

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces under delegation executed on 11 October 2017, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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

Glen Snow
Acting Executive Director
Priority Projects Assessments

Sydney

6 June 2018

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

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

SCHEDULE 1

Application No.:	SSD 8006
Applicant:	Anglican Schools Corporation
Consent Authority:	Minister for Planning
Land:	Lot 130 DP 1138775 and Lot 14 DP 1120290
Development:	<p>Redevelopment of the existing Rouse Hill Anglican College on Lot 130 in DP 1138775 and new use of Lot 14 in DP 1120290, including:</p> <ul style="list-style-type: none">• construction of a new junior school on Lot 14• out of school hours' care facilities• demolition of existing junior school buildings and construction of a new senior school building on Lot 130• landscape works including vegetation removal and earth works• internal road and additional on-site parking• new library facility including teaching rooms, study areas and student common room• multi-purpose hall, including rehearsal and music practice rooms, performance stage and amenities.

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-8006-Mod-1	28 February 2019	Director	Modify the landscape levels and retaining walls
SSD-8006-Mod-2	6 February 2020	Director	Modify Block L, canteen and external adjoining landscaped areas to create a more accessible and useable internal teaching space for the staff and students, minimise unnecessary excavation and better utilise outdoor space between the new buildings and existing campus.
SSD-8006-Mod-3	7 November 2022	Director	Senior school modifications, temporary demountable classrooms and ancillary works.

DEFINITIONS

Aboriginal object	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i> .
Aboriginal place	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i> .
Advisory Notes	Advisory information relating to the consent but do not form a part of this consent.
Applicant	Anglican Schools Corporation or any person carrying out any development to which this consent applies.
Application	The development application and the accompanying drawings, plans and documentation described in Condition A2 of this consent.
BCA	Building Code of Australia.
Certifying Authority	Means a person who is authorised by or under section 4.27 to issue complying development certificates, or is authorised by or under section 6.17 to issue Part 6 certificates, or in the case of Crown development, a person qualified to conduct a Crown Building Work Certification.
Conditions of this consent	The conditions contained in Schedule 2 of this document.
Construction	All physical work required to construct the development, including but not limited to bulk earthworks, demolition, basement and inground works, services and finishes, landscaping and public domain works, signage and other infrastructure covered by this consent for Rouse Hill Anglican College.
Council	Blacktown City Council.
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.
Demolition	The deconstruction and removal of buildings, sheds and other structures in the site.
Department	Department of Planning and Environment or its successors.
Development	The development described in the EIS, RTS and SRtS, including works and activities compromising the Rouse Hill Anglican College, as modified by the conditions of this consent.
DIP	Design Integrity Panel.
Environmental Impact Statement (EIS)	Environmental Impact Statement titled 'Rouse Hill Anglican College Redevelopment – State Significant Development SSD 8006', prepared by Ingham Planning Pty Ltd and dated September 2017 and accompanying appendices, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application.
EPA	Environment Protection Authority, or its successor.
EPBC Act	<i>Environment Protection and Biodiversity Act 1999</i> .
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> .
EP&A Regulation or Regulation	<i>Environmental Planning and Assessment Regulation 2000</i> .
Evening	The period from 6 pm to 10 pm.
Heritage Division	The Heritage Division of OEH, or its successor.
Heritage Item	An aboriginal object, an Aboriginal place, or a place, building, work, relic, movable object, tree or precinct of heritage significance, that is listed under any of the following: the State Heritage register under the heritage Act, a state agency heritage and conservation register under section 170 of the <i>Heritage Act 1977</i> , a Local

	Environmental Plan under the EP&A Act, the World heritage List, or the National heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent.
Incident	An occurrence or set of circumstances that: <ul style="list-style-type: none"> causes, or threatens to cause material harm to the environment; or results in non-compliance with this consent. Note: "Harm" is defined in this consent.
Land	As defined in the EP&A Act, except for where the term is used in the noise and air quality conditions in schedules 3 and 4 of this consent where it is defined to mean the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this consent.
Material Harm	Is harm that: <p>(a) involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or</p> <p>(b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment).</p>
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.
Operation	The operation of the development for its approved purpose upon completion of construction.
Reasonable	Means applying 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.
Relic	means any deposit, artefact, object or material evidence that: <p>(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement; and</p> <p>(b) is of State or local heritage significance.</p>
Response to Submissions (RtS)	Applicants response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act.
RMS	Roads and Maritime Services, 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.
Site	Lot 130 DP 1138775 and Lot 14 DP 1120290.

SRtS	Supplementary Response to Submissions.
SSD	State Significant Development.
TfNSW	Transport for NSW, or its successor.
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

Obligation to Minimise Harm to the Environment

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

Development in Accordance with Plans and Documents

- A2. The development may only be carried out:
- a) in compliance with the conditions of this consent;
 - b) in accordance with all written directions of the Secretary;
 - c) generally in accordance with the EIS as amended by the RtS and RtS Supplementary Information;
 - d) **generally in accordance with the Modification Report entitled 'State Significant Development SSD 8006 (Mod 3) Section 4.55(1a) Modification Application to approved senior school building, revised external landscaped area and ancillary works for Rouse Hill Anglican College redevelopment', and accompanying appendices prepared by Ingham Planning (dated April 2022); and**
 - e) **in accordance with the approved plans in the table below:**

Architectural (or Design) Drawings prepared by <i>Terroir</i>			
Dwg No.	Rev.	Name of Plan	Date
MP-00-00	02	COVER PAGE	19.01.18
MP-00-01	01	EXISTING SITE PLAN	25.07.17
MP-00-02	01	SITE ANALYSIS	25.07.17
MP-00-03	02	SOLAR ANALYSIS	19.01.18
MP-00-03a	01	SHADOW DIAGRAM OF BUILT FORM WINTER 9AM	19.01.18
MP-00-03b	01	SHADOW DIAGRAM OF BUILT FORM WINTER 12PM	19.01.18
MP-00-03c	01	SHADOW DIAGRAM OF BUILT FORM WINTER 3PM	19.01.18
MP-00-04	02	SITE DEMOLITION PLAN	19.01.18
MP-10-00	08	PROPOSED SITE PLAN	15.06.22
MP-10-01	07	PROPOSED HUB AND JUNIOR SCHOOL ROOF PLAN	15.06.22
MP-10-02	06	PROPOSED HUB AND SENIOR SCHOOL ROOF PLAN	15.06.22
MP-10-05	02	PHASE 01 – K BLOCK AND CARPARK	19.01.18
MP-10-06	02	PHASE 02 – BLOCK L & CARPARK	19.01.18
MP-10-07	02	PHASE 03 – SENIOR SCHOOL	19.01.18
MP-10-08	02	PHASE 04 – LIBRARY AND COLA	19.01.18
MP-10-09	02	PHASE 05 – SENIOR SCHOOL	19.01.18
MP-10-10	02	PHASE 06 – MULTIPURPOSE AND GYM AWNING	19.01.18
MP-10-11	03	PHASE 07 – BLOCK M, CANTEEN AND BIKE SHED	22.03.18

NSW Government

Department of Planning and Environment

As modified by MOD 1 approved on 28 February 2019

As modified by MOD 2 approved on 6 February 2020

As modified by MOD 3 approved November 2022

CONSOLIDATED CONSENT

MP-20-00	07	PROPOSED SITE SECTIONS AND ELEVATIONS	15.06.22
MP-30-00	01	3D VISUALISATIONS	25.07.17
MP-30-01	01	3D VISUALISATIONS	25.07.17
MP-HB-10-01	02	PROPOSED LEARNING HUB GROUND PLAN	19.01.18
MP-HB-10-02	02	PROPOSED LEARNING HUB MEZZANINE PLAN	19.01.18
MP-HB-10-03	02	PROPOSED LEARNING HUB ROOF PLAN	19.01.18
MP-HB-20-00	02	PROPOSED LEARNING HUB ELEVATIONS Learning Hub	19.01.18
MP-HB-20-10	02	PROPOSED LIBRARY ELEVATIONS	19.01.18
MP-HB-20-20	02	PROPOSED MULTIPURPOSE HALL ELEVATIONS	19.01.18
MP-HB-30-00	02	HUB SECTIONS	19.01.18
MP-HB-40-01	02	PROPOSED LEARNING HUB LANDSCAPE PLAN AND DETAILS 01	19.01.18
MP-HB-40-02	02	PROPOSED LEARNING HUB LANDSCAPE AND DETAILS 02	19.01.18
MP-JS-10-01	03	PROPOSED JUNIOR SCHOOL EXTENSION GROUND PLAN	09.12.19
MP-JS-10-02	03	PROPOSED JUNIOR SCHOOL EXTENSION MEZZANINE PLAN	09.12.19
MP-JS-10-03	03	PROPOSED JUNIOR SCHOOL EXTENSION ROOF PLAN	09.12.19
MP-JS-10-04	05	PROPOSED JUNIOR SCHOOL EXTENSION CARPARK PLAN	09.10.18
MP-JS-10-05	04	PROPOSED JUNIOR SCHOOL EXTENSION ENTRY GROUND PLAN	09.12.19
MP-JS-20-00	02	PROPOSED JUNIOR SCHOOL EXTENSION ELEVATIONS 1	19.01.18
MP-JS-20-01	03	PROPOSED JUNIOR SCHOOL EXTENSION ELEVATIONS 2	09.12.19
MP-JS-20-02	03	PROPOSED JUNIOR SCHOOL EXTENSION ELEVATIONS 3	09.12.19
MP-JS-30-00	03	PROPOSED JUNIOR SCHOOL EXTENSION SECTIONS 1	09.12.19
MP-JS-30-01	03	PROPOSED JUNIOR SCHOOL EXTENSION SECTIONS 2	09.12.19
MP-JS-30-02	05	PROPOSED JUNIOR SCHOOL EXTENSION CARPARK SECTIONS	27.04.22
MP-JS-40-01	07	PROPOSED JUNIOR SCHOOL LANDSCAPE PLAN AND DETAILS CARPARK AND MAINTENANCE SHED	15.06.22
MP-JS-40-02	04	PROPOSED JUNIOR SCHOOL LANDSCAPE PLAN AND DETAILS BLOCK K AND BLOCK L	09.12.19
MP-JS-40-03	04	PROPOSED JUNIOR SCHOOL LANDSCAPE PLAN AND DETAILS BLOCK M AND BIKE SHED	09.12.19
MP-SS-10-01	06	PROPOSED SENIOR SCHOOL GROUND PLAN	06.06.22
MP-SS-10-02	05	PROPOSED LEARNING HUB FIRST FLOOR PLAN	15.06.22
MP-SS-10-03	05	PROPOSED SENIOR SCHOOL SECOND FLOOR PLAN	15.06.22
MP-SS-10-04	05	PROPOSED SENIOR SCHOOL ROOF PLAN	15.06.22
MP-SS-20-00	05	SENIOR SCHOOL ELEVATIONS	15.06.22

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As modified by MOD 1 approved on 28 February 2019

As modified by MOD 2 approved on 6 February 2020

As modified by MOD 3 approved November 2022

MP-SS-30-00	06	SENIOR SCHOOL SECTIONS	15.06.22
MP-SS-30-01	05	SENIOR SCHOOL SECTIONS	10.06.22
MP-SS-40-01	06	PROPOSED SENIOR SCHOOL LANDSCAPE PLAN	15.06.22
SKC01	P10	NOTES AND LEGEND SHEET	16.01.18
SKC02	P13	OVERALL SITEWORKS PLAN AND PROJECT PHASING	16.01.18
SKC03	P10	SEDIMENT AND EROSION CONTROL PLAN	16.01.18
SKC10	P11	SITEWORKS AND STORMWATER PLAN SHEET 1	16.01.18
SKC11	P13	SITEWORKS AND STORMWATER PLAN SHEET 2	16.01.18
SKC12	P10	SITEWORKS AND STORMWATER PLAN SHEET 3	16.01.18
SKC13	P8	SITEWORKS AND STORMWATER PLAN SHEET 4	16.01.18
SKC20	P8	DETAILS PLAN SHEET 1 OF 2	16.01.18
SKC21	P8	DETAILS PLAN SHEET 2 OF 2	16.01.18
SKC40	P2	OVERALL SIGNAGE PLAN	27.03.18
SKC41	P2	SIGNAGE PLAN SHEET 1	27.03.18
SKC42	P2	SIGNAGE PLAN SHEET 2	29.01.18
SKC43	P1	SIGNAGE PLAN SHEET 3	16.01.18
SKC44	P2	SIGNAGE PLAN SHEET 4	27.03.18
SKC45	P2	SIGNAGE PLAN SHEET 5	27.03.18
SKC46	P1	SIGNAGE PLAN SHEET 6	16.01.18
SKC47	P2	SIGNAGE PLAN SHEET 7	27.03.18
SKC48	P1	SIGNAGE PLAN SHEET 8	16.01.18

- A3. Consistent with the requirements in this consent, the Secretary may make written directions to the Applicant in relation to:
- the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Secretary; and
 - the implementation of any actions or measures contained in any such document referred to in (a) above.

The conditions of this consent and directions of the Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed condition A2.c) or A2(d). In the event of any inconsistency, ambiguity or conflict between any of the documents listed in condition A2.c) or A2(d), the most recent document prevails to the extent of inconsistency, ambiguity or conflict.

Note: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.

Inconsistency between documents

- A4. 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.

Staging of the development

- A5. With the approval of the Secretary, the Applicant may:
- a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

If the Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in the consent.

If approved by the Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

Evidence of consultation

- A6. Where conditions of this consent require consultation with an identified party, the Applicant must:
- a) consult with the relevant party prior to submitting the subject document for approval to the relevant Authority; and
 - b) provide details of the consultation undertaken including:
 - i) a description of how matters raised by those consulted have been resolved to the satisfaction of both the Applicant and the party consulted; and
 - ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

Development Expenses

- A7. 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

- A8. This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

Prescribed Conditions

- A9. The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

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.

Long Service Levy

A11. For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.

Legal Notices

A12. Any advice or notice to the consent authority shall be served on the Secretary.

Revision of Strategies, Plans and Programs

A13. Within three months of:

- a) the submission of a compliance report under conditions of this consent;
- b) the submission of an incident report under conditions of this consent;
- c) the submission of an Independent Environmental Audit under conditions of this consent;
- d) the approval of any modification to the conditions of this consent; or
- e) the issue of a direction of the Secretary under condition A3, the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.

A14. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised and submitted:

- a) to the Secretary's satisfaction if previously approved by the Secretary; or
- b) to the Secretary for information.

Where revisions are required, the revised document must be submitted to the Secretary within six weeks of the review.

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

Incident Notification, Reporting and Response

A15. The department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.

- a) A written incident notification must also be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant forms the view that an incident has not occurred.

Written notification of an incident must:

- i) identify the development and application number;
- ii) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
- iii) identify how the incident was detected;
- iv) identify when the Applicant became aware of the incident;

- v) identify any actual or potential non-compliance with conditions of consent;
 - vi) describe what immediate steps were taken in relation to the incident;
 - vii) identify further action(s) that will be taken in relation to the incident; and
 - viii) identify a project contact for further communication regarding the incident.
- b) Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Secretary, the Applicant must provide the Secretary and any relevant public authorities (as determined by the Secretary) with a detailed report on the incident addressing all requirements for such reporting set out in this condition, and such further reports as may be requested.

The **Incident Report** must include:

- i) a summary of the incident;
- ii) outcomes of an incident investigation, including identification of the cause/s of the incident;
- iii) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
- iv) details of any communication with other stakeholders regarding the incident.

Non-compliance Notification and Reporting

- A16. The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.
- A17. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

Monitoring and Environmental Audits

- A18. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent environmental auditing.

Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.

Applicability of Guidelines

- A19. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

Compliance

A20. The Applicant must ensure that all employees, contractors and sub-contractors are aware of the conditions of this consent relevant to their respective activities.

B PRIOR TO COMMENCEMENT OF WORKS

Notice of Commencement of Works

- B1. The Department, Certifying Authority and Council must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.

If the construction or operation of the development is to be staged, the Department, Certifying Authority and Council must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

Certified Plans

- B2. Plans certified in accordance with section 6.6 of the EP&A Act are to be submitted to the Certifying Authority and the Department prior to commencement of each stage of the construction works and must include details as required by any of the following conditions.

Demolition

- B3. All demolition work must comply with the provisions of Australian Standard AS2601: 2001 *The Demolition of Structures*. The demolition work plans required by AS2601: 2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the demolition work plan comply with the safety requirements of the Standard. The demolition work plans and the statement of compliance must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction works.
- B4. The Applicant must undertake works in accordance with *Protection of the Environment operations (Waste) Regulation 2014* and consult with SafeWork NSW if any asbestos waste is to be handled and/or disposed of.

Development Contributions

- B5. To meet the demand for additional public facilities and infrastructure generated by the development on the site, contributions are required in accordance with Council's Section **7.11** Contributions Plan "No. 22: - Rouse Hill (Land)" and "No. 22W – Rouse Hill (Works)".
- The Applicant must, prior to the commencement of works, pay a monetary amount of \$1,744,047.68 to Blacktown City Council in accordance with Council's Section **7.11** Contributions Plan. Payment of this contribution may be staged as follows:
- a) Prior to release of the first Construction Certificate for works relating to **Stage 1** for K Block and car park, as illustrated on architectural drawing No. MP-10-05 Revision D, being works on an area of 8,901.18m², section 94 contributions in the sum of \$589,003.20 must be paid. **Base date: September 2017**
 - b) Prior to the release of the first Construction Certificate for works relating to **Stage 2** on Lot 14/112090 for Block L, car park and maintenance shed as illustrated on drawing No. MP-10-06 Revision D (which includes 571.45m² of Block L, canteen that straddles boundary noted as Phase 2B) being works on an area of 6,335.76m², section 94 contributions in the sum of \$419,270.23 must be paid. **Base date: September 2017**
 - c) **Prior to the release of the first Construction Certificate for works relating to Stage 3 for the Senior School as illustrated on architectural drawing No. MP-**

SS-10-01 Revision 05, MP-SS-10-02, MP-SS-10-03 and MP-SS-10-04 Revision 06, section 7.11 contributions in the sum of \$86,487.72 must be paid, in accordance with the relevant contributions plan. Base date: September 2017.

- d) Prior to the release of the first Construction Certificate for works relating to Stage 4 being the library and COLA as illustrated on architectural drawing No. MP-10-04 Revision D, section 7.11 contributions in the sum of \$114,809.63 must be paid, in accordance with the relevant contributions plan. Base date: September 2017.
- e) Prior to the release of the first Construction Certificate for works relating to Stage 5 being a multipurpose gym and awning as illustrated on architectural drawing No. MP-10-10 Revision D, section 7.11 contributions in the sum of \$166,159.65 must be paid, in accordance with the relevant contributions plan. Base date: September 2017
- f) Prior to the release of the first Construction Certificate for works relating to Stage 6 being Block M, canteen and bike shed as illustrated on architectural drawing No. MP-10-11 Revision C, section 7.11 contributions in the sum of \$368,317.25 must be paid, in accordance with the relevant contributions plan. Base date: September 2017

Reflectivity

- B6. The building materials used on the external surfaces 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 commencement of construction.

Waste

- B7. The building plans and specifications must demonstrate, to the satisfaction of the Certifying Authority, that an appropriate area will be provided within the premises for the storage of garbage bins, recycling containers and all waste and recyclable material generated during construction. Requirements of these storage areas must:
- a) ensure all internal walls of the storage area are rendered 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.

Erosion and Sedimentation Control

- B8. 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 any works.

Aboriginal Heritage

- B9. The Applicant must engage a suitably qualified and experienced Aboriginal heritage expert throughout construction to supervise all construction works in accordance with

the Aboriginal Archaeological Management Plan to be prepared in accordance with Condition B10.

- B10. Prior to the commencement of construction activities affecting the Site the Applicant must:
- a) develop a detailed salvage strategy, prepared in consultation with the OEH (Aboriginal heritage) and the Aboriginal stakeholders. The investigation program must be prepared to the approval of the Secretary; and
 - b) undertake any further archaeological excavation works recommended by the results of the Aboriginal archaeological investigation program.

Within twelve months of completing the above work, unless otherwise agreed by the Secretary, the Applicant must submit a report containing the findings of the excavations, including artefact analysis and Aboriginal Site Impacts Recording Forms (ASIR), and the identification of final storage location for all Aboriginal objects recovered (testing and salvage), prepared in consultation with the Aboriginal stakeholders, the OEH (Aboriginal heritage) and to the approval of the Secretary.

Note: where archaeological testing has occurred as part of the Environmental Impact Statement and the results are included in the documents listed in Condition A2, the sites tested must still form part of the final report prepared under this condition.

Noise

- B11. Prior to commencement of construction, the Applicant must incorporate the noise mitigation recommendations in the Rouse Hill Anglican College Masterplan - Acoustic report, prepared by Spoke Acoustics dated 16 August 2017 into the detailed design drawings. The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development does not exceed the recommended construction noise levels identified in the Rouse Hill Anglican College Masterplan - Acoustic report, prepared by Spoke Acoustics dated 4 September 2017.

Road Design and Access

- B12. A Road Occupancy License should be obtained from the Transport Management Centre for any works that may impact on traffic flows during construction activities.
- B13. All public roads and traffic facilities must be designed to meet the requirements of Council or RMS (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.
- B14. Internal roads must comply with section 4.2.7 of *Planning for Bush Fire Protection 2006*.

Car Parking and Service Vehicle Layout

- B15. Plans demonstrating compliance with the following requirements must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction:
- a) all vehicles should enter and leave the Site in a forward direction. If 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) a minimum of 285 on-site car parking spaces (including 6 accessible spaces) for use during operation of the development and constructed in accordance with the latest version of AS2890.1-1993;
- c) all operational vehicles accessing the Site, are to be limited to Medium Rigid Vehicles or smaller only, unless otherwise agreed by Secretary;
- d) all demolition and construction vehicles (excluding worker vehicles) are to be contained wholly within the Site and vehicles must enter the Site before stopping;
- e) appropriate pedestrian advisory signs must be provided at the egress point from the car park;
- f) all works/ regulatory signposting associated with the proposed development must be at no cost to the relevant roads authority;
- g) the swept path of the longest vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the Site, must be in accordance with AUSTROADS. In this regard, a plan must be submitted to Council for approval, which shows that the proposed development complies with this requirement; and
- h) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, is to be addressed.

Bicycle Parking and End-of-Trip Facilities

- B16. Plans demonstrating compliance with the following bicycle parking and end-of-trip facility requirements must be submitted to the satisfaction of the Certifying Authority prior to commencement of construction:
- a) the provision of a minimum 66 bicycle parking spaces and the provision of associated end-of-trip facilities in accordance with the Green Star – Design & As Built tool v1.1;
 - b) the layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 *Bicycle Parking Facilities*, and be located in easy to access, well-lit areas that incorporate passive surveillance;
 - c) appropriate pedestrian and cyclist advisory signs are to be provided; and
 - d) all works/regulatory signposting associated with the development must be at no cost to the relevant roads authority.

Access for People with Disabilities

- B17. The building must be designed and constructed to provide access and facilities for people with a disability in accordance with the National Construction Code (NCC). 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 drawings, prior to the commencement of construction.

Stormwater and Drainage Works Design

- B18. Prior to the commencement of building works, final drainage design plans of the stormwater drainage management system must be prepared by a suitably qualified engineer generally in accordance with the stormwater drainage drawings prepared by Taylor Thomas Whitting (as listed under Condition A2). The drainage design plans must be submitted to the Certifying Authority prior to the commencement of building works.
- B19. Prior to the commencement of construction, final drainage design plans of the stormwater drainage management system must be prepared by a suitable qualified engineer generally in accordance with the stormwater drainage drawings submitted

with the EIS. The drainage design plans must be submitted to the Certifying Authority prior to the commencement of construction.

B19A. Prior to the commencement of construction of the Stage 3 (Senior School), amended final drainage design plans of the stormwater drainage management system must be prepared by a suitable qualified engineer generally in accordance with the stormwater drainage drawings submitted with the EIS, modification application SSD 8003 MOD 3 and considers any advice provided by Council with evidence submitted to the Certifying Authority.

Landscaping

B20. Prior to the commencement of construction, the Applicant must submit for the approval of the Secretary an updated landscape plan demonstrating an increased number of replacement tree plantings with an aim to increasing the tree canopy across the site. The updated landscape plan is to include an updated planting schedule.

Public Domain Works

B21. Prior to the commencement of any footpath or public domain works, the Applicant must consult with Council and demonstrate to the Certifying Authority that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of approval for each stage from Council to the Certifying Authority.

Pre-Construction Dilapidation Reports

B22. Prior to the commencement of any work, the Applicant is to engage a suitably qualified person to prepare a **Pre-Construction Dilapidation Report** detailing the current structural condition of all retained existing and adjoining buildings within the site, 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 must include details of the whole building where only part of the building falls within the 'zone of influence'. The report must be submitted to the satisfaction of the Certifying Authority prior to the commencement of any works. A copy of the report is to be forwarded to Council.

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.

Utility Services

B23. Prior to the commencement of construction, 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.

B24. Prior to the commencement of construction, 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.

External Walls and Cladding

B25. The external walls of the building including attachments must comply with the relevant requirements of the NCC. Prior to the commencement of construction, unless otherwise agreed by the Secretary, the Certifying Authority must:

- a) be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and
- b) ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.

A copy of the documentation required under (b) must be provided to the Secretary within 7 days of being accepted by the Certifying Authority.

Structural Details

B26. Prior to the commencement of construction, 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 NCC; and
- b) the development consent.

Ecologically Sustainable Development

B27. Prior to the commencement of the construction, the Applicant must submit details of all design measures to the Certifying Authority demonstrating that the proposed new buildings incorporate ecologically sustainable development initiatives comparable to projects of a 4 star Green Star Tool designed & As built v1.1 tool rating as outlined within the *Ecologically Sustainable Development report prepared by Wood and Grieve Engineers* and dated 28 July 2017.

Construction Environmental Management Plan

B28.

- a) Prior to the commencement of works on the Site, a **Construction Environmental Management Plan (CEMP)** that addresses those works must be submitted to the satisfaction of the Certifying Authority. The Plan 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 local 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 Site;
 - viii) groundwater management plan including measures to prevent groundwater contamination;
 - ix) external lighting in compliance with AS4282:1997 *Control of the obtrusive effects of outdoor lighting*;

- x) 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
 - xi) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site; and
 - xii) waste storage, recycling and litter control.
- 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.

The Applicant must submit a copy of the **CEMP** to the Department and to the Council, prior to commencement of work.

The **CEMP** (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

B29.

- a) Prior to the commencement of construction, a **Construction Traffic and Pedestrian Management Plan (CTPMP)** must be prepared for the development by a suitably qualified expert and submitted for the approval of the Certifying Authority. The Plan must be prepared in consultation with the Council. The **CTPMP** must specify, but not be limited to, the following:
- i) identification of construction traffic routes for all required vehicles during construction, inclusive of any crane delivery, including any known road closures and consideration of alternate routes and construction traffic volumes (including heavy vehicle/spoil haulage) on these routes;
 - ii) details of construction vehicle movements including parking, dedicated vehicle turning areas, and ingress and egress points;
 - iii) discussion of construction impacts that could result in disruption of traffic, public transport, pedestrian and cycle access, access to public land, property access, including details of oversize load movements, and the nature and duration of those impacts;
 - iv) discussion of potential cumulative construction impacts on the surrounding road network as a result of the simultaneous construction of adjoining developments;
 - v) details of management measures to minimise traffic impacts, including temporary road work traffic control measures and measures to minimise peak period congestion;
 - vi) details of measures to maintain or provide alternative safe and accessible routes for pedestrians throughout the duration of construction;
 - vii) details of measures to maintain connectivity for cyclists;
 - viii) details of methods to be used to communicate proposed future traffic changes to affected road users, pedestrians and cyclists;
 - ix) an adaptive response plan which sets out a process for response to any traffic, construction or other incident; and
 - x) mechanisms for the monitoring, review and amendment of the **CTPMP**.
- b) Any alterations to the public road, involving traffic and parking arrangements, must be referred to and approved by the relevant traffic committee.

A copy of the **CTPMP** is to be submitted to the Department and Council prior to the commencement of work.

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

Construction Soil and Water Management Plan (CSWMP)

B30. The Applicant must prepare a **CSWMP** and the plan must:

- a) be prepared by a suitably qualified expert, in consultation with Council;
- b) be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction;
- c) describe all erosion and sediment controls to be implemented during construction;
- d) provide a plan of how all construction works will be managed in wet-weather events (i.e. storage of equipment, stabilisation of the Site);
- e) detail all off-Site flows from the Site;
- f) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events; and
- g) submit a copy of the **CSWMP** to Council and the Department, prior to commencement of work.

A copy of the **CSWMP** is to be submitted to the Department and Council prior to the commencement of work.

The **CSWMP** (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

B31. The Applicant must prepare a **Construction Noise and Vibration Management Plan (CNVMP)** and the plan must:

- a) be prepared by a suitable qualified expert and submitted to the satisfaction of the Certifying Authority;
- 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:
- d) best management practice is being employed; and
- e) compliance with the relevant conditions of this consent;
- f) describe the proposed noise and vibration management measures in detail;
- g) identify the selection of alternative construction plant and machinery to avoid the generation of excessive noise levels;
- h) 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;
- i) implement intra-day respite periods for construction activities identified as annoying;
- j) implement noise reducing Site/work practices and require regular noise checks of equipment;
- k) describe the consultation undertaken to develop the strategies in b) above;
- l) evaluates and reports on the effectiveness of the noise and vibration management measures; and
- m) include a complaints management system that would be implemented for the duration of the project.

A copy of the **CNVMP** is to be submitted to the Department and Council prior to the commencement of work.

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

B32.

- a) Prior to the commencement of works on the Site, a **Construction Waste Management Plan (CWMP)** must be prepared by a suitably qualified person in consultation with the Council, must be submitted to the approval of the Certifying Authority. The **CWMP** must address, but not be limited to, the following matters:
 - i) recycling of demolition materials including concrete;
 - 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 construction; and
 - iii) details of methods to be used to prevent spill, escape of any dust, waste or spoil from the vehicles or trailers used to transport waste or excavation spoil from the site;
 - iv) 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;
- b) The Applicant must notify the Roads and Maritime Service's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the Site, prior to the commencement of the removal of any waste material from the Site.

A copy of the **CWMP** is to be submitted to the Department and Council prior to the commencement of work.

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

Complaints and Enquiries Procedure

B33. Prior to the commencement of construction works, or as otherwise agreed by the Secretary, the following must be made available for community enquiries and complaints for the duration of each stage of construction:

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

B34. A **Complaints Management System** must be prepared before the commencement of any works and be implemented and maintained for the duration of these works.

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. 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.

Compliance Reporting

B35. A **Pre-Construction Compliance Report** must be prepared for the development, and submitted to the Certifying Authority for approval before the commencement of construction works. A copy of the endorsed compliance report must be provided to the department at compliance@planning.nsw.gov.au before the commencement of construction works.

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.

B36. **Construction Compliance Reports** must be submitted to the Department for information every six months from the date of the commencement of construction, for the duration of construction. The **Construction Compliance Reports** must provide details on the compliance performance of the development for the preceding six months and must be submitted within one month following the end of each six-month period for the duration of construction of the development, or such other timeframe as required by the Secretary.

The **Construction Compliance Reports** must include:

- a) a results summary and analysis of environmental monitoring;
- b) the number of any complaints received, including a summary of main areas of complaint, action taken, response given and proposed strategies for reducing the recurrence of such complaints;
- c) details of any review of the **CEMP** and the Environmental Management Strategy and associated sub-plans as a result of construction carried out during the reporting period;
- d) a register of any modifications undertaken and their status;
- e) results of any independent environmental audits and details of any actions taken in response to the recommendations of an audit;
- f) a summary of all incidents notified in accordance with this consent; and
- g) any other matter relating to compliance with the terms of this consent or requested by the Secretary.

Independent Environmental Audit

B37. No later than one month prior to the commencement of construction works or within another timeframe agreed with the Secretary, a program of independent environmental audits must be prepared for the development in accordance with the latest version of AS/NZS ISO 19011-2014: *Guidelines for Auditing Management Systems* (Standards Australia, 2014) and submitted to the Secretary for information.

The scope of each audit must be defined in the program. The program must ensure that environmental performance of the development in relation to each compliance requirement that forms the audit scope is assessed at least once in each audit cycle.

The environmental audit program prepared and submitted to the Secretary must be implemented and complied with for the duration of the development.

B38. All independent environmental audits of the development must be conducted by a suitably qualified, experienced and independent team of experts and be documented in an audit report which:

- a) assesses the environment performance of the development, and its effects on the surrounding environment including the community;

- b) assesses whether the development is complying with the terms of this consent;
- c) reviews the adequacy of any document required under this consent; and
- d) recommends measures or actions to improve the environmental performance of the development, and improvements to any document required under this consent.

B39. Within three months of commencing an Independent Environmental Audit, or within another timeframe agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendation contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Secretary.

C DURING CONSTRUCTION

Approved Plans to be On-site

C1. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on the Site at all times and must be readily available for perusal by any officer of the Department, Council or the Certifying Authority.

Hours of Work

C2. Construction, including the delivery of materials to and from the Site, may only be carried out between the following hours:

- a) 7:00 am and 6:00 pm, Mondays to Fridays inclusive; and
- b) 8:00 am and 1:00 pm, Saturdays.

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

C3. Rock breaking, rock hammering, sheet piling, pile driving and similar activities as well as noisy demolition activities may only be carried out between the following hours:

- a) 9:00 am to 12:00 pm, Monday to Friday;
- b) 2:00 pm to 5:00 pm Monday to Friday; and
- c) 9:00 am to 12:00 pm Saturday.

C4. Activities may be undertaken outside of the hours within Conditions C2 and C3:

- a) if required by the Police or a public authority for the delivery of vehicles, plant or materials; or
- b) if required in an emergency to avoid the loss of life, damage to property to prevent environmental harm; or
- c) works are inaudible at the nearest sensitive receivers; or
- d) if a variation is approved in advance in writing by the Secretary or her nominee.

Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.

Asset Protection Zones

C5. At the commencement of and throughout construction as well as in perpetuity the entire property must be managed as an inner protection zone (IPA) as outlined within section 4.1.3 and Appendix 5 of the *Planning for Bush Fire Protection 2006* and the NSW RFS document *Standards for asset protection zones*.

C6. The proposed library is not to be constructed until such time the land upon 86 Rouse Road, Rouse Hill is managed as an asset protection zone in perpetuity which will allow the proposed structure to have a radiant heat level of 10 kWm².

Design and Construction for Bush Fire

C7. **Construction must comply with the following bushfire protection requirements:**

- (a) The roof and the southern, western and eastern facades of the Stage 3 senior school building must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2009 Construction of buildings in bushfire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 (BAL 19) as appropriate and section A3.7 Addendum Appendix 3 of Planning for Bush Fire Protection 2006.**
- (b) The northern façade of the Stage 3 senior school building must comply with section 3 and section 5 (BAL 12.5) Australian Standard AS3959-2009**

- Construction of buildings in bushfire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 (BAL 12.5) as appropriate and section A3.7 Addendum Appendix 3 of Planning for Bush Fire Protection 2006.**
- (c) Construction for the multi-purpose hall must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2009 Construction of buildings in bushfire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 (BAL 19) as appropriate and section A3.7 Addendum Appendix 3 of Planning for Bush Fire Protection 2006.**
 - (d) All other construction of Stages 4, 5 and 6 (as described in 'modification application SSD 8006 MOD3'), must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 Construction of buildings in bushfire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 (BAL 12.5) as appropriate and section A3.7 Addendum Appendix 3 of Planning for Bush Fire Protection 2006.**
- C8. At the commencement of building works and thereafter in perpetuity, the entire property must be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of Planning for Bush Fire Protection 2006 and the NSW RFS document Standards for asset protection zones.**
- C9. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of *Planning for Bush Fire Protection 2006*.
- C10. Any new landscaping to the Site must comply with the principles of Appendix 5 of *Planning for Bush Fire Protection 2006*.

Contamination

- C11. Remediation works at the site are to be undertaken in accordance with the recommendations and findings of the *Interim Validation Report Lot 14 DP 1120290, 37 Worcester Road, Rouse Hill NSW* prepared by Martens and dated November 2017.
- C12. Should any new information come to light during construction works which has the potential to alter previous conclusions about contamination, then the Certifying Authority must be immediately notified and works must cease. The Certifying Authority will determine whether further investigation, or the need for remediation, is required before construction works can recommence.

Handling of Asbestos

- C13. The Applicant is to consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the *Protection of the Environment Operations (Waste) Regulation 2014* with reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

Work Cover Requirements

- C14. 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.

Waste

- C15. All waste generated by the project must be assessed, classified and managed in accordance with the *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014).
- C16. The body of any vehicle or trailer used to transport waste or excavation spoil must be covered before leaving the premises to prevent any spillage or escape of any dust, waste or spoil. Mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the Site must be removed before leaving the premises.

Erosion and Sediment Control

- C17. 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

- C18. Any seepage or rainwater collected on-site during construction or ground water must not be pumped to the street stormwater system unless separate prior approval is given in writing by the Environment Protection Authority in accordance with the *Protection of the Environment Operations Act 1997*.

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

- C19. If any unexpected archaeological relics are uncovered during 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.

Aboriginal Heritage

- C20. 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 archaeologists and OEH to develop and implement management strategies for all objects/Sites. Works shall only recommence with the written approval of OEH.

Noise

- C21. 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 Conditions B31 and C2 to C4.

- C22. 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.
- C23. The Applicant must ensure construction vehicles do not arrive at the Site or surrounding residential precincts outside the approved hours of work outlined under Condition C2.
- C24. The Applicant must schedule intra-day 'respite periods' for construction activities identified in the *Interim Construction Noise Guideline* as being particularly annoying or intrusive to noise sensitive receivers, including surrounding residents.
- C25. Wherever practical, and where sensitive receivers may be affected, piling activities are to be completed using bored piles. If driven piles are required they must only be installed where outlined within the **CNVMP** required by Condition B31.
- C26. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.
- C27. 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 Site.
- C28. The Applicant must ensure construction of the development is carried out in accordance with the recommendations outlined Rouse Hill Anglican College Masterplan – Construction Noise and Vibration Management Plan prepared by Spoke Acoustics dated 4 September 2017.

Vibration

- C29. Vibration caused by construction at any residence or structure outside the Site must be limited to:
- for structural damage vibration, *German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures*; and
 - for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472-1:2008 – *Guide to evaluate human exposure to vibration in buildings* (1 Hz to 80 Hz) for low probability of adverse comment.
- C30. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.
- C31. These limits apply unless otherwise outlined in **CNVMP** required by Condition B31.

Protection of Trees

- C32.
- 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.
 - All street trees must be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council.

- c) All trees on the 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) If access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.

Site Notice

C33.

- a) A site notice(s) must be prominently displayed at the boundaries of the 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 must 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 Site is not permitted.

Hoarding Requirements

C34. The following hoarding requirements must be complied with:

- a) no third-party advertising is permitted to be displayed on the subject hoarding/fencing; and
- b) the construction Site Manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application; and
- c) the Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

No obstruction of public way

C35. The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all works on site.

Incident Reporting

C36. 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.

C37. 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

C38. 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

C39. Within six months of the date of this consent the Applicant must make the following information publicly available on its website and keep 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

C40. 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.

C41. The Applicant must be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-contractors and visitors.

D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Evacuation and Emergency Planning

- D1. Prior to the operation of each state, a Bush Fire Emergency Management and Evacuation Plan must be prepared consistent with *Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014*.

Noise

- D2. Certification must be provided by a qualified acoustic engineer that all work associated with the installation of the acoustic measures and noise attenuation has been completed in accordance with the certified design to the satisfaction of the Certifying Authority.

Road Damage

- D3. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Site as a result of construction works associated with the approved development is to be met in full by the Applicant prior to commencement of use of any stage of the development.

Green Travel Plan

- D4. A **Green Travel Plan** (GTP), must be prepared for each Stage of the development by a suitably qualified traffic consultant in consultation with Council and (Sydney Coordination Office) Transport for NSW, to promote the use of active and sustainable transport modes. The GTP must be submitted to the Secretary prior to the issue of Occupation Certificate for each stage of the development and must address, but not limited to, the following:
- a) objectives and mode share targets (i.e. site specific, measurable and achievable timeframes for implementation) to define the direction and purpose of the GTP;
 - b) specific tools and actions to help achieve the objectives and mode share targets;
 - c) measures to promote and support the implementation of the GTP, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and
 - d) details regarding the methodology and annual monitoring/review program for the first ten years of operation, to measures the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of the students and staff to and from the school at appropriate times throughout the academic year.

The GTP (as revised annually for ten years and from time to time thereafter) must be implemented by the Applicant, or person/s authorised to, for the life of the development.

School Zones

- D5. Installation of all required School Zone signage, speed management signage and associated pavement markings along Worcester Road is to be completed prior to commencement of use of the development.

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

- D6. Following installation of School Zone signage, speed management signage and associated pavement markings along Worcester Road, as required by Condition D5,

the Applicant must arrange an inspection with RMS for formal handover of assets. The handover of assets must occur prior to commencement of use of the development.

- D7. The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed.

Stormwater and Drainage Works

- D8. Prior to commencement of use of the development, the Applicant is to obtain a certificate of Hydraulic Compliance from a suitably qualified civil engineer to confirm that all stormwater drainage works have been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor should be submitted. These plans and certification should satisfy all the stormwater requirements stated in Blacktown DCP 2015 and be submitted to the satisfaction of the Certifying Authority.

Design of Food Premises

- D9. The fitout of the food premises (where applicable) must be carried out in accordance with AS 4674 *Design, construction and fit-out of food premises*. Details of compliance with the relevant provisions of the food code must be prepared by suitably qualified person and submitted to the satisfaction of the Certifying Authority prior to operation.
- D10. The Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 *Design, construction and fit-out of food premises*. The Applicant must provide evidence of receipt of the certificate to the satisfaction of the Certifying Authority prior to the commencement of the building(s) or commencement of the use.

Signage

- D11. Wayfinding signage for pedestrians and cyclists must be installed prior to commencement of use of any stage of the development.
- D12. Bicycle way-finding signage must be installed within the Site to direct cyclists from footpaths to designated bicycle parking areas prior to commencement of use of the site.

Ecologically Sustainable Development

- D13. Prior to the occupation of each stage, the Applicant must submit details, prepared by a suitably qualified person, to the Certifying Authority demonstrating that ecologically sustainable development initiatives identified under Condition B27 have been incorporated into the development.

Rainwater Harvesting

- D14. The Applicant must ensure that a rainwater reuse/harvesting system for the Development is developed for the Site. A rainwater re-use plan is to be prepared and certified by an experienced hydraulic engineer. A signed works-as-executed Rainwater Re-use Plan is to be provided to the Certifying Authority prior to the issue of the Occupation Certificate for each stage of the development.

Mechanical Ventilation

- D15. All mechanical ventilation systems must be installed in accordance with Part F4.5 of the NCC 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 operation.

External Lighting

D16. External Lighting must comply with AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Upon installation of lighting, but before it is finally commissioned, the Applicant must submit to the Certifying Authority evidence from an independent qualified practitioner demonstrating compliance in accordance with this Condition.

Compliance Certificate

D17. 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 website 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

D18. Prior to commencement of use of any stage of the development:

- 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;
 - 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.

Operational Transport and Access Management Plan

D19. Prior to the issue of Occupation Certificate for each stage of the development, an Operational Transport and Access Management Plan (**OTAMP**) is to be prepared for the school by a suitable qualified person, in consultation with Council, Transport for NSW and RMS, to the satisfaction of the Certifying Authority, and must address the following:

- a) detailed pedestrian analysis including the identification of safe route options – to identify the need for management measures such as staggered school start and finish times to ensure students and staff are able to access and leave the Site in a safe and efficient manner during school start and finish;
- 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 pick-up and drop-off parking, including staff management/traffic controller arrangements;
- d) the location and operational management procedures for the pick-up and drop-off parking;
- e) car parking arrangements and management associated with the proposed use of school facilities by community members; and
- f) a monitoring review program.

The **OTAMP/s** must be submitted to the Secretary prior to operation of the development.

The **OTAMP/s** (as revised from time to time) must be implemented by the Applicant for the life of the development.

Fire Safety Certification

D20. Prior to commencement of use of any stage of the development, 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

D21. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to commencement of use of any stage 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 Certifying Authority 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.

Pre-operation Compliance Report

D22. 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.

Final occupation of the building must not occur until the Pre-Operation Compliance Report has been submitted for information to the Secretary.

Contamination

D23. The Applicant must submit to the Certifying Authority a **Site Audit Report** and **Site Audit Statement** prepared by an EPA accredited site auditor, prior to occupation of the building. The Site Audit Report and Site Audit Statement must verify that the land is suitable for the uses proposed as part of this consent.

Bush Fire

- D24. Prior to the occupation of the SSD 8006 MOD 3 Demountable Classrooms, evidence must be provided to the certifier that all Internal roads comply with section 4.2.7 of Planning for Bush Fire Protection 2006.
- D25. Prior to the occupation of the SSD 8006 MOD 3 Demountable Classrooms, evidence must be provided to the certifier that a Bush Fire Emergency Management and Evacuation Plan has been prepared consistent with Development Planning - A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014.

Operational Flood Emergency Response

- D26. Prior to the commencement of operations of Stage 3, a Flood Emergency Response Management Plan must be prepared to the satisfaction of the Planning Secretary which:
- a) has been prepared by a suitably qualified and experienced person(s);
 - b) has been prepared in consultation with the NSW State Emergency Service noting the limitations described in the NSW Floodplain Development Manual Appendix N, section N7;
 - c) incorporates and complies with all advice provided by NSW State Emergency Service;
 - d) addresses the provisions of the Floodplain Risk Management Guidelines (EHG);
 - i. incorporates the following:
 - ii. the flood emergency management protocols for operational phase of the development;
 - iii. predicted flood levels within the site and within the adjoining road system;
 - iv. details strategies such as early or pre-emptive school closure, temporary suspension of services and other management requirements where relevant and where consistent with SES advice;
 - v. provides clear emergency management triggers and responses;
 - vi. details of flood warning time and flood notification;
 - vii. details assembly points and flood free routes where required;
 - viii. identifies clear roles and responsibilities for emergency flood management within the site;
 - ix. recognise that the NSW SES is the lead combat agency for floods and state that any flood response directive issued by the SES must be followed
 - x. provide clear messaging and communication protocols;
 - xi. includes clear requirements that the Plan be regularly reviewed; and
 - xii. include details of awareness training for staff members.

E POST OCCUPATION

Plant and Equipment

- E1. All plant and equipment used on site, or to monitor the performance of the development must be:
- a) maintained in a proper and efficient condition; and
 - b) operated in a proper and efficient manner.

Hours of Operation

- E2. Use of the school facilities are restricted to the following:
- a) School days: 7:00 am – 9:00 pm;
 - b) Non-school days: 7:00 am – 9:00 pm; and
 - c) Operation of the multi-purpose hall until 10:00 pm on 12 occasions throughout the year for school productions/performances.
- E3. Set-up for the use of the out of school hours care facilities must be restricted to no earlier than 6:30 am.
- E4. Use of the multi-purpose hall is restricted to the following:
- a) between 7:00 am and 10:00 pm, Monday to Sunday;
 - b) associated clean-up and non-intrusive maintenance activities until 11:00 pm;
 - c) outside normal school hours to a maximum 12 times per year; and
 - d) a maximum of three concerts annually that involve amplified music.
- E5. Use of the sports field and courts are restricted to the following:
- a) between 8:00 am and no later than 10:00 pm, Monday to Sunday; and
 - b) associated clean-up and non-intrusive maintenance activities until 11:00 pm.
- E6. Grounds maintenance involving the use of power equipment must be restricted to between:
- a) 7:30 am and 6:00 pm Mondays to Fridays; and
 - b) 8:00 am and 1:00 pm on Saturdays.

Noise

- E7. Noise associated with the operation of any plant, machinery, School public address system, school bell or other equipment on the Site, must not exceed 5 dB(A) above the background noise level when measured at the boundary of any sensitive receiver.
- E8. The Applicant must undertake short term noise monitoring in accordance with the Industrial Noise Policy where valid data is collected following the commencement of use of each stage 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 each stage of the development to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant.
- E9. 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.

Waste

- E10. Waste collection services must only be undertaken between 6:30 am and 6 pm Monday to Friday.

- E11. All waste generated on the Site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the *Protection of the Environment Operations Act 1997*.

Vehicle Management

- E12. All loading and unloading of service vehicles in connection with the use of the premises must be carried out wholly within the Site at all times.
- E13. All vehicles must enter and leave the Site in a forward direction.

Environmental Pollution

- E14. Any activity carried out in accordance with this approval must not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the *Protection of the Environment Operations Act 1997*.
- E15. In accordance with the requirements of Part 5.7 *Protection of the Environment Operations Act 1997*, Council is to be informed of any pollution incident that occurs in the course of carrying out the approved activity where materials harm to the environment is caused or threatened.

Public Way to be Unobstructed

- E16. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

Fire Safety Certification

- E17. 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.

Hazardous Materials and Dangerous Goods

- E18. 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 must be stored in a bunded area. The bund walls and floors must be constructed of impervious materials and must 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.

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 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 NCC.
- 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 NCC 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* (EPBC Act) 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 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.