

Development consent

Section 89E of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, under delegation dated 16 February 2015, I determine:

- (a) to grant consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2 and Schedule 3.
- (b) that pursuant to section 89D(2) of the *Environmental Planning and Assessment Act 1979*, I determine that any subsequent stage of the development not being for the purpose of an educational establishment with a capital investment value in excess of \$30 million is to be determined by the relevant authority and that stage of the development ceases to be State significant development.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social 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.

David Gainsford
Executive Director
Priority Projects Assessments

Sydney

2016

SCHEDULE 1

Application No.:

SSD 6454

Applicant:

SCEGGS Redlands Limited

Consent Authority:

Minister for Planning

Land:

272 Military Road, Cremorne - (Lot 11 DP 877844, Lot 1 DP 80618, Lot 11 DP 877879, Lot 1 DP 343811, Lot 2 DP 783664, Lot 3-4 DP 783993, Lot 1 DP 783663 SP 13814, Lot 6 DP 19382, SP 15886, SP 10384, Lot 1 DP 90591, Lot 21 DP 88932, Lot 1 DP 783664, Lot A DP 107138, Lot 2 DP 222013, Lot 1 DP 713405, Lot 21A DP 83152, Lot 22A DP 152693, Lot 21 DP 783663, Lot 1 DP 81061 & Lot 1 DP 83047.

Approved Development:

Concept Proposal for the staged redevelopment of the SCEGGS Redlands Senior School Campus in five stages over a 20 year period, comprising:

- demolition works;
- construction of new buildings;
- alterations and additions to existing buildings;
- access and car parking arrangements;
- pedestrian circulation;
- infrastructure works; and
- landscaping.

Stage 1 Works including construction of:

- a multi-purpose education building (New Learning Hub);
- a basement containing educational uses and a car park providing 63 car spaces and vehicular access;
- a landscaped podium above the basement car park and a new entry forecourt on Gerard Street; and
- an internal access road along the western boundary between Waters Road and Military Road.

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Consent holder or person with the benefit of the development consent
Application	The development application and the accompanying drawings plans and documentation described in Condition A4 Schedule 2 and A2 Schedule 3.
BCA	Building Code of Australia
Construction	The demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure covered by this consent.
Council	North Sydney Council
Certification of Crown Building works	Certification under s109R of the EP&A Act
Certifying Authority	Professionals that are accredited by the Building Professionals Board to issue construction, occupation, subdivision, strata, compliance and complying development certificates under the EP&A Act, <i>Strata Schemes (Freehold Development) Act 1973</i> and <i>Strata Schemes (Leasehold Development) Act 1986</i> or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
Day time	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	The Department of Planning and Environment
Evening	The period from 6pm to 10pm
EIS	Environmental Impact Statement titled <i>Environmental Impact Statement Concept Proposal and Stage 1 Development Application</i> prepared by Urbis dated June 2015
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
Feasible	Feasible relates to engineering considerations and what is practical to build
Minister	Minister for Planning, or nominee
Night time	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
OEH	Office of the Environment and Heritage
RMS	Roads and Maritime Services
RTS	Response to Submissions prepared by Urbis dated November 2015
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements.
Secretary	Secretary of Department of Planning and Environment
Secretary's approval, agreement or satisfaction	A written approval from the Secretary (or nominee/delegate)
Sensitive receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility.
Subject Site	219 Military Road – Lot 11 DP 877844, Lot 1 DP 80618, Lot 11 DP 877879, Lot 1 DP 343811, Lot 2 DP 783664, Lot 3-4 DP 783993, Lot 1 DP 783663 SP 13814, Lot 6 DP 19382, SP 15886, SP 10384, Lot 1 DP 90591, Lot 21 DP 88932, Lot 1 DP 783664, Lot A DP 107138, Lot 2 DP 222013, Lot 1 DP 713405, Lot 21A DP 83152, Lot 22A DP 152693, Lot 21 DP 783663, Lot 1 DP 81061 & Lot 1 DP 83047
TfNSW	Transport for New South Wales
Zone of Influence	The horizontal distance from the edge of the excavation to twice the maximum excavation depth.

SCHEDULE 2

CONDITIONS OF CONSENT FOR CONCEPT PROPOSAL

PART A TERMS OF CONSENT

Development Description

- A1. Consent is granted to the 'concept proposal' as described in Schedule 1 and the Environmental Impact Statement, as amended by the Response to Submissions and the conditions contained in this development consent.

Determination of Future Development Applications

- A2. In accordance with section 83B(3) of the EP&A Act all development under the concept proposal the subsequent stages are to be subject of future development applications.
- A3. The determination of future development applications are to be generally consistent with the terms of development consent SSD 6454 as described in Schedule 1 and subject to the conditions in Part B, Schedule 2.

Development in Accordance with Plans and Documents

- A4. The Applicant shall carry out the development generally in accordance with the:
- a) *Environmental Impact Statement Concept Proposal and Stage 1 Development Application SCECGS Redlands Cremorne*, prepared by Urbis dated June 2015, as amended by the *Response to Submissions to EIS – SSD 6454* prepared by Urbis dated November 2015; and
 - b) following drawings, except for:
 - i) any modifications which are 'Exempt' or 'Complying Development'; and
 - ii) otherwise provided by the conditions of this consent.

Redlands Senior Campus Masterplan prepared by TKD Architects			
Drawing No.	Revision	Name of Plan	Date
AR-MP-1104	E	Envelope Diagrams	05/02/16
AR-MP-1105	E	Envelope Elevations	05/02/16
AR-MP-1106	E	Envelope Sections	05/02/16
AR-MP-1107	E	Proposed Location Plan	05/02/16
AR-MP-1108	E	Proposed Site Plan	05/02/16
AR-MP-1109	E	Staging Diagrams 1	05/02/16
AR-MP-1110	E	Staging Diagrams 2	05/02/16
AR-MP-2001	E	Proposed Masterplan – Basement and Level 1 Plans	05/02/16
AR-MP-2002	E	Proposed Masterplan – Level 2 and Level 3 Plans	05/02/16
AR-MP-2003	E	Proposed Masterplan – Level 4 and Level 5 Plans	05/02/16
AR-MP-2004	E	Proposed Masterplan – Roof Level Plan	05/02/16
AR-MP-3001	E	Elevations	05/02/16
AR-MP-3002	E	Street Elevations	05/02/16
AR-MP-3101	E	Sections	05/02/16
Landscape Plans prepared by Silk Consulting Landscape Architects			
Drawing No.	Revision	Name of Plan	Date
MP-100	D	Masterplan Indicative Landscape Masterplan	08/10/15
MP-200	D	Masterplan Indicative Landscape Sections	08/10/15

Car Parking

- A5. A maximum of 86 car parking spaces shall be provided on the site at the completion of all development approved under this concept proposal.

Gross Floor Area

- A6. The maximum gross floor area allowed by this approval for the site is 21,168 sqm.

Lapsing of Approval

- A7. This approval does not allow any components of the concept proposal, except Stage 1 works as described in Schedule 1, to be carried out without further approval or consent being obtained.
- A8. This consent will lapse five years from the date of consent unless the works associated with Stage 1 have physically commenced.

Legal Notices

- A9. Any advice or notice to the consent authority shall be served on the Secretary.

Secretary as Moderator

- A10. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Secretary for resolution. The Secretary's resolution of the matter shall be binding on the parties.

PART B CONDITIONS TO BE SATISFIED IN FUTURE DEVELOPMENT APPLICATIONS

Building Design

- B1. All future development applications for the construction of buildings shall include plans, elevations and sections to sufficiently detail the design, including height, setback, gross floor area, modulation and articulation of all buildings.
- B2. All future development applications for new buildings must include a view analysis, including artist's perspectives and photomontages.
- B3. The detailed design of each building within future stages shall demonstrate sufficient articulation in the design and use an appropriate mix of materials/finishes and other treatments to provide visual relief and interest when viewed from the public domain and adjoining properties.
- B4. The Sports and Performing Arts Centre building in Stage 2 is restricted to a maximum height of RL 97.39 and must be contained within the approved building envelope illustrated in the approved plans referenced at Condition A4. The maximum height of the fence around the tennis court of the rooftop is restricted to RL 101.69. The tennis court fence shall be designed using an appropriate transparent material to minimise its visual impact on the surrounding area. The provision of an all-weather awning at street level along Military Road shall be considered as part of the detailed design.
- B5. The component of the Stage 4 Humphery Learning Hub and Resource Centre building located between the existing Lang Gymnasium and 19 Waters Road is restricted to a maximum height of RL 95.84 and a minimum setback of 15.44 m to the western boundary at Level 4 and a maximum height of RL 91.64 and a minimum setback of 7.86 m to the western boundary at Level 3, and must be contained within the approved building envelope illustrated in the approved plans referenced at Condition A4.

- B6. The extension to the Adams Centre building in Stage 5 is restricted to a maximum height of RL 95.65 and must be contained within the approved building envelope illustrated in the approved plans referenced at Condition A4.
- B7. All future development applications shall include a Crime Prevention Through Environmental Design assessment, including detailing measures to maximise student, pedestrian and public safety through the implementation of the Crime Prevention Through Environmental Design principles.

Solar Access

- B8. The final detailed design of the Sports and Performing Arts Centre building in Stage 2 shall optimise solar access to the dwellings along the eastern elevation at 274 Military Road (Bougainvillea apartment complex).

To achieve this, the future built form along the western elevation at Level 4 shall be setback from the building edge below to achieve a similar level of solar access at the winter solstice to the living room windows and balconies of dwellings along the eastern elevation at 274 Military Road as a development that would otherwise achieve compliance with Council's relevant numerical building height and setback controls (as indicatively shown in drawing titled *Stage 2 Revised Envelope*, numbered AR-MP-5001 Revision A, prepared by TKD Architects and dated 06/04/16).

A similar level of solar access to the adjacent Bougainvillea ground level courtyards is also to be maintained.

In this regard, a detailed solar analysis including elevation shadow diagrams and a quantitative assessment shall be submitted with the future development application.

- B9. The final detailed design of built form within the Humphery Learning Hub and Resource Centre building envelope in Stage 4 shall demonstrate that, excluding shadow cast by vegetation, between 9 am and 3 pm at the winter solstice:
- a) all the dwellings at 19 Waters Road receive a minimum of three hours sunlight to at least 50 per cent of the main living room windows, except for Unit 5 which currently receives two hours of sunlight and there shall be no further reduction; and
 - b) a similar level of solar access to the ground level courtyards is maintained.

In this regard, a detailed solar analysis including elevation shadow diagrams and a quantitative assessment shall be submitted with the future development application.

Visual Privacy

- B10. The detailed design of all new buildings within the approved building envelopes shall give consideration to the privacy of adjoining residential properties and incorporate window treatments and screening measures to mitigate any potential overlooking impacts.

Heritage

- B11. The final design of the new addition to the Adams Centre in Stage 5 is to be divided into smaller elements, and the facade of the building provided with sufficient articulation and fenestration proportions and a materials palette sympathetic to the former Cremorne Post Office.
- B12. All future development applications shall be accompanied by a Heritage Impact Statement addressing their impacts.

Noise and Vibration

B13. All future development applications for new built form shall be accompanied by a noise and vibration assessment that identifies and provides a quantitative assessment of the main noise generating sources and activities at all stages of construction, and any noise sources during operation. Details are to be provided outlining any mitigations measures to ensure the amenity of adjoining sensitive land uses is protected throughout the construction and operational periods. In particular, the potential noise impacts on adjoining residential properties from the use of any outdoor learning areas or play spaces and vehicles travelling along the internal access road shall be included in the noise assessment.

Contamination

B14. All future development applications for new built form shall be accompanied by a detailed site investigation report, including an assessment of potential site contamination.

Ecologically Sustainable Development

B15. All future development applications for new built form shall demonstrate how the principles of ESD have been incorporated into the design, construction and on-going operation of the new building.

Building Code of Australia

B16. All future development applications shall demonstrate compliance with the Building Code of Australia, as relevant.

Utilities

B17. All future development applications for new built form shall address the existing capacity and any augmentation requirements of the development for the provision of utilities including staging of infrastructure through the preparation of an Infrastructure Management Plan in consultation with relevant agencies and service providers.

Stormwater and Flooding

B18. All future development applications for new built form shall be accompanied by a stormwater management plan detailing an assessment of any flood risk on site and consideration of any relevant provisions of the NSW Floodplain Development Manual (2005), stormwater and drainage infrastructure, and details demonstrating that water sensitive urban design measures have been incorporated into the development.

Disability Access

B19. Where relevant, all future development applications for new built form and extensive refurbishment of any existing buildings shall include a Disability Access Review to demonstrate an appropriate degree of accessibility in accordance with the *Disability (Access to Premises - buildings) Standards 2010* (the Premises Standards).

Waste

B20. Where relevant, future development applications shall include a Waste Management Plan to address storage, collection, and management of waste and recycling within the development.

Traffic, Access and Car Parking

- B21. All future development applications for new built form shall be accompanied by a detailed assessment of the traffic and transport impacts associated with that use on the surrounding road network and intersection capacity.
- B22. All future development applications for new built form shall be accompanied by an updated Green Travel Plan for the school, where necessary, to promote the use of public transport and other sustainable modes of transport.
- B23. All future development applications for new built form shall include an Operational Traffic Management Plan shall address measures to minimise the traffic and parking impacts on the surrounding residential area associated with extra-curricular school activities, including sporting events and cultural/art performances.
- B24. The future development application for use of the aquatic facility in Stage 4 shall include an Operational Traffic Management Plan associated with activities held on a weekend or sporting events to minimise traffic and parking impacts on the surrounding area.

Landscaping

- B25. All future development applications for new built form shall include detailed landscape plans identifying the vegetation to be removed or relocated, and the location of replacement and additional landscaping, and must be generally in accordance with the approved landscape concept in Condition A4 of Part A of Schedule 2. The landscape plans shall include relevant details of the species to be used in the various landscapes areas (preferably species indigenous to the area) and the landscape treatments, including any pavement and seating areas.
- B26. The future development applications requiring removal of significant trees on the site shall include a detailed Aboricultural Impact Assessment, and where possible significant tress should be transplanted to a more suitable location on the school site.

Erosion and Sedimentation Control

- B27. All future development applications shall include details of soil erosion and sediment control measures designed in accordance with the document *Managing Urban Stormwater–Soils & Construction Volume 1* (2004) by Landcom.

SCHEDULE 3

CONDITIONS OF CONSENT FOR STAGE 1 WORKS

PART A ADMINISTRATIVE CONDITIONS

Development Description

A1. Consent is granted to the 'Stage 1 works' as described in Schedule 1 and the Environmental Impact Statement, as amended by the Response to Submissions and the conditions contained in this development consent.

Development in Accordance with Plans and Documents

- A2. The Applicant shall carry out the development generally in accordance with the:
- a) *Environmental Impact Statement Concept Proposal and Stage 1 Development Application SCECGS Redlands Cremorne*, prepared by Urbis dated June 2015, as amended by the *Response to Submissions*, prepared by Urbis dated November 2015; and
 - b) following drawings, except for:
 - i) any modifications which are 'Exempt' or 'Complying Development'; and
 - ii) otherwise provided by the conditions of this consent.

Architectural Design Drawings titled prepared by TKD Architects			
Drawing No.	Revision	Name of Plan	Date
AR.DA.0000	E	Cover Sheet and Site Plan	05/02/16
AR.DA.1001	E	Level 1 Demolition Plan North	05/02/16
AR.DA.1002	E	Level 1 Demolition Plan South	05/02/16
AR.DA.1003	E	Level 2 Demolition Plan North	05/02/16
AR.DA.1004	E	Level 2 Demolition Plan South	05/02/16
AR.DA.1005	E	Roof Demolition Plan	05/02/16
AR.DA.1101	E	Stage 1 Sub Staging Diagrams 1	05/02/16
AR.DA.1102	E	Stage 1 Sub Staging Diagrams 2	05/02/16
AR.DA.2001	E	Basement Level Plan	05/02/16
AR.DA.2002	E	Level 1 Floor Plan North	05/02/16
AR.DA.2003	E	Level 1 Floor Plan South	05/02/16
AR.DA.2004	E	Level 2 Floor Plan	05/02/16
AR.DA.2005	E	Level 3 Floor Plan	05/02/16
AR.DA.2006	E	Level 4 Floor Plan	05/02/16
AR.DA.2007	E	Accessible Roof Plan	05/02/16
AR.DA.2008	E	Roof Level Plan	05/02/16
AR.DA.2031	E	Existing and demolition in 7 & 8 Monford Place	05/02/16
AR.DA.2032	E	Interim works in 7 & 8 Monford Place	05/02/16
AR.DA.2041	E	Temporary Classrooms – Stage 1a to 1b	05/02/16
AR.DA.2042	E	Temporary Classrooms – Stage 1C	05/02/16
AR.DA.2051	E	Basement level Plan – Interim Music Stage 1B	05/02/16
AR.DA.3001	E	Elevations sheet 01	05/02/16
AR.DA.3002	E	Elevations sheet 02	05/02/16
AR.DA.3003	E	Elevations sheet 03	05/02/16
AR.DA.3004	E	Elevations sheet 04	05/02/16
AR.DA.3005	E	Elevations sheet 05	05/02/16
AR.DA.3031	E	Elevations sheet 06 – 7 & 8 Monford Place	05/02/16

AR.DA.3101	E	Sections Sheet 01	05/02/16
AR.DA.3102	E	Sections Sheet 02	05/02/16
AR.DA.3131	E	Sections Sheet 03 – 7 & 8 Monford Place	05/02/16
Landscape Plans prepared by Silk Consulting Landscape Architects			
Drawing No.	Revision	Name of Plan	Date
DA.L100	D	Stage 1 Overall Plan	08/10/15
DA.L101	D	Stage 1 Main Open Space Indicative Plan	08/10/15
DA.L102	D	Stage 1 Hub Building Roof Indicative Plan	08/10/15
DA.L200	D	Stage 1 Indicative Landscape Sections	08/10/15
DA.L400	D	Stage 1 Indicative Planting	08/10/15

Lapsing of Approval

A3. This consent will lapse five years from the date of consent unless the works associated with Stage 1 have physically commenced.

Prescribed Conditions

A4. The Applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Secretary as Moderator

A5. Where this consent requires further approval from public authorities, the parties shall not act unreasonably in preventing an agreement from being reached. In the event that an agreement is unable to be reached within two months or a timeframe otherwise agreed to by the Secretary, the matter is to be referred to the Secretary for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate a resolution. The Secretary's resolution of the matter will be binding on the parties.

Long Service Levy

A6. For work costing \$25,000 or more, a Long Service Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 14 41.

Legal Notices

A7. Any advice or notice to the consent authority shall be served on the Secretary.

PART B PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

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

Residential Boundary Interface

B1. Suitable landscaping is to be provided along the western boundary of the school site (adjacent to the new internal access road) to mitigate any potential overlooking from school buses using the access road. The design details are to be provided to the satisfaction of the Secretary prior to the issue of a Construction Certificate and include section plans at the interface with adjoining residential properties. Evidence of consultation with adjoining residents at 19 Waters Road and 274 Military Road on the suitability of the proposed landscaping treatment is to be provided with the amended landscape plan/s.

Noise Attenuation Measures

- B2. Prior to the issue of a Construction Certificate, the Applicant shall demonstrate to the Certifying Authority that the design of the plant, the basement car park and the New Learning Hub building meet the Site Specific Noise Criteria identified in the Construction & Operational Noise Report prepared by Wilkinson Murray dated May 2015 (Version B).

Heritage

- B3. An Interpretation Strategy in accordance with the recommendation in the Heritage Impact Statement prepared by NBRIS, dated 13 May 2015 shall be submitted to the Certifying Authority, prior to the issue of a Construction Certificate.

Signage

- B4. Prior to issue of a Construction Certificate, the Applicant shall provide details of any signage to the Certifying Authority and the Secretary. Any future signage shall be designed to be compatible with the visual character of the surrounding area.

Ecologically Sustainable Development

- B5. The project shall identify all design, operation and construction measures as identified in the ESD Report prepared by Redlands School & Stage 1 Master Plan ESD Report prepared by Steensen Varming dated 14 May 2015. Details are to be submitted to the Certifying Authority, prior to the issue of a Construction Certificate.

Tree Assessment

- B6. A detailed plan prepared by a suitable qualified person showing all existing trees to be retained and trees to be removed in accordance with the recommendations in the Aborigicultural Impact Assessment prepared by Bluegum, dated May 2015 shall be submitted to the Certifying Authority prior to the issue of a Construction Certificate.

Bicycle Spaces

- B7. A minimum of 20 bicycle spaces are to be provided as part of the Stage 1 works. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.
- B8. The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities.

Car Park and Service Vehicle Layout

- B9. Plans demonstrating compliance with the following traffic and parking requirements shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate:
- a) a maximum of 63 car spaces shall be provided on the site as part of Stage 1;
 - b) all vehicles should enter and leave the Subject Site in a forward direction. In the event that site constraints do not permit heavy rigid vehicles to enter and leave in a forward direction, then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing;
 - c) car parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) must be in accordance with AS 2890.1-2004, AS2890.6 for accessible spaces and AS 2890.2-2002 for heavy vehicle usage;

- d) appropriate pedestrian advisory signs are to be provided at the egress from the car park;
- e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority; and
- f) the swept path of the longest vehicle (including garbage trucks) entering and exiting the Subject Site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS.

Stormwater Management

- B10. Prior to the issue of a Construction Certificate detailed engineering plans and specifications of the drainage system in accordance with Council's stormwater and drainage requirements shall be submitted to the Certifying Authority. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- B11. The pump-out system for stormwater disposal will be permitted for drainage of basement areas or the like only, and shall be designed in accordance with Council's requirements and AS3500.3. A positive covenant shall be created on the property title to ensure the maintenance of the pump-out system.

Reflectivity

- B12. The building materials used on the facades of the building shall have a maximum normal specular reflectivity of visible light of 20 per cent and shall be designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers. A report/statement demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

Outdoor Lighting

- B13. All outdoor lighting within the site shall comply with, where relevant, AS1158.3.1-2005 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

Access for People with Disabilities

- B14. The buildings must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia, DDA Access to Premises Standards (including DDA Access Code) unless where there is an appropriate alternate solution as determined by a suitable qualified access consultant. The Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any Construction Certificate drawings.

Structural Details

- B15. Prior to the issue of a Construction Certificate, the Applicant shall submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with:
- a) the relevant clauses of the BCA; and
 - b) the development consent.

Mechanical Ventilation

B16. All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666.1 *Microbial Control of Air Handling and Water Systems of Building*, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

Storage and Handling of Waste

B17. The building plans and specifications accompanying the Construction Certificate shall demonstrate that an appropriate area will be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. The following requirements shall be met:

- a) all internal walls of the storage area are to be finished to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning;
- b) include provision for the separation and storage in appropriate categories of material suitable for recycling; and
- c) include provision for separate storage and collection of organic/food waste.

Utility Services

B18. Prior to the issue of a Construction Certificate the Applicant is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure.

Pre-construction Dilapidation Report

B19. The Applicant is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all retained existing and adjoining buildings, infrastructure and roads within the 'zone of influence'. Any entry into private land is subject to the consent of the owner(s) and any inspection of buildings on privately affected land shall include details of the whole building where only part of the building may fall within the 'zone of influence'. The report shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the any Construction Certificate. A copy of the report is to be forwarded to the Council and each of the affected property owners.

In the event that access for undertaking a Pre-Construction Dilapidation Report is denied by an adjoining owner, the Applicant must demonstrate, in writing, to the satisfaction of the Secretary that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the report and that these steps have failed.

Shoring

B20. Where any shoring for excavation is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings certified as being adequate for their intended purpose by an appropriately qualified and practising structural engineer, showing all details, including the extent of excavation, encroachment and the method of removal and de-stressing of shoring elements, backfilling and compacting of over-excavated cavities on Council's and/or private property with fill suitable for its purpose, must be first submitted to the Council with a "Temporary Tieback Anchors and Associated Works Application". The temporary

tieback anchors shall be at a minimum depth of 1.5 m below the surface levels of the footpath and roadway.

A certificate of compliance with this condition from Council's Development Engineers as to the result of this review must be obtained. Approved "Temporary Tieback Anchors and Associated Works Application" shall be submitted to the Certifying Authority prior to the issue of a Construction Certificate.

Geotechnical Report

- B21. Prior to the issue of a Construction Certificate a geotechnical report prepared by a suitably qualified geotechnical/hydrogeological engineer shall be submitted to the Certifying Authority in accordance with Council's requirements.
- B22. A certificate prepared by an appropriately qualified geotechnical engineer certifying that the existing rock formations and substrate on the site is capable of withstanding the proposed loads to be imposed and the extent of the proposed excavation shall be submitted to the Certifying Authority to ensure the structural integrity of the subject site and adjoining sites during the excavation process.

Infrastructure Works

- B23. Prior to issue of a Construction Certificate engineering design plans and specifications prepared by a qualified civil design engineer and approved by Council (as Roads Authority) under the Roads Act 1993 shall be submitted to the Certifying Authority in accordance with Council's requirements. The plans and specifications shall provide detail suitable for construction issue purposes and include specifications for the road works to be completed as part of the development.
- B24. Prior to issue of a Construction Certificate detailed engineering design plans and specifications prepared by a qualified and experienced civil engineer suitable for construction issue purposes shall be submitted to the Certifying Authority in accordance with Council's requirements. In this regard the connection of the site stormwater drainage system must be made directly to a newly constructed grated gully pit (with lintel), at the front of the site on Gerard Street, near the intersection with Waters Road.
- B25. The proposed Council easement diversion for stormwater and overland flow shall be designed generally in accordance with the schematic stormwater design drawings and report prepared by TTW dated 03/07/15, as conceptually approved by Council. The final design is to be endorsed by Council prior to issue of the relevant Construction Certificate and details provided to the Certifying Authority.
- B26. Prior to the issue of the relevant Construction Certificate, the Applicant shall provide a driveway crossing and road infrastructure works permit to the Certifying Authority in accordance with Council's requirements.

Foundations adjacent to drainage easements

- B27. The foundations for building structures and walls adjacent to or within the drainage easement are to be designed and constructed in such a manner that does not affect stormwater drainage lines. Plans and specifications in accordance with Council's requirements shall be submitted to the Certifying Authority prior to the issue of a Construction Certificate.

PART C PRIOR TO COMMENCEMENT OF WORKS

Demolition

- C1. Any demolition work shall comply with the provisions of Australian Standard AS2601: 2001 The Demolition of Structures. The work plans required by AS2601: 2001 shall 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 shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of works.

Notice of Commencement of Works

- C2. The Certifying Authority and Council shall be given written notice, at least 48 hours prior to the commencement of building work on the Subject Site.

Contamination

- C3. Remediation approved as part of this development consent shall be carried out in accordance with the *Remediation Action Plan* dated 7 October 2015 and prepared by Environmental Investigation Services. A site audit must be carried out by an EPA accredited site auditor prior to the commencement of remediation works.
- C4. Upon completion of the remediation works on the subject site, the Applicant shall submit to the Certifying Authority a site audit report and site audit statement prepared by an EPA accredited site auditor. The site audit report and site audit statement must verify that the land is suitable for the uses proposed as part of this approval.

Construction Environmental Management Plan

- C5.
- a) Prior to the issue of a Construction Certificate, a Construction Environmental Management Plan (CEMP) shall be submitted to the Certifying Authority. The Plan shall address, but not be limited to, the following matters, where relevant:
 - i) hours of work;
 - ii) 24 hour contact details of site manager;
 - iii) traffic management, in consultation with Council and TfNSW;
 - iv) construction noise and vibration management plan (NVMP), prepared by a suitably qualified person, which addresses the relevant provisions of Australian Standard 2436 - 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites, and the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009). The NVMP shall include the specific mitigation measures recommended in the Construction and Operational Noise report dated May 2015 prepared by Wilkinson Murray;
 - v) management of dust and odour to protect the amenity of the neighbourhood;
 - vi) erosion and sediment control;
 - vii) procedures for encountering groundwater during construction works including contact with NSW Office of Water;
 - viii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site;
 - ix) stormwater control and discharge;
 - x) waste storage and recycling control;

- xi) construction material storage;
 - xii) litter control;
 - xiii) Unexpected Finds Protocol; and
 - xiv) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.
- b) The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.
 - c) The Applicant shall submit a copy of the CEMP to Council, prior to commencement of work.
- C6. The CEMP (as revised from time to time) must be implemented by the Applicant for the duration of construction works.

Construction Traffic and Pedestrian Management Plan

- C7.
- a) Prior to the commencement of any works on the Subject Site, a Construction Traffic and Pedestrian Management Plan (TMP) prepared by a suitably qualified person shall be submitted to the Certifying Authority. The Plan must be prepared in consultation with TfNSW, RMS and Council and where required, the approval of the Council's traffic committee obtained.
 - b) The Plan shall address, but not be limited to, the following matters:
 - i) ingress and egress of vehicles to the Subject Site;
 - ii) loading and unloading, including construction zones;
 - iii) construction traffic and construction car parking arrangements, including measures to reduce travel to the Subject Site by private vehicle such as incentives to encourage public transport use or carpooling;
 - iv) predicted traffic volumes, types and routes;
 - v) impacts on bus movements adjacent to the school particularly along Military Road, and where relevant measures to mitigate any impacts and ensure there is no delays to bus services; and
 - vi) pedestrian and traffic management methods.
 - c) The Applicant shall submit a copy of the final Plan to the Council, prior to the commencement of work.
- C8. The TMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Construction Noise and Vibration Management Plan

- C9. The Applicant shall prepare and implement a Construction Noise and Vibration Management Plan and the plan must:
- a) be prepared by a suitably qualified expert;
 - b) be prepared in consultation with Council and all noise sensitive receivers where noise levels exceed the construction noise management level, and in accordance with EPA guidelines;
 - c) describe the measures that would be implemented to ensure:
 - i) best management practice is being employed;
 - ii) compliance with the relevant conditions of this approval;

- d) describe the proposed noise and vibration management measures in detail;
- e) include strategies that have been developed with the community, including all noise sensitive receivers where noise levels exceed the construction noise management level, for managing high noise generating works;
- f) describe the community consultation undertaken to develop the strategies in e) above;
- g) evaluates and reports on the effectiveness of the noise and vibration management measures; and
- h) include a complaints management system that would be implemented for the duration of the project.

C10. The NVMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Construction Waste Management Plan

C11.

- a) Prior to the commencement of any works on the Subject Site, a Construction Waste Management Plan (CWMP) shall prepared by a suitably qualified person in consultation with the Council, shall be submitted to the Certifying Authority. The Plan shall address, but not be limited to, the following matters:
 - i) Recycling of demolition materials including concrete; and
 - ii) Removal of hazardous materials and disposal an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.
- b) Details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the Certifying Authority prior to the removal of any hazardous materials.
- c) The Applicant shall submit a copy of the Plan to the Department and to Council, prior to commencement of work.
- d) The Applicant must notify the Roads and Maritime Services Traffic Management Centre (TMC) of the truck routes(s) to be followed by trucks transporting waste material from the Subject Site, prior to the commencement of the removal of any waste material from the Subject Site.

C12. The CWMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Sydney Water Quick Check

C13. The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met. Plans will need to be appropriately stamped by the Sydney Water Quick Check agent.

Note: for further assistance please telephone 13 20 92 or refer to Sydney Water's website www.sydneywater.com.au for Quick Check agent details.

Erosion and Sedimentation Control

C14. Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater–Soils & Construction Volume 1* (2004) by Landcom. Details are to be submitted to the satisfaction of the Certifying Authority

prior to commencement of above ground works involving vegetation removal or soil disturbance.

PART D DURING CONSTRUCTION

Hours of Work

D1. The hours of construction, including the delivery of materials to and from the Subject Site, shall be restricted as follows:

- a) Between 7 am and 6 pm, Mondays to Fridays inclusive.
- b) Between 8 am and 1 pm, Saturdays.
- c) No work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- i) the delivery of materials is required outside these hours by the Police or other authorities;
- ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; and
- iii) a variation is approved, in advance, in writing, by the Secretary or her nominee.

Erosion and Sediment Control

D2. All erosion and sediment control measures are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Disposal of Seepage and Stormwater

D3. Any seepage or rainwater collected on-site during construction or groundwater shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Environment Protection Authority in accordance with the New South Wales Protection of the Environment Operations Act

Approved Plans to be On-Site

D4. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of the Department, Council or the Certifying Authority.

Site Notice

D5.

- a) A site notice(s) shall be prominently displayed at the boundaries of the Subject Site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer.
- b) The notice(s) is to satisfy all but not be limited to, the following requirements:
 - i) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
 - ii) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
 - iii) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and

- iv) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the Subject Site is not permitted.

Protection of Trees

D6.

- a) No street trees are to 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 shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of Council.
- c) All trees on the Subject Site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.
- d) The removal works are to be undertaken by a qualified arborist recognised within the Australian Qualification Framework, with a minimum 5 years of continual experience within the industry of operational amenity arboriculture, and covered by appropriate and current types of insurance to undertake such works and in accordance with Work Cover NSW 2007.

Construction Noise Management

D7.

- a) The development shall be constructed with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the Construction Noise and Vibration Management Plan, approved as part of the CEMP.
- b) If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.
- c) The Applicant shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Plan.
 - i) 8 am to 12 pm, Monday to Friday;
 - ii) 2 pm to 5 pm Monday to Friday; and
 - iii) 9 am to 12 pm, Saturday.
- d) Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where outlined in a Construction Noise and Vibration Management Plan.
- e) Any noise generated during the construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the Subject Site.

Vibration Criteria

- D8. Vibration caused by construction at any residence or structure outside the Subject Site must be limited to:

- a) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration – Effects of Vibration on Structures.
- b) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472- Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.
- c) vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.
- d) these limits apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP.

Work Cover Requirements

D9. To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.

Contamination

D10. All material in the building which contains asbestos is to be removed in accordance with the guidelines of the WorkCover Authority and the requirements of the Environment Protection Authority.

D11. Any subsurface soils excavated during redevelopment of the site shall be classified in accordance with the 'Waste Classification Guidelines: Part 1 Classifying Waste NSW DECC, 2009 prior to off-site disposal.

Demolition

D12. All demolition is to be carried out in accordance with the requirements of the Australian Standard AS2601-2001.

Hoarding/Fencing Requirements

D13. The following hoarding requirements shall be complied with:

- a) No third party advertising is permitted to be displayed on the subject hoarding/fencing (i.e. not related to the school or the project).
- b) The construction site manager shall be responsible for the removal of all graffiti from any construction hoarding/fencing or the like within the construction area within 48 hours of its application.

Impact of Below Ground (sub-surface) Works – Non-Aboriginal Relics

D14. If any archaeological relics are uncovered during the course of the work, then all works shall cease immediately in that area and the OEH Heritage Branch contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the NSW Heritage Act 1977 may be required before further works can continue in that area.

Discovery of Aboriginal Heritage

D15. 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 OEH and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives,

the archaeologist and OEH to develop and implement management strategies for all objects/sites.

Military Road Bus Stop

D16. The costs associated with the relocation of the bus stop and shelter on Military Road shall be paid for by the Applicant. The State Transit Authority shall be consulted as to the location of any new bus shelter.

Geotechnical Stability During Works

D17. A contractor with specialist excavation experience shall undertake the excavations for the development and a suitably qualified and consulting geotechnical engineer must oversee the excavation procedure. Geotechnical aspects of the development work, namely appropriate excavation method and vibration control, support and retention of excavated faces, and Hydro geological considerations must be undertaken in accordance with the recommendations of the Geotechnical Report prepared by qualified Geotechnical Engineer, and all subsequent geotechnical inspections carried out during the excavation and construction phase. Approval shall be obtained from all affected property owners, including Council where rock anchors (both temporary and permanent) are proposed below adjacent private or public property.

PART E PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Occupation Certificate

E1. An Occupation Certificate must be obtained from the Certifying Authority prior to commencement of occupation or use of the whole or part of the new building. A copy of the certificate shall be submitted to the Department and Council.

Structural Inspection certificate

E2. A Structural Inspection Certificate for any structural work is to be obtained prior to occupation of the building.

Mechanical Ventilation

E3. Following completion, installation and testing of all the mechanical ventilation systems, the Applicant shall provide evidence to the satisfaction of the Certifying Authority, prior to the issue of any Occupation Certificate, that the installation and performance of the mechanical systems complies with:

- a) The Building Code of Australia;
- b) Australian Standard AS1668 and other relevant codes;
- c) The development consent and any relevant modifications; and
- d) Any dispensation granted by the Fire and Rescue NSW.

Road Damage

E4. The cost of repairing any damage caused to Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development, is to be met in full by the Applicant/developer prior to the issue of any Occupation Certificate.

Operational Traffic Management Plan - Internal Access Road

E5. Prior to the commencement of use of the internal access road between Waters Road and Military Road, a detailed Operational Traffic Management Plan (OTMP) shall be

provided to the satisfaction of the Secretary. The Plan must address but not limited to the following aspects:

- a) the type, frequency and duration of stay of all vehicle types;
- b) vehicle parking and pick-up and set-down locations for students;
- c) operating hours for the specific vehicle types;
- d) restrictions on vehicular access;
- e) measures to minimise the migration of fumes to the adjoining residential properties;
- f) measures to mitigate all potential noise impacts including but not limited to the vehicle movements, garbage collection and student congregation;
- g) management of complaints from adjoining residential properties; and
- h) monitoring and review of the operation of the internal access road to ensure its ongoing acceptable performance.

E6. The Applicant shall ensure that the OTMP (as revised and approved by the Secretary from time to time) is implemented for the life of the development.

Sydney Water Compliance

E7. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

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

The Section 73 Certificate must be submitted to the Certifying Authority prior to issue of the occupation certificate.

Post-construction Dilapidation Report

E8. Prior to the issue of an Occupation Certificate, the Applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.

- a) The report is to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Certifying Authority must:
 - i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions and
 - ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- b) A copy of this report is to be forwarded to Council.

Fire Safety Certification

E9. Prior to the issue of an Occupation Certificate, a Fire Safety Certificate shall be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and be prominently displayed in the building.

Structural Inspection Certificate

E10. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the issue of any Occupation Certificate and/or use of the premises. A copy of the Certificate with an electronic set of final

drawings (contact approval authority for specific electronic format) shall be submitted to 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.
- b) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Utility Providers

E11. Prior to the issue of a relevant Occupation Certificate written advice shall 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 provision of adequate services.

Drainage Plan

E12. Prior to the issuing of an Occupation Certificate for the development, the Applicant shall submit to Council and the Certifying Authority a works-as-executed drainage plan prepared by a registered surveyor and approved by a suitably qualified and experienced civil engineer. The works-as-executed drainage plan shall be to the satisfaction of the Certifying Authority.

Waste Management

E13. Prior to the issue of the relevant Occupation Certificate, a detailed Waste Management Plan for operation of the site shall be submitted to the Certifying Authority.

Landscaping

E14. The landscaping of the site is to be carried out in accordance with the approved Landscape Plan prior to the issuing of an Occupation Certificate.

Gerard Street Traffic Restrictions

E15. "No stopping" restrictions are to be extended approximately 18 metres on the northern side of Gerard Street to permit vehicles to pass right turning vehicles to the site. The "No stopping" restrictions on the southern side of Gerard Street are to be increased to 44 metres to allow safe sightlines in accordance with AS 2890.1 (2004) prior to the issuing of an Occupation Certificate. Details are to be provided in consultation with RMS and North Sydney Council Traffic Committee.

Green Travel Plan

E16. Prior to the issue of the final Occupation Certificate, a detailed Green Travel Plan shall be submitted to the Certifying Authority to promote the use of public transport and other sustainable modes of transport by staff, students and visitors. The GTP shall address but not limited to sustainable transport targets; strategies and actions to be implemented to encourage sustainable transport modes; and an annual monitoring and reporting programme.

Civil Works

E17. An appropriately qualified and practising civil engineer shall certify to the Certifying Authority that the stormwater drainage system is constructed in accordance with the development consent and the provisions of the applicable Australian Standard. A copy of the certificate must be submitted to Council (if it is not the Certifying Authority) upon completion of the development works and prior to the issue of an Occupation Certificate.

E18. An appropriately qualified and practicing civil engineer shall certify to the Certifying Authority that the vehicular crossing and associated works and road works were constructed in accordance with the development consent and any approval for works in the road reserve issued by the Council. A copy of the certificate must be submitted to Council (if it is not the Certifying Authority), upon completion of the development works and prior to the issue of an Occupation Certificate.

Covenant – Stormwater Control System

E19. An Instrument pursuant to Sections 88B and 88E of the *Conveyancing Act 1919* providing for a restriction as to user and positive covenant as to user as appropriate in favour of Council burdening 272 Military Road, Cremorne – SCECGS Redlands School, requiring the ongoing retention, maintenance and operation of the stormwater facility (rainwater tank, WSUD treatment system and pump-out system). Council shall be nominated in the Instrument as the only party authorised to release, vary or modify the Instrument.

E20. The Instrument creating the restriction and/or covenant under section 88B and 88E of the *Conveyancing Act 1919* must be registered on the property title prior to the issue of an Occupation Certificate or commencement of use of the site, whichever is the earlier.

New Drainage Easement – relocated stormwater pipeline

E21. An Instrument pursuant to Section 88A of the *Conveyancing Act 1919* providing for a drainage easement in favour of Council between Monford Place to Gerard Street over the newly constructed stormwater pipeline. The easement must be at no cost to Council. Access rights shall be provided for Council personnel and equipment to inspect and maintain and/or replace the drainage pipeline. Council shall be nominated in the Instrument as the only party authorised to release, vary or modify the Instrument. Evidence of registration of the easement shall be provided to the Certifying Authority prior to issue of any Occupation Certificate.

Basement pump-out

E22. Prior to issue of an Occupation Certificate a Maintenance Regime must be prepared for the basement stormwater pump-out system and submitted to the Certifying Authority for approval prior to issue of an Occupation Certificate. The regime must specify that the system is to be regularly inspected and checked by qualified practitioners. The basement stormwater pump-out system must be maintained in accordance with the approved Maintenance Regime at all times.

Vehicular Egress

E23. Prior to the issue of an Occupation Certificate, appropriate sign(s)/signalization must be provided and maintained within the site at the point(s) of vehicular egress to ensure all vehicles stop before proceeding onto the public way.

PART F POST OCCUPATION

Extra-Curricular Activities

F1. An up to date extra-curricular activity forecast profile shall be maintained and must:

- a) identify the dates for all the extra-curricular activities and events (excluding student only events), time of extra-curricular activities and events and the number of attendees;

- b) be displayed in a convenient and publicly accessible location or distributed to surrounding residents on an annual basis, including notification of any changes to extra-curricular activities or events; and
- c) establish a notification process (e.g. letterbox drop or e-communication) for informing surrounding residents within one week to a fortnight before any major event.

External Lighting

- F2. External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the Applicant shall submit to the consent authority evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.

Loading/Unloading

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

Ecologically Sustainable Development

- F4. The operation of the building shall implement the ESD principles and design measures outlined within the EIS.

Annual Fire Safety Certificate

- F5. An annual Fire Safety Statement must be given to Council and the Fire & Rescue NSW commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued. This must ensure that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard.

Noise Control – General

- F6. The use of the premise shall not cause nuisance, or an offensive noise as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.

Noise Control – Plant and Machinery

- F7. Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:
- a) Transmission of “offensive noise” as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy.
 - b) A sound pressure level at any affected residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a LAeq, 15 minute.
 - c) Notwithstanding compliance with (1) and (2) above, the noise from mechanical plant associated with the premises must not exceed 5dB(A) above the background noise level between the hours of 12 midnight and 7 am.

Landscaping

- F8. The landscaping is to be maintained at all times following its installation. Any trees planted as part of the approved Landscape Plan shall be of a super advanced stage with a minimum 75 litre container size. The trees shall not be altered or removed

without the prior consent of Council being given in writing. Any mature trees required to be removed from the site are to be replaced with the equivalent number of super advanced trees of a species suitable to Council prior to the issuing of an Occupation Certificate.

Use of the New Learning Hub

F9. The New Learning Hub facility is to be used primarily for school related activities. Where required, approval from the relevant consent authority is to be obtained for use of the facility for any community purpose, whether or not it is a commercial use.

ADVISORY NOTES

Appeals

AN1. The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2000 (as amended).

Other Approvals and Permits

AN2. The Applicant shall apply to the Council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the Local Government Act, 1993 or Section 138 of the Roads Act, 1993.

Responsibility for other consents / agreements

AN3. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Temporary Structures

AN4.

- a) An approval under State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007 must be obtained from the Authority for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.
- b) Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Authority with the application under State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007 to certify the structural adequacy of the design of the temporary structures.

Disability Discrimination Act

AN5. This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The Applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

AN6.

- a) The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.
- b) This application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the Applicant's responsibility to consult the Department of Sustainability, Environment, Water, Population and Communities to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

Asbestos Removal

AN7. All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos"

Site contamination issues during construction

AN8. Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination then the Applicant must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with the Department.