

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 approve the development referred to in schedule 1, subject to the conditions in schedule 2.

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 9th June

2017

SCHEDULE 1

Application No.:	SSD 7507
Applicant:	Sydney Church of England Grammar School (Shore)
Consent Authority:	Minister for Planning
Land:	Blue and William Streets and Hunter Crescent, North Sydney (Lot 3 DP 75717, Lots 3-7 DP18725, Lot 3 DP 508557, Lot 1 DP 539853, Lot 1 DP 570826, Lots B, C and D DP 975970).
Development:	Redevelopment of the Shore school senior campus, involving: • demolition of existing pools, gymnasium, squash courts, minor structures and residential flat buildings at 4 and 5 Hunter Crescent and 16 William Street; • construction of two buildings up to four storeys (with a shared basement level) to accommodate a swimming pool, three basketball courts with tiered seating, gymnasium, associated sporting facilities, 11 classrooms, seminar rooms, teaching support facilities and loading area; • alterations to the adjoining library and basketball court building; and • expansion of the Bishopsgate carpark and new student drop-off/pick-up facilities and access.

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Sydney Church of England Grammar School (Shore)
Application	The development application and the accompanying drawings, plans and documentation described in Condition A2.
Construction	Any works, including earth and building works
Council	North Sydney Council
Certifying Authority	Means a person who is authorised by or under section 109D of the EP&A Act to issue a construction certificate under Part 4A of the EP&A Act; or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works.
Day time	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	Department of Planning and Environment or its successors
Evening	The period from 6 pm to 10 pm
Environmental Impact Statement (EIS)	Environmental Impact Statement titled <i>Shore Physical Education Centre (SSD 7507) - Blue Street, William Street and Hunter Crescent, North Sydney - Environmental Impact Statement to NSW Planning and Environment</i> , prepared by Robinson Urban Planning and dated 14 July 2016
EPA	Environment Protection Authority, or its successor
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation or Regulation	Environmental Planning and Assessment Regulation 2000
Incident	An occurrence or set of circumstances that causes, or threatens to cause, material harm to the environment, community or any member of the community, being actual or potential harm to the health or safety of human beings or to threatened species, endangered ecological communities or ecosystems that is not trivial. <i>Note: This meaning of "material harm" applies for the purpose of this approval only.</i>
Minister	Minister for Planning, or nominee
NCC	National Construction Code
Night time	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays.
OEH	Office of the Environment and Heritage, or its successor
Reasonable and Feasible	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. Feasible relates to engineering considerations and what is practical to build
Response to Submissions (RtS)	Response to Submissions report titled <i>Shore Physical Education Centre (SSD 7507) Submissions Report</i> , prepared by Robinson Urban Planning and dated 20 December 2016, as amended by the Response to Submissions Addendum titled <i>Shore Physical Education Centre (SSD 7507) Response to Submissions – Additional and Amended Information</i> , prepared by Robinson Urban Planning and dated 16 March 2017, by the Additional Information (untitled), prepared by Robinson Urban Planning and dated 24 March 2017, and by the Additional Information titled <i>Shore Physical Education Centre (SSD 7507) - Additional Information</i> , prepared by Robson Urban Planning Pty Ltd and dated 5 May 2017.
RMS	Roads and Maritime Services Division, Department of Transport or its successor
Secretary	Secretary of the Department of Planning and Environment, or nominee/delegate
Secretary's approval, agreement or satisfaction	A written approval from the Secretary (or nominee/delegate). Where the Secretary's approval, agreement or satisfaction is required under a condition of this consent, the Secretary will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Secretary may ask for additional information if the approval, agreement or satisfaction request is considered incomplete. When further information is requested, the time taken for the Applicant to respond in writing will be added to the one month period.
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	Blue and William Streets and Hunter Crescent, North Sydney (Lot 3 DP 75717, Lots 3-7 DP18725, Lot 3 DP 508557, Lot 1 DP 539853, Lot 1 DP 570826, Lots B, C and D DP 975970).
Zone of Influence	The horizontal distance from the edge of the excavation site or any construction zone (including on-site haulage routes) to twice the maximum excavation depth.

SCHEDULE 2

A ADMINISTRATIVE CONDITIONS

Development Description

- A1. Except as amended by the conditions of this consent, development consent is granted only to carrying out the development as described in Schedule 1.

Development in Accordance with Plans and Documents

- A2. The Applicant must carry out the project in accordance with the conditions of consent and generally in accordance with the:
- a) State Significant Development Application SSD 7507;
 - b) EIS, except where amended by the RtS; and
 - c) the following drawings, except for:
 - i) any modifications which are Exempt or Complying Development or Development without Consent; and
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by Cox Richardson			
Dwg No.	Rev.	Name of Plan	Date
A-DA-0002	02	Site Location Plan Proposed	13/07/2016
A-DA-0011	02	Site Plan Demolition	13/07/2016
A-DA-0012	02	Site Plan Proposed	13/07/2016
A-DA-2100	06	Lower Ground Floor Plan_RL55.00	22/03/2017
A-DA-2110	02	Ground Floor Plan_RL59.00	13/07/2016
A-DA-2120	02	First Floor Plan_RL63.00	13/07/2016
A-DA-2130	02	Second Floor Plan_RL67.20	13/07/2016
A-DA-2140	02	Third Floor Plan_RL71.30	13/07/2016
A-DA-2150	02	Fourth Floor Plan_RL75.40	13/07/2016
A-DA-2190	07	Bishops Gate Ground Floor Plan_RL56.75	22/03/2017
A-DA-2191	06	Bishops Gate First Floor Plan_RL59.60	09/03/2017
A-DA-2192	04	Bishops Gate Roof Plan_RL64.50	22/03/2017
A-DA-3001	04	East & South Elevations	22/03/2017
A-DA-3002	03	Internal Elevations	22/03/2017
A-DA-3090	03	Bishops Gate Elevation – Union Street	22/03/2017
A-DA-4001	03	Sections Overall 1	22/03/2017
A-DA-4002	03	Sections Overall 2	22/03/2017
A-DA-4090	05	Bishops Gate Overall Sections	22/03/2017
A-DA-8101	03	3D View 1	19/12/2016
A-DA-8102	03	3D View 2	19/12/2016
A-DA-9001	02	External Finishes Board	13/07/2016
Landscape Plan prepared by Oculus			
Dwg No.	Rev.	Name of Plan	Date
LA-20-11	03	General Arrangement Carpark Rooftop	09/12/2016

Inconsistency between documents

- A3. If there is any inconsistency between the plans and documentations referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this consent prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.
- A4. The Applicant must comply with any reasonable requirements of the Secretary arising from the Department's assessment of:
- a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent; and
 - b) the implementation of any actions or measures contained in these documents.

Design Quality Excellence

- A5. In order to ensure the design quality excellence of the development is retained:
- a) the design architects (*Cox Richardson*) are to have direct involvement in the design documentation, contract documentation and construct stages of the project;
 - b) the design architect is to have full access to the site and is to be authorised by the Applicant to respond directly to the consent authority where information or clarification is required in the resolution of the design issues throughout the life of the project; and
 - c) evidence of the design architect's commission is to be provided to the Department prior to the issue of any Construction Certification, except for Construction Certificates in relation to site preparatory works (including demolition).
- A6. The design architects for the project are not to be changed without prior notice and approval of the Secretary.

National Construction Code Compliance

- A7. All aspects of the building design shall comply with the applicable performance requirements of the National Construction Code so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:
- a) complying with the deemed to satisfy provisions, or
 - b) formulating an alternative solution which:
 - i) complies with the performance requirements, or
 - ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - iii) is a combination of a) and b).

Development Expenses

- A8. It is the responsibility of the Applicant to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this consent.

Lapsing of approval

- A9. This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

Prescribed Conditions

- A10. The Applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Dispute Resolution

A11. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this consent 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.

Long Service Levy

A12. 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 1441.

Legal Notices

A13. Any advice or notice to the consent authority shall be served on the Secretary.

Car Parking

A14. This consent does not authorise a net increase in on-site car parking across the Shore school campus. In this regard, upon commencement of operation of the expanded Bishopsgate Carpark no car parking is to occur along the internal road located to the west of the Bishopsgate Carpark and Hodges Boarding House, except for vehicles with a clearance height greater than 2 m, including delivery and services vehicles, Army Cadet vehicles and the School Bus.

Student Numbers

A15. This consent does not authorise an increase in student numbers attending the Shore school North Sydney Campus.

B PRIOR TO COMMENCEMENT OF WORKS

Notice of Commencement of Works

- B1. The Certifying Authority, Council and the Department are to be given written notice, at least 48 hours prior to the commencement of works on the subject site.

Demolition

- B2. All demolition work shall comply with the provisions of Australia 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 demolition works.
- B3. The Applicant must prepare a register of hazardous materials (including asbestos and polychlorinated biphenyl capacitors (PCBs)) and ensure that asbestos and PCB capacitors are removed and validated by an appropriately qualified occupational hygienist prior to demolition works. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the commencement of demolition works and remedial works.
- B4. Any additional geotechnical borehole testing on completion of demolition works must not be undertaken without the prior written approval of Sydney Trains.

Archaeological Investigations

- B5. An appropriately qualified and experienced archaeological consultant shall be nominated for the works. The name and experience of the archaeological consultant must be submitted to the satisfaction of the Secretary prior to the commencement of any works (not including the demolition of existing buildings and structures).
- B6. The Applicant shall prepare a **Historical Archaeological Research Design (HARD)**. The **HARD** shall be prepared by a suitably qualified and experienced excavation director, who fulfils the NSW Heritage Council's Excavation Director Criteria for the excavation of locally significant archaeological sites, and in consultation with the Heritage Division of the Office of Environment and Heritage. A copy of the **HARD** must be submitted to the satisfaction of the Secretary prior to the commencement of any works (not including the demolition of existing buildings and structures).
- B7. Prior to and/or in conjunction with the works (not including the demolition of existing buildings and structures), an archaeological program for the mitigation of impacts to relics of local significance shall be undertaken in accordance with the approved **HARD** and by the approved archaeological consultant.
- B8. A **Final Excavation Report** shall be prepared within 12 months of the completion of archaeological works on site. It should include details of any artefacts recovered, nominate a repository for the storage of any artefacts recovered and details of their ongoing conservation and protection in perpetuity by the land owner. Copies of the **Final Excavation Report** are to be provided to the Department, Council and the NSW Heritage Council.
- B9. The Applicant shall prepare an **Interpretation Plan** to guide the future incorporation of the findings from the works in communicating the significance of the site to future visitors. The **Interpretation Plan** shall be prepared in accordance with the NSW Heritage Council's Interpreting Heritage Places and Items Guidelines and in consultation with the Heritage Division of the Office of Environment and Heritage. The Interpretation Plan must be submitted to the satisfaction of the Secretary within 18 months of the completion of archaeological excavations on site.

Site Contamination

- B10. Remediation approved as part of this development consent, and any further investigations required following the demolition of existing buildings and structures, shall be carried out in accordance with the following technical reports:
- a) *Stage 1 Environmental Site Assessment*, prepared by Environmental Investigation Services and dated 26 May 2015;
 - b) *Addendum Letter to EIS Report*, prepared by Environmental Investigation Services and dated 1 June 2015; and
 - c) *Remedial Action Plan*, prepared by Environmental Investigation Services and dated 14 July 2016.
- B11. Prior to the commencement of remedial works, the Applicant must submit a **Section B Site Audit Statement**, prepared by a NSW EPA accredited Site Auditor, confirming the *Remedial Action Plan*, prepared by Environmental Investigation Services and dated 14 July 2016, is appropriate.
- B12. Upon completion of remedial works, the Applicant shall submit a **Site Audit Report** and **Section A Site Audit Statement** for the relevant part of the site prepared by a NSW EPA accredited Site Auditor. The **Site Audit Report** and **Section A Site Audit Statement** shall verify the relevant part of the site is suitable for the education land use and be provided to the satisfaction of the Certifying Authority prior to the commencement of works (not including the demolition of existing buildings and structures).

Erosion and Sedimentation Control

- B13. A soil erosion and sediment control plan must be developed 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 works involving vegetation removal or soil disturbance.

Railway Tunnel

- B14. Prior to the commencement of works involving ground penetration deeper than 2m either above or within 25 m of the rail tunnel, the Applicant must submit to the satisfaction of Sydney Trains the following:
- a) final Geotechnical and Final Structural report/drawings;
 - b) final Construction methodology with details pertaining to structural support during excavation;
 - c) cross sectional drawings showing ground surface, rail tracks, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the Rail Corridor. Drawings shall also include accurate measurements from the rail tunnel/infrastructure confirmed by a registered surveyor; and
 - d) detailed Survey Plan showing the relationship of the proposed development with respect to RailCorp's land and infrastructure.
- B15. If required by Sydney Trains following the review of materials submitted in accordance with Condition B14, prior to the commencement of works involving ground penetration deeper than 2m either above or within 25 m of the rail tunnel, the Applicant must submit to the satisfaction of Sydney Trains the following:
- a) Ground Vibration and Movement Monitoring Report;
 - b) Risk Assessment Report;
 - c) Safe Work Method/Excavation, Demolition & Construction management plan and methodology;
 - d) machinery to be used during demolition, excavation and construction;
 - e) Dilapidation Survey of the rail tunnel; and
 - f) numerical analysis modelling.

Complaints and Enquiries Procedure

B16. Prior to the commencement of works, or as otherwise agreed by the Secretary, the following must be made available for community enquiries and complaints for the duration of construction:

- a) a toll-free 24 hour telephone number(s) on which complaints and enquiries about the application may be registered;
- b) a postal address to which written complaints and enquires may be sent; and
- c) an email address to which electronic complaints and enquiries may be transmitted.

The telephone number, the postal address and the email address must be published in newspaper(s) circulating in the local area including in newspapers of culturally and linguistically diverse communities affected by the proposal prior to the commencement of construction.

B17. A **Complaints Management System** must be prepared before the commencement of any work.

The **Complaints Management System** must include a **Complaints Register** to be maintained recording information on all complaints received about the development during the carrying out of any works associated with the development and for a minimum of 12 months following the completion of construction. The **Complaints Register** must record the:

- a) number of complaints received;
- b) number of people affected in relation to a complaint; and
- c) nature of the complaint and means by which the complaint was addressed and whether resolution was reached, with or without mediation.

The **Complaints Register** must be provided to the Secretary upon request, within the timeframe stated in the request.

Construction Environmental Management Plan

B18.

- a) Prior to the commencement of works on the Subject Site, a **Construction Environmental Management Plan (CEMP)** that addresses those works must be submitted to the Certifying Authority for approval. The **CEMP** must 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 the Council, including a designated off-street car parking area for construction related vehicles;
 - iv) construction noise and vibration management, prepared by a suitable qualified person;
 - v) management of dust to protect the amenity of the neighbourhood;
 - vi) erosion and sediment control;
 - vii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site;
 - viii) external lighting in compliance with AS4282:1997 *Control of the Obtrusive Effects of Outdoor Lighting*;
 - ix) an Unexpected Finds Protocol (UFP) and associated communications procedure, that also considers potential for finds associated with defence use of the land and measures for acid soil management; and

- x) waste classification (for materials to be removed) and validation (for materials to remain) during construction to confirm the contamination status in these areas of the site.
- 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 must submit a copy of the approved **CEMP** to the Department and to Council, prior to commencement of work.

B19. The **CEMP** (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

B20. Prior to the commencement of works on the Subject Site, the Applicant must prepare a **Construction Noise and Vibration Management Plan (CNVMP)** which must:

- a) be prepared by a suitably qualified expert and submitted to the Certifying Authority for approval;
- b) be prepared in consultation with all noise sensitive receivers where noise levels exceed the construction noise management level, 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 consent;
- d) describe the proposed noise and vibration management measures in detail;
- e) identify the selection of alternative construction appliances to avoid the generation of excessive noise levels;
- f) include strategies that have been developed to address impacts to noise sensitive receivers where noise levels exceed the construction noise management level, for managing high noise generating works;
- g) implement intra-day respite periods for construction activities identified as annoying;
- h) implement noise reducing site/work practices and require regular noise checks of equipment;
- i) describe the consultation undertaken to develop the strategies in b) above;
- j) evaluates and reports on the effectiveness of the noise and vibration management measures; and
- k) include a complaints management system that would be implemented for the duration of the project.
- l) The Applicant must submit a copy of the approved **CNVMP** to the Department and to the Council, prior to commencement of work.

B21. The **CNVMP** (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Construction Waste Management Plan

B22.

- a) Prior to the commencement of works on the Subject Site, a **Construction Waste Management Plan (CWMP)**, prepared by a suitably qualified person in consultation with the Council, must be submitted to the Certifying Authority for approval. The **CWMP** must address, but not be limited to, the following matters:
 - i) recycling of demolition materials including concrete; and

- ii) removal of hazardous materials and disposal at 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 must submit a copy of the approved **CWMP** to the Department and to the Council prior to the commencement of work.
 - d) The Applicant must notify the RMS Traffic Management Centre (TMC) of the truck route(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.
- B23. The **CWMP** (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Construction Traffic and Pedestrian Management Plan

B24.

- a) Prior to the commencement of works on the Subject Site, a **Traffic and Pedestrian Management Plan (TMP)** prepared by a suitably qualified person must be submitted to the Certifying Authority for approval. The **TMP** must be prepared in consultation with the Council and RMS.
- b) The **TMP** must address, but not be limited to, the following matters:
 - i) ingress and egress of vehicles to the Subject Site, including Swept path analysis;
 - ii) impacts on cyclists and pedestrians and bus services;
 - iii) cumulative construction impacts of projects;
 - iv) loading and unloading, including construction works zones;
 - v) predicted traffic volumes, types and haulage routes;
 - vi) pedestrian and traffic management methods;
 - vii) construction hours and program;
 - viii) cumulative construction impacts of surrounding construction projects and coordination of activities to manage and minimise road network impacts; and
 - ix) details of impacts identified, duration and proposed mitigation measures.
- c) Any alterations to the public road, involving traffic and parking arrangements, must be referred to and approved by the relevant traffic committee.
- d) The Applicant must submit a copy of the approved **TMP** to the Department and to the Council, prior to the commencement of works.

- B25. The **TMP** (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

C PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

Ecologically Sustainable Development

- C1. The project shall incorporate all design, operation and construction measures as identified in the *Shore Physical Education Centre ESD DA Report*, prepared by Steensen Varming and dated 12 July 2016. Prior to the issue of the relevant Construction Certificate, the Applicant shall submit to the Certifying Authority details of all design, operation and construction measures demonstrating that the proposed new building has been designed to achieve a minimum 5 star Green Star Education v1 tool rating.

Reflectivity

- C2. The building materials used on the facades of the buildings must have a maximum normal specular reflectivity of visible light of 20 per cent and must be designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers. A statement demonstrating compliance with these requirements or where compliance cannot be met a report that demonstrates that the exceedance would not result in glare that causes any discomfort or threatens the safety of pedestrians or drivers is to be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

Outdoor Lighting

- C3. All outdoor lighting within the site shall comply with, where relevant, AS/NZ1158.3: 1999 *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.

Pre-Construction Dilapidation Reports

- C4. The Applicant is to engage a qualified structural engineer to prepare a **Pre-Construction Dilapidation Report** detailing the current structural condition of all existing heritage significant items, retained existing and adjoining buildings, infrastructure and roads within the 'zone of influence' or public domain areas adjoining the site. The **Pre-Construction Dilapidation Report** must be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate. A copy of the report is to be forwarded to the Council.

Noise Management Measures

- C5. Prior to the issue of the relevant Construction Certificate, the Applicant must incorporate the noise mitigation recommendations in the Construction and Operational Noise Report, prepared by Wilkinson Murray and dated 12 July 2016, in the detailed design drawings and submit to the Department documentation demonstrating that the noise impacts have been adequately mitigated to not exceed the recommended operational noise levels for mechanical plant identified in the report.

Structural Details

- C6. Prior to the issue of the relevant Construction Certificate, the Applicant must 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 National Construction Code; and
 - b) the development consent.

Mechanical Ventilation

- C7. All mechanical ventilation systems must be installed in accordance with Part F4.5 of the Building Code of Australia and must comply with the Australian Standards AS1668.2 and AS3666 *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 must be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

Stormwater and Drainage Works Design

- C8. Final design plans of the stormwater drainage systems, prepared by a qualified practicing professional and in accordance with the requirements of Council must be submitted to the Certifying Authority prior to the issue of the relevant Construction Certificate. The hydrology and hydraulic calculations must be based on models described in the current edition of Australian Rainfall and Runoff.
- C9. Engineering calculations, design plans and specifications for on-site stormwater detention, prepared by a qualified practicing civil engineer and in accordance with the requirements of Council must be submitted to the Certifying Authority prior to the issue of the relevant Construction Certificate. A positive covenant shall be created on the property title to ensure maintenance of the on-site stormwater detention.

Utility Services

- C10. Prior to the issue of the relevant Construction Certificate, the approved plans must be submitted to the Sydney Water Tap In online service to determine whether the development would affect any Sydney water sewer or water main, stormwater drains and/or easements, and if further requirements need to be met. Note: for further assistance please telephone 1300 082 746 or refer to the website https://www.sydneywater.com.au/SW/plumbing-building_developing/building/sydney-water-tap-in/index.htm.
- C11. Prior to the issue of the relevant 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 building structure.
- C12. Prior to the issue of the relevant Construction Certificate, except for site preparatory 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.

Railway Tunnel

- C13. Prior to the issue of the relevant Construction Certificate, an **Acoustic Assessment** is to be submitted to the satisfaction of the Certifying Authority demonstrating how the proposed development will comply with the Department's document titled "Development Near Rail Corridors and Busy Roads - Interim Guidelines".
- C14. Prior to the commencement of works, the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for the relevant Construction Certificate.

Car Park and Service Vehicle Layout

- C15. 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 the relevant Construction Certificate:
 - a) 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;

- b) 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;
- c) appropriate pedestrian advisory signs are to be provided at the egress from the car park;
- d) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority;
- e) 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; and
- f) driveways shall be designed in accordance with the Australian Standards AS2890.1-2004 and AS2890.2-2002.

C16. Plans indicating line marking and signage, of public roads and footways shall be submitted to the relevant roads authority for approval where required.

Stormwater Management

C17. Prior to the issue of the relevant 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.

Infrastructure Works

C18. Prior to issue of the relevant Construction Certificate, detailed 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.

C19. Prior to issue of the relevant 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), to the front of the site on Hunter Crescent.

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; and
 - c) no work on Sundays and public holidays; or
 - d) works may be undertaken outside these hours where:
 - i) the delivery of materials is required outside these hours by the Police or other authorities; or
 - ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; or
 - iii) variation is approved in advance in writing by the Secretary or her nominee.

Protection of Heritage Items

- D2. Significant building fabric and elements of existing heritage significant items is to be protected during demolition and construction works from potential damage. Protection systems must ensure historic fabric is not damaged or removed. All tradesmen and workers on site shall be made aware of the significant fabric on site.

Erosion and Sediment Control

- D3. 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

- D4. Any seepage or rainwater collected on-site during construction or ground water shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

Approved Plans to be On-site

- D5. A copy of the approved and certified plans, specifications and documents incorporating conditions of consent 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

- D6.
- a) A site notice(s) must 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 site notice(s) is to satisfy all but not be limited to, the following requirements:
 - i) minimum dimensions of the notice are to measure 841 mm x 594 mm (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

D7.

- 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.

Construction Noise Management

- D8. The development must 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 must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the **CNVMP** required by Condition B20.
- D9. 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*), 5 dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.
- D10. The Applicant must schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved by the Secretary:
 - a) 8 am to 12 pm, Monday to Friday;
 - b) 2 pm to 5 pm Monday to Friday; and
 - c) 9 am to 12 pm, Saturday.
- D11. 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 **CNVMP** required by Condition B20.
- D12. 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.
- D13. The Applicant must make every effort to ensure that construction related vehicles do not arrive at the project site or in surrounding residential precincts outside approved hours of work.

Vibration Criteria

- D14. To ensure no adverse structural damage occurs to existing heritage significant items, vibration monitoring, performed by a suitably qualified vibration consultant, is to be carried out on all heritage items in the vicinity of the proposal during demolition and construction works. In the event that harm to heritage items is identified, vibratory activities are to cease and alternative work methods are to be implemented.
- D15. 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 in Buildings. Effects on Structures*; and
 - b) for human exposure to vibration, the evaluation criteria presented in *British Standard BS 6472 – Guide to Evaluate Human Exposure to Vibration in Buildings* (1 Hz to 80 Hz) for low probability of adverse comment.
- D16. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.
- D17. These limits apply unless otherwise outlined in the **CNVMP** approved by the Certifying Authority. .
- D18. Vibration compactors must not be used closer than 30 m from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.
- D19. During works, the maximum peak particle velocity (PPV) in the North Shore Rail tunnel lining must not exceed 12.5 mm per second

SafeWork Requirements

- D20. 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

- D21. 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 shall 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

- D22. The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under and circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all works on site.

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

- D23. If any unexpected archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area and the OEH Heritage Division 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 Heritage Division of the Office of Environment and Heritage.

Rail Corridor

- D24. Any excavation, shoring and piling works within 25 m of the rail tunnel is to be supervised by a suitably qualified and experience geotechnical engineer, unless otherwise advised in writing by Sydney Trains.

Incident Reporting

- D25. Within 24 hours of the occurrence of an incident that causes (or may cause) harm to the environment, the Applicant must notify the Secretary and any other relevant agencies of the incident.

- D26. Within seven days of the detection of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

Regular Reporting

- D27. The Applicant must provide regular reporting on the environmental performance of the Development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.

Access to Information

- D28. Within six months of the date of this consent the Applicant must make the following information publicly available on its website and keep the information up to date:

- a) the EIS;
- b) current statutory approvals for the Development;
- c) approved strategies, plans or programs;
- d) a complaints register, updated on an annual basis; and
- e) any other matter required by the Secretary.

Note: This condition does not require any confidential information to be made available to the public.

Compliance – General

- D29. The Applicant must ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.

Pre-Construction Compliance Reporting

- D30. A **Pre-Construction Compliance Report** must be prepared and submitted to the Secretary for information before the commencement of construction. The **Pre-Construction Compliance Report** must include:

- a) details of how the terms of this approval that must be addressed before the commencement of construction have been complied with; and
- b) the commencement date for construction.

Construction must not commence until the **Pre-Construction Compliance Report** has been submitted to the Secretary.

E PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Operational Transport Management Plan

- E1. Prior to the commencement of use, the Applicant is to prepare an **Operational Transport Management Plan (OTMP)**, by a suitably qualified person, and be submitted to the satisfaction of the Certifying Authority. The **OTMP** must be prepared in consultation with the Council, Transport for NSW and RMS and demonstrate the following:
- a) pedestrian safety;
 - b) the location of all car parking spaces on the school campus and their allocation (i.e. staff, visitor, accessible, emergency, etc.);
 - c) the location and operational management procedures of the Bishopsgate Carpark pick-up and drop-off facility located, including staff management/traffic controller arrangements;
 - d) delivery and services vehicle and bus access and management arrangements;
 - e) management of approved access arrangements;
 - f) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts;
 - g) car parking arrangements and management associated with the proposed use of school facilities (including use by community members); and
 - h) monitoring and review program.
- E2. The approved **OTMP** must be submitted to the satisfaction of the Secretary prior to commencement of use.
- E3. The **OTMP** (as revised from time to time) must be implemented by the Applicant for the life of the development.

Access Management Plan

- E4. To ensure safe pedestrian movements maintained, an **Access Management Plan (AMP)** must be prepared by the Applicant and submitted to the Certifying Authority for approval. The **AMP** must outline measures to manage the safety of students in and around the school as well as measures to distribute student movements along access points and safe route options. The **AMP** must also include details on the monitoring and evaluation to ensure the objectives of the plan are being met and whether targets require adjustment to meet the objectives.
- E5. The **AMP** (as revised from time to time) must be implemented by the Applicant for the life of the development.

Ecologically Sustainable Development

- E6. Prior to the final occupation of the development, the Applicant shall submit details to the Certifying Authority demonstrating that the subject building has achieved a minimum 5 star Green Star Education v1 tool rating.

Mechanical Ventilation

- E7. Following completion, installation and testing of all the mechanical ventilation systems, the Applicant must provide evidence to the satisfaction of the Certifying Authority, prior to commencement of use of stage of the development, that the installation and performance of the mechanical systems complies with:
- a) the National Construction Code;
 - b) Australian Standard AS1668 *The Use of Mechanical Ventilation and Air-conditioning in Buildings* and other relevant codes;
 - c) the development consent and any relevant modifications; and

- d) any dispensation granted by the New South Wales Fire Brigade.

Road Damage

- E8. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development is to be met in full by the Applicant prior to the issue of the Final Occupation Certificate.

Compliance Certificate

- E9. 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 commencement of use of each stage of the building.

Post-construction Dilapidation Report

- E10. Prior to the issue of the Final Occupation Certificate:
- a) the Applicant must 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 heritage significant items, buildings, infrastructure and roads;
 - b) the report is to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining heritage significant items, 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; and
 - c) a copy of this report is to be forwarded to the Council.

Fire Safety Certification

- E11. Prior to the issue of the Final Occupation Certificate, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.

Structural Inspection Certificate

- E12. A **Structural Inspection Certificate** or a **Compliance Certificate** must be submitted to the satisfaction of the Certifying Authority prior to commencement of use of the development. 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 Drainage System

- E13. Prior to the issuing of a relevant Occupation Certificate, the applicant shall submit to the satisfaction of the Certifying Authority a works-as-executed survey drawing of the completed stormwater drainage system prepared by a registered surveyor and approved by a suitably qualified and experienced civil engineer. The works-as-executed survey

drawing shall be to the satisfaction of the Certifying Authority. A copy of the works-as-executed survey drawing shall be provided to the Council.

Signage

- E14. Wayfinding signage for pedestrians and cyclists must be installed prior to commencement of use of the development.

Rail Corridor

- E15. Prior to the issuing of the Final Occupation Certificate, the Applicant shall register with Land and Property Information an easement for the rail tunnel located below the subject site. The Applicant must submit a copy of the registration to the Department and Sydney Trains.
- E16. Prior to the issuing of the Final Occupation Certificate, the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property, easements or strata (either by the new building or rock anchors/bolts), unless agreed to by Sydney Trains.
- E17. Prior to the issue of the Final Occupation Certificate, a joint inspection of the rail tunnel is to be carried out by Sydney Trains and the Applicant. A detailed dilapidation report shall be submitted to the satisfaction of the Certifying Authority within 30 days of the completion of the inspection, unless otherwise notified in writing by Sydney Trains.

Pre-operation Compliance Report

- E18. A **Pre-Operation Compliance Report** must be prepared and submitted to the Secretary for information no later than one month before the commencement of operation or within another timeframe agreed with the Secretary. The **Pre-Operation Compliance Report** must include:
- a) details of how the terms of this approval that must be addressed before the commencement of operation have been complied with; and
 - b) the commencement date for operation.

Operation of the building must not commence until the **Pre-Operation Compliance Report** has been submitted for information to the Secretary.

F POST OCCUPATION

Green Travel Plan

- F1. The *Green Travel Plan*, prepared by Taylor Thomson Whitting and dated 15 March 2017, must be implemented upon commencement use of the development and updated annually.

Loading and Unloading

- F2. All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the subject site at all times.

Noise Control – Plant and Machinery

- F3. Noise associated with the operation of any plant, machinery or other equipment on the Subject Site, must not exceed 5 dB(A) above the rating background noise level when measured at the boundary of the sensitive receiver.
- F4. The Applicant must carry out a noise monitoring program for a minimum period of one week 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 Secretary within two months of commencement use of the development to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in the Construction and Operational Noise Report, prepared by Wilkinson Murray and dated 12 July 2016.

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.

Noise Control – Aquatic Centre and MSC

- F5. An acoustic management plan shall be prepared for management of school events. Noise monitoring shall be undertaken for each of the following events/uses for the two initial events to confirm that the operation of the events meet the predicted noise levels identified in Construction and Operational Noise Report, prepared by Wilkinson Murray and dated 12 July 2016:

- a) use of the Aquatic Centre during competition with spectators; and
- b) use of the Multipurpose Sport Complex during competition with spectators.

Should the noise monitoring program identify any exceedance of the predicted noise levels referred to above, the applicant is required to implement appropriate noise attenuation measures to ensure that operational noise levels comply with the predictions.

Noise Control – Operational

- F6. Noise associated with the use of the development must not cause a nuisance, or an offensive noise as defined in the *Protection of the Environment Operations Act 1997*, to adjoining properties or the public.

Storage of Hazardous or Toxic Material

- F7. Any hazardous or toxic materials must be stored in accordance with Workcover Authority requirements and all tanks, drums and containers of toxic and hazardous materials shall be stored in a bunded area. The bund walls and floors shall be constructed of impervious materials and shall be of sufficient size to contain 110 per cent of the volume of the largest tank plus the volume displaced by any additional tanks within the bunded area.

Public Way to be Unobstructed

- F8. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

External Lighting

- F9. 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.

Fire Safety Certification

- F10. 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.
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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 must apply to the relevant authority 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.

Use of Mobile Cranes

AN4 The Applicant must obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters must be complied with:

- a) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
 - i) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - ii) at least four weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- b) The use of mobile cranes must comply with the approved hours of construction and must not be delivered to the site prior to 7.30 am without the prior approval of Council.

Temporary Structures

AN5

- a) An approval under *State Environmental Planning Policy (Temporary Structures) 2007* must be obtained from the Council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the National Construction Code.
- b) Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Council with the application under *State Environmental Planning Policy (Temporary Structures) 2007* to certify the structural adequacy of the design of the temporary structures.

Disability Discrimination Act

AN6 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*

AN7

- 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

AN8 All excavation and demolition works involving the removal and disposal of asbestos must be undertaken in consultation with SafeWork NSW and 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

AN9 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.

Sydney Trains

AN10 The applicant is to comply with the requirements of Sydney Trains regarding any works above or in close proximity to the North Shore Rail Line.

