

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2020, 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.

14/07/2020

David Gainsford
Executive Director
Infrastructure Assessments

Sydney

2020

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

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

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SCHEDULE 1

Application Number:	SSD 9227
Applicant:	Amity College
Consent Authority:	Minister for Planning and Public Spaces
Site:	Lot 1 DP 525996, 85 Byron Road and Lot 2 DP 525996, 63 Ingleburn Road, Leppington NSW
Development:	<p>Construction and operation of a new school (Amity College) in six stages, to accommodate up to 1000 students, comprising:</p> <ul style="list-style-type: none">• Site preparation, demolition of existing structures, vegetation clearing, bulk earthworks and site remediation;• Boundary adjustment to create the site boundaries;• Construction of two - four storey buildings to accommodate:<ul style="list-style-type: none">○ the primary and secondary school classrooms;○ multipurpose halls;○ library; and○ administrative areas;• At grade / basement car parking and bicycle parking areas;• Construction of bus bays on Byron Road;• Landscaping, stormwater and public domain works;• Construction of new local roads, on-street car parking spaces, drop-off / pick-up zones, drainage works and service connections.

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SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-9227-Mod-1	N/A	N/A	Withdrawn
SSD-9227-Mod-2	30 July 2021	Team Leader, School Infrastructure Assessments	Amendments to the: <ul style="list-style-type: none">• construction staging to accelerate delivery of the school.• civil works plans to reflect the revised Stage 1 development footprint and extent of site remediation.• built form and layout of the primary school building, on-site car parking provisions and landscaping.
SSD-9227-Mod-3	January 2022	Team Leader, School Infrastructure Assessments	Amendments to the: <ul style="list-style-type: none">• roof ridge height• extension to the Primary School building ground and first floor• landscaping and outdoor area access amendments.
SSD-9227-Mod-4	19 April 2024	Team Leader, School Infrastructure Assessments	Amendments to: <ul style="list-style-type: none">• construction staging to enable the school hall, local road to the north-east (Road 2), bus bay and associated landscaping to be completed as part of Stage 2• the Primary school hall including roof height and mezzanine• landscaping and wayfinding signage.

DEFINITIONS

Aboriginal object	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Aboriginal place	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Accredited Certifier	Means the holder of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> acting in relation to matters to which the accreditation applies.
Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Amity College or any other person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
CEMP	Construction Environmental Management Plan
Certifier	Means a council or accredited certifier
Compliance Reporting Post Approval Requirements	Compliance Reporting Post Approval Requirements as available on the Department's website
Conditions of this consent	The conditions contained in Schedule 2 of this document
Construction	<p>All physical work to enable operation including but not limited to the demolition and removal of buildings, the carrying out of works for the purposes of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"> • building and road dilapidation surveys; • establishing temporary site offices (in locations identified by the conditions of this consent); • salvage works (if any) in accordance with strategies / management plans approved by this consent; • installation of environmental impact mitigation measures, fencing, enabling works; and • minor adjustments to services or utilities. <p>However, where heritage items, or threatened species or threatened ecological communities (within the meaning of the <i>Biodiversity Conservation Act 2016</i> or <i>Environment Protection and Biodiversity Conservation Act 1999</i>) are affected or potentially affected by any physical work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with EES Group or DPIE Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation)</p>
Council	Camden City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning, Industry and Environment
Development	The development described in the EIS and Response to Submissions, including the works and activities comprising the construction and operation comprising site preparation, bulk earthworks, boundary adjustment, demolition, construction and landscaping, as modified by the conditions of this consent

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Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
EES Group	Environment, Energy and Science Group of the Department of Planning, Industry and Environment
EIS	The Environmental Impact Statement titled <i>Proposed New Primary & Secondary School Campus Amity College</i> , prepared by Outline Planning Consultants Pty Ltd, dated August 2019, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
ENM	Excavated Natural Material
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
Evening	The period from 6pm to 10pm
Feasible	What is possible and practical in the circumstances
GTP	Green Travel Plan
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage NSW	Heritage, Community Engagement of the Department of Premier and Cabinet
Heritage Item	A place, building, work, relic, archaeological site, tree, moveable object or precinct of heritage significance, that is listed under one or more of the following registers: the <i>Heritage Act 1977</i> (NSW), a state agency heritage and conservation register under section 170 of the <i>Heritage Act 1977</i> (NSW), a Local Environmental Plan under the EP&A Act, the World, National or Commonwealth Heritage lists under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), and an “Aboriginal object” or “Aboriginal place” as defined in section 5 of the <i>National Parks and Wildlife Act 1974</i> (NSW)
Incident	An occurrence or set of circumstances that causes, or threatens to cause, material harm and which may or may not be, or cause, a non-compliance <i>Note: “material harm” is defined in this consent</i>
Independent Audit Post Approval Requirements	Independent Audit Post Approval Requirements as available on the Department’s website
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Management and mitigation measures	The management and mitigation measures set out in Section 6 of the EIS.
Material harm	Is harm that: <ol style="list-style-type: none"> involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment).
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring

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Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.39 of the EP&A Act
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
OMP	Operational Management Plan
Operation	The carrying out of the approved purpose of the development upon completion of construction
OTAMP	Operational Traffic and Access Management Plan
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation, benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Registered Aboriginal Parties (RAP)	Means the Aboriginal persons identified in accordance with the document entitled "Aboriginal cultural heritage consultation requirements for proponents 2010" (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Response to submissions	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act in the document titled <i>Response to Submissions, proposed Amity College School Campus</i> prepared by Outline Planning Consultants dated 27 April 2020
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1
Site Auditor	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Report	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Statement	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Road 1	Pluto Avenue
Road 2	Future local road / street adjoining the northern boundary of the site
TfNSW	Transport for New South Wales
Upgrading	<p>The carrying out of works (including replacing plant, equipment, or machinery or updating relevant technology) to improve the efficiency of the development or to enable or enhance its continued operation, and the carrying out of the following maintenance works:</p> <ul style="list-style-type: none"> • public domain works • stormwater infrastructure works
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

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SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

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

Terms of Consent

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) generally in accordance with the EIS and Response to Submissions, **and the Modification Report and accompanying documents prepared by Outline Planning Consultants for SSD-9227-Mod-2 (dated July 2021), SSD-9227-Mod-3 (dated November 2021) and SSD-9227-Mod-4 (dated February 2024);**
 - (d) in accordance with the approved plans in the table below:

Survey plans prepared by Total Surveying Solutions			
Dwg No.	Rev	Name of Plan	Date
180370_C	-	Plan Showing Detail & Levels Over Lots 1 & 2 in DP 525996 Sheets 1 to 3	9/7/2019
Subdivision plan prepared by TSS Total Surveying Solution			
Dwg No.	Rev	Name of Plan	Date
191149-1	C	Plan of Proposed Subdivision of Lots 1&2 DP 525996	19/7/19
Architectural Plans prepared by Gran Associates			
Dwg No.	Rev	Name of Plan	Date
010	H	Site Plan	15/12/23
100	H	Ground Floor Plan	15/12/23
101	F	First Floor Plan	15/12/23
102	C	Second Floor Plan	15/12/23
103	C	Third Floor Plan	31/5/19
104	F	Roof Plan	15/12/23
105	C	Basement Floor Plan	16/4/21
110	A	Typical Home Base Plan Ground Floor 01	30/4/19
111	A	Typical Home Base Plan Ground Floor 02	30/4/19
112	A	Typical Home Base Plan First Floor 01	30/4/19
113	A	Typical Home Base Plan First Floor 02	30/4/19
200	E	North & East Elevations	15/12/23
201	G	South & West Elevations	15/12/23
300	E	Section AA & BB	15/12/23
301	E	Section CC & DD	15/12/23
302	D	Section EE & FF	15/12/23

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303	D	Section GG & HH	15/12/23
304	D	Section II & JJ	15/12/23
310	A	Typical Home Base Cross Section	30/4/19
320	A	Typical Home Base Section Detail	2/7/19
321	A	Typical Circulation Link (Lift/Stairway) Sectional Detail	2/7/19
330	B	Wayfinding Signage Elevation Detail	15/12/23
600	G	Staging Plan Stage 1	15/12/23
601	G	Staging Plan Stage 2	15/12/23
602	F	Staging Plan Stage 3	08/11/23
603	F	Staging Plan Stage 4	08/11/23
604	F	Staging Plan Stage 5	08/11/23
605	E	Staging Plan Stage 6	16/4/21
800	A	Materials, Colours and Precedents	30/4/19
801	B	Materials, Colours and Precedents	16/4/21
802	A	Materials, Colours and Precedents	30/4/19
803	A	Materials, Colours and Precedents	30/4/19
804	B	Materials & Colour Schedule	16/4/21
Landscape Plans prepared by Paddock Studio			
Dwg No.	Rev	Name of Plan	Date
2036-S-01	F	Landscape Master Plan	24/1/24
2036-S-02	F	Landscape – Oval	24/1/24
2036-S-03	F	Landscape Plan – Library Terrace	24/1/24
2036-S-04	F	Indicative Masterplan Plan Schedule	24/1/24
2036-S-05	D	Landscape Staging Plans	24/1/24
2036-S-06	D	Landscape Staging Plans	24/1/24
Civil Works Plans prepared by Martens & Associates Pty Ltd			
Dwg No.	Rev	Name of Plan	Date
PS10-A050	C	Development Overview Plan	1/11/23
PS10-B100	C	Stage 1 Overview Plan	1/11/23
PS01-B300	I	Sediment & Erosion Control and Clearing Plan (Ultimate Development)	24/4/20
PS10-B301	C	Sediment & Erosion Control and Clearing Plan (Stage 1)	1/11/23
PS01-B305	B	Sediment & Erosion Control Rusle Calculation	11/7/19
PS01-B310	C	Sediment & Erosion Control Details Sheet 1	28/6/19
PS01-B311	B	Sediment & Erosion Control Details Sheet 2	28/6/19
PS10-C100	C	Earthworks Grading Plan (Ultimate Development)	1/11/23

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PS10-C101	C	Earthworks Grading Plan (Stage 1)	1/11/23
PS10-C500	C	Bulk Earthworks Cut-Fill Plan (Ultimate Development)	1/11/23
PS10-C501	C	Bulk Earthworks Cut-Fill Plan (Stage 1)	1/11/23
PS10-C600	B	Earthworks Section (Sheet 1)	26/10/23
PS10-C601	B	Earthworks Section (Sheet 2)	26/10/23
PS10-C602	B	Earthworks Section (Sheet 3)	26/10/23
PS10-C603	B	Earthworks Section (Sheet 4)	26/10/23
PS08-D100	B	Roadworks Plan (Ultimate Development)	29/04/21
PS10-D101	C	Roadworks (Stage 1)	1/11/23
PS01-D200	D	Concept Future Byron Road (21-MRC01) Longitudinal & Typical Section	28/6/19
PS01-D201	F	Road 1 (21-MRC02) & Primary Drop-Off (21-MSC01) Longitudinal & Typical Sections	20/11/19
PS01-D202	C	Road 2 (21-MRC03) & Future Road (21-MRC03A) Longitudinal & Typical Sections	20/11/19
PS01-D300	F	Roadworks Details Plan	20/11/19

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary;
 - (b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and
 - (c) the implementation of any actions or measures contained in any such document referred to in (a) above.
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A1(c) or A1(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A1(c) and A1(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Limits of Consent

- A5. This consent lapses five years after the date of consent unless work is physically commenced.
- A6. The future café is to be generally used in conjunction with the educational use of the site and the community uses proposed within the school site.

Student Numbers

- A7. A maximum of 1000 students may be enrolled on the site at any one time.

Prescribed Conditions

- A8. The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.

Planning Secretary as Moderator

- A9. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.

Evidence of Consultation

- A10. Where conditions of this consent require consultation with an identified party, the Applicant

must:

- (a) consult with the relevant party prior to submitting the subject document for information or approval; and
- (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

Staging

A11. This project may be constructed and operated in sub-stages, generally in accordance with staging plans approved in condition A2 of this consent.

Staging, Combining and Updating Strategies, Plans or Programs

A12. With the approval of the Planning Secretary, the Applicant may:

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

A13. Any strategy, plan or program prepared in accordance with condition A12, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.

A14. If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.

A15. Updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.

Structural Adequacy

A16. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Notes:

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

External Walls and Cladding

- A17. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

Applicability of Guidelines

- A18. 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.
- A19. Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

Monitoring and Environmental Audits

- A20. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, Site audit report and independent auditing.

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

Access to Information

- A21. At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (i) the documents referred to in condition 0 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;
 - (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (vi) a summary of the current stage and progress of the development;
 - (vii) contact details to enquire about the development or to make a complaint;
 - (viii) a complaints register, updated monthly;
 - (ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;
 - (x) any other matter required by the Planning Secretary; and
 - (b) keep such information up to date, to the satisfaction of the Planning Secretary.

Compliance

- A22. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

Incident Notification, Reporting and Response

- A23. The Planning Secretary 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.

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- A24. Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 2.

Non-Compliance Notification

- A25. The Planning Secretary must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.
- A26. 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.
- A27. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Revision of Strategies, Plans and Programs

- A28. Within three months of:
- (a) the submission of a compliance report under condition A30;
 - (b) the submission of an incident report under condition A22;
 - (c) the submission of an Independent Audit under condition D33;
 - (d) the approval of any modification of the conditions of this consent; or
 - (e) the issue of a direction of the Planning Secretary under condition 0 which requires a review.
- the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.
- A29. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary and / or Certifier (where relevant). Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) within six weeks of the review.

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

Compliance Reporting

- A30. No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements must be submitted to the Planning Secretary and the Certifier.
- A31. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements.
- A32. Compliance Reports of the development must be submitted to the Planning Secretary in accordance with timing outlined in the Compliance Monitoring and Reporting Program.
- A33. The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary and notify the Planning Secretary and the Certifier in writing at least seven days before this is done.
- Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements, the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.

- A34. **CONDITION A34 IS DELETED [SSD-9227-Mod-2]**

Evidence of consultation with Council

- A35. Where a condition of consent requires consultation with Council, evidence must be submitted to

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the Planning Secretary, prior to certification, demonstrating that consultation has been undertaken in accordance with that condition of consent.

PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

B1. **CONDITION B1 IS DELETED [SSD-9227-Mod-2]**

Road Works and Design Requirements

- B2. Prior to the issue of a construction certificate for Byron Road roadworks proposed under construction Stage 2, the Applicant must submit the following design plans to the satisfaction of Council:
- (a) details of the site's Byron Road frontage footpath, kerb and gutter and verge matching Council's concept design levels for Byron Road;
 - (b) design of a temporary / interim road pavement along Byron Road (matching into Byron Road's frontage gutter lip level) with cross fall grades at Byron Road, between 1% and 5%;
 - (c) details of a 2.5m wide shared path along the north-western verge of Byron Road for future cyclist movement;
 - (d) details of a temporary 20 metres (m) long taper along Byron Road at both ends of the temporary road pavement in accordance with the applicable Transport for NSW (TfNSW) design guides;
 - (e) details of a footpath connection from the site, along Byron Road to the existing bus stop on Ingleburn Road;
 - (f) details to demonstrate that the pavement treatment for this footpath is consistent with the concrete footpath treatment shown on plan *PS01-G400, Pavement Plan and Details* Revision F, dated 20/11/2019 prepared by Martens & Associates Pty Ltd;
 - (g) details of underground electrical, water and telephone services located at the Byron Road frontage that would require relocation as part of the design of the Byron Road frontage;
 - (h) cross-sections at 15m intervals along the Byron Road frontage of the site showing temporary / interim and the ultimate levels of Byron Road levels in relation to the site and the development; and
Note: Reference should be made to Section 2.2.3 of Council's Engineering Design Specifications in relation to the cross sections on Byron Road and 100% concept design plans for Byron Road provided to the Applicant by Council on 11 November 2019.
 - (i) details of the Byron Road's drainage system along the site's frontage, consistent with Council's concept design, which caters for the developed upstream catchment (and other DAs lodged with Council) in accordance with the Leppington Precinct Water Cycle Management Strategy (2012) by Parsons Brinckerhoff to demonstrate that:
 - (i) the Byron Road and internal site drainage system within the site can accommodate the ultimate developed upstream catchment, in accordance with the Leppington precinct's indicative layout plan and the Leppington Precinct Water Cycle Management Strategy (2012) by Parsons Brinckerhoff.
- B3. Prior to the issue of a construction certificate for the half width road construction of Pluto Avenue (Road 1) the Applicant must submit detailed plans to the satisfaction of Council to demonstrate that:
- (a) the design levels of Road 1 match the existing levels of the road;
 - (b) includes a crown at the middle of the carriageway with appropriate keying of 300mm at each of the three road layers; and
 - (c) the design complies with Figure 3-14 of the Camden Growth Centre Precincts Development Control Plan.
- B4. Prior to the issue of a construction certificate for the works in relation to the proposed bus bays on Byron Road in construction Stage 2, the Applicant must submit design details to the satisfaction of Council to demonstrate that:
- (a) the bus bay includes the same pavement treatment as per Council's specifications for the future upgrade extent of Byron Road.

- B5. Prior to the issue of any construction certificate for construction Stage **2** of the proposal, the Applicant must submit the following design details to the satisfaction of Council:
- (a) levels of the threshold of future local road on the northern boundary of the Site (Road 2); and
 - (b) details of its interface with the concept design for the road widening associated with the road hierarchy upgrading and signalisation of Byron Road and Ingleburn Road;
 - (c) design plans showing the future extension of Road 2, 50m into the adjoining property (69 Ingleburn Road) to demonstrate that the design is suitable for the adjoining property and vicinity; and
- Note:** No section of the Road within 69 Ingleburn Road is required to be built for the Applicant as part of this consent. The extension design is for reference only.
- (d) details to demonstrate that the road complies with Figure 3-14 of the Camden Growth Centre Precincts Development Control Plan (except the proposed angled parking along the northern local road).
- B6. Prior to the issue of a construction certificate for works in construction Stage **2**, the Applicant must include street signage details for the angled on-street car parking spaces on the Road 2 to the satisfaction of Council. A copy of the signage details must be submitted to the Certifier for information.
- B7. Separate construction certificate application(s) under section 138 of the *Roads Act 1993*, are required to be submitted with relevant roads authority (Council or TfNSW where applicable) to obtain approval for all works within a public road reserve.

Primary School Drop-off / Pick-up Access Design

- B8. Prior to the issue of any construction certificate for the primary school drop-off / pick-up area on the southern side of the site, the detailed design plans must demonstrate that the access points to the drop-off / pick-up spaces comply with the following:
- (a) a crossover entry width of 6.3m; and
 - (b) a crossover exit width of 6.1m.

Operational Car Parking, Bicycle parking, End-of-trip facilities and Service Vehicle Layout

- B9. Prior to the issue of any construction certificate for each relevant stage, evidence of compliance of the proposed access and parking arrangements with the following requirements must be submitted to the satisfaction of the Certifier:
- (a) all vehicles are able to enter and leave the site in a forward direction unless otherwise indicated for the secondary school hall loading bay per the *Traffic and Transport Assessment, Amity College 85 Byron Road and 63 Ingleburn Road, Leppington*, dated November 2019 and prepared by Traffix, Traffic and Transport Planners;
 - (b) the swept path of the longest vehicles entering and exiting the site, as well as manoeuvrability through the Site, are in accordance with the latest version of AS 2890.2, unless otherwise indicated for the secondary school hall loading bay per the *Traffic and Transport Assessment*, dated November 2019 and prepared by Traffix, Traffic and Transport Planners;
 - (c) the layout, and design of all on-site car parking and drop-off / pick-up spaces must comply with latest versions of AS2890.1 and AS 2890.6 (for disabled parking spaces);
 - (d) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3:2015 *Parking facilities - Bicycle parking*, and be located in easy to access, well-lit areas that incorporate passive surveillance;
 - (e) end-of-trip facilities for staff are provided within the site;
 - (f) appropriate pedestrian and cyclist advisory signs are provided;
 - (g) ramps to the basement car parks are designed in accordance with AS 2890.1-2004;
 - (h) basement car parking areas are designed in accordance with AS 2890.1-2004; and

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- (i) the total number of on-site car parking spaces, drop-off / pick-up spaces and bicycle parking spaces for use during operation of the development, provided in accordance with the Table below:

Construction Stage	Total Student population	Total Staff numbers	Total Number of on-site car spaces	Total on-site drop-off / pick-up spaces	Total off-site drop-off / pick-up spaces	Total on-site bicycle spaces
Stage 1	300	24	62	17	0	20
Stage 2	500	39	62	17	0	36
Stage 3	500	43	62	17	0	36
Stage 4	700	58	62	17	0	46
Stage 5	1000	83	94	17	15	46
Stage 6	1000	85	94	17	15	62

Drainage in basement car parks

- B10. Prior to the issue of a construction certificate for the basement car park, detailed design plans for stormwater drainage within the basement car parking areas must be provided to the satisfaction of the Certifier to demonstrate that:
- the pump out system is designed in accordance with AS3500.3.2-1998;
 - the pump-out system discharges into the on-site detention tank; and
 - the additional stormwater flows from this system includes additional water quality treatment measures to achieve the stormwater targets provided in Council's Engineering Design Specifications.

Operational Noise – Design of Mechanical Plant and Equipment

- B11. Prior to the issue of any construction certificate (not including demolition) for each relevant construction stage, the Applicant must submit detailed design plans to the satisfaction of the Certifier to demonstrate that the noise mitigation recommendations in the *Acoustic Assessment, version 6*, dated 29/5/2019 prepared by Koikas Acoustics have been incorporated.
- B12. Additional supporting documents must be provided to the Certifier to demonstrate that the operation of the mechanical plant and equipment will not exceed the recommended operational noise levels and mitigation measures identified in the *Acoustic Assessment, version 6*, dated 29/5/2019 prepared by Koikas Acoustics.

Operational Noise – Design of Multi-Purpose Halls

- B13. Prior to the issue of any construction certificate for either of the primary or secondary school halls, the Applicant must demonstrate to satisfaction of the Certifier that the mitigation measures and recommended acoustic treatments specified in the *Acoustic Assessment, version 6*, dated 29/5/2019 prepared by Koikas Acoustics have been included in the detailed design of the proposed multi-purpose halls.

Hydraulic Modelling

- B14. Prior to the issue of any construction certificate for construction Stage 1, hydraulic modelling (not detailed designs) for the entire development must be prepared in accordance with Council's requirements by a suitably qualified hydraulic engineer in consultation with Council. The hydraulic modelling must be submitted to the satisfaction of the Certifier, demonstrating that:
- the relevant properties in the upstream catchment area are accommodated by the site;
 - the cumulative stormwater discharge impacts on the Site from adjacent works approved by development applications at 35 Ingleburn Road, 47 Ingleburn Road, 56 Byron Road have been considered;
 - that no internal and external adverse flooding impacts are created by the development;
 - that the development is aligned with the area's development control plan, the area's water cycle master plan, major road upgrade projects and regional stormwater management projects;

- (e) that peak levels of and discharging flows to the Scalabrini Creek drainage reserves are considered;
- (f) the hydrological analysis for the site catchments and flow route modelling through the on-site detention tanks are included to confirm the size of the on-site detention tank that would be needed to ensure that the 20% and 1% annual exceedance probability (AEP) peak discharges from the site post-development would not exceed the pre-development discharge;
- (g) the design utilises the most up-to-date modelling possessed by Council for Upper South Creek; and
- (h) compliance with Council's Engineering Design Specifications are achieved including the DRAINS model which must indicate the following:
 - (i) full drainage system accommodation for 20% AEP events and full conveyance of 1% AEP event overland flows within the road reserve (<200mm depth);
 - (ii) 50% blocked pits for 1% AEP events;
 - (iii) Post-development upstream catchments without temporary on-site detention; and
 - (iv) minimum 1% pipe grade.

Floor levels for structure on the site

B15. Prior to the issue of a construction certificate for each relevant construction stage, the design plans must demonstrate that all structures within the site (above ground level) and internal roads are at or above the post development flood planning level (not the existing flood planning level).

Stormwater catchment plans

B16. Prior to the issue of a construction certificate for drainage works for each relevant construction stage, the Applicant must prepare and submit stormwater catchment plans to the satisfaction of Council to ensure that the site accommodates the appropriate upstream catchments in accordance with the area's Leppington Precinct water cycle masterplan (Parsons Brinckerhoff, 2014), major road upgrade projects and regional stormwater management.

Trade waste

B17. Prior to the issue of the construction certificate for the relevant stage, a written response from the Commercial Trade Waste section Sydney Water detailing its requirements must be provided to the Certifier. These requirements must be incorporated into the construction certificate plans to the satisfaction of the Certifier.

Location of sprinkler

B18. Construction Certificate plans for the relevant construction stage must demonstrate that the sprinkler and the hydrant pump room is separated from the location of the substation to allow for access to the pump room in the event of a fire at the substation.

Waste bin storage area

B19. Construction certificate plans for the waste bin storage area must demonstrate that the area is increased to 4.5m³ to accommodate any fluctuations in waste generation.

PART C PRIOR TO COMMENCEMENT OF CONSTRUCTION

Notification of Commencement

- C1. The Applicant must notify the Planning Secretary in writing of the dates of intended commencement of construction of each stage of the development and operation at least 48 hours before those dates.
- C2. If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing at least 48 hours before the commencement of each stage, of the intended date of commencement and the development to be carried out in that stage.

Certified Drawings

- C3. Prior to the commencement of construction for each relevant construction stage, the Applicant must submit to the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.

Protection of Public Infrastructure

- C4. Prior to the commencement of construction for each relevant construction stage, the Applicant must:
- (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
 - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - (c) submit a copy of the dilapidation report to the Planning Secretary, Certifier and Council.

Pre-Construction Dilapidation Report

- C5. Prior to the commencement of construction for each relevant construction stage, the Applicant must submit a pre-commencement dilapidation report to Council, and the Certifier. The report must provide an accurate record of the existing condition of adjoining private properties, and Council assets that are likely to be impacted by the proposed works.

Unexpected Contamination Procedure

- C6. Prior to the commencement of construction for each relevant construction stage, the Applicant must implement the unexpected contamination finds protocols provided at Section 10 of the Remediation Action Plan titled *'Remediation Action Plan – Proposed New Amity College Campus, Lot 1 DP 525996 No 85 Byron Road and Lot 2 DP 525996 No 63 Ingleburn Road Leppington NSW'*, dated 30/5/2019 prepared by GeoEnviro Consultancy to ensure that potentially contaminated material is appropriately managed. The protocols must form part of the of the Construction Environmental Management Plan (CEMP) in accordance with condition C18 and where any material identified as contaminated is to be disposed off-site, the disposal location and results of testing submitted to the Planning Secretary prior to its removal from the site.

Community Communication Strategy

- C7. No later than two weeks before the commencement of any construction works on site, a Community Communication Strategy must be submitted to the Planning Secretary for information. The Community Communication Strategy must provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction of each relevant stage.

The Community Communication Strategy must:

- (a) be updated to include the revised scope of works prior to the commencement of works of each subsequent stage of the development and include additional communication strategies, where relevant;
- (b) identify people to be consulted during the design and construction phases;

- (c) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;
- (d) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;
- (e) set out procedures and mechanisms:
 - (i) through which the community can discuss or provide feedback to the Applicant;
 - (ii) through which the Applicant will respond to enquiries or feedback from the community; and
 - (iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation;
- (f) include any specific requirements around traffic, noise and vibration, visual impacts, amenity, flora and fauna, soil and water, contamination, heritage.

Demolition

- C8. Prior to the commencement of works, demolition work plans required by AS 2601-2001 *The demolition of structures* (Standards Australia, 2001) must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifier and Planning Secretary.

Outdoor Lighting

- C9. Prior to the issue to the commencement of construction for the relevant construction stages, evidence must be submitted to the Certifier that all outdoor lighting within the site has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.
- C10. Prior to the commencement of works, the Applicant must submit a plan detailing the locations of V5 outdoor lighting along the site's Byron Road frontage to Council and the Planning Secretary.

External Walls and Cladding

- C11. Prior to the commencement of works for the relevant construction stage, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the Building Code of Australia (BCA). The Applicant must provide a copy of the documentation given to the Certifier and to the Planning Secretary within seven days after the Certifier accepts it.

Ecologically Sustainable Development (ESD)

- C12. Prior to the commencement of works for the relevant construction stage, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either:
- (a) registering for a minimum 4-star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifier; or
 - (b) seeking approval from the Planning Secretary for an alternative certification process.

Stormwater Management System

- C13. Prior to the commencement of works for each relevant construction stage (not including demolition works) the Applicant must design an operational stormwater management system for the development in accordance with Council's requirements, in consultation with Council, and submit it to the satisfaction of the Certifier. The system must:
- (a) be designed by a suitably qualified and experienced person(s) incorporating the results of hydraulic modelling and the size of the on-site detention tank in accordance with condition B14;
 - (b) be generally in accordance with the conceptual design in the EIS as listed in the following plans:

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Civil Works Plans prepared by Martens & Associates Pty Ltd			
Dwg No.	Rev	Name of Plan	Date
PS10-E100	B	Drainage (Ultimate Development)	24/10/23
PS10-E101	B	Drainage Plan (Stage 1)	24/10/23
PS01-E110	B	Basement Floor Plan (Ultimate Development)	24/4/20
PS08-E200	A	OSD and Drainage Details	6/5/21
PS08-E201	A	Table Drain & Kerb Flow Calculation	6/5/21
PS08-E300	A	Drainage Longitudinal Sections (Sheet 1)	6/5/21
PS08-E301	A	Drainage Longitudinal Sections (Sheet 2)	6/5/21
PS08-E302	A	Drainage Longitudinal Sections (Sheet 3)	6/5/21
PS08-E303	A	Drainage Longitudinal Sections (Sheet 4)	6/5/21
PS08-E310	A	Drainage Longitudinal Sections (Sheet 6) & Pit Schedule	6/5/21

- (c) be in accordance with applicable Australian Standards and Council's requirements including (but not limited to) Council's Engineering Design Specifications;
- (d) accommodate the post-development catchment in accordance with the indicative layout plan for the Leppington precinct;
- (e) ensure that the headwall at the discharge point is wholly located within the site and the set back from the boundary interface with No. 69 Ingleburn Road;
- (f) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2019) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines;
- (g) divert existing clean surface water around operational areas of the site;
- (h) ensure that all post-development flows from the site do not exceed pre-development flows;
- (i) demonstrate that the overland flows within the site exceeding the 20% AEP and up to 1% AEP can be conveyed into the on-site detention tank/s within the site or be captured using other methods within the site to ensure that the post-development peak stormwater discharges in these conditions do not exceed the pre-development flows;
- (j) include details of all on-site retention/detention and water quality treatment systems supported by a MUSIC model utilising Council's Music Link parameters when modelling the water quality aspect of the stormwater management system;
- (k) provide sag pits with a minimum 2.4m lintels and on-grade pits with lintels of a minimum of 1.8m;
- (l) include details of the drainage within the future lot 2 on the northern side;
- (m) demonstrate that the 1% AEP level flows, from the post development external (in accordance with the indicative layout plan and water cycle management strategy) and internal catchment, can discharge into the drainage reserve.

Stormwater works within Road 1

- C14. The design plans for the stormwater management system of the relevant construction stage, where stormwater is proposed to be connected to Road 1, the design plans must be prepared in accordance with Council's requirements and demonstrate that the existing drainage system within Road 1 (Pluto Road) has sufficient capacity to accommodate the proposed post-development stormwater run-off from the site.
- C15. The design plans required in condition C14, must be submitted to Council and be approved prior to the commencement of the relevant stormwater works. Evidence of Council approval

must be provided to the Certifier prior to the commencement of the stormwater works that drain to Road 1.

- C16. If the post-development runoff from the site cannot be accommodated by the existing drainage system in Road 1, a new drainage line must be designed along the northern side within the road reserve of Road 1, to cater for the development catchment area. Evidence of submission of the design plans for new drainage line within Road 1 (if any) and Council approval of this drainage system must be submitted to the Certifier for information prior to the commencement of the stormwater works that drain to Road 1.

Stormwater system for Stage 1

- C17. The design of the stormwater management system (including any temporary on-site detention systems, if relevant), must demonstrate that the stormwater runoff from the site, post-development of construction Stage 1, does not exceed the existing (pre-development) stormwater discharge from the site on to the downstream property at No. 69 Ingleburn Road.

Stormwater system for Road 2

- C18. The design plans for the stormwater management system for Road 2, must be prepared in accordance with Council's requirements including the Leppington Precinct Water Cycle Management Strategy and demonstrate that it has the capacity to convey flows from Byron Road and upstream future development. The design plans must be supported by hydrological and hydraulic calculations confirming the pipe sizes and a catchment plan prepared indicating the areas allowed for in the design of this drainage system.
- C19. The design plans required in condition C18, must be submitted to Council and be approved prior to the commencement of the relevant stormwater works for Road 2. Evidence of Council approval must be provided to the Certifier prior to the commencement of the stormwater works that drain to Road 2.

Rainwater Harvesting

- C20. Within three months of the issue of any construction certificate (not including demolition) for each relevant construction stage, the Applicant must ensure that a rainwater reuse/harvesting system for the development is developed for the site. A rainwater re-use plan must be prepared and certified by a suitably qualified hydraulic engineer and a copy of the plans submitted to the satisfaction of the Certifier.

Environmental Management Plan Requirements

- C21. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) detailed baseline data;
 - (b) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (d) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
 - (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;

- (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
- (g) a protocol for managing and reporting any:
 - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - (ii) complaint; and
 - (iii) failure to comply with statutory requirements; and
- (h) a protocol for periodic review / update of the plan and any updates in response to incidents or matters of non-compliance.

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

Construction Environmental Management Plan

- C22. Prior to the commencement of construction for each relevant construction stage, the Applicant must submit a CEMP to the satisfaction of Certifier and provide a copy to the Planning Secretary. The CEMP must include, but not be limited to, the following:
- (a) Details of:
 - (i) hours of work;
 - (ii) 24-hour contact details of site manager;
 - (iii) management of dust and odour to protect the amenity of the neighbourhood;
 - (iv) stormwater control and discharge;
 - (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
 - (vi) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
 - (vii) community consultation and complaints handling;
 - (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition C24);
 - (c) Construction Noise and Vibration Management Sub-Plan (see condition C25);
 - (d) Construction Waste Management Sub-Plan (see condition C26);
 - (e) Construction Soil and Water Management Sub-Plan (see condition C27);
 - (f) Include the unexpected finds protocols for contamination and associated communications procedure provided in the EIS;
 - (g) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and
 - (h) 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.
- C23. The Applicant must not commence construction until the CEMP is approved by the Certifier and a copy submitted to the Planning Secretary.
- C24. A Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must be prepared to achieve the objective of ensuring safety and efficiency of the road network and address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council;
 - (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;
 - (d) detail heavy vehicle routes, access and parking arrangements; and
 - (e) provide an avenue for updates and reviews of the CTMPSP to address changes to construction and pedestrian management as future stages are built.

- C25. The Construction Noise and Vibration Management Sub-Plan (CNVMSP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced noise expert;
 - (b) incorporate the recommendations made in the *Acoustic Assessment, version 6*, dated 29/5/2019 prepared by Koikas Acoustics in relation to construction noise impacts;
 - (c) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);
 - (d) describe the procedures and mitigation measures that would be implemented to manage residential properties that would be highly noise affected during construction activities;
 - (e) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
 - (f) include details of implementation of reasonable and feasible measures including but not limited to those contained in the *Acoustic Assessment, version 6*, dated 29/5/2019 prepared by Koikas Acoustics to mitigate construction noise impacts on students and nearby residential properties, in the circumstances where construction activities are predicted to exceed the highly noise affected noise level of 75dB(A);
 - (g) include strategies that have been developed with the community for managing high noise generating works;
 - (h) describe the community consultation undertaken to develop the strategies in condition C25(g);
 - (i) include a complaints management system that would be implemented for the duration of the construction; and
 - (j) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures in accordance with Condition C21(d), (e) and (f).
- C26. The Construction Waste Management Sub-Plan (CWMSPP) must address, but not be limited to, the following:
- (a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations; and
 - (b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of construction.
- C27. The Applicant must prepare a Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following:
- (a) be prepared by a suitably qualified expert, in consultation with Council;
 - (b) describe all erosion and sediment controls to be implemented during construction, consistent with the approved erosion and sediment control plans in condition A2
 - (c) provide a plan of how all construction works will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the site);
 - (d) detail all off-Site flows from the site; and
 - (e) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year Average Recurrence Interval (ARI).
- C28. A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:
- (a) minimise the impacts of earthworks and construction on the local and regional road network;
 - (b) minimise conflicts with other road users;
 - (c) minimise road traffic noise; and

- (d) ensure truck drivers use specified routes.

Soil and Water

- C29. Prior to the commencement of construction for each relevant construction stage, the Applicant must:
- (a) install erosion and sediment controls on the site to manage wet weather events in accordance with the plans listed in condition A2, the CSWMSP in condition C27 and the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book';
 - (b) divert existing clean surface water around operational areas of the site; and
 - (c) direct all sediment laden water into overland flow away from surrounding properties.

Construction and Demolition Waste Management

- C30. Prior to the commencement of the removal of any waste material from the site, the Applicant must notify the TfNSW Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site.

Construction Parking

- C31. Prior to the commencement of construction of a relevant construction stage, the Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that heavy construction vehicles or site personnel vehicles associated with the development does not park on public and residential streets or utilise nearby public parking facilities.

Nest boxes

- C32. Prior to the commencement of construction for Stage 1, **evidence demonstrating that individual tree hollows removed from the site have been replaced at a minimum 1:1 ratio with nest boxes** must be submitted to and approved by the Planning Secretary.

Infrastructure upgrades

- C33. Prior to the commencement of construction of a relevant construction stage, the Applicant must obtain necessary approvals from Sydney water to upgrade the water and sewer mains to cater for the development including:
- (a) approval to construct a 150mm diameter water main along the full frontage of Byron Road; and
 - (b) approval construct a wastewater main extension to service the development connect the site to the future Bringelly Road Carrier Section 2.
- C34. Written confirmation of completion of the required extension of Sydney Water's sewer main servicing the development must be submitted to the Certifier prior to the issue of a construction certificate.
- C35. Prior to the commencement of construction of the relevant construction stage, the Applicant must submit evidence to the satisfaction of the certifier that arrangements for energy connections from Endeavour Energy are in place.

Bond for Road 2

- C36. Prior to the commencement of construction of Road 2 in construction Stage **2**, a bond must be paid to Council to decommission the temporary cul-de-sac turning head at the western end Road 22 and reconstruct it to its ultimate condition when the adjoining property at No. 69 Ingleburn Road is developed and the turning head is no longer required.
- C37. The method of paying the bond money and the associated terms and conditions are to be negotiated between Council and the Applicant through legally binding documents or deeds.

Site Contamination

- C38. Prior to the commencement of construction works for construction Stage 1, remediation approved as part of this development consent must be carried out in accordance with the *Remediation Action Plan – Proposed New Amity College Campus Lot 1 DP 525996 No 85*

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Byron Road and Lot 2 DP 525996 No 63 Ingleburn Road, Leppington NSW", prepared by GeoEnviro Consultancy Pty Ltd, dated 30/5/2019.

- C39. Prior to the commencement of any works on the site, documentary evidence must be provided to the satisfaction of the Certifier that stockpiles of waste material on the site has been lawfully removed.

Operational Noise – Design of School Public Announcement and Bell System

- C40. Prior to the installation of the permanent public announcement or school bell system, the Applicant must submit detailed designs of the system to Council and the Planning Secretary. The design must:
- (a) Identify speaker locations and orientations;
 - (b) Confirm noise levels the system would be calibrated to comply with the operational noise levels specified in *Acoustic Assessment, version 6*, dated 29/5/2019 prepared by Koikas Acoustics; and
 - (c) Confirm the system would include an RMS compressor limiter.

Survey Plan and Hollow Bearing Trees/Active Nests

- C41. Prior to commencement of works for the relevant construction stage, a survey plan to identify whether tree hollows or active nests are present, must be prepared. If tree hollows and/or active nests are present, a nest box installation and active nest relocation plan must be prepared by a suitably qualified person.

Food preparation areas

- C42. Prior to the issue of the construction certificate for the relevant areas of the buildings used for food for handling food for sale (as defined within the *Food Act 2003*), the design plans must demonstrate to the satisfaction of the Certifier that design, construction, fit-out and on-going operation of these areas comply with all applicable legislation including (but not limited to):
- (a) the *Food Act 2003*;
 - (b) the Food Regulation 2004;
 - (c) Food Standards Australia and New Zealand – Food Standards Code 2003;
 - (d) AS 4674-2004. Design, construction and fit-out of food premises; and
 - (e) AS 1668 'The use of ventilation and air conditioning in buildings'.

PART D DURING CONSTRUCTION

Site Notice

- D1. A site notice(s):
- (a) must be prominently displayed at the boundaries of the site during construction for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifier and Structural Engineer is to satisfy the following requirements;
 - (b) minimum dimensions of the notice must measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30-point type size;
 - (c) the notice is to be durable and weatherproof and is to be displayed throughout the works period;
 - (d) 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
 - (e) 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.

Staging of construction works

- D2. The construction works must be undertaken in stages as proposed in the approved staging plans in condition A2 of this consent.

Operation of Plant and Equipment

- D3. All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.

Demolition

- D4. Demolition work must comply with the demolition work plans required by *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001) and endorsed by a suitably qualified person as required by condition C8.

Construction Hours

- D5. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:
- (a) between 7am and 6pm, Mondays to Fridays inclusive; and
 - (b) between 8am and 1pm, Saturdays.
- No work may be carried out on Sundays or public holidays.
- D6. Construction activities may be undertaken outside of the hours in condition D5 if required:
- (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or
 - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
 - (c) where a variation is approved in advance in writing by the Planning Secretary or nominee if appropriate justification is provided for the works.
- D7. Notification of such construction activities as referenced in condition D6 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- D8. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:
- (a) 9:00am to 12pm (noon), Monday to Friday;
 - (b) 2:00pm to 5:00pm Monday to Friday; and
 - (c) 9:00am to 12pm (noon), Saturday.

Implementation of Management Plans

- D9. The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP for each relevant stage (including Sub-Plans).

Construction Traffic

- D10. All construction vehicles (including site personnel vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site before stopping.

Hoarding Requirements

- D11. The following hoarding requirements must be complied with:
- (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and
 - (b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

No Obstruction of Public Way

- D12. The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

Construction Noise Limits

- D13. The development must be constructed to achieve the construction noise management levels detailed in the *Interim Construction Noise Guideline* (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the CNVMSP in condition C25.
- D14. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of 'quackers' to ensure noise impacts on surrounding noise sensitive receivers are minimised.

Vibration Criteria

- D15. Vibration caused by construction at any residence or structure outside the site must be limited to:
- (a) for structural damage, the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999); and
 - (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).
- D16. Vibratory compactors must not be used closer than 30m from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition D15.
- D17. The limits in conditions D15 and D16 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition C22 of this consent.

Tree protection and fauna protection

- D18. For the duration of the construction works:
- (a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;
 - (b) all street trees immediately adjacent to the approved disturbance area must be protected at all times during construction in accordance with Council's tree protection requirements. Any street tree, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;

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- (c) all trees on the site that are not approved for removal must be suitably protected during construction as per the recommendations of the *Arboricultural Impact Assessment, version 4*, dated 17/7/2019 prepared by Lauranco; and
 - (d) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of 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.
- D19. All hollow-bearing and active nest trees removed from the site must to be inspected prior to removal. Measures must be taken to ensure that fauna inhabiting tree hollows or active nests are treated humanely and relocated before development activities commence, consistent with the *National Parks and Wildlife Act 1974*. A qualified ecologist or wildlife carer must be present throughout vegetation clearing activities to relocate fauna or take fauna into care where appropriate (i.e. juvenile or nocturnal fauna).

Air Quality

- D20. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- D21. During construction, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the development do not track dirt onto the public road network;
 - (d) public roads used by these trucks are kept clean; and
 - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Erosion and Sediment Control

- D22. All erosion and sediment control measures must be installed in accordance with the plans listed in condition A2 and the CSWMSP in condition C27. The measures must be maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment.
- D23. There must not be any increased stormwater runoff from the site on to the downstream properties (including No. 69 Ingleburn Road) during the construction works of any relevant construction stage.

Imported Soil

- D24. The Applicant must:
- (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;
 - (b) keep accurate records of the volume and type of fill to be used; and
 - (c) make these records available to the Certifier upon request.

Disposal of Seepage and Stormwater

- D25. Adequate provisions must be made to collect and discharge stormwater drainage during construction any building to the satisfaction of the Certifier. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

Unexpected Finds Protocol – Aboriginal Heritage

- D26. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist

and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by EES Group and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and EES Group to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of EES Group.

Unexpected Finds Protocol – Historic Heritage

- D27. If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the Heritage NSW contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of the Heritage NSW.

Waste Storage and Processing

- D28. All waste generated during construction must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.
- D29. All waste generated during construction must be assessed, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- D30. The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse.
- D31. The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.

Independent Environmental Audit

- D32. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.
- D33. Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.
- D34. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 week's notice to the applicant of the date or timing upon which the audit must be commenced.
- D35. In accordance with the specific requirements in the Independent Audit Post Approval requirements, the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under condition D33 of this consent;
 - (b) submit the response to the Planning Secretary and the Certifier; and
 - (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Planning Secretary.
- D36. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements, unless otherwise agreed by the Planning Secretary.
- D37. Notwithstanding the requirements of the Independent Audit Post Approval Requirements, the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.

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

Notification of Occupation

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

External Walls and Cladding

- E2. Prior to the issue of an occupation certificate for each relevant construction stage, the Applicant must provide the Certifier with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA/National Construction Code (NCC).
- E3. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

Post-construction Dilapidation Report

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

Protection of Public Infrastructure

- E5. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
 - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

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

Protection of Property

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

Utilities and Services

- E7. Prior to issue of an occupation certificate for each relevant construction stage, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

Works as Executed Plans

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

Roadworks

- E9. Prior to the issue of an occupation certificate for each relevant construction stage where external roadworks are proposed, the following evidence must be submitted to the satisfaction of the Certifier:
- (a) all roadworks have been completed including footpaths and shared paths as required by Council;
 - (b) associated infrastructure upgrades have been completed;
 - (c) relevant stormwater works within the road reserves have been completed;
 - (d) the resultant road levels match future major road levels and frontage;
 - (e) signage, car parking, line marking has been completed;
 - (f) relevant agency approvals including Council approvals have been obtained; and
 - (g) any matters for dedication to Council have been finalised (including dedication of sections of Byron Road, sections of Road 1, bus bays, Road 2 with footpath and angled car parking).

Green Travel Plan

- E10. Prior to the commencement of operation of the developments in construction Stage 1, a Green Travel Plan (GTP), must be submitted to the satisfaction of the Certifier to promote the use of active and sustainable transport modes. The plan must:
- (a) be prepared by a suitably qualified traffic consultant in consultation with Council and Transport for NSW;
 - (b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
 - (c) include specific tools and actions to help achieve the objectives and mode share targets;
 - (d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP;
 - (e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development; and
 - (f) incorporate preliminary recommendations detailed in the *Traffic & Transport Assessment* prepared by Traffic, dated November 2019 provided as part of the RtS.
- E11. The GTP must be updated prior to the commencement of operation of each subsequent stage and the increase in student numbers, to promote sustainable modes of travel for students and staff. The plan must be submitted to the Certifier for approval, prior to commencement of operation of each construction stage.

Operational Management Plan

- E12. Prior to the commencement of operation of the developments in construction stage 1, the Applicant must prepare an Operational Management Plan for the site. The plan be updated prior to the commencement of operation of each subsequent construction stage to reflect the additional facilities, as relevant. The overall plan must:
- (a) include measures to ensure all wayfinding signage, security measures, and landscaping is managed to maintain their effectiveness;
 - (b) operating hours of the school, the out-of-hours care (OOSH) (after being constructed and operational);
 - (c) details of the community use of the school facilities and the hours of such use (when such facilities are delivered);
 - (d) proposed mitigation measures to maintain the security and safety of the school when community use of school facilities occur;

- (e) details of use of the café (when constructed and delivered) outside of school hours and the associated access control measures;
- (f) measures to manage the use and access to recreation areas, including any staggered play times (for using the outdoor playing fields) for the Years and age groups with details of the programme of use;
- (g) details of all out-of-hours events and measures to manage these events and mitigate against any potential adverse impacts on the security of the school due to these events;
- (h) details of times when the waste collection vehicles would access the site (both AM and PM);
- (i) operational management procedures for the northern loading bay restricting the use of this area to be outside of school pick-up and drop-off / pick-up times;
- (j) include measures to manage operational noise impacts, particularly from outdoor playground and recreational areas, to ensure the use of the development does not result in exceedances of the project noise trigger levels in accordance with the *Acoustic Assessment*, version 6, dated 29/5/2019 prepared by Koikas Acoustics;
- (k) include details to confirm that the size of any after school hours event is restricted to 360 people at any one time for the primary school hall and 560 people for the secondary school hall, on a school day and that such events do not continue beyond 10PM; and
- (l) details confirming that all windows and doors of the multi-purpose halls (where practicable) remain closed during evenings or use after daytime school hours.

E13. The Operational Management Plan (OMP), must be updated (as relevant) prior to the commencement of operation of each subsequent construction stage and submitted to the Certifier for approval prior to the commencement of operation of each construction stage.

Operational Transport and Access Management Plan (OTAMP)

E14. Prior to the commencement of operation for construction Stage 1, an OTAMP is to be prepared by a suitably qualified person, in consultation with Council, and submitted to the satisfaction of the Certifier. The OTAMP is to be updated prior to the commencement of operation of each subsequent construction stage (when additional facilities are delivered) and be approved by the Certifier at that stage. The OTAMP must include (but not be limited to):

- (a) details that are consistent with Amity College Prestons campus Traffic Management Plan (where relevant);
- (b) the measures to safely manage the daily transport task to / from the school;
- (c) the location of all car parking spaces on the school campuses and their allocation (i.e. staff, visitor, accessible, emergency, etc.);
- (d) the location and operational management procedures of the drop-off / pick-up parking located off Road 1 and Road 2, including staff management / traffic controller arrangements;
- (e) the location and operational management procedures for the drop-off / pick-up of students by buses and coaches for excursions and sporting activities along Byron Road, including staff management/traffic controller arrangements (as and when delivered and operational);
- (f) delivery and services vehicle and bus access and management arrangements;
- (g) management of approved access arrangements;
- (h) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing drop-off / pick-up parking along Road 1 and Road 2 (when delivered and operational);
- (i) car parking arrangements and management associated with the proposed use of school facilities by community members;
- (j) management measures to address vehicle and pedestrian management within the primary school car park and drop-off / pick-up area; and

- (k) a monitoring and review program that aligns with the proposed staging of the development and identifies points at which the plan should be revised to accommodate future stages.

Mechanical Ventilation

E15. Prior to issue of an occupation certificate for each relevant construction stage, the Applicant must provide evidence to the Certifier that the installation and performance of the mechanical ventilation systems complies with:

- (a) AS 1668.2-2012 *The use of air-conditioning in buildings – Mechanical ventilation in buildings* and other relevant codes; and
- (b) any dispensation granted by Fire and Rescue NSW.

Operational Noise – Design of Mechanical Plant and Equipment

E16. Prior to the issue of any occupation certificate for each relevant construction stage, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the *Acoustic Assessment*, version 6, dated 29/5/2019 prepared by Koikas Acoustics have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Environmental Noise Assessment.

Road Damage

E17. Prior to the issue of an occupation certificate for each relevant construction stage, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the site as a result of construction works associated with the approved development must be met in full by the Applicant.

Fire Safety Certification

E18. Prior to issue of an occupation certificate for each relevant construction stage, 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

E19. Prior to the issue of an occupation certificate of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the Certifier. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:

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

Acoustic certification for multi-purpose halls

E20. Prior to the commencement of operation of the multi-purpose halls, a suitably qualified acoustic consultant must provide a certificate confirming that all of the proposed acoustic measures as required by condition B13 have been incorporated. The certificate must be provided to the Certifier for information.

Compliance with Food Code

E21. Prior to the issue of an occupation certificate for food preparation areas, the Applicant (where required) is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 *Design, construction and fit-out of food premises* and provide evidence of receipt of the certificate to the Certifier.

Notification of Food Premises

E22. Prior to the issue of the occupation certificate for food preparation areas, Council is to be notified in writing on the "Food Business Notification" form available on Council's website that

the canteen, kiosk, café, Food Technology kitchens and OOSH services are to be used for the handling of food for sale. Each premise must be separately notified, and an inspection of the completed fit-outs must be undertaken for compliance with the relevant Acts, regulations, Codes and Standards.

Rainwater Harvesting

- E23. Prior to the issue of an occupation certificate for each relevant construction stage, a signed works-as-executed Rainwater Re-use Plan for the site must be provided to the Planning Secretary and Certifier.

Warm Water Systems and Cooling Systems

- E24. The installation of warm water systems and water cooling systems occupation certificate for each relevant stage (as defined under the *Public Health Act 2010*) must comply with the *Public Health Act 2010*, Public Health Regulation 2012 and Part 1 (or Part 3 if a Performance-based water cooling system) of *AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance* and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

Outdoor Lighting

- E25. Prior to the issue of an occupation certificate for each relevant construction stage, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:
- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
 - (b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage

- E26. Prior to the issue of an occupation certificate for each relevant construction stage, 'Do not drink' signage on non-potable water used for toilet flushing and to new hose taps and irrigation systems for landscaped areas must be installed within the site.
- E27. The Applicant must ensure suitable signage at the primary school drop-off / pick-up area is provided prior to the commencement of operation under Stage 1.
- E28. The Applicant must ensure suitable signage at the primary school drop-off / pick-up area is provided prior to the commencement of operation under Stage 1 to ensure that the proposed one-way system is adhered to and the potential for conflicts are minimised. The signage must be updated prior to the commencement of operation of each subsequent stage, should any amendments to the drop-off / pick-up facility within the site be proposed considering increase in the number of students.
- E29. Prior to the issue of occupation certificate for each relevant construction stage, the Applicant must install appropriate on-street wayfinding signage / parking restrictions subject to necessary approvals from the relevant roads authority (TfNSW or Council).
- E30. The illumination of the school identification sign must be switched off between 6pm and 7am, unless otherwise agreed by Council.
- E31. The lighting to be used in connection with the school identification sign must comply with AS4282 - Control of the Obtrusive Effects of Outdoor Lighting, to protect the amenity of the locality.
- E32. The school identification sign must not:
- (a) dazzle or distract drivers due to their colouring;
 - (b) be able to be mistaken for a traffic signal because they have, for example, red, amber or green circles, octagons, crosses or triangles;
 - (c) be able to be mistaken as an instruction to drivers;
 - (d) display advertising or messages which contain fully animated or video/movie style advertising or images; or

- (e) be used for any live television, satellite, internet or similar broadcast.

E33. The school identification sign must not emit sound.

School Zones

E34. Prior to the commencement of the operation of construction Stage 1, School Zone signs and pavement marking patches must be installed in accordance with TfNSW requirements.

Note: School zones applications are to be submitted to TfNSW at least eight weeks prior to commencement of operation as per Advisory Note AN11.

E35. The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed. Following installation of all School Zone signs and pavement markings, the Applicant must arrange an inspection with TfNSW for formal handover of the assets to TfNSW.

Operational Waste Management Plan

E36. Prior to the issue of an occupation certificate for each relevant construction stage, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifier for information. The Waste Management Plan must:

- (a) detail the type and quantity of waste to be generated during operation of the development;
- (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Department of Environment, Climate Change and Water, 2009);
- (c) detail the materials to be reused or recycled, either on or off site;
- (d) include the measures detailed in the Operational Waste Management Plan, dated 8 May 2019, prepared by Amity College;
- (e) confirm waste collection for a 8.8m medium rigid vehicle (MRV) is available via a private contract;
Note: Council services cannot be availed for the site as a turning area for Heavy Rigid Waste collection vehicle has not been provided.
- (f) demonstrate that bin storage areas can accommodate larger bins up to 4.5m³ to account for variations in waste generation; and
- (g) include the Management and Mitigation Measures included in EIS.

Validation Report

E37. Within three months of completion of all remediation works within the site in Stage 1 or prior to the issue of the occupation certificate for Stage 1 (whichever occurs earlier), the Applicant must prepare a Validation Report confirming the completion of the remediation works. The Validation Report must:

- (a) be prepared by a Certified Contaminated Land Consultant; and
- (b) be submitted to the Site Auditor, the Planning Secretary and the Certifier for information within one month after the completion of remediation works.

E38. be prepared in accordance with the recommendations of *Remediation Action Plan – Proposed New Amity College Campus Lot 1 DP 525996 No 85 Byron Road and Lot 2 DP 525996 No 63 Ingleburn Road, Leppington NSW*, prepared by GeoEnviro Consultancy Pty Ltd, dated 30/5/2019 and the Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (OEHL, 2011).Site Audit Statement.

E39. Prior to the issue of an occupation certificate for each relevant construction stage, the Applicant must submit a Site Audit Report and Section B (interim) Site Audit Statement for the relevant part of the site prepared by a NSW EPA accredited Site Auditor. The Site Audit Report and Section B Site Audit Statement must verify the relevant part of the site is suitable for the educational establishment land use and be provided for the information of the Planning Secretary and the Certifier.

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- E40. Upon completion of all works on the site pursuant to this development consent, a final Section A Audit Statement must be issued verifying that the site is suitable for the educational establishment and land use and be provided for information to the Planning Secretary and the Certifier.

Landscaping

- E41. Prior to the issue of an occupation certificate for the relevant construction stage, the Applicant must prepare an Operational Landscape Management Plan to the satisfaction of the Certifier. The plan must include details of maintenance and management measures for revegetated and landscaped areas of the site approved by this development consent.
- E42. The nest box installation and active nest relocation plan in the relevant construction stage must provide fauna with short term habitat requirements during vegetation clearance works. A suitably qualified Arborist must provide evidence prior to commencement of operation of the relevant construction stage, that the nest boxes have been satisfactorily installed.

Car Parking Arrangements

- E43. Prior to the commencement of operation for the relevant construction stage, evidence must be submitted to the satisfaction of the Planning Secretary that demonstrates that the construction works associated with the proposed car parking areas have been completed in accordance with the conditions of this consent and that the car parking facilities are operational.

Easements

- E44. Prior to the occupation of Road 2 under construction Stage 2, an easement for access under section 88B of the *Conveyancing Act 1919* for the proposed temporary cul-de-sac turning head must be registered over proposed Lot 2, benefiting Council. The authority to release/vary/modify the right of carriageway must be Camden Council.
- E45. The easement for access condition E44, must be in accordance with the standard format for easements and restrictions as accepted by the NSW Land Registry Services.

Easement for Boundary Adjustment

- E46. Prior to the issue of a subdivision certificate, an easement to drain water under Section 88B of the *Conveyancing Act 1919* must be registered over proposed Lot 2, benefiting proposed Lot 1 under the *Plan of Proposed Subdivision* of Lots 1 and 2 DP 252996 prepared by Total Surveying Solutions, dated 19/7/2019.

PART F POST OCCUPATION

Hours of Operation

- F1. The following maximum hours of operation apply to the development:
- (a) General school activities including after-hours sport, special interest activities, school related gatherings and use of the café in association with these uses: 7am to 9pm daily; and
 - (b) Community use of school facilities: 7am to 9pm daily.

Operation of the Café

- F2. The operation of the café must generally be in conjunction with to the use of the site as a school and the community uses proposed within the school. The use of the café must be managed in accordance with the OMP for the school.

Out of Hours Event Management Plan

- F3. Within three months of the commencement of the first out of hours events (school use) run by the school (both for the primary and the secondary school halls), the Applicant is to prepare an Out of Hours Event Management Plan (School Use) in consultation with Council and submit it to the Council and the Certifier for information. The plan must include the following:
- (a) the number of attendees, time and duration;
 - (b) arrival and departure times and modes of transport;
 - (c) where relevant, a schedule of all annual events;
 - (d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);
 - (e) measures to minimise localised traffic and parking impacts;
 - (f) include details to confirm that the size of any after school hours event is restricted to 360 people within the primary school hall and 560 people within the secondary school hall at any one time and that the event would not extend beyond 10pm;
 - (g) details to confirm that for the secondary school hall, windows and doors would remain closed in the evenings and after school hours, in accordance with the OMP, to manage noise impacts on nearby residential receivers; and
 - (h) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.
- F4. Prior to the commencement of out of hours events (community use) run by the external parties that involve over 110 people, the Applicant is to prepare an Out of Hours Event Management Plan (Community Use in both the primary and the secondary school halls) in consultation with Council and submit it to the Council and the Certifier for information. The plan must include the following:
- (a) the number of attendees, time and duration;
 - (b) arrival and departure times and modes of transport;
 - (c) where relevant, a schedule of all annual events;
 - (d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);
 - (e) details of the use of the school facilities / playground where applicable, restricting use before 8am and after 10pm;
 - (f) include details to confirm that the size of any after school hours event is restricted to 360 people within the primary school hall and 560 people within the secondary school hall at any one time;
 - (g) measures to minimise localised traffic and parking impacts;
 - (h) details to confirm that for the secondary school hall, windows and doors would remain closed in the evenings and after school hours, in accordance with the OMP, to manage noise impacts on nearby residential receivers; and include measures to minimise noise

impacts on any sensitive residential receivers, including the preparation of acoustic management plan. The Out of Hours Event Management Plans (both school use and community use) must be implemented by the Applicant for the duration of the identified events or use. The plans must be updated to reflect the increase in students at each subsequent construction stage and intensification of use within the site.

Operation of Plant and Equipment

- F5. All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.

Warm Water Systems and Cooling Systems

- F6. The operation and maintenance of warm water systems and water cooling systems (as defined under the *Public Health Act 2010*) must comply with the *Public Health Act 2010*, Public Health Regulation 2012 and Part 2 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

Community Communication Strategy

- F7. The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.

Operational Transport and Access Management Plan (OTAMP)

- F8. The OTAMP(s) approved under condition E14 must be updated prior to the commencement of each stage of the development or increase in student numbers. The OTAMP must be implemented by the Applicant for the life of the development.

Operational Noise Limits

- F9. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the *Acoustic Assessment, version 6*, dated 29/5/2019 prepared by Koikas Acoustics.
- F10. The Applicant must undertake short term noise monitoring in accordance with the *Noise Policy for Industry* where valid data is collected following the commencement of the development from Stage 4 and or each subsequent construction stage. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within two months of commencement use of each stage of the development to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant or the project noise trigger identified in the *Acoustic Assessment, version 6*, dated 29/5/2019 prepared by Koikas Acoustics.
- F11. 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.
- F12. The Applicant must ensure the public announcement and school bell system is operated and maintained in a manner that does not give rise to "offensive noise" as defined under the provisions of the *Protection of the Environment Operations Act 1997*.

Unobstructed Driveways and Parking Areas

- F13. All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

Green Travel Plan

- F14. The Green Travel Plan required by condition E10 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.

Ecologically Sustainable Development

F15. Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation of construction stages 2, 4, 5, 6 and 7, Green Star certification must be obtained demonstrating the development achieves a minimum 4-star Green Star Design & As Built rating. Evidence of the certification must be provided to the Certifier and the Planning Secretary. If an alternative certification process has been agreed to by the Planning Secretary under condition C12, where evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.

Outdoor Lighting

F16. Notwithstanding condition E25, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.

Landscaping

F17. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition E41 for the duration of occupation of the development.

Rainwater Harvesting

F18. The Applicant must implement the rainwater re-use plan required by condition E23 for the duration of the development

APPENDIX 1 ADVISORY NOTES

General

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

Long Service Levy

AN2. For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.

Legal Notices

AN3. Any advice or notice to the consent authority must be served on the Planning Secretary.

Access for People with Disabilities

AN4. The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifier must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.

Utilities and Services

AN5. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

AN6. Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.

Road Occupancy Licence

AN7. A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.

SafeWork Requirements

AN8. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.

Hoarding Requirements

AN9. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

Handling of Asbestos

AN10. The Applicant must consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

Speed limit authorisation

AN11. At least eight weeks prior to the commencement of operation, the Applicant must submit the following details to TfNSW and obtain authorisation to install School Zone signs and associated pavement markings, and / or removal / relocation of any existing Speed Limit signs:

- (a) a copy of the conditions of consent;
- (b) the proposed school commencement/opening date;
- (c) two sets of detailed design plans showing the following:
 - (i) accurate Site boundaries;
 - (ii) details of all road reserves, adjacent to the Site boundaries;

- (iii) all proposed access points from the Site to the public road network and any additional conditions imposed/proposed on their use;
- (iv) all existing and proposed pedestrian crossing facilities on the adjacent road network;
- (v) all existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings); and
- (vi) all existing and proposed street furniture and street trees.

Fire Safety Certificate

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

Local Traffic Committee Concurrence

AN13. Installation of or changes to regulatory signage, line marking and devices are subject to the concurrence of Council's Local Traffic Committee on local roads and TfNSW on State roads.

AN14. These concurrences (as required) must be obtained prior to the installation of or any changes to regulatory signage, line marking and devices.

Council documents

AN15. The Applicant must consider the following documents in its design of the engineering and drainage plans:

- (d) Leppington Precinct Transport and Access Strategy (Department of Planning, Industry and Environment);
- (e) Leppington Precinct Water Cycle Management Strategy (Parsons Brinckerhoff);
- (f) Council's Engineering Design Specifications;
- (g) Council's Flood Risk Management Policy;
- (h) 100% concept designs (WSP) provided by Council; and
- (i) 20% concept designs (Acor) provided by Council.

Pedestrian crossing

AN16. Any new pedestrian crossings on the local road network will require a warrants assessment to be undertaken and lodged with the Local Traffic Committee.

Priority Controlled Intersection

AN17. Any priority-controlled intersection treatments will need to be to the satisfaction of Camden Council.

APPENDIX 2 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary 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 fails to give the notification required under condition or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - a. identify the development and application number;
 - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - c. identify how the incident was detected;
 - d. identify when the applicant became aware of the incident;
 - e. identify any actual or potential non-compliance with conditions of consent;
 - f. describe what immediate steps were taken in relation to the incident;
 - g. identify further action(s) that will be taken in relation to the incident; and
 - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - a. a summary of the incident;
 - b. outcomes of an incident investigation, including identification of the cause of the incident;
 - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - d. details of any communication with other stakeholders regarding the incident.