SOMP) is to be submitted to the satisfaction of the Certifier along with evidence of compliance with the SOMP. The SOMP 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

E27. 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

E28. Prior to the issue of the occupation certificate, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:

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

Signage

- E29. Prior to the commencement of operation, way-finding signage and signage identifying the location of staff car parking must be installed (specifying the location of 4 car spaces for school use during school hours).
- E30. Prior to the commencement of operation, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.

Operational Waste Management Plan

- E31. Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifier. The Waste Management Plan must:
 - (a) detail the type and quantity of waste to be generated during operation of the development;
 - (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Department of Environment, Climate Change and Water, 2009);
 - (c) detail the materials to be reused or recycled, either on or off site;
 - (d) detail the waste collection times at 48 Victoria Road to be between 7am and 10am to ensure compliance with the Noise Policy for Industry; and
 - (e) specify the waste collection times within 2A and 2B Gordon Street must be outside of the core school hours.

Landscaping

- E32. Prior to the commencement of operation, landscaping of the site must be completed in accordance with landscape plan(s) listed in condition **Error! Reference source not found.**(d) as amended by condition 0.

Operational Management Plan

- E33. Prior to the issue of any occupation certificate, the Applicant must prepare a final Operational Management Plan (OMP) for St Aloysius, Rozelle campus. The final OMP must:
 - (a) be consistent with the Operational Management Plan dated March 2022;
 - (b) specify the maximum number of students enrolled within the campus;
 - (c) details of the Year group that would be accommodated within the St Aloysius Rozelle campus (being limited to 13 – 15 years of age);
 - (d) include the hours of operation for the school to be between 7:30am – 5pm with the core hours being 8am to 4:30pm;
 - (e) include details to confirm that the play time for students within the 48 Victoria Road external play area is limited to a maximum of 2 hours on a typical school day (if required by the Acoustic Report in condition B1);
 - (f) include measures to manage operational noise impacts, particularly from outdoor playground and recreational areas, to ensure the use of the development does not result in exceedances of the project noise trigger levels in accordance with the Acoustic Report prepared by Stantec Australia dated 27 January 2022;
 - (g) operational noise management measures including restricting the hours of outdoor play within the 48 Victoria Road site where possible;
 - (h) include details of waste collection times for the Victoria Road site and Gordon Street site in accordance with the Acoustic Report prepared by Stantec Australia dated 27 January 2022;

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- (i) include the management procedures for transferring students between the St Aloysius Kirribilli campus and Rozelle campus;
- (j) commit to and include details of the expected shuttle bus trips on a typical school day;
- (k) management of movement of students between 48 Victoria Road and 2A and 2B Gordon Street during recess and lunch break times;
- (l) include the details of the DOPU arrangements and include the OTAMP;
- (m) management strategies with the identified loading and unloading zones at 48 Victoria Road and 2A and 2B Gordon Street;
- (n) include details confirming that the area of the site that is identified for use as a school in this development application, would not be used for the purpose of a school or other community uses on the weekends and public holidays (unless otherwise allowed by the conditions of this development consent);

Note: *out-of-hours school related activities on the weekends are permitted, subject to compliance with the out-of-hours event management plan as required by the conditions of this consent.*

- (o) management strategies to separate school activities from all other concurrent activities within the school;
- (p) measures to manage the use and access to recreation areas, including any staggered play times for the Years and age groups (if applicable) with details of the program of use;
- (q) measures to ensure all way-finding signage, security measures (i.e. access control), and landscaping are managed to maintain their effectiveness;
- (r) details of extracurricular activities that would be held off site and methods of student access to those venues;
- (s) include an Emergency Management Plan that details all measures and procedures to ensure the safety of all on-site occupants in the event of any emergency including evacuation measures;
- (t) include a complaints management procedure to provide for the registration and of, and response to, complaints.

Accessibility Requirements

E34. Prior to the issue of the occupation certificate, a suitably qualified Access Consultant must certify that the existing buildings, pedestrian connections within the site, car parking spaces and the landscaped areas of the development area complies with the recommendations in the Access Assessment Report prepared by BCA Logic dated 25 October 2021.

Ecologically Sustainable Development

E35. Prior to the issue of the occupation certificate, the Applicant must provide evidence to the Certifier that the ESD measures required by condition C11 have been implemented.

Site Audit Statement

E36. Prior to the issue of the occupation certificate for 48 Victoria Road, the Applicant must submit a Section A1 Site Audit Statement or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan prepared by a NSW EPA accredited Site Auditor. The Section A1 or A2 Site Audit Statement must verify the site at 48 Victoria Road is suitable for the intended land use and be provided, along with any Environmental Management Plan to the Planning Secretary and the Certifier.

Development Contributions

E37. Prior to the issue of the final occupation certificate, a contribution under section 7.11 of the EP&A Act of \$17,213.87 (adjusted on a quarterly basis (from the date of this consent), to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)), must be paid to Council under the provisions of the Leichardt Contribution Plans.

PART F POST OCCUPATION

Operational Hours and Details

- F1. The operational hours of the premises are restricted as:
- (a) School Hours: Monday to Friday 8am to 4:30pm;
 - (b) School Reception: Monday to Friday 7:30am to 5pm;
 - (c) No use (by school or community) on the weekends, unless otherwise permitted by this development consent; and
 - (d) use of outdoor play area within 48 Victoria Road restricted to a maximum of 2 hours on a typical school day, unless otherwise recommended in the Acoustic Report at condition B1.
- F2. Up to a maximum of six out-of-hours school events per calendar year organised by the St Aloysius, Rozelle campus (if any) are permitted on the site and must be completed (including vacating the premises) by 10pm.
- F3. The out-of-hours school events, as specified in condition F2 must not coincide with the use of the theatre within the central building of the site at 2A and 2B Gordon Street.
- F4. St Aloysius College must provide for a school shuttle bus between the Kirribilli campus and Rozelle campus on school days for the life of the development, as identified in the EIS.

Out of Hours Event Management Plan

- F1. Prior to the commencement of the first out of hours events run by the school, the Applicant must prepare an Out of Hours Event Management Plan and submit it to the Council for information. The plan must be made publicly available on the school's website at least one week prior to the event and include the following:
- (a) the number of attendees, time and duration;
 - (b) arrival and departure times and modes of transport;
 - (c) where relevant, a schedule of all annual events;
 - (d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);
 - (e) details to ensure restricting use before 8am and after 10pm, as well as ensuring attendees of events have left the site before 10pm;
 - (f) measures to minimise localised traffic and parking impacts; and
 - (g) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan to ensure compliance with Noise Policy for Industry (2017).
- F2. The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified events or use.

Operation of Plant and Equipment

- F3. All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.

Access to the toilets

- F4. The toilets located within 2A and 2B Gordon Street, identified in the document named Appendix 1 Site Plan (Accessible Toilet) received by the the Department on 17 August 2022, must be available for use by the users of the school (including students/staff and other school visitors) at all times during the school hours and/or out of school hours events associated with the school (if any). Access to the toilet by any other persons not associated with the school is not permitted during any school hours and/or out of school hours events associated with the school (if any).

Road Safety Audit

- F5. Within 3 – 6 months of the first opening of the St Aloysius, Rozelle campus, the Applicant must appoint a suitably qualified accredited auditor to undertake a Road Safety Audit (RSA) on

Gordon Street near the entry to the site, to ascertain pedestrian safety on this street. The audit must determine whether a suitable TfNSW type fencing, or any other treatment, is required on Gordon Street to address safety issues raised in the audit.

- F6. A copy of the Audit must be submitted to the Planning Secretary and Council for information, within one month of completion.
- F7. If the RSA determines that additional fencing treatments of other mitigation measures are required along Gordon Street, then the Applicant must implement those measures within 4 months of completion of the RSA.

Warm Water Systems and Cooling Systems

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

Operation of Plant and Equipment

- F9. All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.

Operational Transport and Access Management Plan (OTAMP)

- F10. The updated OTAMP(s) approved under condition **Error! Reference source not found.** as revised from time to time due to monitoring or in accordance with the conditions of this consent) must be implemented by the Applicant for the life of the development.

Operational Management Plan

- F11. The OMP approved under condition E33 as revised from time to time must be implemented by the Applicant for the life of the development.
- F12. The operational plan must be reviewed every year after commencement of operation and updated with additional mitigation and management measures to respond to complaints received. A copy of the reviewed and updated OMP must be submitted to the Planning Secretary and Council for the first three years of operation.

Operational Community Communication Strategy

- F13. The Operational Community Communication Strategy approved under condition E20 as revised from time to time must be implemented by the Applicant for the life of the development.

Operational Noise Limits

- F14. The Applicant must ensure that noise generated by operation of the development does not exceed the project noise trigger levels as identified in the Acoustic Report prepared by Stantec Australia dated 27 January 2022.
- F15. The Applicant must undertake short term noise monitoring at 48 Victoria Road in accordance with the Noise Policy for Industry where valid data is collected following the commencement of use of the development. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within two months of commencement use of the development (including use of the outdoor play area) or other timeframe agreed to by the Planning Secretary to verify that operational noise levels do not exceed the recommended noise levels for mechanical plants and the outdoor play area identified in the Acoustic Report prepared by Stantec Australia dated 27 January 2022. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant is required to implement appropriate noise attenuation measures so that operational noise levels do not exceed the recommended noise levels or provide attenuation measures at the affected noise sensitive receivers.

Unobstructed Driveways and Parking Areas

- F16. 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,

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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

F17. The Green Travel Plan required by condition E14 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.

Outdoor Lighting

F18. Notwithstanding condition E22, 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.

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 (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.

Speed limit authorisation

AN12. At least eight weeks prior to the commencement of operation, the Applicant must submit the following details to TfNSW and obtain authorisation to install School Zone signs and associated pavement markings, and / or removal / relocation of any existing Speed Limit signs:

- (a) a copy of the conditions of consent;

- (b) the proposed school commencement/opening date;
- (c) two sets of detailed design plans showing the following:
 - (i) accurate Site boundaries;
 - (ii) details of all road reserves, adjacent to the Site boundaries;
 - (iii) all proposed access points from the Site to the public road network and any additional conditions imposed/proposed on their use;
 - (iv) all existing and proposed pedestrian crossing facilities on the adjacent road network;
 - (v) all existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings); and
 - (vi) all existing and proposed street furniture and street trees.

Fire Safety Certificate

AN13. 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 A30 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.