

# 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.

David Gainsford  
**Executive Director**  
**Infrastructure Assessments**

Sydney

21/5/2020

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### SCHEDULE 1

<b>Application Number:</b>	SSD 9343
<b>Applicant:</b>	NSW Department of Education
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	2 Rhodes Street, Meadowbank Lot 10 DP 1232584
<b>Development:</b>	Development of the Meadowbank Education and Employment Precinct Schools Project, providing for new co-located primary and secondary schools and intensive English learning centre, comprising: <ul style="list-style-type: none"><li>• construction of an up to seven storey multi-purpose building, including:<ul style="list-style-type: none"><li>○ collaborative general and specialist learning hubs and adaptable classroom home bases.</li><li>○ library, laboratories and workshops.</li><li>○ indoor gymnasium, canteens and multi-purpose communal hall.</li><li>○ staff workplaces.</li></ul></li><li>• site landscaping, open space and open and covered sports courts/fields, tree removal and planting, fencing and pathways.</li><li>• flooding and stormwater management works.</li></ul>

- 60 staff car parking spaces.
- school building identification signage.

**Modification:**

**SSD-9343 Mod 1 - 13 July 2020**

Modification of Condition B24 of SSD-9343 to correct an error in the number and type of ecosystem credits to be retired to offset the residual biodiversity impacts of the development

## DEFINITIONS

<b>Aboriginal object</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Aboriginal place</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Accredited Certifier</b>	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.
<b>Advisory Notes</b>	Advisory information relating to the consent but do not form a part of this consent
<b>Applicant</b>	NSW Department of Education or any other person carrying out any development to which this consent applies
<b>Approved disturbance area</b>	The area identified as such on the development layout
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>CEMP</b>	Construction Environmental Management Plan
<b>Certification of Crown building work</b>	Certification under section 6.28(2) of the EP&A Act
<b>Certified Contaminated Land Consultant</b>	A person certified in accordance with the requirements of the Contaminated Land Consultant Certification Policy Version 2 (EPA November 2017) or any subsequent policies as in force from time to time
<b>Certifier</b>	Means a council or accredited certifier or in the case of Crown development, a person qualified to conduct a Certification of Crown Building work
<b>Compliance Reporting Post Approval Requirements</b>	Compliance Reporting Post Approval Requirements as available on the Departments website
<b>Conditions of this consent</b>	The conditions contained in Schedule 2 of this document
<b>Construction</b>	<p>All physical work to enable operation including (except where specifically excluded by a condition of this consent) but not limited to the carrying out of works for the purposes of the development, including remediation/earthworks, and erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"> <li>• building and road dilapidation surveys;</li> <li>• investigative drilling or investigative excavation;</li> <li>• establishing temporary site offices (in locations identified by the conditions of this consent);</li> <li>• installation of environmental impact mitigation measures, fencing, enabling works; and</li> <li>• minor adjustments to services or utilities.</li> </ul> <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>
<b>Council</b>	City of Ryde
<b>Day</b>	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays

<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning, Industry and Environment
<b>Development</b>	The development described in the EIS, RtS and RRAI, including the works and activities, as modified by the conditions of this consent
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
<b>EES Group</b>	Environment, Energy and Science Group of the Department of Planning, Industry and Environment (Former Office of Environment and Heritage)
<b>EIS</b>	The Environmental Impact Statement titled <i>Meadowbank Education and Employment Precinct Schools Project Environmental Impact Statement</i> , prepared by Urbis Pty Ltd dated 14 October 2019, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2000
<b>EPL</b>	Environment Protection Licence under the POEO Act
<b>Evening</b>	The period from 6pm to 10pm
<b>Feasible</b>	Means what is possible and practical in the circumstances
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Heritage NSW</b>	Heritage, Community Engagement of the Department of Premier and Cabinet
<b>Heritage Item</b>	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
<b>IBRA</b>	Interim Biogeographic Regionalisation for Australia
<b>Incident</b>	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>
<b>Independent Audit Post Approval Requirements</b>	Independent Audit Post Approval Requirements as available on the Departments website
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or</li> <li>b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</li> </ul>
<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)

<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Monitoring</b>	Any monitoring required under this consent must be undertaken in accordance with section 9.39 of the EP&A Act
<b>Night</b>	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>Operation</b>	The carrying out of the approved purpose of the development upon completion of construction
<b>Planning Secretary</b>	Planning Secretary under the EP&A Act, or nominee
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Reasonable</b>	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
<b>Registered Aboriginal Parties</b>	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
<b>Rehabilitation</b>	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
<b>Response to submissions</b>	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
<b>RtS</b>	The Response to Submissions report titled ‘ <i>Meadowbank Education and Employment Precinct Schools Project Response to Submissions</i> ’ prepared by Urbis Pty Ltd and dated 27 February 2020
<b>RRAI</b>	Applicant’s Response to Request for Additional Information including the document titled ‘ <i>Meadowbank Education and Employment Precinct Schools Project (SSD-9343) – Response to Request for Additional Information</i> ’, prepared by Urbis Pty Ltd and dated 6 April 2020 and received by the Department on 7 April 2020, and the document titled ‘ <i>Meadowbank Education and Employment Precinct Schools Project (SSD-9343) – Response to Request for Additional Information</i> ’, prepared by Urbis Pty Ltd and dated 6 April 2020 and received by the Department on 29 April 2020
<b>RSA</b>	Road Safety Audit
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
<b>Site</b>	The land defined in Schedule 1
<b>Site Auditor</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Report</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Statement</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>TfNSW</b>	Transport for New South Wales
<b>TfNSW(RMS)</b>	Transport for New South Wales (Roads and Maritime Services)
<b>VENM</b>	Virgin Excavated Natural Material
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
<b>Year</b>	A period of 12 consecutive months

## 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, RtS and the RRAI;
  - (d) in accordance with the approved plans in the table below (except as may be amended by the conditions of consent):

<b>Architectural drawings prepared by Woods Bagot</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Drawing</b>	<b>Date</b>
MSP-WB-AR-DA102	8	SITE ANALYSIS	20/04/20
MSP-WB-AR-DA103	8	PRECINCT PLAN – PROPOSED	20/04/20
MSP-WB-AR-DA104	11	SITE PLAN	20/04/20
MSP-WB-AR-DA200	6	PLAYGROUND LEVEL PLAN	20/04/20
MSP-WB-AR-DA201	10	CAR PARK LEVEL PLAN	20/04/20
MSP-WB-AR-DA202	9	LOWER GROUND FLOOR	20/04/20
MSP-WB-AR-DA203	8	GROUND FLOOR PLAN	20/04/20
MSP-WB-AR-DA204	8	LEVEL 1 FLOOR PLAN	20/04/20
MSP-WB-AR-DA205	9	LEVEL 2 FLOOR PLAN	21/04/20
MSP-WB-AR-DA206	8	LEVEL 3 FLOOR PLAN	20/04/20
MSP-WB-AR-DA207	9	LEVEL 4 FLOOR PLAN	21/04/20
MSP-WB-AR-DA208	11	ROOF PLAN	21/04/20
MSP-WB-AR-DA301	11	NORTH & SOUTH BUILDING ELEVATIONS	24/04/20
MSP-WB-AR-DA302	10	EAST & WEST ELEVATIONS	21/04/20
MSP-WB-AR-DA303	10	INTERNAL BUILDING ELEVATIONAL SECTIONS	24/04/20
MSP-WB-AR-DA304	5	OVERALL ELEVATIONS SECTIONS SHEET 01	20/04/20
MSP-WB-AR-DA305	6	OVERALL ELEVATIONS SECTIONS SHEET 02	20/04/20
DA402	3	GFA	20/04/20
<b>Landscape drawings prepared by Urbis</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Drawing</b>	<b>Date</b>
MB-UR-LA-12000	6	OVERALL SITE PLAN	21.01.2020
MB-UR-LA-25011	6	PRIMARY SCHOOL DETAIL WEST	21.01.2020
MB-UR-LA-25012	5	PRIMARY SCHOOL DETAIL EAST	21.01.2020
MB-UR-LA-25013	6	HIGH SCHOOL DETAIL NORTH	21.01.2020
MB-UR-LA-25014	5	HIGH SCHOOL DETAIL SOUTH	21.01.2020
MB-UR-LA-25000	5	CENTRAL TERRACE LANDSCAPE PLANS – LG	21.01.2020
MB-UR-LA-25010	5	CENTRAL TERRACE LANDSCAPE PLANS – GL	21.01.2020

MB-UR-LA-25100	5	CENTRAL TERRACE LANDSCAPE PLANS – LV1	21.01.2020
MB-UR-LA-25200	5	CENTRAL TERRACE LANDSCAPE PLANS – LV2	21.01.2020
MB-UR-LA-25300	5	CENTRAL TERRACE LANDSCAPE PLANS – LV3	21.01.2020
MB-UR-LA-25400	5	CENTRAL TERRACE LANDSCAPE PLANS – LV4	21.01.2020
L300	3	LANDSCAPE SECTION A	06.06.19
L301	3	LANDSCAPE SECTION B	06.06.19
L302	1	LANDSCAPE SECTION C	06.06.19
L303	3	LANDSCAPE SECTION D	06.06.19
Un-numbered plan		PROPOSED PLANTING IN CENTRAL LANDSCAPE	Undated
<b>Civil drawings prepared by <i>Enstruct</i></b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Drawing</b>	<b>Date</b>
MSP-EN-CV-00201	09	STORMWATER PLAN	14/06/19
MSP-EN-CV-00401	10	SEDIMENT AND EROSION CONTROL PLAN	11/10/19
MSP-EN-CV-00451	07	SEDIMENT AND EROSION CONTROL DETAILS	14/06/19
MSP-EN-CV-00301	08	BULK EARTHWORKS PLAN – SITE	04/12/19
SK-C-001	001	SECTION	24/01/2020

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary;
  - any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and
  - 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 A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), 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.

#### **Prescribed Conditions**

- A6. 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**

- A7. 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**

- A8. 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**

- A9. The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the satisfaction of the Planning Secretary. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).
- A10. A Staging Report prepared in accordance with condition A9 must:
- (a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;
  - (b) if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);
  - (c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and
  - (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.
- A11. Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.
- A12. Where construction or operation is being staged in accordance with a Staging Report, the terms of this consent that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the Staging Report.

### **Staging, Combining and Updating Strategies, Plans or Programs**

- A13. 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).



- A14. Any strategy, plan or program prepared in accordance with condition A13, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.
- A15. 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.
- A16. 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**

- A17. 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**

- A18. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

### **Applicability of Guidelines**

- A19. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A20. 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**

- A21. 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**

- A22. 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 A2 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

A23. 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

A24. The Planning Secretary must be notified in writing to [compliance@planning.nsw.gov.au](mailto: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.

A25. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 1**.

### Non-Compliance Notification

A26. The Planning Secretary must be notified in writing to [compliance@planning.nsw.gov.au](mailto: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](mailto:compliance@planning.nsw.gov.au) within seven days after they identify any non-compliance.

A27. 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.

A28. 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

A29. Within three months of:

- (a) the submission of a compliance report under condition B41;
- (b) the submission of an incident report under condition A25;
- (c) the submission of an Independent Audit under condition C38 or C39;
- (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 A2 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.

A30. If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) within six weeks of the review.

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

## **PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION**

### **Notification of Commencement**

- B1. The Applicant must notify the Planning Secretary in writing of the dates of the intended commencement of construction and operation at least 48 hours before those dates.
- B2. If the construction or operation of the development is to be staged, the Planning Secretary must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

### **Certified Drawings**

- B3. Prior to the commencement of construction, 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.

### **External Walls and Cladding**

- B4. Prior to the commencement of construction of external walls and cladding, 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 BCA. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

### **Protection of Public Infrastructure**

- B5. Prior to the commencement of construction, 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**

- B6. Prior to the commencement of construction, 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.

### **Community Communication Strategy**

- B7. No later than two weeks before the commencement of construction, 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.

The Community Communication Strategy must:

- (a) identify people to be consulted during the design and construction phases;
- (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;
- (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;
- (d) 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.
- (e) include any specific requirements around traffic, noise and vibration, visual impacts, amenity, flora and fauna, soil and water, contamination, heritage.

### **Ecologically Sustainable Development**

- B8. Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by:
- (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 seeking approval from the Planning Secretary for an alternative certification process; and
  - (b) including water sensitive urban design measures in the design, such as:
    - i) consideration for water monitoring systems to identify leaks or the like; and
    - ii) use of water efficient fixtures and fittings.

### **Rainwater Harvesting**

- B9. Prior to the commencement of construction (excluding earthworks and remediation), 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 an experienced hydraulic engineer.

### **Outdoor Lighting**

- B10. Prior to commencement of lighting installation, evidence must be submitted to the satisfaction of 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.

### **Environmental Management Plan Requirements**

- B11. 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;
    - 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;

- 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**

B12. Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and provide a copy to the Planning Secretary. The CEMP must include, but not be limited to, the following:

- (a) Details of:
  - i) hours of work;
  - ii) 24-hour contact details of site manager;
  - iii) management of dust and odour to protect the amenity of the neighbourhood;
  - iv) stormwater control and discharge;
  - v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
  - vi) groundwater management plan including measures to prevent groundwater contamination;
  - vii) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
  - viii) community consultation and complaints handling;
- (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition B13);
- (c) Construction Noise and Vibration Management Sub-Plan (see condition B14);
- (d) Construction Waste Management Sub-Plan (see condition B15);
- (e) Construction Soil and Water Management Sub-Plan (see condition B16);
- (f) Flood Emergency Response (see condition B17);
- (g) an unexpected finds protocol for contamination and associated communications procedure;
- (h) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and
- (i) 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.

B13. A Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must be prepared to achieve the objective of ensuring safety and efficiency of the road network and address, but not be limited to, the following:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be prepared in consultation with Council and TfNSW;
- (c) be informed by, and incorporate any recommendations of the RSA;
- (d) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;
- (e) detail heavy vehicle routes, access and parking arrangements;
- (f) swept paths analysis to be carried out, showing that the largest vehicles can turn safely at all intersections along the proposed approach and departure route;
- (g) include location of all proposed work zones;
- (h) details of the haulage routes and the construction hours;
- (i) details of estimated number and type of construction vehicle movements including morning and afternoon peak and off-peak movements for each stage of construction;

- (j) details of the construction program highlighting details of peak construction activities and proposed construction staging;
  - (k) any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
  - (l) cumulative impacts of the proposed construction and ongoing projects within a 250m radius of the site including SSD 10349 TAFE Hub redevelopment (if approved); and
  - (m) 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.
- B14. 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) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);
  - (c) include the recommended noise management and mitigation measures included within the *Meadowbank Education and Employment Precinct Schools Project Noise Impact Assessment* dated 10 October 2019 and prepared by Acoustic Logic Consultancy Pty Ltd as updated by Addendum Acoustic Statement ref: 20190000.1/1216A/R0/TT dated 16 December 2019 and prepared by Acoustic Logic Consultancy Pty Ltd;
  - (d) hours of construction in accordance with conditions C3 to C7;
  - (e) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
  - (f) include strategies that have been developed with the community for managing high noise generating works;
  - (g) describe the community consultation undertaken to develop the strategies in condition B14(f);
  - (h) include a complaints management system that would be implemented for the duration of the construction; and
  - (i) 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 B11(d).
- B15. 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.
- B16. 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, including as a minimum, measures in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4<sup>th</sup> edition, Landcom 2004) commonly referred to as the 'Blue Book';
  - (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 5-year ARI and 1 in 100-year ARI.
- B17. The Flood Emergency Response Sub-Plan (FERSP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced person(s) in consultation with the State Emergency Service;
  - (b) address the provisions of the *Floodplain Risk Management Guidelines* (EESG);
  - (c) include details of:
    - i) the flood emergency responses for both construction phase of the development;
    - ii) predicted flood levels;
    - iii) flood warning time and flood notification;
    - iv) assembly points and evacuation routes;
    - v) evacuation and refuge protocols; and
    - vi) awareness training for employees and contractors.
- B18. 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.

### **Construction Worker Transportation Strategy**

- B19. Prior to the commencement of construction, the Applicant must submit a Construction Worker Transportation Strategy to the Certifier. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby public and residential streets or public parking facilities. A copy of the strategy must be submitted to the Planning Secretary and Council for information.

### **Flood Management**

- B20. Prior to the commencement of construction (excluding earthworks and remediation) the Applicant shall submit evidence to the Certifier demonstrating that the design of the development has:
- (a) incorporated the management and mitigation measures contained with the *Meadowbank Education and Employment Precinct Civil SSDA* dated 11 October 2019, prepared by Enstruct and updated by the Civil Response to Submissions ref: 5645 dated 27 February 2020 and prepared by Enstruct;
  - (b) addressed the following flood management and mitigation specifications:
    - i) all electrical connections and flood sensitive equipment should be located above the 1% AEP (100 year ARI) flood level plus 500 mm freeboard. Where it is not practical and feasible to install the equipment above the 1% AEP (100 year ARI) flood level plus 500 mm freeboard, the installations should generally be in accordance with the recommendations in ABCB Construction of Buildings in Flood Hazard Areas (2012) Section C2.9 - Requirements for Utilities;
    - ii) all fencing must be constructed in a manner that does not affect the flow of flood waters so as to detrimentally change flood behaviour or increase flood levels on adjacent properties;
    - iii) all basement carpark areas must be designed to withstand and/or allow flow of floodwater ingress for up to the Probable Maximum Flood (PMF) event. This includes protection of lifts, stairwells, ventilation shafts and other components which may otherwise create a water ingress risk;

- iv) all habitable areas subject to flooding and overland flows must be structurally designed to withstand the forces of floodwaters and constructed of flood compatible building components below the 1% AEP (100 year ARI) plus 500mm freeboard having regard to hydrostatic pressure, hydrodynamic pressure, the impact of debris and buoyancy forces up to the Probable Maximum Flood (PMF) event;
- v) all non-habitable floors subject to flooding and overland flows must be constructed of flood compatible building components below the 1% AEP (100 year ARI) flood plus 300 mm freeboard;
- vi) any portion of the development which is to be suspended above the estimated flooding and overland flow must be designed and constructed to allow for the free passage of flood waters; and
- vii) Flooding - Suspended Structures - As a minimum, the blockage factor for suspended structures (considering debris and piers) shall be 60%. If the space under the slab is to be used as storage, the blockage factor must be increased to 100%.

### Operational Noise – Design of Mechanical Plant and Equipment

B21. Prior to installation of mechanical plant and equipment, the Applicant must incorporate the noise mitigation recommendations in the *Meadowbank Education and Employment Precinct Schools Project Noise Impact Assessment* dated 10 October 2019 and prepared by Acoustic Logic Consultancy Pty Ltd as updated by Addendum Acoustic Statement ref: 20190000.1/1216A/R0/TT dated 16 December 2019 and prepared by Acoustic Logic Consultancy Pty Ltd, into the detailed design drawings. The Certifier must verify that all noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the report.

### Biodiversity

- B22. Prior to the commencement of vegetation clearing, the class and number of ecosystem credits in the table below must be retired to offset the residual biodiversity impacts of the development.
- B23. The requirement to retire credits in condition B22 above may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.
- B24. Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of condition B22 must be provided to the Planning Secretary prior to carrying out development that will impact on biodiversity values.

<del>Any PCT with the below TEG</del>	Number of Credits	Containing hollow bearing trees	In the below IBRA subregions
<del>Sydney Blue Gum High Forest in the Sydney Basin Bioregion – Blackbutt – Smooth-barked Apple moist shrubby open forest on shale ridges of the Hornsby Plateau, Sydney Basin Bioregion (PCT 1237)</del>	<del>98</del>	Yes	Cumberland Plain and Pittwater Or Any IBRA subregion that is within 100km of the outer edge of the impacted site
<u>Turpentine - Grey Ironbark open forest on shale in the lower Blue Mountains, Sydney Basin Bioregion (PCT 1281)</u>	<u>1</u>	<u>Yes</u>	<u>Cumberland Plain and Pittwater Or Any IBRA subregion that is within 100km of the outer edge of the impacted site</u>



### **Operational Waste Storage and Processing**

- B25. Prior to the commencement of construction (excluding earthworks and remediation), the Applicant must obtain agreement from Council for the design of the operational waste storage area (where waste removal will be undertaken by Council). Where waste removal will be undertaken by a third party, evidence must be provided to the Certifier that the design of the operational waste storage area:
- (a) is constructed using solid non-combustible materials;
  - (b) is designed to ensure the door/gate to the waste storage area is vermin proof and can be openable from both inside and outside the storage area at all times;
  - (c) includes a hot and cold water supply with a hose through a centralised mixing valve;
  - (d) is naturally ventilated or an air handling exhaust system must be in place; and
  - (e) includes signage to clearly describe the types of materials that can be deposited into recycling bins and general garbage bins.

### **Construction Car Parking and Service Vehicle Layout**

- B26. Prior to the commencement of construction, evidence of compliance with the following requirements must be submitted to the Certifier and a copy provided to Council for information:
- (a) all construction vehicles must be able to enter and leave the site in a forward direction;
  - (b) the swept path of the longest construction vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, is in accordance with the latest version of AS 2890.2; and
  - (c) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, has been addressed.

### **Operational Car Parking and Vehicle Access Arrangements**

- B27. Prior to the commencement of construction (excluding earthworks and remediation), evidence of compliance of the proposed operational car parking and vehicle access arrangements with the following requirements must be submitted to the Certifier and a copy provided to Council for information:
- (a) a minimum of 60 on-site staff car parking spaces are to be provided for use during operation of the development that have been designed in accordance with the latest versions of AS 2890.1 and AS 2890.6;
  - (b) the swept path of the longest service vehicle entering and exiting the site as well as manoeuvrability through the site, is in accordance with the latest version of AS 2890.2; and
  - (c) access to the on-site loading bay area including ramp grades, transitions and height clearance must be designed for safe forward in and forward out access of 12.5m Heavy Rigid Vehicle (HRV), as a minimum requirement. The height clearance required is 4.5m, measured from the floor level to any overhead structures such as pipes. Swept path diagrams must include details of the road including, kerb line, line marking, signs, traffic devices, power poles, other structures and neighbouring driveways.

### **Public Domain and Drainage Works**

- B28. Prior to the commencement of any footpath or public domain works, the Applicant must submit, for approval by Council, full design engineering drawings prepared by a Chartered Civil Engineer for the proposed public domain works and street scape design, including addressing pedestrian management in accordance with Council's DCP (2014) Part 8.5 Public Civil Works and relevant Development Control Plan and demonstrate to the Certifier that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of approval for each stage from Council to the Certifier.
- B29. Prior to the commencement of any drainage works, the Applicant must submit engineering drawings prepared by a Chartered Civil Engineer to Council's City Works Directorate for the

proposed drainage works in accordance with Council's DCP (2014) Part 8.2 Stormwater and Floodplain Management Technical Manual.

- B30. Prior to the commencement of and drainage works, the Applicant must survey the Council stormwater pits which are being connected into to confirm they are capable as being structurally adequate for receiving the upstream connection from the development and satisfy durability requirements. If it is deemed appropriate to replace the pit, kerb inlet pits must be cast in-situ and conforming to Council's standard drainage pit details.

#### **Wind**

- B31. Prior to the commencement of construction (excluding earthworks and remediation), the Applicant shall submit evidence to the Certifier demonstrating that the design of the development has incorporated the wind mitigation measures contained with the *Meadowbank Education and Employment Precinct Wind Comfort and Safety Report* dated 14 October 2019, prepared by Windtech Consultants.

#### **Protection of Rail Assets**

- B32. Prior to the commencement of construction within the vicinity of the rail corridor, the Applicant must provide the following to the satisfaction of Sydney Trains:
- (a) Confirmation from a qualified Arborist confirming any proposed tree removal will not have an adverse impact on the rail corridor and the embankment stability;
  - (b) Machinery to be used during remediation and any ground works;
  - (c) Demolition, excavation and construction methodology and staging; and
  - (d) Excess soil is not allowed to enter, be spread or stockpiled within the rail corridor (and its easements) and must be adequately managed/disposed of.
- B33. Prior to the commencement of construction, appropriate fencing must be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction works. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
- B34. Prior to the commencement of construction the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
- B35. Prior to the commencement of construction, the Applicant shall provide certification from a qualified Geotechnical and Structural Engineers stating that the proposed works are to have no negative impact on the embankment, rail corridor and associated rail infrastructure. The provision of a cut and fill plan for all land within 25m of the rail corridor shall be provided as a minimum with the certification. If deemed by Sydney Trains that the works will or potentially have a negative impact, the Applicant shall provide the requested engineering documentation as advised by Sydney Trains for their endorsement.
- B36. If required by Sydney Trains, prior to the commencement of construction, a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor.
- B37. Prior to the commencement of construction the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.
- B38. Prior to the commencement of construction, the Applicant shall provide an accurate survey locating the proposed development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of Sydney Trains representative.

- B39. Prior to commencement of construction, the Applicant must consult with Sydney Trains in relation to facilitating appropriate emergency and maintenance access to the rail corridor from Rhodes Street.

### **Compliance Reporting**

- B40. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements.
- B41. Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements, unless otherwise agreed by the Planning Secretary.
- B42. The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.
- B43. 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

### **Pedestrian Infrastructure Improvements**

- B44. Within six months of the commencement of construction, the Applicant must prepare a public domain enhancement strategy in consultation with Council and submit this to the satisfaction of the Planning Secretary to encourage walking and cycling to the school. The Strategy must include details for the delivery of 2.5 metre Shared User Paths along the following locations prior to commencement of operation of the schools unless otherwise agreed in writing by the Planning Secretary under condition B45:
- (a) the western side of Hermitage Road;
  - (b) the southern side of Macpherson Street, between Mellor and Bowden Streets;
  - (c) the eastern side of Bowden Street, from Victoria Road to Macpherson Street;
  - (d) the southern side of Squire Street; and
  - (e) the southern side of Rhodes Street;
- B45. The Planning Secretary will consider alternative proposals to the delivery of the 2.5 metre Shared User Paths required under condition B44, including reduced footpath widths, that encourage walking and cycling to the school and deliver proposed mode shifts, where evidence is submitted as part of the Strategy, having regard to the following:
- (a) Demonstration that the works are not feasible in a particular location due to the impacts on infrastructure or street trees and a reduced footpath width or alternates are proposed; or
  - (b) An agreement is in place with Council for alternative upgrade works, or works are to be brought forward by Council under its S7.11 Development Contributions Plan.

### **Pre-construction Road Safety Design Audit**

- B46. A road safety audit of all new traffic facilities including road widening, pedestrian crossings and shared user paths must be undertaken by a qualified road safety auditor at no cost to Council. The road safety audit reports are to be submitted to Council prior to commencement of any construction of new traffic facilities. All applicable recommendations must be agreed with Council and addressed by the Applicant.

## PART C DURING CONSTRUCTION

### Site Notice

- C1. 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 841 mm x 594 mm (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.

### Operation of Plant and Equipment

- C2. 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.

### Construction Hours

- C3. 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.
  - (c) No work may be carried out on Sundays or public holidays.
- C4. Notwithstanding condition C3, provided noise levels do not exceed the existing background noise level plus 5 dB, works may also be undertaken during the following hours:
- (a) between 6pm and 7pm, Mondays to Fridays inclusive; and
  - (b) between 1pm and 4pm, Saturdays.
- C5. Construction activities may be undertaken outside of the hours in condition C3 if required:
- (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or
  - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
  - (c) where the works are inaudible at the nearest sensitive receivers.
- C6. Notification of such construction activities as referenced in condition C4 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- C7. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:
- (a) 9am to 12pm, Monday to Friday;
  - (b) 2pm to 5pm Monday to Friday; and
  - (c) 9am to 12pm, Saturday.

### Implementation of Management Plans

- C8. The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans). Should the implementation or effectiveness of the CEMP be impacted by surrounding major development not encompassed in the approved CEMP, the CEMP measures and controls are to be revised accordingly and submitted to the Certifier and a copy provided to Council for information.

### **Construction Traffic**

- C9. All construction vehicles are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site or an approved on-street work zone before stopping.

### **Hoarding Requirements**

- C10. 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**

- C11. 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**

- C12. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved CNVMP.
- C13. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C3.
- C14. 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.
- C15. Any noise generated during construction of the development must not be offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* or exceed approved noise limits for the site.

### **Vibration Criteria**

- C16. 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).
- C17. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C16.
- C18. The limits in conditions C16 and C17 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B14 of this consent.

### **Tree Protection**

- C19. For the duration of the construction works:
- (a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;
  - (b) all street trees immediately adjacent to the property boundaries must be protected at all times during construction in accordance with Council's tree protection requirements. Any

- street tree, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;
- (c) all trees on the site that are not approved for removal must be suitably protected during construction as per the recommendations of the *Meadowbank Education and Employment Precinct Schools Project Arboricultural Impact Assessment* dated 10 October 2019 and prepared by Earthscape Horticultural Services; 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.

### **Air Quality**

- C20. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- C21. 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**

- C22. All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment. Erosion and sediment control techniques, as a minimum, are to be in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4<sup>th</sup> edition, Landcom, 2004) commonly referred to as the 'Blue Book'.

### **Imported Soil**

- C23. 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**

- C24. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the principal 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.

### **Stormwater Management System**

- C25. Within three months of the commencement of construction, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Certifier. The system must:
- (a) be designed by a suitably qualified and experienced person(s);
  - (b) be generally in accordance with the conceptual design in the EIS;
  - (c) be in accordance with the requirements of condition B29;

- (d) be in accordance with applicable Australian Standards; and
- (e) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines;

C26. Prior to commencement of the drainage works, a notice of intention to commence drainage works must be submitted to Council's City Works Directorate.

#### **Unexpected Finds Protocol – Aboriginal Heritage**

- C27. To manage any unexpected archaeological or potential cultural finds a cultural heritage induction should be included in site induction materials, and a chance find procedure established. The induction material should provide an overview of Aboriginal archaeological site types, and identify individual obligations under the NPW Act. These materials should be prepared by a suitably qualified archaeologist.
- C28. 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.
- C29. Construction works shall be carried out in accordance with the recommendations of the *Meadowbank Education and Employment Precinct Schools Precinct Aboriginal Cultural Heritage Assessment Report* dated 11 October 2019 and prepared by Urbis Pty Ltd.

#### **Unexpected Finds Protocol – Historic Heritage**

- C30. 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**

- C31. 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.
- C32. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- C33. 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.
- C34. 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.
- C35. The Applicant must ensure that the removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.

#### **Outdoor Lighting**

- C36. The Applicant must ensure that all external lighting is constructed and maintained in in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

#### **Independent Environmental Audit**

- C37. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the or commencement of an Independent Audit.

- C38. Table 1 of the Independent Audit Post Approval Requirements is amended so that the frequency of audits required in the construction phase is:
- (a) an initial construction Independent Audit must be undertaken within twelve weeks of the notified commencement date of construction under this development approval; and
  - (b) a subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction Independent Audit.
- C39. In all other respects Table 1 of the Independent Audit Post Approval Requirements remains the same. 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.
- C40. Independent Audits of the development must be carried out in accordance with the Independent Audit Post Approval Requirements.
- C41. In accordance with the specific requirements in the Independent Audit Post Approval Requirements, the Applicant/Proponent must:
- (a) review and respond to each Independent Audit Report prepared under condition C38 of this consent, or condition C39 where notice is given;
  - (b) submit the response to the Planning Secretary; and
  - (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Planning Secretary.
- C42. Independent Audit Reports and the applicant/proponent'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.
- C43. 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.

### **Protection of Rail Assets**

- C44. Prior to the installation of fencing along the railway boundary of the site, the Applicant must liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary or design and construction of new fencing. Fencing must be fit for the future usage of the development site, including minimising risks from vandalism involving objects being thrown or inadvertently directed into the rail corridor, and prevent unauthorised access to the rail corridor. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
- C45. No metal ladders, tapes, and plant, machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any aerial power supplies within or adjacent to the rail corridor.
- C46. No work is permitted within the rail corridor (including airspace), or any easements which benefit Sydney Trains/RailCorp, at any time, unless the prior approval of, or an Agreement with, Sydney Trains/RailCorp has been obtained by the Applicant.
- C47. The proposed development is to comply with the deemed-to-satisfy provisions in the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".
- C48. During all stages of the development the Applicant must take extreme care to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
- C49. Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, must be permitted to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and the requirements of this consent, on



giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.

- C50. Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.
- C51. The applicant must not at any stage block the corridor access gate on Rhodes Street, and should make provision for easy and ongoing 24/7 access by rail vehicles, plant and equipment to support maintenance and emergency activities.
- C52. All works within 6 metres of the nearest transmission line conductor must comply with:
- (a) ISSC 20 – Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure;
  - (b) The Safe Approach Distances (SADs) in the Sydney Trains Document titled “SMS-06-GD-0268 – Working Around Electrical Equipment”; and
  - (c) “WorkCover Code of Practice – Work Near Overhead Power Line (The Code)”.
- Note: Sydney Trains advises there is an 11kv and 33 kV High voltage Aerial Transmission Lines in near proximity to the proposed works.*
- C53. The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
- (a) oversees the carrying out of the Applicant’s obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
  - (b) acts as the authorised representative of the Applicant; and
  - (c) is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.
- C54. Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.
- C55. Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains external party interface team. In this instance the relevant interface team is north interface and they can be contacted via email on [North\\_Interface@transport.nsw.gov.au](mailto:North_Interface@transport.nsw.gov.au).

### **Engineering Works**

- C56. All engineering works shall be carried out in accordance with the requirements as outlined within Council’s DCP 2014 Part 8.5 Public Civil Works and relevant Development Control Plan.
- C57. The Applicant must submit detailed design drawings and certificates to Council for written acceptance (within 14 days), prior to the commencement of any work on the site. The submission must address the following:
- (a) Council's existing stormwater lines through the development site must be physically located via non-destructive method, surveyed by a registered surveyor and shown on the final construction drawings (including amended survey, architectural and civil design plans);
  - (b) A minimum horizontal clearance of 1.0 m is to be provided from the outside edges of the existing stormwater pipe/culverts to the proposed structures. All setbacks of the proposed structures including eaves of roof from Council's drainage lines shall be shown on the plans submitted;
  - (c) Detailed design drawings of the footings and foundations of the proposed structures shall be prepared by a suitably qualified Structural Engineer (registered on the NER of Engineers Australia), or equivalent; and

- (d) A Structural Engineer's design certificate must be prepared confirming the building structure and its foundations are designed in such a way that no building loads are transmitted to the stormwater conduit and that the conduit can be repaired at any time without affecting the stability of the building structure or its foundations.

### **Ground Anchors**

- C58. The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to an application to Council's City Works Directorate, and approval obtained as per the provisions of Section 138 of the *Roads Act 1993*. The application for consent must include detailed structural engineering plans prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number of proposed anchors, minimum depth below existing ground level at the boundary alignment and the angle of installation. The approval will be subject to:
- (a) advice being provided to the relevant Public Utility Authorities of the proposed anchoring, including confirmation that their requirements are being met;
  - (b) the payment of all fees in accordance with Council's Schedule of Fees & Charges at the time of the issue of the approval; and
  - (c) the provision of a copy of the Public Liability insurance cover of not less than \$20million with Council's interest noted on the policy. The policy shall remain valid until the de-commissioning of the ground anchors.

## PART D PRIOR TO COMMENCEMENT OF OPERATION

### Notification of Occupation

- D1. At least one month before commencement of operation, 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

- D2. Prior to commencement of operation, 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.
- D3. 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

- D4. Prior to commencement of operation, 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

- D5. 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 or otherwise addressed by contributions required by Conditions of this consent.*

- D6. Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, must be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 Public Civil Works, to the satisfaction of Council. Council's standards and specifications are available on the Council website.

### Protection of Property

- D7. 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

- D8. Prior to commencement of operation, 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*.

## Roadworks, Signposting and Associated Markings

- D9. Prior to the commencement of the operation of the new schools the following pedestrian infrastructure must be constructed/installed, subject to agreement and relevant approvals from Council and / or TfNSW:
- (a) the proposed wombat pedestrian crossing on Macpherson Street where it intersects Mellor Street, as identified in the Meadowbank Education and Employment Precinct Schools Project Transport and Accessibility Impact Assessment dated 28 February 2020;
  - (b) the provision of a pedestrian crossing on See Street where it intersects with Macpherson Street;
  - (c) the upgrade of the existing pedestrian refuge at the Bowden Street roundabout to a wombat pedestrian crossing; and
  - (d) construct and implement the measures agreed to as part of the public domain enhancement strategy approved under condition B44 to encourage walking and cycling to the school.
- D10. Prior to the commencement of the operation of the new schools, the Applicant must consult with Council and TfNSW in relation to the need for the provision of a wombat pedestrian crossing or alternative pedestrian infrastructure upgrade works at the northern end of Mellor Street near/at its intersection with Victoria Road.
- D11. Evidence of consultation and outcomes of consultation undertaken under condition D10 must be provided to the Planning Secretary prior to the commencement of the operation of the new schools.
- D12. Any upgrade identified following consultation under condition D10 must be undertaken in place of the proposed crossing on Rhodes Street as identified in the Meadowbank Education and Employment Precinct Schools Project Transport and Accessibility Impact Assessment dated 28 February 2020 and must be installed prior to the commencement of the operation of the new schools.
- D13. Prior to the commencement of the operation of the new schools, the Applicant must submit evidence to the Certifier demonstrating that the following requirements are complied with:
- (a) all required School Zone signage, speed management signage, pedestrian safety signage, bus zone signage and associated pavement markings along all nominated bus zone and pick-up/drop-off zones on Rhodes and Macpherson Streets, must be installed, inspected by Council and / TfNSW (where relevant) and handed over to Council and / or TfNSW(RMS) (whichever applicable);
  - (b) all roads and traffic facilities outside the school boundary must be designed to meet the requirements of Council or TfNSW (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road, pavement or pedestrian crossing construction works;
  - (c) all required kerbside parking controls must be approved by Ryde Local Traffic Committee/TfNSW, installed by the Applicant, inspected by the relevant road authority (Council or TfNSW) and implemented;
  - (d) School Zone signs and pavement marking patches must be removed and installed in accordance with TfNSW approval/authorisation, guidelines and specifications. All School Zone signs and pavement markings must be installed prior to student occupation of the site;
  - (e) any works performed in, on or over a public road reserve pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under Sections 138 and 139 of the Roads Act 1993;
  - (f) records of all dates in relation to installing, altering and removing traffic control devices related to speed must be maintained;
  - (g) the Applicant must submit the following for review and approval by TfNSW, at least eight (8) weeks prior to student occupation of the site:
    - i) A copy of Council's development Conditions of Consent;

- ii) The proposed school commencement/opening date; and
- iii) Two (2) sets of detailed design plans showing the following: School property boundaries; all adjacent road carriageways to the school property; proposed school access points to the public road network and any conditions imposed/proposed on their use; existing and proposed pedestrian crossing facilities on the adjacent road network; existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings); and existing and proposed street furniture and street trees.

### **Public Domain Upgrades**

- D14. Prior to the commencement of the operation of the new schools, the Applicant must submit, for approval by Council as the Road Authority, full design engineering plans and specifications and complete the construction to Council's satisfaction for the following infrastructure works:
- (a) the full reconstruction of half road width for the Rhodes Street frontage of the development site and along the bus bays to be constructed on Macpherson Street where there is no pavement, or the existing pavement is in an unsatisfactory condition in accordance with the City of Ryde DCP 2014 Part 8.5 - Public Civil Works, Clause 1.1.4 – Constructing Half Road;
  - (b) the removal of all redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction;
  - (c) the construction of new kerb and gutter along the Rhodes frontage of the development site and along the bus bays to be constructed on Macpherson Street;
  - (d) turfing of the nature strips adjacent to the new concrete footpath across the entire frontage of the development site, in accordance with Council's standard turf profile shown on Drawing No. PL7.1;
  - (e) the construction of new driveway access to the proposed entry and exit driveways to the on-site loading area. The new driveways access must be designed and constructed as per Council's requirements and Road Safety check reports recommendations;
  - (f) the construction of upgraded footpaths as detailed in the public domain enhancement strategy approved under condition B44. The proposed civil works must be in accordance with Council's Specification and Standard Drawing;
  - (g) reconstruction of the existing kerb and gutter associated with half road pavement reconstruction undertaken along the Rhodes Street frontage of the development and along the bus bays to be constructed on Macpherson Street where required under condition (a);
  - (h) new street lights using LED luminaire to be designed and installed to Australian Standard AS1158:2010 Lighting for Roads and Public Spaces, with vehicular luminance category V3 and pedestrian luminance category P2 to replace any existing street lighting proposed to be removed as part of the development. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant and submitted to, and approved by Council prior to lodgement of the scheme with Ausgrid for their approval. The street lighting will remain on the Ausgrid street lighting network;
  - (i) upgrades required to accommodate buses including (but not limited to):
    - (i) widening of Rhodes and Macpherson Streets to allow for bus access and kerbside stops;
    - (ii) widening the horizontal curve between Rhodes Street and Hermitage Road to allow for the required bus swept path envelope;
    - (iii) lengthening the Bowden Street right turn bay into Macpherson Street to store a bus adequately; and
    - (iv) delineating parking lanes along Rhodes Street to define allocation and minimise the risk of collisions;
  - (j) the provision of S-kerbs to connect to the existing kerb and gutter so as to enable street sweepers to properly manoeuvre the indented section of the road pavement;

- (k) stormwater drainage installations in the public domain in accordance with Council's stormwater team recommendations;
  - (l) signage and linemarking details;
  - (m) staging of the public civil works, if any, and transitions between the stages; and
  - (n) the relocation/adjustment of all public utility services affected by the proposed works.
- D15. Prior to the commencement of the operation of the new schools, the Applicant must submit evidence to the Certifier demonstrating that the works approved by Council (condition D14) have been carried out.

### **Works as Executed Plans**

- D16. Prior to the commencement of operation, 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 Certifier and a copy provided to Council.

### **School Travel Plan**

- D17. Prior to the commencement of operation, a School Travel Plan (GTP), must be submitted to the satisfaction of the Planning Secretary to promote the use of active and sustainable transport modes. The plan must:
- (a) be prepared by a suitably qualified traffic consultant in consultation with Council and (Sydney Coordination Office) Transport for NSW;
  - (b) be based on the STP submitted with the RtS *Meadowbank Education and Employment Precinct Schools Project Travel Plan* dated 28 February 2020 and prepared by GTA Consultants, and include the following additional measures recommended by TfNSW:
    - i) including training courses for students on safe walking, riding and public transport use as the Student Targeted Actions;
    - ii) installation of next service departure screens for T9 rail services (and bus services if possible e.g. Victoria Road bus services) in the lobby to encourage public transport use; and
    - iii) develop and deliver a robust communications strategy for the Travel Plan to users of the site prior to occupation which includes key messages on how to travel including prioritising public and active transport as well as road safety messages;
  - (c) 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 STP;
  - (d) include specific tools and actions to help achieve the objectives and mode share targets;
  - (e) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the STP;
  - (f) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the STP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development; and
  - (g) include tools, actions and processes to address the scenario where the mode share targets are not achieved, including the approach to providing additional management and mitigation measures and infrastructure (where deemed necessary).

### **Operational Transport and Access Management Plan (OTAMP)**

- D18. Prior to the commencement of operation, an OTAMP is to be prepared by a suitably qualified person, in consultation with Council and TfNSW, and submitted to the satisfaction of the Planning Secretary. The OTAMP must address the following:
- (a) the operation and management of the staggered primary and secondary school start times to reduce and manage the peak trip generation and congestion on local roads;
  - (b) detailed pedestrian analysis including the identification of safe route options – to identify the need for management measures such as staggered school start and finish times to

- ensure students and staff are able to access and leave the Site in a safe and efficient manner during school start and finish;
- (c) the location 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 pick-up and drop-off parking located within Rhodes Street, including staff management/traffic controller arrangements;
  - (e) the location and operational management procedures for the pick-up and drop-off of students by buses and coaches on Rhodes and Macpherson Streets including staff management/traffic controller arrangements;
  - (f) loading dock location(s), number of bays, swept path diagrams for the longest vehicle 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 pick-up and drop-off parking in Rhodes Street;
  - (i) car parking arrangements and management associated with the proposed use of school facilities by community members; and
  - (j) a monitoring and review program.

### **Mechanical Ventilation**

D19. Prior to commencement of operation, the Applicant must provide evidence to the satisfaction of 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**

D20. Prior to the commencement of operation, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the *Meadowbank Education and Employment Precinct Schools Project Noise Impact Assessment* dated 10 October 2019 and prepared by Acoustic Logic Consultancy Pty Ltd as updated by Addendum Acoustic Statement ref: 20190000.1/1216A/R0/TT dated 16 December 2019 and prepared by Acoustic Logic Consultancy Pty Ltd have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Environmental Noise Assessment.

### **Bicycle Parking and End-of-Trip Facilities**

D21. Prior to occupation, compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifier:

- a) the provision of a minimum 15 staff and 273 visitor/student bicycle parking spaces;
- b) the layout, design and security of bicycle facilities must comply with the minimum requirements of the latest version of AS 2890.3:2015 *Parking facilities - Bicycle parking*, and be located in easy to access, well-lit areas that incorporate passive surveillance;
- c) the provision of end-of-trip facilities for staff, which provide for at least a secure changing area, lockers and two showers;
- d) appropriate pedestrian and cyclist advisory signs are to be provided; and
- e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.

### **Fire Safety Certification**

D22. Prior to commencement of occupation, 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**

- D23. Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifier. 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.

### **Compliance with Food Code**

- D24. Prior to the commencement of operation, the Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas (where provided) 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 satisfaction of the Certifier.

### **Stormwater Quality Management Plan**

- D25. Prior to the commencement of operation, an Operation and Maintenance Plan (OMP) is to be submitted to the satisfaction of the Certifier along with evidence of compliance with the OMP. The OMP must ensure the proposed stormwater quality measures remain effective and contain the following:
- (a) maintenance schedule of all stormwater quality treatment devices;
  - (b) record and reporting details;
  - (c) relevant contact information; and
  - (d) Work Health and Safety requirements.

### **Warm Water Systems and Cooling Systems**

- D26. The installation of warm water systems and water cooling systems (as defined under the *Public Health Act 2010*) must comply with the *Public Health Act 2010*, Public Health Regulation 2012 and Part 1 (or Part 3 if a Performance-based water cooling system) of *AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance* and the NSW Health Code of Practice for the Control of Legionnaires' Disease.

### **Outdoor Lighting**

- D27. Prior to the commencement of operation, 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**

- D28. Prior to the commencement of operation, way-finding signage and signage identifying the location of staff car parking must be installed.
- D29. Prior to the commencement of operation, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.

### **Operational Waste Management Plan**

- D30. Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifier. The Waste Management Plan must:



- (a) detail the type and quantity of waste to be generated during operation of the development;
- (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Department of Environment, Climate Change and Water, 2009);
- (c) detail the materials to be reused or recycled, either on or off site; and
- (d) include the Management and Mitigation Measures included within the *Meadowbank Education and Employment Precinct Schools Project Operational Waste Management Plan Report* dated 11 October 2019 and prepared by Foresight Environmental.

### Site Audit Statement

- D31. Prior to the commencement of operation, the Applicant must submit a Site Audit Report and Section A Site Audit Statement for the site prepared by a NSW EPA accredited Site Auditor. The Site Audit Report and Section A Site Audit Statement must verify the site is suitable for the educational establishment land use and be provided for the information of the Planning Secretary and the Certifier.

### Landscaping

- D32. Prior the commencement of the operation of the schools, the landscaping (including hard and soft landscaping, all open spaces, fencing, paths and the like) must be installed in accordance with the landscaping drawings and the *Meadowbank Education and Employment Precinct Schools Project Landscaping Design Report* dated 21 January 2020 and prepared by Urbis Pty Ltd.
- D33. Prior to the commencement of operation, the Applicant must prepare an Operational Landscape Management Plan (OLMP) to manage the revegetation and landscaping on-site. The OLMP must:
- (a) describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping; and
  - (b) be consistent with the Applicant's management and mitigation measures contained within the *Meadowbank Education and Employment Precinct Schools Project Landscaping Design Report* dated 21 January 2020 and prepared by Urbis Pty Ltd;
- D34. The Applicant must not commence operation until the OLMP has been submitted to the Certifier.

### Operational Flood Emergency Management Plan

- D35. Prior the commencement of the operation of the schools, a Flood Emergency Management Plan must be submitted to the Certifier that:
- (a) Is be prepared by a suitably qualified and experienced person(s);
  - (b) addresses the provisions of the *Floodplain Risk Management Guidelines* (EESG);
  - (c) includes details of:
    - (i) the flood emergency responses for operational phase of the development;
    - (ii) predicted flood levels;
    - (iii) flood warning time and flood notification;
    - (iv) assembly points and evacuation routes;
    - (v) evacuation and refuge protocols; and
    - (vi) awareness training for employees and contractors, and students.

## PART E POST OCCUPATION

### Out of Hours Event Management Plan

- E1. Prior to the commencement of out of hours events (community use) run by the external parties that involve 100 or more people, the Applicant is to prepare an Out of Hours Event Management Plan (Community Use) in consultation with Council and submit it to the Council and Planning Secretary. 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 communal hall and gymnasium, where applicable, restricting use before 7am and after 10pm;
  - (f) measures to minimise localised traffic and parking impacts; and
  - (g) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.
- E2. The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified community event or use.

### Operational Restrictions

- E3. The following restrictions apply to the use of the school facilities by external parties (i.e. for communal use of the school):
- (a) community use of school facilities is limited to the communal hall and the gymnasium. No use of outdoor courts/fields for community or competitive sports;
  - (b) if the operation of the communal hall for community use includes the use of amplified music, singing or powered tools all windows shall be kept closed; and
  - (c) the operation of the communal hall and gymnasium for communal use is restricted to 10pm.

### Operation of Plant and Equipment

- E4. 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

- E5. 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

- E6. 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)

- E7. The OTAMP(s) approved under condition D18 as revised from time to time) must be implemented by the Applicant for the life of the development.
- E8. The primary and secondary schools shall operate staggered start and finish times as detailed in the OTAMP approved under condition D18.

### Operational Noise Limits

- E9. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits within the *Meadowbank Education and Employment Precinct Schools Project Noise Impact Assessment* dated 10 October 2019 and prepared by Acoustic Logic

Consultancy Pty Ltd as updated by Addendum Acoustic Statement ref: 20190000.1/1216A/R0/TT dated 16 December 2019 and prepared by Acoustic Logic Consultancy Pty Ltd.

- E10. 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 use of each stage of the development. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the 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 identified within the *Meadowbank Education and Employment Precinct Schools Project Noise Impact Assessment* dated 10 October 2019 and prepared by Acoustic Logic Consultancy Pty Ltd as updated by Addendum Acoustic Statement ref: 20190000.1/1216A/R0/TT dated 16 December 2019 and prepared by Acoustic Logic Consultancy Pty Ltd. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant is required to implement appropriate noise attenuation measures so that operational noise levels do not exceed the recommended noise levels or provide attenuation measures at the affected noise sensitive receivers.

#### **Unobstructed Driveways and Parking Areas**

- E11. 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.

#### **School Travel Plan**

- E12. The School Travel Plan required by condition D17 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary. A copy of the updated School Travel Plan(s) must be provided to the Planning Secretary within one month of being updated.

#### **Road Safety Audit**

- E13. Within one month of commencement of operation of the schools and use of the proposed primary and secondary school bus zones on Rhodes and Macpherson Streets and the pick-up/drop-off parking spaces on Rhodes Street, a Road Safety Audit (RSA) (Refer to NSW Centre for Road Safety Guidelines for Road Safety Audit Practices and Austroads Guide to Road Safety Part 6: Road Safety Audit) must be conducted on all relevant sections of road utilised for bus and private vehicle drop-off and pick-up, as well as all new traffic facilities including pedestrian crossings, as approved under this consent.
- E14. Appropriate road safety measures and/or traffic management measures must be implemented based on the outcomes of the RSA in consultation with Council and submitted to Council or any other relevant road authority (such as TfNSW) within 3 months of completion of the RSA.
- E15. A follow up RSA must be conducted within 6 months of commencement of operation or after implementation of the necessary additional measures (if needed), to ensure that the proposed bus zones and the drop-off and pick-up zones are operating safely. The RSA must be undertaken in consultation with Council.

#### **Ecologically Sustainable Development**

- E16. Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star Design & As Built rating. If required to be obtained, 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 B8, evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.
- E17. The Applicant must implement the rainwater re-use plan required by condition B9 for the duration of the development.

### **Flooding and Stormwater**

E18. The operation of the schools must be carried out at all times in accordance with the OMP (condition D25) and the FERSP (condition D35).

### **Outdoor Lighting**

E19. Notwithstanding condition D27, 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**

E20. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D32 for the duration of occupation of the development.

### **Public Domain Works-as-Executed Plans**

E21. Prior to the commencement of the operation of the new schools, work-as-executed (WAE) plans must be submitted to Council for review and approval (within 14 working days of submission). The WAE plans must be prepared on a copy of the approved plans and must be certified by a Registered Surveyor. All departures from the Council approved details must be marked in red with proper notations. Any rectifications required by Council must be completed by the Applicant. In addition to the WAE Plans, a list of all infrastructure assets (new and improved) that are to be handed over to Council must be submitted in a form advised by Council. The list must include all the relevant quantities in order to facilitate the registration of the assets in Council's Asset Registers.

### **Compliance Certificate – External Works**

E22. Prior to the commencement of the operation of the new schools, a compliance certificate must be obtained from Council confirming that all works in the road reserve including all public domain improvement works and restoration of infrastructure assets that have dilapidated as a result of the development works, have been completed to Council's satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.

## 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.

### EPA

AN4. The EPA recommends the use of 'certified consultants'. Please note that the EPA's *Contaminated Land Consultant Certification Policy*, Ver 2, (dated November 2017) (<https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/clm/18520-contaminated-land-consultant-certification-policy.pdf?la=en&hash=D56233C4833022719BCE0F40F870C19DC273A1F7>) supports the development and implementation of nationally consistent certification schemes in Australia, and encourages the use of certified consultants by the community and industry. Note that the EPA requires all reports submitted to the EPA to comply with the requirements of the *Contaminated Land Management Act 1997* to be prepared, or reviewed and approved, by a certified consultant.

### Access for People with Disabilities

AN5. 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.

AN6. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of Planning for Bush Fire Protection 2006.

### Utilities and Services

AN7. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

AN8. Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.

### Road Design and Traffic Facilities

AN9. All roads and traffic facilities must be designed to meet the requirements of Council or TfNSW(RMS) (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.

### Road Occupancy Licence

AN10.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

AN11.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**

AN12. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

### **Handling of Asbestos**

AN13. 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**

AN14. At least eight weeks prior to the commencement of operation, the Applicant must submit the following details to TfNSW(RMS) 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**

AN15. The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.

## APPENDIX 2 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary at the following address: [compliance@planning.nsw.gov.au](mailto: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 A24 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.