

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 and Schedule 3.

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.

Erica van den Honert
Executive Director
Infrastructure Assessments

Sydney

2021

SCHEDULE 1

Application Number:	SSD 9472
Applicant:	Sikh Grammar School Australia
Consent Authority:	Minister for Planning and Public Spaces
Site:	Proposed Lot 12 (in DA-19-01597) created in the re-subdivision of Lot 42 and 43 DP 30186 151-161 Tallawong Road, Rouse Hill
Development:	Construction and operation of a new school (Kindergarten - Year 12) and ancillary developments in ten stages, comprising: <ul style="list-style-type: none">• Demolition of existing structures;• Construction and operation of:<ul style="list-style-type: none">○ primary and high school buildings to accommodate up to 1260 students and 120 staff;○ boarding accommodation (students and staff) building for 116 students and six staff dwellings;○ a child care centre to accommodate up to 86 children; and○ a Gurdwara (place of worship/assembly) and Langar (community kitchen);• Bulk earthworks including dam dewatering;• Vehicular access and up to 271 car parking spaces;• Stormwater and flood management works;• Associated services, including potable water, electricity, gas, wastewater and communications from Tallawong Road; and• Associated landscaping works including tree removal.

DEFINITIONS

Aboriginal object	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Aboriginal place	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Accredited Certifier	Means the holder of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> acting in relation to matters to which the accreditation applies.
Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
ARI	Annual Recurrence Interval
AEP	Average Exceedance Probability
Applicant	Sikh Grammar School Australia or any other person carrying out any development to which this consent applies
Approved disturbance area	The area identified as such on the development layout
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
Boarding accommodation	As per the definition in the submitted EIS and RTS
CEMP	Construction Environmental Management Plan
Certified Contaminated Land Consultant	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
Certifier	Means a council or accredited certifier
Compliance Reporting Post Approval Requirements	Compliance Reporting Post Approval Requirements as available on the Department's website
Conditions of this consent	The conditions contained in Schedule 2 of this document
Construction	<p>All physical work to enable operation including but not limited to the demolition and removal of buildings, the carrying out of works for the purposes of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"> • building and road dilapidation surveys; • investigative drilling or investigative excavation; • establishing temporary site offices (in locations identified by the conditions of this consent); • installation of environmental impact mitigation measures, fencing, enabling works; and • minor adjustments to services or utilities. <p>However, where heritage items, or threatened species or threatened ecological communities (within the meaning of the <i>Biodiversity Conservation Act 2016</i> or <i>Environment Protection and Biodiversity Conservation Act 1999</i>) are affected or potentially affected by any physical work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with EES Group or DPIE Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation)</p>
Council	Blacktown City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays

Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning, Industry and Environment
Development	The development described in the EIS, Response to Submissions, and Supplementary Response to Submissions including the works and activities comprising demolition works, construction of a primary school, high school, and boarding school buildings, construction of an early learning centre to accommodate up to 86 children, construction of a Gurdwara and Langar (place of worship/assembly and community kitchen), bulk earthworks including dam dewatering, vehicular access and up to 271 car parking spaces, associated services, including potable water, electricity, gas, wastewater and communications from Tallawong Road, and associated landscaping works including tree removal, as modified by the conditions of this consent.
DRAINS	Stormwater Drainage System design and analysis program
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
EES Group	Environment, Energy and Science Group of the Department of Planning, Industry and Environment (Former Office of Environment and Heritage)
EIS	The Environmental Impact Statement titled Environmental Impact Statement, prepared by Willow Tree Planning dated September 2019, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
ENM	Excavated Natural Material
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6pm to 10pm.
Feasible	Means what is possible and practical in the circumstances
Future Roads	As marked on Site Plan (DA100) Issue 7 prepared by PMDL dated 26/10/2020.
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage NSW	Heritage, Community Engagement of the Department of Premier and Cabinet
Heritage Item	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
IBRA	Interim Biogeographic Regionalisation for Australia [for use when biodiversity offsets required]
Incident	An occurrence or set of circumstances that causes, or threatens to cause, material harm and which may or may not be, or cause, a non-compliance <i>Note: "material harm" is defined in this consent</i>
Independent Audit Post Approval Requirements	Independent Audit Post Approval Requirements as available on the Department's website

Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
LTEMP	Long Term Environmental Management Plan
Management and mitigation measures	The management and mitigation measures set out in Environmental Impact Statement, prepared by Willow Tree Planning dated September 2019
Material harm	Is harm that: <ul style="list-style-type: none"> a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or 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)
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.39 of the EP&A Act
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Northern Road	As marked on Site Plan-Level 0 (ground) (DA102) Issue 13 prepared by PMDL dated 17/12/2020.
OOSH	Out of School Hours
OMP	Operational Management Plan
OTAMP	Operational Transport and Access Management Plan
Operation	The carrying out of the approved purpose of the development upon completion of construction.
PA	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act.
PMF	Probable Maximum Flood
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
RAP	Remediation Action Plan
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation, benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled " <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> " (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.
Response to submissions	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act.
RSA	Road Safety Audit
RtS	The Response to Submissions report titled <i>Response to Submissions – SSD 9472 Proposed Sikh Grammar School</i> , prepared by Willow Tree Planning dated November 2020
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.

Site	The land defined as per the Site Plan (DA100) Issue 7 prepared by PMDL dated 26/10/2020, being the eastern portion of the land defined in the Schedule 1 of the consent.
Site Auditor	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Report	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Statement	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Southern Road	As marked on Site Plan-Level 0 (ground) (DA102) Issue 13 prepared by PMDL dated 17/12/2020.
SRtS	Supplementary Response to Submissions titled ' <i>Re: Request for Staging Plan for the Purposes of the Proposed Sikh Grammar School</i> ', prepared by Willow Tree Planning and dated 23 November 2020
TfNSW	Transport for New South Wales
TfNSW (RMS)	Transport for New South Wales (Roads and Maritime Services)
TUFLOW	Advanced 1D/2D/3D computer simulation software for flooding, urban drainage, coastal hydraulics, sediment transport, particle tracking and water quality.
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2

DEFERRED COMMENCEMENT

Pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, this consent does not operate until the following are submitted for approval / information to the Planning Secretary:

Evidence of operation of Subdivision consent

- A1. The Applicant must submit written evidence from Council to demonstrate that the development consent for DA-19-01597 is operative.

DRAINS model

- A2. The Applicant must provide an amended full DRAINS model for the street drainage network from Tallawong Road up to the discharge point (proposed outlet headwall) as proposed under this development. The DRAINS model must:
- (a) be prepared in consultation with Council by a suitably qualified hydraulic engineer;
 - (b) be incorporated with the DRAINS model for the pipeline constructed as part of proposed subdivision and road works under DA-19-01597;
 - (c) confirm the estimated 1% AEP peak flow rate to be 3.22m³/sec (or other value), the 1% AEP peak flow rate with climate change and the PMF flow rate;
 - (d) confirm that the model includes the contributing flows from the north-western catchment (PMF and 1% AEP events);
 - (e) demonstrate how all the 1% AEP, 1% AEP with climate change and PMF pipe and surface flows arriving at the Tallawong Road trapped low point are captured and conveyed through the proposed street drainage system;
 - (f) detail at what storm the system fails and floodwaters enter the site;
 - (g) allow for a minimum 25% blockage in the pipes in the 2000x1500mm RCBC angled across the block and the 1500mm diameter pipes up to the low point in Tallawong Road in addition to pit blockages; and
 - (h) be submitted to the Planning Secretary for approval.

TUFLOW Model

- A3. The Applicant must provide an amended TUFLOW model for the site. The model must:
- (a) be prepared by a suitably qualified hydraulic engineer in consultation with Council;
 - (b) be incorporated within the TUFLOW model for the proposed subdivision under DA-19-01597;
 - (c) set the initial water level to the lowest ground level of the perimeter of the farm dam so that there is no excess spill from the farm dam;
 - (d) include the confirmed 1% AEP peak flow rate;
 - (e) include the contributing flows from the north-west catchment for the 1% AEP and the PMF events (if not already included);
 - (f) ensure the difference in flood levels during the 1% AEP event in the neighbouring properties is less than 20mm;
 - (g) incorporate details of the amended *Stormwater Management Plan and Preliminary Flood Study* as required by Schedule 2 condition A4; and
 - (h) be submitted to the Planning Secretary for approval.

Stormwater Design report and Flood study

- A4. The Applicant must amend the documents *Stormwater Management Plan and Preliminary Flood Study* P1806439JR05V04 prepared by Martens dated August 2020. The amended report must:
- (a) be prepared by a suitably qualified hydraulic engineer;
 - (b) be submitted to the Planning Secretary for approval;

- (c) establish that the major drainage infrastructure proposed within the site and adjacent road reserve has sufficient capacity to capture and pass the flows from the upstream catchments in the 1% AEP and PMF flooding events in accordance with Council's policies, considering the outcomes of the amended DRAINS and TUFLOW modelling;
- (d) include the confirmed 1% AEP peak flow rate, the 1% flow rate with climate change and the PMF flow rate;
- (e) confirm the size of the proposed box culvert at the north-eastern corner of the site (to be 2m x 1.5m **or** 2m X 1.8m or other dimensions);
- (f) review the proposed major drainage arrangement including connection of the 2m x 1.5m (or 2m X 1.8m) box culvert proposed within the site to the downstream 1500mm diameter pipe in the adjacent public road reserve;
- (g) confirm that the above configuration is appropriate considering the capacity of the proposed drainage conduits and considering potential pipe blockage, surcharge and risks to localised flooding in the area;
- (h) confirm the details of additional inflow pits and larger pipe sizes within Tallawong Road, if a culvert size of 2m X 1.8m is proposed;
- (i) include details of an alternate inlet arrangement to the proposed 5 x 0.9m x 0.9m flush v-grated pits at the sag point in Tallawong Road so that the inlet point is not blocked by organic debris;
- (j) clearly identify the 1% AEP design flow rate for this inlet structure including overland flow not collected by the upslope drainage system during this event;
- (k) include flood maps for the 1% AEP and PMF design flooding events based on the confirmed peak flow rates for the 1% AEP and PMF events;
- (l) provide details, calculations, sections and long sections of the overland flow path through the site and to what AEP standard this will apply (minimum should be 1% AEP with climate change);
- (m) amend the hazard diagram to comply with Figure 6.7.9 Combined Flood Hazard Curves from Australian Rainfall and Runoff 2019 (ARR);
- (n) include details:
 - (i) of the capacity of the temporary on-site detention system (OSD) in Construction Stage 1 considering 455m³ of OSD per hectare of the development;
 - (ii) to demonstrate that the on-site detention system would be upgraded in a maximum of three stages of the development;
 - (iii) of the proposed development stages during which the on-site detention system would be upgraded and the capacity of the on-site detention tanks in each phase of upgrade considering 455m³ of OSD per hectare of the development;
 - (iv) to demonstrate that the upgrades are to be sized in a manner that ensures sufficient storage and flow mitigation is provided for all development that will occur within the site prior to the next planned upgrade; and
 - (v) to demonstrate a total combined OSD volume of the following in the ultimate development state:
 - a total of 930m³ below the 1.5year ARI weir; and
 - a total of 1412m³ below the 100-year ARI emergency overflow weir.
- (o) provide details of a temporary stormwater retention basin/depression with a constructed inlet pit within the site to intercept overland flow before it enters the public road reserve that would replace the proposed temporary swale proposed / approved as a part of DA-19-01597 to allow for the construction of the residential allotments before the construction of the school;
- (p) provide details to demonstrate that rainwater tanks / bio-retention basins can assist in water conservation, mitigate increased stormwater run-off volumes and achieve a goal of 80% non-potable water use for the site, or unless confirmed by Council that this is not required;

- (q) include an additional section on water conservation measures and provide details of all proposed measures with clear details of the number of toilets for each tank and area for landscape watering (considering 7 days of boarding accommodation use and 5 days of school use plus the community uses proposed within the site);
- (r) incorporate more details for Stages 1 to 9 to achieve the water quality targets for each stage of upgrade of the stormwater system;
- (s) include details to demonstrate that the proposed emergency flow path would be satisfactory for the site (noting that the level in Tallawong Road opposite the suggested flow path through the carpark is about RL 52.20 and the low point in Tallawong Road is less than RL 51.00);
- (t) establish that the maximum depth of ponding during the 1% AEP event on Tallawong Road is 200mm;
- (u) include an amended MUSIC model including:
 - (i) different models for Stages 1 through to 9 with each stage achieving the required water quality targets;
 - (ii) allow for the rainwater tank (RWT) design for separate stages;
 - (iii) comply with the requirements of the WSUD developer handbook 2020;
 - (iv) consider the maximum permitted bioretention hydraulic conductivity is 100 mm/hr;
 - (v) include the RWT information as detailed below; and
 - (vi) allow for a 10% loss in rainwater tank size volume in MUSIC to that shown on the design plans to allow for anaerobic zones, mains water top up levels and overflow levels, e.g. where a 50,000L tank is specified on the drainage plan it is to be modelled in MUSIC as 45,000L.
- (v) include the capacity of the rainwater tank(s) considering the following details to ensure water conservation on the site:
 - (i) allow for a minimum usage rate of 0.1kL per day internal use per toilet or urinal (approximately a total of 59 toilets are proposed). Where the school is used only 5 days per week, allow for 5/7 less school holidays and 7 days for boarding accommodation use; and
 - (ii) allow a minimum of 0.4kL /m² per year for landscape garden watering excluding turf areas.
- (w) include additional details of a stormwater tank (SWT), certified by a suitably qualified specialist, to meet the annual demand for landscape watering, if the RWT cannot fully cater for the water conservation; and
- (x) include a supporting plan showing what areas will be irrigated and which toilets serviced by each tank.

Consultation

- A5. The Applicant must provide a Consultation Report for information to the Planning Secretary:
- (a) documenting evidence that consultation with Council and any relevant agencies has been carried out in the preparation of the above information in conditions A2, A3 and A4; and
 - (b) identifying and responding to issues raised during consultation.

The above information (requested in conditions A1 – A5) must be submitted within 24 months of the date of this notice.

Upon the Planning Secretary's written satisfaction of the above information, the conditions in Schedule 3 of the development consent apply.

SCHEDULE 3 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:
- in compliance with the conditions of this consent;
 - in accordance with all written directions of the Planning Secretary;
 - generally in accordance with the EIS, RtS and SRtS;
 - in accordance with the approved plans in the table below:

Architectural Plans prepared by PMDL			
Dwg No.	Rev	Name of Plan	Date
DA100	7	Site Plan	26/10/2020
DA101	5	Site Plan – level – 1 (Basement)	17/12/2020
DA102	13	Site Plan – Level 0 (Ground)	17/12/2020
DA110	4	Plan – Level 0 Ground	15/5/2019
DA111	3	Plan – Level 1	4/4/2019
DA112	3	Plan – Level 2	4/4/2019
DA113	3	Plan – Level 2	4/4/2019
DA120	4	Plan – ELC & Boarding House	14/2/2020
DA121	5	Plan – ELC & Boarding House	1/10/2020
DA201	6	Site Elevations	1/10/2020
DA301	2	Site Sections	29/5/2019
DA501	-	Stage 01 Site Plan	Jan 2019
DA502	-	Stage 01 Elevations	Aug 2019
Page 59 Design Report		Construction Stage 1 – Site Plan	Oct 2020
Page 60 Design Report		Construction Stage 2 – Site Plan	Oct 2020
Page 61 Design Report		Construction Stage 3A – Site Plan	Oct 2020
Page 62 Design Report		Construction Stage 3B – Site Plan	Oct 2020
Page 63 Design Report		Construction Stage 4 – Site Plan	Oct 2020
Page 64 Design Report		Construction Stage 5 – Site Plan	Oct 2020
Page 65 Design Report		Construction Stage 6 – Site Plan	Oct 2020
Page 66 Design Report		Construction Stage 7 and Basement – Site Plan	Oct 2020
Page 67 Design Report		Construction Stage 7 and Basement – Site Plan	Oct 2020
Page 68 Design Report		Construction Stage 8 – Site Plan	Oct 2020
Page 69 Design Report		Construction Stage 9 – Site Plan	Oct 2020
Materials, Finishes and Signage Plans prepared by PMDL			
Page 32 Design Report	-	Materials and Finishes	Oct 2020
Page 33 Design Report	-	Materials and Finishes	Oct 2020
Page 34 Design Report	-	Materials and Finishes	Oct 2020
Page 35 Design Report	-	Materials and Finishes	Oct 2020
Page 36 Design Report	-	Materials and Finishes	Oct 2020

Page 37 Design Report	-	Lighting Plan & Static Signage	Oct 2020
Page 38 Design Report	-	Signage Type A	Oct 2020
Page 39 Design Report	-	Signage Type B & C	Oct 2020
Page 40 Design Report	-	Signage Type D	Oct 2020
Page 41 Design Report	-	Signage Type E	Oct 2020
Landscape Plans prepared by <i>Sym Studio Landscape Planning</i>			
Dwg No.	Rev	Name of Plan	Date
PMD-DA-101	E	Concept Landscape Masterplan	Nov 2020
PMD-DA-102	E	Concept Landscape Rooftop Masterplan	Nov 2020
PMD-DA-104	E	Concept Grading Plan	Nov 2020
PMD-DA-105	E	Indicative Plant Schedule & Imagery	Nov 2020
PMD-DA-106	E	Planting Plan	Nov 2020
PMD-DA-107	D	Detail Plan – 1 of 4	Nov 2020
PMD-DA-108	E	Detail Plan – 2 of 4	Nov 2020
PMD-DA-109	D	Detail Plan – 3 of 4	Nov 2020
PMD-DA-110	E	Detail plan – 4 of 4	Nov 2020
PMD-DA-601	A	Edge Studies – Section AA	Nov 2020
PMD-DA-602	A	Edge Studies – Section BB	Nov 2020
PMD-DA-603	A	Edge Studies – Section CC	Nov 2020
PMD-DA-604	A	Edge Studies – Section DD	Nov 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 Schedule 3 condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in Schedule 3 condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Limits of Consent

- A5. This consent lapses five years after the date of consent unless work is physically commenced.
- A6. The site must not be occupied for any purpose (or any occupation certificates issued (including interim occupation) unless satisfactory evidence is provided to the Planning Secretary that the Proposed Lot 12 (in DA-19-01597) created in the re-subdivision of Lot 42 and 43 in DP 30186 has been completed in accordance with DA-19-01597 and the title of the new allotment (Lot 12 in DA-19-01597), to which the site relates, has been registered with the NSW Land Registry Services.
- A7. This consent restricts community use of the Gurdwara and Langar (place of worship and community kitchen) to the operational hours specified in condition F1 of this development consent. Only students and staff may use the Gurdwara during the core school hours identified in condition F1.
- A8. This consent does not permit the discharge of any stormwater from the site into the trunk drainage system under Tallawong Road (marked in Drainage Plan (final Stage) (Rev D)

prepared by Martens & Associates Pty Ltd dated 21/08/2020) until satisfactory evidence is provided to the Planning Secretary that:

- (a) construction of the trunk drainage line has been completed as part of the development at 154 Tallawong Road;
- (b) the trunk drainage system has been handed over to the relevant public authority; and
- (c) the Applicant has legal rights to drain into this trunk drainage line.

Student and Staff numbers

- A9. The student population across the school and associated full time equivalent staff numbers at the completion of the development must not exceed a maximum of:
- (a) 1260 Kindergarten to Year 12 students within the schools;
 - (b) 86 children within the Early Learning Centre;
 - (c) 120 full time equivalent staff on any given day; and
 - (d) 116 students (enrolled at the school) within the 58 student boarding accommodation rooms, six staff apartments for the staff boarding accommodation and one caretaker/manager.

Attendees of the Gurdwara / Langar and community purpose

- A10. The maximum number of attendees (outside core school hours) at the Gurdwara and Langar combined must not exceed 500 people at any time.
- A11. Notwithstanding the above condition, all community uses within the site including use of the outdoor play areas and courts for community purpose, the Gurdwara and Langar, must not exceed 500 people at any time.
- A12. This consent does not permit operation of the school to exceed 112 students and 8 staff (indicative numbers in Stage 1) or commerce operation of the staff boarding accommodation and the Gurdwara, until evidence of compliance with the following conditions are submitted to the satisfaction of the Planning Secretary, at least four weeks prior to commencement of such operation:
- (a) an updated traffic and parking assessment report required by condition D39, is approved by the Planning Secretary;
 - (b) measures recommended in the updated traffic and parking assessment report (required by condition D39), if any, are implemented to the satisfaction of relevant roads authority and evidence provided to the Certifier; and
 - (c) a compliance report is submitted to the Planning Secretary's satisfaction, demonstrating that all relevant conditions of the consent have been complied with (including but not limited to stormwater management, flooding works and open space);
- A13. Only students that are enrolled at the school must be accommodated within the student rooms.
- A14. Only staff employed at the school for student supervision (and their immediate family) must be accommodated within the staff accommodation.

Prescribed Conditions

- A15. 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

- A16. 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

- A17. 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

A18. 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).

A19. A Staging Report prepared in accordance with Schedule 3 condition A18 must:

- (a) be generally consistent with Stages 1 – 9 marked in the Site Plans in Design Report (Pages 59-69) Rev A prepared by PMDL, dated October 2020;
- (b) include student numbers totalling in each stage as follows:
 - (i) Stage 1 – 112 students;
 - (ii) Stage 2 – 168 students;
 - (iii) Stage 3A – 392 students;
 - (iv) Stage 3B – 392 students;
 - (v) Stage 4 – 672 students;
 - (vi) Stage 5 – 952 students;
 - (vii) Stage 6 – 1092 students;
 - (viii) Stage 7 – 1092 students;
 - (ix) Stage 8 – 1260 students; and
 - (x) Stage 9 – 1260 students.
- (c) if staged construction is proposed, set out:
 - (i) 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;
 - (ii) details of concurrent operations within the school premises during construction works; and
 - (iii) the general timing of when construction of each stage will commence and finish;
- (d) if staged operation is proposed, set out:
 - (i) 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;
 - (ii) details of proposed total number of students at each stage including no more than 112 students and 8 full time equivalent staff members, at the commencement of Construction Stage 1 and a maximum of 1260 students and 102 full time equivalent staff members, at the completion of the development;
 - (iii) details of car parking and pick-up / drop-off for each stage as per **Table 1**:

Table 1: Staged car parking provisions on the site

Construction Stage	Student population	ELC population	Staff numbers	Total car parking spaces				Total bicycle spaces
				Pick-up / drop-off	School	ELC	Boarding	
Stage 1	112	0	8	6	84	0	0	5

Stage 2	168	0	12	6	84	0	0	5
Stage 3A	392	0	27	6	84	0	0	10
Stage 3B	392	86	27	6	84	32	0	14
Stage 4	672	86	51	16	163	32	0	22
Stage 5	952	86	74	16	163	32	0	29
Stage 6	1092	86	85	16	163	32	0	34
Stage 7	1092	86	85	16	226	32	0	38
Stage 8	1260	86	102	25	226	32	0	38
Stage 9	1260	86	102	25	226	32	13	43

- (iv) details of the total open space (playing fields, outdoor learning areas and covered outdoor spaces) for each stage in accordance with the landscape plan required by condition B12;
- (v) details of any off-site open spaces to be utilised during the interim construction stages to compensate for identified lack of open spaces on the site;
- (vi) details of wastewater and stormwater management and operations at various stages of the development;
- (vii) the general timing of when operation of each stage will commence and finish (if relevant);
- (viii) how compliance with conditions will be achieved across and between each of the stages of the project; and
- (ix) mechanisms for managing any cumulative impacts arising from the proposed staging.

A20. Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.

A21. 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

A22. 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).

A23. Any strategy, plan or program prepared in accordance with Schedule 3 condition , where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.

A24. 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.

- A25. 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

- A26. 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.*

Applicability of Guidelines

- A27. 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.

- A28. 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

- A29. 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

- A30. 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 Schedule 3 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, and publicly available for 12 months after the commencement of operations.

Compliance

A31. 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

A32. The Planning Secretary must be notified through the major projects portal 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.

A33. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 1**.

Non-Compliance Notification

A34. The Planning Secretary must be notified through the major projects portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major projects portal within seven days after they identify any non-compliance.

A35. 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.

A36. 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

A37. Within three months of:

- (a) the submission of a compliance report under Schedule 3 condition A40;
- (b) the submission of an incident report under Schedule 3 condition A32;
- (c) the submission of an Independent Audit under condition D34;
- (d) the approval of any modification of the conditions of this consent; or
- (e) the issue of a direction of the Planning Secretary under Schedule 3 condition A2 which requires a review,
- (f) 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.

A38. 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.

Compliance Reporting

A39. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (2020).

A40. Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.

A41. The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.

- A42. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2020), 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.

Temporary Use of Demountables during Construction Stage 1

- A43. The demountable buildings proposed as part of Construction Stage 1 must only be on the site until prior to the issue of the final occupation certificate for the completed development (up to Construction Stage 9) or for a period of 10 years, whichever occurs first, after which they must be dismantled and removed from the site.

Decommissioning of temporary basins

- A44. The temporary onsite detention systems, basins and the water quality treatment measures must not be decommissioned, or any associated covenants lifted until connection with the permanent downstream, Council regional basin is completed.

Water Access Licence

- A45. A Water Access Licence must be obtained if surface or groundwaters are encountered during construction or operation.

Use of Gurdwara and Langar

- A46. The Applicant must conduct fortnightly surveys of the Gurdwara and Langar to determine:
- (a) the total number of attendees on a typical day (including weekend) and the total number of parking spaces within the site occupied by the Gurdwara attendees; and
 - (b) the total number of cars parked on the surrounding streets during a Gurdwara event.
- A47. The results of the parking surveys (including number of attendees) and the total number of car spaces within the site utilised by the Gurdwara on a typical day (including weekend) must be submitted to the satisfaction of the Planning Secretary after 6 months of commencement of operation of the Gurdwara.
- A48. If the results indicate that the number of cars using the Gurdwara and Langar exceed the available number of car parking spaces on the site, further traffic mitigation measures (including capping number of attendees if needed) must be submitted to demonstrate that the attendees utilise the on-site car parking spaces and not the surrounding streets.
- A49. Further monthly parking surveys (required by Schedule 3 condition A46) must be conducted after the 6-month period stated in Schedule 3 condition A47 and incorporating any additional traffic mitigations (if any). The results of the surveys must be submitted to the Planning Secretary within one year of operation of the Gurdwara. If the survey results show that the demand for parking within the site exceeds the number of car spaces available on-site, further traffic mitigation measures must be submitted by a suitably qualified consultant, to the satisfaction of the Planning Secretary.

PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

Design Amendments

- B1. Prior to the issue of any relevant construction certificate for the Early Learning Centre (ELC), revised ELC plans that are certified by a suitably qualified person to be compliant with the *Education and Care Services National Regulations* must be submitted to the Certifier and to the Planning Secretary for information. The revised plans must detail the following:
- (a) provision of laundry facilities;
 - (b) toilet and hygiene facilities appropriate to the developmental stage and age of children under care within the centre; and
 - (c) adequate nappy change facilities appropriate to the developmental stage and age of children under care within the centre.
- B2. Prior to the issue of any relevant construction certificate for the staff boarding accommodation, the design plans must include details of all BASIX commitments with BASIX Certificate No. 1170823M prepared by Efficient Living Pty Ltd and dated 21/01/2021. The Applicant must provide the Certifier with revised plans for approval and submit to the Planning Secretary for information.
- B3. Prior to the issue of the construction certificate for Stage 1, final amended plans must be submitted to the satisfaction of the Certifier including the following:
- (a) updated list of approved plans in Schedule 3 condition A2 to include the updated road widths of Northern Road, Southern Road and any amendments to the alignment of Tallawong Road identified in the Site plan – Level 0 (Ground) - DA102 Issue 13 dated 17/12/2020;
 - (b) the overland flow path affecting the site, based on the recommendations of the amended Stormwater Report / Preliminary Flood Study required by Schedule 2 condition A4 including details to demonstrate that this path is clear of all buildings and the basement and includes a 300mm protective freeboard;
 - (c) the details of the alternative location of the K – 2 outdoor play area and the temporary outdoor play area (Stages 3 – 5), based on the results of the noise assessment in condition B20; and
 - (d) the details of any additional design measures required on the site to retain the acoustic amenity of the neighbours on the western boundary, as recommended by the noise assessment required by condition B22.

External Walls and Cladding

- B4. Prior to the issue of any construction certificate for each stage, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the 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.

Stormwater Management System

- B5. Prior to the issue of the construction certificate for the relevant construction stage, the Applicant must design an operational stormwater management system for the development and submit it to the Certifier for approval. 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 table below, as amended by the requirements of the calculations, pipe sizes and drainage infrastructure specifications proposed by the amended Stormwater Management Report, Preliminary Flood Study, the DRAINS and TUFLOW models required by Schedule 2 conditions A2 to A4;

Concept Civil Designs prepared by *Martens and Associates*

Dwg No.	Rev	Name of Plan	Date
PS02-A000	E	Cover Page	21/08/2020
PS02-A050	D	Development Overview Plan (Final Stage)	21/08/2020
PS05-B300	D	Sediment & Erosion Control Plan (Stage 1)	19/07/2019
PS05-B301	C	Sediment & Erosion Control Plan (Final Stage)	19/07/2019
PS05-B310	C	Sediment & Erosion Control Details	19/07/2019
PS05-C100	E	Earthworks Grading Plan (Stage 1)	21/08/2020
PS05-C101	D	Earthworks Grading Plan (Final Stage)	21/08/2020
PS05-C500	C	Earthworks Cut-fill Plan (Stage 1)	21/08/2020
PS05-C501	D	Earthworks Cut-Fill Plan (Final Stage)	21/08/2020
PS05-D100	E	Roadworks Plan (Stage 1) – Tallawong Road	21/08/2020
PS05-D200	E	Tallawong Road (22-MRC05) Longitudinal Section & Typical Cross Section	21/08/2020
PS05-E100	E	Drainage Plan (Stage 1)	21/08/2020
PS05-E101	D	Drainage Plan (Final Stage)	21/08/2020
PS05-E200	B	Drainage Details (Sheet 1)	21/08/2020
PS05-E201	E	Drainage Details (Sheet 2)	21/08/2020
PS05-E202	A	Drainage Details (Sheet 3)	21/08/2020
PS05-E203	A	Drainage Details (Sheet 4)	21/08/2020
PS05-E204	A	Drainage Details (Sheet 5)	21/08/2020
PS05-E205	A	Drainage Details (Sheet 6)	21/08/2020
PS05-E206	A	Drainage Details (Sheet 7)	21/08/2020
PS05-E207	A	Drainage Details (Sheet 8)	21/08/2020
PS05-E300	B	Drainage Longitudinal Sections Stage 1 Sheet 1	21/08/2020
PS05-E301	B	Drainage Longitudinal Sections Stage 1 Sheet 2	21/08/2020
PS05-E310	A	Drainage Longitudinal Sections Final Stage Sheet 1	21/08/2020
PS05-E311	A	Drainage Longitudinal Sections Final Stage Sheet 2	21/08/2020
PS05-E312	A	Drainage Longitudinal Sections Final Stage Sheet 3	21/08/2020
PS05-E313	A	Drainage Longitudinal Sections Final Stage Sheet 4	21/08/2020
PS05-E314	A	Drainage Longitudinal Sections Final Stage Sheet 5	21/08/2020
PS05-E500	A	Pit Schedule Stage 1	21/08/2020
PS05-E501	A	Pit Schedule Final Stage Sheet 1	21/08/2020
PS05-E502	A	Pit Schedule Final Stage Sheet 2	21/08/2020
PS05-E600	A	OSD Catchment Plan Model & Results (Stage 1)	21/08/2020
PS05-E601	D	OSD Catchment Plan, Model & Results (Final Stage)	21/08/2020
PS05-E701	D	Water Quality Catchment Plan, Models & Results (Final Stage)	21/08/2020

- (c) set the downstream invert level of the 600mm pipe at Pit 2B103-01 to match the invert level of the proposed pit 2A601-02 in the easement for the future subdivision and road works on Plan set P1806439 PS07;

- (d) ensure compliance with Council's DCP Part J 2015 and Council's Engineering Guide for Development 2005;
- (e) include details of the existing pipe (if any) upstream of and to the north-west of (if any) Pit 2B102-02;
- (f) incorporate the stormwater quality treatment system, designed in accordance with applicable Australian Standards, Council's Engineering Guide for Development and DCP Part J - Water Sensitive Urban Design and Integrated Water Cycle Management as updated by the conditions of this consent;
- (g) stormwater outlets are designed in accordance with the Guidelines for Working on Waterfront Lane (Water NSW 2012);
- (h) provide bio-retention basin(s), designed in accordance with Council's Water Sensitive Urban Design standard drawings, Council's Engineering Guide for Development and DCP Part J - Water Sensitive Urban Design and Integrated Water Cycle Management and the requirements of the conditions of this development consent;
- (i) demonstrate that all structures are clear of drainage easements;
- (j) ensure that the surface levels within the easement are not changed;
- (k) demonstrate that any overland or stormwater flows are intercepted at the property boundary and conveyed through the site in the proposed / approved piped drainage system during the 1% AEP event (either directly or via approved easements through private properties);
- (l) ensure that where internal driveways cannot be drained to an internal pit, a grated trench drain is provided at the property boundary;
- (m) demonstrate the OSD capacities and volumes in accordance with the requirements of Schedule 2 condition A4;
- (n) include the following amendments to the OSD design:
 - (i) amend the grade of tank bed to 1% as the inflows are pre-treated in the GPT;
 - (ii) amended bed level set for Jellyfish arrangement for the OSD tank;
 - (iii) RL of invert of discharge pit to be the invert level of pit 2C601-03; and
 - (iv) account for the bypass area along the north-western boundary at the frontage of the secondary school.
- (o) include a decommissioning plan for Stage 1 OSD Basins 1 and 2 and for Stage 2 OSD basin and associated infrastructure;
- (p) ensure that the minimum storage and dual alternating pump requirements for the basement carpark satisfies AS/NZS 3500.3:2015 – Plumbing and Drainage Part 3: Stormwater Drainage;
- (q) provide a basement design that ensures a minimum 0.5% slope to all surface inlet pits;
- (r) provide details of the location of the confined space entry warning signs on the drainage plans adjacent to all entries into the water quality devices, rainwater tanks and detention tank in accordance with Council's Engineering Guide for Development 2005;
- (s) provide details of galvanised or equivalent step irons or ladders for all entry points to the tanks;
- (t) demonstrate that the maximum depth of ponding or flow depth permitted on Tallawong Road is 200mm during the 1% AEP event;
- (u) ensure the box culvert under the proposed car park in the north-eastern corner of the site is consistent with the recommendations in Schedule 2 condition A4;
- (v) include, on all the pipe long-sections, showing the multiple design flows and design AEPs;
- (w) ensure that all flood mitigation measures are incorporated in accordance with the recommendations of the models and the reports in Schedule 2 of this consent;
- (x) provide details of the emergency overland flow path from the trapped low point in Tallawong Road that captures any bypass or excess flows within the property itself for very large storms or pipe blockages and then conveys these flows safely to the road to

- the north-west for Construction Stages 1 and 2. For Stage 2 this flow path must be clear of the buildings and basement carpark and ensure a protective freeboard;
- (y) include details of all water conservation measures to achieve a goal of 80% non-potable water reuse for the site (unless otherwise agreed with Council) and demonstrate that:
 - (i) the bioretention basin is enclosed with a minimum 1mm thick high-density polyethylene (HDPE) or equivalent liner with geotextile over and under;
 - (ii) the bioretention subsoil lines comprise un-socked slotted PVC laid at 0.5% grade with a minimum 50mm gravel cover at the points where the lines connect to the pits;
 - (iii) the rainwater tanks in each stage are to be retained;
 - (iv) the bioretention basin includes a 100mm transition layer and 400mm filter media; and
 - (v) a 1200mm x 900mm Raingarden Sediment Pit in no fines concrete is provided as part of the scour protection for the piped outlet to the bioretention basins. This pit must include a minimum 300 mm deep silt trap to protect the filter material from clogging. The concrete top of pit must be set to the filter media level with a surcharge style grate over or surrounded by railings.
 - (z) include details of raingardens and sediment basins and their capacities (with supporting calculations) to demonstrate that the stormwater run-off during ongoing construction works on the site do not adversely impact on the downstream properties;
 - (aa) provide details of:
 - (i) the temporary bio-retention basin shown on Drawing no. E101 (D) including details of the sediment pits, outlet pits, subsoil pipelines, subsoil collection pit, overflow pit and RLs of filter media layers and dimensions;
 - (ii) a separate roof plan showing the areas directed to the rainwater tank and water quality systems;
 - (iii) roof water pipe connections to the water quality devices on plan; and
 - (iv) the sizes of Humegard and Jellyfish filter (marked on Drawing no, E201 (E)) to demonstrate compliance with Section 12.13.3 of Council's WSUD developer handbook.

Certification of stormwater system by engineer

- B6. A Civil Engineer registered with NER must certify that the maximum depth of gutter flow is 200mm in the critical 1% AEP storm at all locations including pit 2B101-04.

Design elements adjoining stormwater infrastructure

- B7. Prior to the issue of any construction certificate for each relevant construction stage, the design plans must incorporate the following and be submitted to the Certifier for approval:
- (a) a pier and beam style construction, adjacent to existing / proposed drainage easements, to the depth of the invert of the proposed or existing pipeline;
 - (b) a masonry wall along the south-western boundary of the site to protect the adjacent subdivided Lots 1 to 11 (the residential lots in DA-19-01597) except at the drainage easement. The wall must be set to the minimum of the 1% AEP flow level plus 0.3m for the worst case for Stages 1 to 9 and incorporate the retaining wall for the future stages;
 - (c) the entries to the basement carparks with internal crest level set to 0.3m above the 1% AEP flow level in the gutter. This includes any surcharge flows from the 1500mm pipe;
 - (d) details demonstrating that the footings adjacent to easements do not place a load on the pipe within the easement; and
 - (e) an open mesh style fence with a minimum underside clearance of 100mm in areas of the site wherever drainage crosses the overland flow path.

Stormwater works within Tallawong Road

- B8. Prior to the issue of the construction certificate for the stormwater works and roadworks within the Tallawong Road frontage of the site, the Applicant must submit design plans for the

stormwater management system within Tallawong Road along with the proposed kerb and guttering works / bus bays on this road (when applicable). The design plans must:

- (a) be prepared by a suitably qualified hydraulic consultant;
- (b) be approved by the relevant branch within Council or TfNSW (whichever applies);
- (c) be submitted to the Certifier for information supported by the necessary approvals from Council / TfNSW;
- (d) include details of the discharge point for the on-street stormwater system and connection with the trunk drainage system within Tallawong Road, as shown in the civil works plan submitted with the EIS;
- (e) provide a section through the low point in Tallawong Road showing all changes in grade and levels across the road, at the boundary and extending 15m into the site;
- (f) include details of the pipe alignment and pits that need to be relocated to the new bus kerb line;
Note: Council does not accept butterfly gates on Tallawong Road. The pit / pipe system cannot be kerb only as lintels are required to collect the flow.
- (g) demonstrate that the maximum depth of ponding or flow depth in the road would be 200mm during the 1% AEP event; and
- (h) show the HGL levels for the different storm events on the pipe long-sections for the Tallawong Road drainage system.

Operational Waste Storage and Processing

- B9. Prior to the issue of any construction certificate for each relevant construction stage, for the operational waste storage and processing areas, 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, the design of the operational waste storage area must be in accordance with Council's standards. Evidence of the design and Council endorsement (where relevant) must be provided to the Certifier.

Fauna Relocation

- B10. Prior to the issue of any construction certificate for Construction Stage 1, a Dewatering Fauna Relocation Plan (DFRP) must be prepared by a suitably qualified ecologist in consultation with the Environment, Energy and Science Group (EESG) of the Department. The DFRP must be submitted to the Planning Secretary for approval and a copy submitted to the Certifier for information. The DFRP must include:
- (a) an assessment against the requirements of the Aquatic and Terrestrial Ecology Assessment NGH Environmental June 2019;
 - (b) the methodology for dewatering the existing dam on site;
 - (c) details on any native fish / fauna living within the dam and how they would be relocated to nearby streams (or other agreed location); and
 - (d) details of any exotic fish / fauna living within the dam and how they would be euthanised.
- B11. Prior to the issue of any construction certificate for Construction Stage 1, a dewatering plan must be prepared in accordance with the recommendations of the Detailed Site Investigation (DSI), prepared by Martens Consulting Engineers and dated December 2019 and the dam water must be chemically treated prior to discharge or applied to the land ensuring no run-off leaves the site.

Landscaping

- B12. Prior to the issue of certificate for Construction Stage 1, the Applicant must prepare a revised Landscape Plan and Arboricultural Impact Assessment to manage the revegetation and landscaping works for the entirety of the site, to the satisfaction of the Certifier. The documents must:
- (a) provide for the planting of 147 new trees comprising:
 - (i) 137 trees in accordance with the *Sikh Grammar School SSDA Landscape Design Report (Revised)*, prepared by Sym Studio Landscape Planning and dated November 2020;

- (ii) 10 trees (in addition to the 137 trees in condition B12(a)(i)) planted along the northern boundary of the 'Village Green' marked in PMD-DA-101 prepared by Sym Studio Landscape Planning dated November 2020; and
 - (iii) a site wide tree canopy cover of no less than 27%.
- (b) provide details to demonstrate the retention of existing trees numbered 4 and 5, identified in the Arboricultural Impact Assessment prepared by Bluegum Tree Care Consultancy and dated November 2020;
 - (c) detail the location, species, maturity and height at maturity of plants to be planted on-site;
 - (d) include species (trees, shrubs and groundcovers) characteristic of the Cumberland Plain Woodland;
 - (e) show that any trees planted above or adjacent to basements are planted in accordance with the recommendations of the Arboricultural Impact Assessment prepared by Bluegum Tree Care Consultancy and dated November 2020 and the additional requirements of this development consent;
 - (f) demonstrate that any trees planted above or adjacent to the basement or the on-site detention tanks include a tree soil depth of no less than 1.5m;
 - (g) include details to demonstrate replacement of synthetic grass on the Village Green with natural grass;
 - (h) include details of minimum of 2m high screen planting around the waste and services pavilion (marked on Site plan DA100 prepared by PMDL dated 26/10/2020) located adjacent to the school waste collection area;
 - (i) include the provision of three nest boxes suitable to native fauna (such as microbats) that are likely to use the site in the future;
 - (j) include tree trunks and tree hollows (greater than 25cm in diameter and 3m in length) from removed trees to enhance the habitat; ;
 - (k) include appropriate species for the bioretention system in accordance with ; ; Standard Drawings A(BS)175M Sheet 12 Revision C dated Feb 17 (or any future version if available);
 - (l) ensure that the planting within the bioretention system filter area incorporates several growth forms, including shrubs and tufted plants and are densely planted (tufted plants at a minimum of 10 plants / m²) to ensure plant roots occupy all parts of the media;
 - (m) ensure diversity and disease resistance species within the bioretention system filter area including (but not limited to) a minimum of 8 different species planted as a matrix; and
 - (n) demonstrate that all plants within the filter area are planted from tubestock or virotube and not pots.

Public Domain Works

- B13. Prior to the issue of any construction certificate for footpath or public domain works in a relevant construction stage, the Applicant must consult with Council and demonstrate to the Certifier that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management and provision of street tree planting along Tallawong Road, Northern and Southern Roads. The Applicant must submit documentation of approval for each stage from Council to the Certifier.

Note: Separate construction certificate applications under the Roads Act 1993 are required to be submitted and approved by the relevant roads authority for roadworks or works within the public domain.

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

- B14. Prior to the issue of any construction certificate for the relevant stages accommodating car parking, service vehicle parking / loading / unloading areas, bicycle spaces, internal driveways / roadways / access and end-of-trip facilities in each relevant construction stage, evidence must be submitted to the satisfaction of the Certifier that the operational access and parking arrangements comply with the following requirements:
- (a) all vehicles are able to enter and leave the site in a forward direction;

- (b) the swept path of the longest vehicles entering and exiting the site, as well as manoeuvrability through the site, are in accordance with the latest version of AS 2890.2;
- (c) the layout, and design of all on-site car parking and drop-off / pick-up spaces comply with latest versions of AS2890.1 and AS 2890.6 (for disabled parking spaces);
- (d) the layout, design and security of bicycle facilities comply with the minimum requirements of AS 2890.3:2015 Parking facilities - Bicycle parking, and are located in easy to access, well-lit areas that incorporate passive surveillance;
- (e) end-of-trip facilities (with at least one male and one female shower) for staff are provided within the site;
- (f) ramps to the basement car parks are designed in accordance with AS 2890.1-2004;
- (g) basement car parking areas are designed in accordance with AS 2890.1-2004;
- (h) the turning path of the largest vehicle accessing any driveway / basement or at-grade parking area complies with the latest version of AS2890; and
- (i) the total number of on-site car parking spaces, drop-off / pick-up spaces and bicycle parking spaces for use during operation of the development are provided in accordance with the Staging Report in condition A18.

Food preparation areas

- B15. Prior to the issue of the construction certificate for the relevant areas of the buildings used for food for handling food for sale (as defined within the *Food Act 2003*), the design plans must demonstrate to the satisfaction of the Certifier that design, construction, fit-out and on-going operation of these areas comply with all applicable legislation including (but not limited to):
- (a) the Food Act 2003;
 - (b) the Food Regulation 2004;
 - (c) Food Standards Australia and New Zealand – Food Standards Code 2003;
 - (d) AS 4674-2004. Design, construction and fit-out of food premises; and
 - (e) AS 1668 'The use of ventilation and air conditioning in buildings'.

Bus Layby

- B16. Prior to the issue of the relevant construction certificate for the bus layby adjacent to the site along Tallawong Road, design plans must be submitted to the satisfaction of the Certifier and to the Planning Secretary for information, demonstrating that:
- (a) the bus layby designed in in accordance with the TfNSW requirements; and
 - (b) the design has been endorsed by TfNSW.

Note: a separate construction certificate is required for works within the public road reserve under section 138 of the Roads Act 1993.

Footpath on Tallawong Road

- B17. Prior to the issue of the construction certificate for the bus layby of Tallawong Road, detailed design plans for a 3.5m wide footpath along the Tallawong Road frontage of the site, adjacent to the bus layby, must be provided to Council for endorsement. A copy of the approval must be submitted to the Certifier for information.

Note: A separate construction certificate under Roads Act 1993 is required for the footpath construction.

Flood Management

- B18. Prior to the issue of construction certificate for each relevant construction stage, the design plans must demonstrate to the satisfaction of the Certifier that:
- (a) the finished floor levels of all flood affected buildings are located at least 500mm above the 1% Annual Exceedance Probability for the site in the flood affected areas of the site; and
 - (b) any structures located below the level stated in condition B18(a) are constructed of flood compatible building materials.

Operational Noise

- B19. Prior to the issue of any relevant construction certificate the final design plans must be submitted demonstrating, to the satisfaction of the Certifier, that the following recommendations in the *Noise and Vibration Assessment (S180339RP1) Rev C* prepared by Resonate and dated 9 January 2020 (as updated by conditions of consent), that the following have been incorporated:
- (a) noise mitigation measures for the design of mechanical plant and equipment; and
 - (b) any recommended design related noise mitigation measures to ensure that the operational noise limits for the site are maintained at all times during operation of the school.
- B20. Prior to the issue of the construction certificate for Construction Stage 2, the *Noise and Vibration Assessment (S180339RP1) Rev C* must be updated by a suitably qualified Acoustic consultant to reassess the noise impacts of the K-2 play area and the temporary play area (stages 3 - 6) to demonstrate whether these outdoor play areas would comply with the relevant noise criteria at their current proposed locations without the need for a 3.5m high noise barrier.
- B21. Should the revised noise and vibration assessment report in condition B20 result in noise exceedances above the recommended noise management levels, the Applicant must provide alternative locations of the play spaces within the site and demonstrate that the noise levels from the play spaces at the alternate locations would not be above the relevant noise criteria for the site at that location. A copy of the report and mitigation measures (with alternate play area locations) must be submitted to the Planning Secretary for approval prior to the issue of the construction certificate for Construction Stage 2.
- B22. Prior to the issue of the construction certificate for Construction Stage 1, the *Noise and Vibration Assessment (S180339RP1) Rev C* must be updated by a certified Acoustic Consultant to include:
- (a) the future residents on the western boundary of the site as additional noise sensitive receivers;
 - (b) an assessment of impact of the school operations, outdoor play areas, boarding accommodation, ELC, Gurdwara and out-of-hours community use on these residents identified in condition B22(a);
 - (c) all design related / operational mitigation measures (if any) to ensure that the noise generated by the operation of the premises do not adversely impact on these identified residents in the future;
 - (d) an assessment of acoustic impacts of the use of the roof garden terraces (marked on Concept Landscape Rooftop Masterplan (PMD-DA-102 Rev E) prepared by Sym Studio Landscape Planning dated Nov 2020) on the neighbours and include mitigation measures where necessary;
 - (e) consideration to restrict the use of the roof top terraces between 6pm and 7am daily unless additional mitigation measures are proposed to extend this use up to 10pm at night;
 - (f) a restriction to ensure that roof top terraces are not used beyond 10pm at any time;
 - (g) an assessment of the impacts of the use of the school facilities by the community (in addition to the Gurdwara and the Langar) including use of the sports fields;
 - (h) all mitigation and management measures in relation to the above community uses to ensure that the acoustic amenity of all neighbouring residents are maintained at all times;
 - (i) an assessment of impacts of use of outdoor play areas within the site for the purpose of the school, ELC and community use, beyond two hours each day and then provide adequate and clear recommendations identifying the total number of hours of play permitted on the site each day (including all uses); and
 - (j) a restriction to ensure that no community activities occur on the site (except the Gurdwara and Langar) before 7am and after 6pm daily.

- B23. The revised noise and vibration assessment report required by condition B22 must be submitted to the Planning Secretary for approval, at least 6 weeks prior to the issue of the construction certificate for Construction Stage 1.

Contamination

- B24. Prior to the issue of any construction certificate for Construction Stage 1, the Applicant must prepare a Remedial Action Plan for the entire site as per the recommendation in *Detailed Site Investigation Report* prepared by Martens Consulting Engineers dated December 2019. A copy must be submitted to the Site Auditor for approval and to the Planning Secretary for information prior to the issue of any construction certificate for Construction Stage 1.
- B25. Prior to the issue of the construction certificate for Construction Stage 1, a NSW EPA-accredited Site Auditor must be appointed for the duration of the works on the entire site in all stages.

Groundwater Assessment Report

- B26. Prior to the issue of the construction certificate for Construction Stage 1, a Groundwater Assessment Report must be prepared for the site generally in accordance with section 5 of Council's WSUD developer handbook. The Report must address any possible blockage of groundwater at the low point. Where there is the potential for interaction with groundwater, a Groundwater Management Plan must be prepared by a registered Geotechnical Engineer.

PART C PRIOR TO COMMENCEMENT OF CONSTRUCTION

Notification of Commencement

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

Certified Drawings

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

Protection of Public Infrastructure

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

Pre-Construction Dilapidation Report

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

Community Communication Strategy

- C6. No later than two weeks before the commencement of construction of Stage 1, 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 the final stage 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) be updated to reflect additional communication requirements relevant to each stage of construction works;
- (e) set out procedures and mechanisms:
 - (i) through which the community can discuss or provide feedback to the Applicant;
 - (ii) through which the Applicant will respond to enquiries or feedback from the community;
 - (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; and
- (f) include any specific requirements to communicate with the community around traffic, noise and vibration, visual impacts, amenity, flora and fauna, soil and water,

contamination and heritage relevant to the stage either under construction and/or operation.

Demolition

- C7. Prior to the commencement of any construction works on the site, demolition work plans required by *AS 2601-2001 The demolition of structures* (Standards Australia, 2001) must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifier and Planning Secretary.

Environmental Management Plan Requirements

- C8. Management plans required under this consent must be prepared having regard to relevant guidelines, including but not limited to the *Environmental Management Plan Guideline: Guideline for Infrastructure Projects* (DPIE April 2020).

Note: The *Environmental Management Plan Guideline* is available on the Planning Portal at: <https://www.planningportal.nsw.gov.au/majorprojects/assessment/post-approval>

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

Construction Environmental Management Plan

- C9. At least 4 weeks prior to the commencement of construction for Construction Stage 1, 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, if groundwater is intercepted during construction works;
 - (vii) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
 - (viii) community consultation and complaints handling as set out in the Community Communication Strategy required by condition C6;
- (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition C11);
- (c) Construction Noise and Vibration Management Sub-Plan (see condition C12);
- (d) Construction Waste Management Sub-Plan (see condition C13);
- (e) Construction Soil and Water Management Sub-Plan (see condition C14);
- (f) A Flood Emergency Response Plan during construction works (see condition C15);
- (g) an unexpected finds protocol for contamination and associated communications procedure; and
- (h) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure.

- C10. The Applicant must not commence construction of the development until the CEMP is approved by the Certifier and a copy of the approved plan submitted to the Planning Secretary. The CEMP (including all sub-plans) must be updated prior to the commencement of each of the construction stages and be submitted to the Certifier for approval. Works for each relevant stage must not commence until the Certifier has approved the updated CEMP.

- C11. 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) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;
 - (d) detail the measures to be provided on the site and on the surrounding roads to ensure safety of the school users during on-going construction works in all subsequent stages after completion of Construction Stage 1, where the school would be concurrently operating with construction works on the site;
 - (e) include details of swept path of the construction vehicles accessing the site at various stages; and
 - (f) detail heavy vehicle routes, access (no access from Tallawong Road), work zones, and construction vehicles and construction worker vehicles parking arrangements.
- C12. 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 construction noise management levels in *Noise and Vibration Assessment (S180339RP1) Rev C* prepared by Resonate and dated 9 January 2020;
 - (c) identify the new noise sensitive receivers (including future residential developments) in the subsequent stages of development after Stage 1;
 - (d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers that may exceed the stipulated construction noise management levels in the *Noise and Vibration Assessment (S180339RP1) Rev C* prepared by Resonate and dated 9 January 2020 for the site;
 - (e) include strategies that have been developed with the community for managing high noise generating works;
 - (f) detail the measures to be provided on the site to ensure the acoustic amenity of the school users / boarders / staff on the site / ELC users as well as the Gurdwara users are maintained during on-going construction works in all subsequent stages after completion of Construction Stage 1, where the school would be concurrently operating with construction works on the site;
 - (g) describe the community consultation undertaken to develop the strategies in condition C12(e);
 - (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.
- C13. The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the procedures for the management of waste comprising:
- (a) the recording of quantities, classification (for materials to be removed) and validation (for materials to remain) of each type of waste generated during construction and proposed use;
 - (b) information regarding the recycling and disposal locations; and
 - (c) confirmation of the contamination status of the development areas of the site based on the validation results.
- C14. 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, as a minimum, in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom 2004) commonly referred to as the 'Blue Book';

- (c) describe all methods including the capacity of sediment basins (as required by the conditions of this consent) within the site at various stages of the construction to ensure that the no downstream properties are impacted due to stormwater runoff from the site during construction works at any stage;
- (d) include an Acid Sulfate Soils Management Plan (if required) including measures for the management, handling, treatment and disposal of acid sulfate soils, including monitoring of water quality at acid sulfate soils treatment areas;
- (e) 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);
- (f) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events during construction, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI; and
- (g) detail all off-site flows from the site.

C15. The Flood Emergency Response Sub-Plan (FERSP) for construction works must address, but not be limited to, the following:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) address the provisions of the Floodplain Risk Management Guidelines of the EESG;
- (c) include details of:
 - (i) the flood emergency responses for both construction and phases of the development;
 - (ii) predicted flood levels;
 - (iii) flood warning time and flood notification procedures;
 - (iv) assembly points and evacuation routes;
 - (v) evacuation and refuge protocols; and
 - (vi) awareness training for employees and contractors, and students.

C16. A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:

- (a) minimise the impacts of earthworks and construction on the local and regional road network;
- (b) minimise conflicts with other road users;
- (c) minimise road traffic noise; and
- (d) ensure truck drivers use specified routes.

Soil and Water

C17. Prior to the commencement of construction for each relevant construction stage, the Applicant must install erosion and sediment controls and other soil and water management measures, including management measures for Acid Sulfate Soils, in accordance with the CSWMSP.

Construction Parking

C18. Prior to the commencement of construction for each relevant construction stage, the Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that construction vehicles associated with the development does not utilise public and residential streets or public parking facilities.

Outdoor Lighting

C19. Prior to the installation of outdoor lighting for the relevant construction stages, evidence must be submitted to the Certifier that all outdoor lighting within the site has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

Ecologically Sustainable Development

- C20. Prior to the commencement of construction of Construction Stage 1 or unless an alternate timeframe is agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either:
- (a) registering for a minimum 4-star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifier; or
 - (b) seeking approval from the Planning Secretary for an alternative certification process.

Fauna Relocation

- C21. Prior to the commencement of construction for Construction Stage 1, dewatering of the existing dam must be carried out in accordance with the DFPR in condition B10.

Fauna Survey

- C22. Prior to the commencement of construction for Construction Stage 1 works, pre-clearance fauna surveys must be undertaken by a qualified ecologist to determine the presence of resident native fauna using nests, dreys, tree hollows or dams.
- C23. Any resident native fauna potentially impacted by the removal of the trees and/or the dewatering of the dam must be relocated (preferably prior to removing the trees) to an appropriate nearby location and in a sensitive manner under the supervision of a qualified ecologist/licensed wildlife handler, prior to the commencement of any construction works on the site.
- C24. Evidence of the pre-clearing surveys and inspections for fauna and any relocation of fauna must be provided to the satisfaction of the Certifier prior to the commencement of Construction Stage 1.

Infrastructure upgrades

- C25. Prior to the commencement of construction of a relevant construction stage, the Applicant must obtain the necessary approvals from Sydney Water to upgrade the water and sewer mains to cater for the development.
- C26. Prior to the commencement of construction of the relevant construction stage, the Applicant must submit evidence to the satisfaction of the Certifier that arrangements for energy connections from Endeavour Energy are in place.

Tree Protection

- C27. Prior to the commencement of construction of a relevant construction stage, the Applicant must ensure tree protection measures are carried out under the supervision of a qualified arborist and are in place for the duration of the construction.

Site Contamination and Remediation

- C28. Prior to the commencement of construction for Construction Stage 1, the Applicant must undertake and complete remediation of the relevant parts of the site affected.
- C29. Prior to the commencement of construction for Construction Stage 1, the appointed NSW EPA-accredited Site Auditor must provide an interim Site Audit Statement confirming the suitability of the site for the proposed uses.

Bio-retention basin

- C30. Prior to the placement of the bio-retention basin, a suitably qualified consultant must certify that:
- (a) the bio-retention filter media ex-bin has:
 - (i) a minimum hydraulic conductivity as defined by ASTM F1815-11 of 250 mm/hr (actual, not predicted);
 - (ii) a maximum hydraulic conductivity as defined by ASTM F1815-11 of 700 mm/hr (actual, not predicted);
 - (iii) a pH between 5.5 to 7;
 - (iv) an orthophosphate content < 20 mg/kg;
 - (v) a total nitrogen content < 900 mg/kg; and
 - (vi) is not hydrophobic.

- (b) the transition layer material ex-bin:
 - (i) is a clean, washed well-graded coarse sand or coarse sand blend containing little or no fines (< 2%);
 - (ii) satisfies the bridging criteria $D_{15}(\text{transition layer}) \leq 4 \times D_{85}(\text{filter media})$ where D_{15} is the 15th percentile particle size in the transition layer material (i.e. 15% of the sand is smaller than D_{15} mm), and D_{85} is the 85th percentile particle size in the filter media; and
 - (iii) satisfies the hydraulic conductivity criteria $D_{15}(\text{transition layer}) \geq D_{15}(\text{filter media}) \times 3$.
- (c) that the drainage layer material ex-bin:
 - (iv) is a clean washed 5-7mm gravel, such as washed screenings;
 - (v) satisfies the bridging criteria $D_{15}(\text{drainage layer}) \leq 4 \times D_{85}(\text{transition layer})$ where: $D_{15}(\text{drainage layer})$ is the 15th percentile particle size in the drainage layer material (i.e., 15% of the gravel is smaller than D_{15} mm), and $D_{85}(\text{transition layer})$ is the 85th percentile particle size in the transition layer material; and
 - (vi) satisfies the hydraulic conductivity criteria $D_{15}(\text{drainage layer}) \geq D_{15}(\text{transition layer}) \times 2$.

C31. A copy of the certification required at condition C30 must be submitted to the Certifier for information.

PART D DURING CONSTRUCTION

Site Notice

- D1. A site notice(s):
- (a) must be prominently displayed at the boundaries of the site during construction for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifier and Structural Engineer is to satisfy the following requirements;
 - (b) minimum dimensions of the notice must measure 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

- D2. All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.

Demolition

- D3. Demolition work must comply with the demolition work plans required by *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001) and endorsed by a suitably qualified person as required by condition C7.

Construction Hours

- D4. 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.
- D5. Construction activities may be undertaken outside of the hours in condition D4 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; or
 - (d) where a variation is approved in advance in writing by the Planning Secretary or his nominee if appropriate justification is provided for the works.
- D6. Notification of such construction activities as referenced in condition D5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- D7. 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

- D8. The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans).

Construction Traffic

- D9. All construction vehicles must be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site fully or an approved on-street work zone before stopping.

Hoarding Requirements

- D10. 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

- D11. 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

- D12. All noise generated during the construction of the development at all stages must be managed in accordance with the CNVMSP.
- D13. 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 D4.
- D14. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of 'quackers' to ensure noise impacts on surrounding noise sensitive receivers are minimised.

Vibration Criteria

- D15. Vibration caused by construction at any residence or structure outside the site must be limited to:
- (a) for structural damage, the latest version of DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardisation, 1999); and
 - (b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: a technical guideline (DEC, 2006) (as may be updated or replaced from time to time).
- D16. Vibratory compactors must not be used closer than 30m from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition D15.
- D17. The limits in conditions D15 and D16 apply unless otherwise outlined in a CNVMSP, approved as part of the CEMP required by condition C9 of this consent.

Tree Protection

- D18. For the duration of the construction works:
- (a) any street tree immediately adjacent to the approved disturbance area / 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;
 - (b) all trees on the site that are not approved for removal must be suitably protected during construction as per the recommendations of the Arboricultural Impact Assessment and the conditions of this consent; and
 - (c) 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

- D19. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- D20. During construction, the Applicant must ensure that:
- (a) dust from exposed surfaces and stockpiles is suppressed;
 - (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

- D21. All erosion and sediment control measures must be effectively implemented and maintained in accordance with the CSWMSP.

Imported Soil

- D22. 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

- D23. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the buildings to the satisfaction of the Certifier. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

Emergency Management

- D24. The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction.

Unexpected Finds Protocol – Aboriginal Heritage

- D25. 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 must be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by EESG 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 Heritage NSW to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of Heritage NSW.

Unexpected Finds Protocol – Historic Heritage

- D26. If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and 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 Heritage NSW.

Waste Storage and Processing

- D27. 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.

- D28. All waste generated during construction must be assessed, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- D29. 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.
- D30. 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.
- D31. 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

- D32. The Applicant must ensure that all external construction lighting is in accordance with the recommendations of the CEMP.

Independent Environmental Audit

- D33. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the preparation of an Independent Audit Program or commencement of an Independent Audit.
- D34. Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).
- D35. 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.
- D36. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must:
 - (a) review and respond to each Independent Audit Report prepared under condition D34 of this consent;
 - (b) submit the response to the Planning Secretary and the Certifier; and
 - (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Planning Secretary.
- D37. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.
- D38. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (2020), 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.

Traffic assessment

- D39. Within one year of commencement of construction works on Construction Stage 1, the Applicant must update the *Traffic and Parking Assessment Report (V6)* prepared by Positive Traffic dated November 2020 for the subsequent stages (Stage 2 onwards or where student increase is proposed beyond 112 students). The updated traffic report must include:
 - (a) updated school surveys that analyse comparable educational facilities (including ELC, primary and secondary schools) that are similar to the location and operation of the proposal;
 - (b) additional traffic generation assessment considering the use of the Gurdwara outside the core school hours on a typical weekday (in addition to the weekend use);
 - (c) traffic studies prepared in consultation with and endorsed by TfNSW;
 - (d) an assessment of design traffic volume on the following intersections (using appropriate traffic modelling methods such as SIDRA or equivalent):
 - (i) Windsor Road/Schofields Road;
 - (ii) Windsor Road/Commercial Road; and

- (iii) Windsor Road/Guntawong Road;
 - (e) additional traffic analysis to determine the proposed pick-up/drop/-off spaces are adequate for each of the construction stages; and
 - (f) demonstrate that the proposed development can accommodate the required number of enrolments in each stage as identified in Schedule 3 condition A19 of this development consent.
- D40. The updated traffic report must be submitted to the Planning Secretary for approval within eight months of commencement of construction of Construction Stage 1.

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

Development Contributions

- E1. Prior to the issue of the occupation certificate of Construction Stage 1 of the development, a contribution under section 7.11 of the EP&A Act of \$2,383,065 (adjusted on a quarterly basis (from the date of this consent), to account for movements in the Australian Bureau of Statistics Consumer Price Index – Sydney Housing (All Groups Sydney), must be paid to Council for the items listed in the **Table 2** below.

Table 2: Development Contributions

Contribution Item	Amount	Relevant C.P.
Stormwater Quantity		
First Ponds Creek Land	\$666,861	22
First Ponds Creek Works	\$547,613	22
Stormwater Quality		
First Ponds Creek	\$503,323	22
Traffic Management		
Rouse Hill Land	\$104,730	22
Rouse Hill Works	\$585,022	22
Total	\$2,407,549	

- E2. Condition E1 does not prevent entry into an arrangement with the relevant Council for deferred payment of the monetary contribution or payment of contributions in a staged manner (based on the progression of the development considering 0.3ha of development area in each construction stage) in accordance with the policy for deferred payments set out in S7.11 CP No.22 – Rouse Hill (Works and Land) contributions plan.

***Note:** In May 2020 two ministerial direction were made to facilitate the consolidation (pooling) of infrastructure funds and to request certain councils to provide information relating to the delivery of local infrastructure. For more information on these changes, you can read the Frequently Asked Questions: COVID-19 Legislation Amendment (Emergency Measures) (PDF, 133 KB).*

Notification of Occupation

- E3. At least one month before the issue of the occupation certificate of each relevant construction stage, the date of commencement of the operation of the development must be notified to the Planning Secretary in writing. If the operation of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

Completion of subdivision and creation of allotment

- E4. Prior to the issue of the occupation certificate for Construction Stage 1, the Applicant must provide evidence to the satisfaction of the Planning Secretary that:
- (a) all works in relation to the Subdivision Application DA-19-01597 have been completed including construction of Northern and Southern Roads, construction of the headwall of the drainage discharge point on the western side of the site and widening of Tallawong Road (where needed);
 - (b) a subdivision certificate has been issued by Council;
 - (c) the title of the site has been registered with the Department of Lands; and
 - (d) all relevant stormwater drainage easements have been created.

External stormwater drainage connections

- E5. Prior to the issue of the occupation certificate for the relevant construction stages where stormwater from the site is proposed to be connected to a public / private drainage system

outside the property boundary, the Applicant must provide evidence to the satisfaction of the Certifier that:

- (a) the site can legally drain to the trunk drainage system under Tallawong Road that is proposed to be completed under DA-17-00619; and
- (b) the site can legally drain to the future road along the western boundary through the proposed easement adjoining the western boundary of the site.

External Walls and Cladding

- E6. Prior to the issue of the occupation certificate for each relevant construction stage, the Applicant must provide the Certifier with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.
- E7. 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

- E8. Prior to the issue of the occupation certificate for each relevant construction stage, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is:
 - (a) to ascertain whether the construction created any structural damage to adjoining buildings, 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 for information.

Protection of Public Infrastructure

- E9. 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 condition E1 of this consent.

Protection of Property

- E10. 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, prior to the occupation of each stage of the development.

Utilities and Services

- E11. Prior to the issue of the occupation certificate for each relevant construction stage, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

Roadworks and Pedestrian Infrastructure

- E12. At least four weeks prior to the issue of the occupation certificate for Construction Stage 1, the Applicant must demonstrate to the satisfaction of the Planning Secretary that the following provisions have been complied with:
 - (a) pedestrian safety infrastructure / management and mitigation measures have been provided on:
 - (i) Northern and Southern Roads (in lieu of a raised pedestrian crossing); and
 - (ii) Tallawong Road (including pedestrian refuge if appropriate, or other measures); and

- (b) appropriate endorsement is obtained from the relevant public authorities, if any pedestrian infrastructure is proposed on each of the above roads prior to the warrants assessment and subsequent pedestrian infrastructure provisions in condition F23.

E13. At least four weeks prior to the issue of the occupation certificate for each construction stage following Construction Stage 1 or for each stage of student increase beyond the enrolment of 112 students (whichever occurs first), the Applicant must:

- (a) prepare a warrants assessment for the provision of raised pedestrian crossings on Northern Road and Southern Road as well as any other pedestrian infrastructure on Tallawong Road in accordance with the relevant TfNSW guidelines;
- (b) submit design plans for any resulting new or upgraded pedestrian crossings for endorsement by Council and / or TfNSW (where relevant), if the warrants assessment in condition E13(a) determines that a pedestrian crossing facility is required to cater for the safety of the students in the school at that stage on any of the roads;
- (c) submit a copy of the endorsed documents in E13(b) to the Certifier for information;
- (d) complete the construction of pedestrian crossings as provided in the design plans in condition E13(b) and obtain necessary public authority endorsements / approvals (if applicable); OR
- (e) if warrants for a pedestrian crossing or any road are not met, then:
 - (i) prepare details of interim crossing facilities or management measures to ensure the safety of students and users crossing the roads in consultation with Council / TfNSW;
 - (ii) submit the design plans for alternate pedestrian crossing facilities and / or management and mitigation measures (whichever applicable) for approval to the Planning Secretary; and
 - (iii) incorporate any design relate mitigation and management measures to the satisfaction of the Certifier, after being approved by the Planning Secretary.

Works as Executed Plans

E14. Prior to the issue of the occupation certificate for each relevant construction stage, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifier.

E15. The works-as-executed plans and associated certification must demonstrate that:

- (a) the level of the site at the eastern boundary is 52.5m AHD to prevent backflow of floodwaters in to the buildings within the site;
- (b) the weir controls and orifice sizes match the approved plans;
- (c) the capacities of the OSD match the approved plans for that stage;
- (d) the bio-retention basin is enclosed with a minimum 1mm HDPE or equivalent liner with geotextile over and under and the bioretention subsoil lines are un-socked slotted PVC laid at 0.5% grade with a minimum 50mm gravel cover connected into the pit;
- (e) the bio-retention basin has 100mm transition layer and 400mm filter media; and
- (f) the bio-retention basin complies with the conditions of this consent.

Traffic report

E16. Prior to the issue of the occupation certificate for any construction stage beyond Stage 1 which proposes an increase in student numbers all traffic mitigation and management measures, recommended in the updated traffic report (required by condition D39), if any, must be implemented to the satisfaction of relevant roads authority and evidence provided to the Certifier and the Secretary.

Bus Layby and Footpath on Tallawong Road

E17. Prior to the issue of the occupation certificate for Construction Stage 1, the bus layby and footpath adjacent to the site along Tallawong Road must be constructed to the satisfaction of TfNSW and Council. The Applicant must provide satisfactory evidence to the Certifier

demonstrating that the footpath on Tallawong Road has been provided unless otherwise agreed by the relevant road authority. The Applicant must provide the Certifier with documented evidence of relevant approvals by the relevant roads authority.

- E18. The Applicant must provide, at no cost to Council, road widening along Tallawong Road to provide a minimum 3.5m footpath area adjacent to the proposed bus bay.

Green Travel Plan

- E19. Prior to the commencement of operation of the development in Construction Stage 2 or increase in students beyond 112 (whichever occurs first), a Green Travel Plan (GTP) must be submitted to the satisfaction of the Planning Secretary to promote the use of active and sustainable transport modes. The GTP must be updated prior to the commencement of each subsequent stage and submitted to the Planning Secretary for information. The plan must:
- (a) be prepared by a suitably qualified traffic consultant in consultation with Council and (Sydney Coordination Office) TfNSW;
 - (b) include objectives and modes share targets (i.e. site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
 - (c) include specific tools and actions to help achieve the objectives and mode share targets;
 - (d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP;
 - (e) provide for shuttle bus services from Stage 1 to compensate for any lack of public transport services in the locality (if needed); and
 - (f) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.

Operational Transport and Access Management Plan (OTAMP)

- E20. Prior to the commencement of operation of Construction Stage 1, an OTAMP must 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 be updated prior to the commencement of each subsequent stage or prior to any proposed increase in student numbers beyond 112 students and be submitted to the Planning Secretary for approval. The OTAMP (as updated from time to time) must address the following:
- (a) detailed pedestrian analysis including the identification of safe route options – to identify the need for management measures such as staggered school/ELC start and finish times to ensure students and staff are able to access and leave the site in a safe and efficient manner during school start and finish;
 - (b) the location of all car parking spaces on the school campus and their allocation (i.e. staff, visitor, accessible, emergency, etc.);
 - (c) the location and operational management procedures of the pick-up and drop-off parking located within the site, including staff management/traffic controller arrangements;
 - (d) provision of a mandatory traffic supervisor in the basement pick-up/drop-off area;
 - (e) the location of the drop-off / pick-up spaces on the site for school use;
 - (f) details to confirm that 14 additional pick-up/drop-off parking spaces are provided within the basement car park resulting in a total of 25 spaces for pick-up/drop-off spaces (for the construction stage where the basement car parking is proposed);
 - (g) details to confirm that additional car parking spaces (beyond 25 car spaces) within the basement car park are being utilised during the peak pick-up/drop-off times to ensure adequate pick-up/drop-off spaces on site;
 - (h) the location and operational management procedures for the pick-up/drop-off of students by buses and coaches for excursions and sporting activities during the hours of bus lane operations along Tallawong Road, including staff management/traffic controller arrangements;

- (i) delivery and services vehicle and bus access and management arrangements;
- (j) 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/drop-off parking on site;
- (k) management measures to ensure safety of students crossing Tallawong Road and Northern and Southern Roads (based on the outcomes of the warrants assessment or the alternate pedestrian crossing measures);
- (l) the provision of shuttle bus services from Stage 1 to compensate for any lack of public transport services in the locality to meet the GTP targets;
- (m) car parking arrangements and management associated with the proposed use of school facilities by community members and Gurdwara users; and
- (n) a monitoring and review program.

School Zones

E21. Prior to the commencement of operation of Construction Stage 1, all required School Zone signage, speed management signage and associated pavement markings along Tallawong Road and future roads (Northern and Southern Roads) must be installed, inspected by TfNSW and handed over to TfNSW.

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

E22. The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed.

Mechanical Ventilation

E23. Prior to the issue of the occupation certificate for each relevant construction stage, 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

E24. Prior to the issue of the occupation certificate for each relevant construction stage, the Applicant must submit evidence to the Certifier that:

- (a) the noise mitigation recommendations in the *Noise and Vibration Assessment (S180339RP1) Rev C* prepared by Resonate and dated 9 January 2020 (as updated by the conditions of consent) and the design plan requirements of condition B20 and B22 (if any) have been incorporated into the design to ensure the development does not exceed the recommended operational noise levels identified in the revised noise and vibration assessment report;
- (b) detailed designs of the system identifying speaker locations and orientations have been prepared and certified by a suitably qualified Acoustic consultant, confirming that noise levels the system are calibrated to comply with the operational noise levels specified in *Noise and Vibration Assessment (S180339RP1) Rev C* prepared by Resonate and dated 9 January 2020 (as updated by the conditions of this consent); and
- (c) the speakers and public address system would include an RMS compressor limiter.

E25. Prior to the issue of the occupation certificate for any relevant construction stage, a certified Acoustic Consultant must certify to the satisfaction of the Certifier that all acoustic treatments within the buildings *Noise and Vibration Assessment (S180339RP1) Rev C* prepared by Resonate and dated 9 January 2020 (as updated by the conditions of this consent) have been implemented.

E26. Prior to the issue of the occupation certificate for the relevant construction stages, a certified Acoustic Consultant must certify to the satisfaction of the Planning Secretary that K-2 play area and temporary outdoor play area (for stage 3-5) have been located in accordance with the updated noise assessment report required in Condition B22.

- E27. Prior to the issue of the occupation certificate for Construction Stage 1, a certified Acoustic Consultant must certify to the satisfaction of the Certifier and the Planning Secretary that roof garden terraces are in accordance with the updated noise assessment report required in Condition B22.

Car Parking, Service Vehicles and Bicycle Parking Arrangements

- E28. Prior to the issue of the occupation certificate for each relevant construction stage or other timeframe agreed in writing by the Planning Secretary, evidence must be submitted to the satisfaction of the Planning Secretary that demonstrates that:
- (a) the car-parking, service vehicle areas, bicycle parking facilities comply with condition B14;
 - (b) appropriate pedestrian and cyclist advisory signs are have been provided;
 - (c) all works/regulatory signposting associated with the proposed developments have been undertaken at no cost to the relevant roads authority;
 - (d) the bicycle parking spaces are located in easy to access, well-lit areas that incorporate passive surveillance;
 - (e) adequate end-of-trip facilities for staff are provided; and
 - (f) the swept path of the largest vehicles accessing the relevant sections of the site comply with the relevant Australian Standards.

Road Damage

- E29. Prior to the issue of the occupation certificate for each relevant construction stage, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the site as a result of construction works associated with the approved development must be met in full by the Applicant unless any alternate arrangements are required by Council.

Fire Safety Certification

- E30. Prior to issue of the occupation certificate for each relevant construction stage, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.

Structural Inspection Certificate

- E31. Prior to the issue of occupation certificate of the relevant parts of any new 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

- E32. Prior to the issue of the occupation certificate, the Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 *Design, construction and fit-out of food premises* and provide evidence of receipt of the certificate to the satisfaction of the Certifier.

Stormwater Operation Management Plan

- E33. Prior to the issue of the occupation certificate, a Stormwater Operation and Maintenance Plan (SOMP) must be submitted to the satisfaction of the Certifier along with evidence of compliance with the SOMP. The SOMP 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

- E34. 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

- E35. Prior to the issue of the occupation certificate for each relevant construction stage, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:
- complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and
 - 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

- E36. Prior to the commencement of operation for each relevant construction stage, way-finding signage and signage identifying the location of staff car parking must be installed.
- E37. 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.
- E38. The lighting to be used in connection with the school identification sign must comply with AS4282 - Control of the Obtrusive Effects of Outdoor Lighting, to protect the amenity of the locality.
- E39. Prior to issue of occupation certificate, the approved LED signs must:
- be installed directed away from adjoining residential properties with a timed intensity and illumination adjuster;
 - not operate beyond 10pm;
 - not dazzle or distract drivers due to their colouring;
 - not display advertising or messages which contain fully animated or video/movie style advertising or images; and
 - not be used for any live television. Satellite, internet or similar broadcast.
- E40. Prior to the issue of the occupation certificate for the relevant construction stage incorporating the signage, the Applicant must demonstrate to the satisfaction of the Certifier that no signage incorporates any speakers.
- E41. Prior to the issue of the occupation certificate for Construction Stage 1, the Applicant must demonstrate that the floodway warning signs have been installed in the locations identified in the stormwater drainage plans approved under condition B5.

Operational Waste Management Plan

- E42. Prior to the commencement of operation for each relevant construction stage, the Applicant must prepare a Waste Management Plan for the development in consultation with Council and submit it to the Certifier. The Waste Management Plan must:
- detail the type and quantity of waste to be generated during operation of the development;
 - describe the handling, storage and disposal of all waste streams generated on site for each of the use, 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);
 - detail timing of waste management vehicle access to the site so that there is no conflict with the AM and PM peak drop-off / pick-up times of the ELC;

- (d) include details of waste collection and delivery of goods and materials (including garbage and recycling waste) to and from the site to confirm that waste collection does not take place between the hours of 10pm and 7am;
- (e) include details of frequency of waste collection in the boarding accommodation;
- (f) detail the materials to be reused or recycled, either on or off site; and
- (g) include the Management and Mitigation Measures included in EIS.

Landscaping

- E43. Prior to the commencement of operation of each relevant construction stage, landscaping of the site must be completed in accordance with landscape plan(s) approved under condition B12 including the provision of all the roof terraces and green roofs.
- E44. Prior to the issue of the occupation certificate for Construction Stage 1, the Applicant must prepare an Operational Landscape Management Plan to manage the revegetation and landscaping on site, to the satisfaction of the Certifier. The plan must:
- (a) include details of advance tree planting stock (minimum pot container size of 100 litres or greater);
 - (b) describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping; and
 - (c) be consistent with the Applicant's Management and Mitigation Measures in the EIS.
- E45. The Applicant must not commence operation until the Operational Landscape Management Plan is submitted to the Planning Secretary and the Certifier.

Operational Flood Emergency Management Plan

- E46. Prior to the issue of an occupation certificate of Construction Stage 1, a Flood Emergency Management Plan must be submitted to the Certifier that:
- (a) is prepared by a suitably qualified and experienced person(s);
 - (b) addresses the provisions of the Floodplain Risk Management Guidelines of the 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) flood warning signs, notices and procedures;
 - (v) assembly points and evacuation routes;
 - (vi) evacuation and refuge protocols;
 - (vii) maintenance of measures to ensure timely, orderly and safe evacuation of people from the area if required including managing parents' pick-up of children; and
 - (d) awareness training for employees and contractors, and visitors.

Fulfillment of BASIX Commitments

- E47. Prior to the issue of the occupation certificate for staff boarding accommodation, the Applicant must demonstrate the fulfillment of BASIX commitment pertaining to the staff boarding accommodation, to the satisfaction of the Certifier.

Site Contamination and Remediation

- E48. Prior to the issue of the final occupation certificate for Construction Stage 1, the Applicant must submit a Section A Site Audit Statement accompanied by an Environmental Management Plan (where needed) prepared by a NSW EPA accredited Site Auditor for the entire site. The Site Audit Statement must verify the site is suitable for the intended land use and be provided, along with any Environmental Management Plan, to the Planning Secretary and the Certifier.
- E49. Prior to the issue of the final occupation certificate for each of the subsequent stages, the Applicant must submit Section A Site Audit Statement accompanied by an updated Environmental Management Plan prepared by a NSW EPA accredited Site Auditor for the relevant part of the site. The Section A Site Audit Statement must verify the relevant part of the

site is suitable for the intended land use and be provided, along with any Environmental Management Plan, to the Planning Secretary and the Certifier.

- E50. Prior to the issue of the final occupation certificate for whole site (at the completion of Stage 9), the Applicant must submit a Section A Site Audit Statement accompanied by an updated Environmental Management Plan prepared by a NSW EPA accredited Site Auditor for the entire site. The Section A Site Audit Statement must verify the relevant part of the site is suitable for the intended land use and be provided, along with any Environmental Management Plan, to the Planning Secretary and the Certifier.

Operational Management Plan

- E51. Prior to the issue of an occupation certificate for Construction Stage 1, an Operational Management Plan (OMP) for the site must be prepared by the Applicant, to the satisfaction of the Planning Secretary. The OMP (including the relevant sub-plans) must be updated prior to the issue of the occupation certificate for each of the subsequent stages where the additional uses are proposed (including the school, the Gurdwara and Langar, community use, ELC and boarding accommodation). The OMP (as updated from time to time) must include, but not be limited to, the following:
- (a) School OMP sub-plan (condition E52);
 - (b) Gurdwara and Langar OMP sub-plan (condition E53);
 - (c) Community usage (excluding the Gurdwara and Langar) OMP sub-plan (condition E54);
 - (d) ELC OMP sub-plan (condition E55);
 - (e) Boarding accommodation OMP sub-plan (condition E56);
 - (f) the Operational Flood Emergency Management Plan (condition E46);
 - (g) overarching measures for the site to indicate that the outdoor play areas are not to be occupied more than two hours on a typical school day (unless otherwise demonstrated in the revised noise and vibration assessment report required by condition B22);
 - (h) an overarching complaint handling system that would be applicable to all of the sub-plans and can be displayed publicly on the school's website; and
 - (i) an overarching review and monitoring program for a yearly review and monitoring of the operations of each of the relevant uses (applying to all of the sub-plans) at their commencement.
- E52. The School OMP sub-plan must include the following:
- (a) details confirming the core operating hours;
 - (b) details confirming the operating hours of the out-of-hours school (OOSH) care;
 - (c) measures to ensure all way-finding signage, security measures (i.e. access control), and landscaping are managed to maintain their effectiveness;
 - (d) measures to ensure that all security gates to the carparks that would not be used after the school or ELC operational hours, are closed after the operating hours;
 - (e) measures to ensure that waste collection vehicles access the on-grade car parks only between 7am – 6pm on weekdays and 8am – 5pm on weekends;
 - (f) details confirming the waste collection vehicles would access the site so there is no conflict with the peak drop-off/pick-up times;
 - (g) measures to manage operational noise impacts, particularly from outdoor playground and recreational areas, to ensure the use of the development does not result in exceedances of the project noise trigger levels in accordance with the report titled in the *Noise and Vibration Assessment (S180339RP1) Rev C* prepared by Resonate and dated 9 January 2020 as updated by the conditions of this consent;
 - (h) details confirming the ability of school staff and residents to access the on-site school parking area outside of core school hours and the relevant security measures to ensure security of the premises; and
 - (i) details of location of the permanent public announcement or school bell and the associated noise limits of this system to ensure an acceptable amenity of the neighbouring residential properties.

- E53. The Gurdwara and Langar OMP sub-plan must include the following:
- (a) details confirming that the maximum number of attendees within the Gurdwara (when no other uses occur on the site) is 500;
 - (b) details confirming hours of community use of the Gurdwara to be outside the core school hours at all times;
 - (c) details confirming that the Gurdwara and Langar are to be used by the school students and staff only during core school hours;
 - (d) details confirming the Gurdwara and Langar are being used until 9pm and the associated packing and cleaning until 10pm and associated basement / on grade car parks use until 11pm;
 - (e) details confirming that the carparks are not to be used by the community after 10pm;
 - (f) measures to mitigate impacts of light spillage due to headlights from cars exiting the basement carpark at night;
 - (g) use of the Gurdwara and the anticipated maximum number of attendees (being 500) at any one time;
 - (h) measures to control the noise generated by the use of the Gurdwara, especially in the evenings, night-times and on the weekends to comply with the recommendations of the *Noise and Vibration Assessment (S180339RP1) Rev C* prepared by Resonate and dated 9 January 2020 as updated by the conditions of this consent;
 - (i) measures to ensure all way-finding signage, security measures (i.e. access control), are managed to maintain their effectiveness;
 - (j) details confirming the location of the car-parking on the site that would be used by the Gurdwara users and any time limits on car parking that may apply;
 - (k) details confirming the waste collection vehicles would access the site so there is no conflict with the peak drop-off/pick-up times;
 - (l) details confirming the odour control from the community kitchen use and the requirements to comply with the relevant Food Codes; and
 - (m) details confirming the methods of waste collection from the Gurdwara and the Langar to ensure that the amenity of the neighbourhood is not impacted by littering and inadequate waste management.
- E54. The Community Usage (excluding Gurdwara and Langar) OMP sub-plan must include the following:
- (a) details confirming that community use of school facilities is to be restricted after 6pm (except for out of hours events that would be managed by the out-of-hours event plan);
 - (b) identify facilities and outdoor spaces within the development that would be available for community use;
 - (c) confirm the hours and days of the week during which the community would be permitted to use the identified buildings, facilities and outdoor spaces including maximum number of attendees;
 - (d) confirm that at any one time the total number of community users within the site including the Gurdwara / Langar does not exceed 500 at any one time;
 - (e) include details of car parking locations for users of the site and include provisions (including management measures and time limits, if relevant) to ensure that on-street car parking on Tallawong Road, Northern Road and Southern Road are not impacted due to the community use of the site; and
 - (f) include details of recommendations and noise management and mitigation measures within the *Noise and Vibration Assessment (S180339RP1) Rev C* prepared by Resonate and dated 9 January 2020 as updated by the conditions of this consent.
- E55. The ELC OMP sub-plan must include the following:
- (a) details confirming that the operating hours of the premises would be between 7am to 7pm, Monday to Friday;
 - (b) details confirming outdoor play times for the ELC children are restricted between 7am - 6pm;

- (c) a playtime programme with specific reference to management measures during the use of the outdoor play space; and
- (d) access control measures for the ELC and separation from the school use.

E56. The Boarding accommodation OMP sub-plan must include the following:

- (a) details confirming the access of waste collection vehicles and associated timings;
- (b) details confirming that the staff accommodation can only be occupied by staff and their immediate families;
- (c) the minimum criteria as stipulated in Schedule 2 (Standards for Places of Shared Accommodation) of the Local Government (General) Regulation 2005 under the Local Government Act 1993 and the Public Health Act 1991;
- (d) all the measures to be implemented on the premises in terms of safety and security, amenity and health including but not limited to matters relating to curfews and after-hours access, bringing of visitors on to the site, drug and alcohol policy (including smoking), and use of communal areas etc;
- (e) all the responsibilities of the Caretaker/Manager of the boarding accommodation; and
- (f) include an Incident Register to be maintained by the Caretaker/Manager which must be produced upon demand by any Council officer or NSW Police Officer.

E57. The OMP (including the sub-plans) must be updated prior to the completion of each construction stage identified in the Staging Report required by Schedule 3 condition A18 and be submitted to the Planning Secretary for approval prior to the occupation certificate for that Construction Stage.

Appointment of Site managers and Caretakers

E58. An on-site Caretaker must be appointed prior to the issue of the occupation certificate for the boarding accommodation, who would be responsible for ensuring that the terms of the Boarding accommodation OMP sub-plan are adhered to at all times.

E59. An on-site Caretaker must be appointed prior to the issue of the occupation certificate for the Gurdwara and Langar, who would be responsible for ensuring that the terms of the Gurdwara and Langar OMP sub-plan are adhered to at all times.

E60. A notification letter(s) must be forwarded to Council, the local Police and neighbours (if relevant) providing contact details for the caretaker / manager for the boarding accommodation and Gurdwara / Langar (when appointed) and the details of the personnel made available on the school's website, to ensure that complaints can be promptly handled. The letter must also specify that non-urgent matters can be directed to a specified email address (to be provided in the letter and the school website). Evidence of this letter being forwarded to the relevant stakeholders must be provided to the Planning Secretary.

Temporary On-site Detention

E61. Prior to the issue of the occupation certificate for the relevant construction stage, the Applicant must provide satisfactory evidence to the Certifier and information to the Planning Secretary that the temporary basin has been decommissioned in the event that it has been connected to the permanent downstream regional Council detention basin, in accordance with Council's Engineering Guide for Development and Temporary Basin Removal Procedure.

Langar

E62. Prior to the issue of the occupation certificate for the Langar, the Applicant must demonstrate to the satisfaction of the Certifier that the Langar food preparation area:

- (a) is registered with Council's Environmental Health Unit. The applicant must obtain the application form for registration purposes from Council;
- (b) includes grease arrestors that comply with the requirements of the Sydney Water. A copy of the Corporation's Trade Waste Agreement must be submitted to the Planning Secretary; and
- (c) includes a certification from a suitably qualified consultant certifying that a ventilation system has been installed and can operate in accordance with Australian Standard

1668.2:2002 The use of ventilation and air conditioning in buildings – Ventilation design for indoor air contaminant control.

Non-Potable Water supply and Irrigation Plan

- E63. Prior to issue of the occupation certificate for the relevant construction stage, a suitably qualified chartered hydraulic engineer must prepare a Non-Portable Supply and Irrigation Plan and demonstrate that there is no cross mixing and is in accordance with Sydney Water requirements. A copy of the plan must be endorsed by Sydney Water or independent peer reviewer and be provided to the Certifier for information.

Earthworks

- E64. Prior to issue of occupation certificate, earthworks plan for each relevant construction stage must demonstrate to the satisfaction of the Certifier that:
- (a) batters do not exceed a grade of 1(vertical):5(horizontal);
 - (b) the batters are stabilised with topsoil, turf and vegetation; and
 - (c) finished levels of all internal works at the road boundaries (Tallawong Road, Northern Road and Southern Road) of the property are 4% above the top of kerb of the adjoining road.

Roadworks and Access

- E65. Prior to the issue of the issue of any occupation certificate for Construction Stage 1, the Applicant must submit appropriate evidence to the satisfaction of the Planning Secretary, demonstrating that:
- (a) the relevant and necessary roads (including the full width of Northern Road) and footpaths (as per the precinct plan) have been delivered and dedicated in full; or
 - (b) the relevant and necessary roads and footpaths have not been delivered in full, but that the portion that has been delivered and dedicated is safe, efficient and sufficient to meet the short term needs of that stage; and
 - (c) the relevant stormwater drainage and other infrastructure works (such as underground cables, electricity etc) within the future roads have also been installed in accordance with the subdivision application DA-19-01597 and appropriate approvals provided by the relevant public authorities.
- E66. Prior to the issue of the occupation certificate for Construction Stage 2, the Applicant must submit appropriate evidence to the satisfaction of the Planning Secretary, demonstrating that:
- (a) the relevant and necessary roads (including the full width of Southern Road) and footpaths (as per the precinct plan) have been delivered and dedicated in full; or
 - (b) the relevant and necessary roads and footpaths have not been delivered in full, but that the portion that has been delivered and dedicated is safe, efficient and sufficient to meet the short term needs of that stage;
 - (c) the relevant stormwater drainage and other infrastructure works (such as underground cables, electricity etc) within the future roads have also been installed in accordance with the subdivision application DA-19-01597 and appropriate approvals provided by the relevant public authorities; and
 - (d) the stormwater drainage and other infrastructure works (such as underground cables, electricity etc), have been installed in accordance with the subdivision application DA-19-01597 and appropriate approvals provided by the relevant public authorities.
- E67. Prior to the issue of the occupation certificate for Construction Stage 3, the Applicant must submit appropriate evidence to the satisfaction of the Planning Secretary, demonstrating that the full-width of Northern and Southern Roads with the necessary infrastructure have been completed, delivered and dedicated to the relevant public authority in full.

Easement

- E68. Prior to any stormwater drainage connections from the site on to the adjoining residential allotments to the west, satisfactory evidence must be provided to the Planning Secretary demonstrating that all necessary easements have been created and registered allowing drainage of the stormwater from the site to all downstream properties.

- E69. Prior to the issue of the occupation certificate for the relevant construction stage, a Restriction as to User and Positive Covenant must be created over the temporary OSD system in accordance with the requirements of Council's Engineering Guide for Development 2005 and registered with NSW Land Registry Services.
- E70. Prior to the issue of the occupation certificate for Stage 9, a Restriction as to User and Positive Covenant must be created over the Stormwater Quality Improvement Devices in accordance with the requirements of Council's Engineering Guide for Development 2005 and registered with NSW Land Registry Services.
- E71. Prior to the issue of the occupation certificate for Construction Stage 1, a 4m wide drainage easement with a Restriction as to User must be created along the full length of the box culvert (2m x 1.5m RCBC or 2m X 1.8m) angled across the lot in accordance with the requirements of the Council's Engineering Guide for Development 2005. The easement must be in favour of Council. The Restriction and easement must be registered with NSW Land Registry Services.
- E72. Prior to the issue of the occupation certificate for Construction Stage 1, a minimum 10m wide and variable overland flow path generally along the length of the emergency overland flowpath from the sag in Tallawong Road to the road to the north-west, must be created, in accordance with the requirements of Council's Engineering Guide for Development 2005 and registered with NSW Land Registry Services.

Rainwater Tank

- E73. The Applicant must submit evidence that water conservation measures including Rainwater Tank (RWT) and stormwater tanks (if needed) are provided on the site and that RWT collects the roof water only and is to be re-used for all the toilets and urinals.

Ratings for Water Efficiency

- E74. The parts of the development not affected by BASIX must demonstrate compliance with the following Water Efficiency Labelling and Standards (WELS) Scheme for any water use fittings (unless alternative measures are demonstrated in the ESD certification or Green-Star rating):
- (a) 4 star dual-flush toilets;
 - (b) 3 star showerheads;
 - (c) 5 star taps (for all taps other than bath outlets and garden taps);
 - (d) 3 star urinals; and
 - (e) 3 star water efficient washing machines and dishwashers are to be specified.

Water conservation measures and certification

- E75. Prior to the issue of the occupation certificate for each relevant construction stage, an experienced chartered hydraulic engineer must prepare and certify a detailed Non-Potable Water Supply and Irrigation Plan for non-potable water uses on the site, including all toilet/urinal flushing and landscape watering, and that all Sydney Water requirements have been satisfied. The plan is to show the rainwater pipe and tank arrangement including:
- (a) a first flush or pre-treatment system (typically 0.2 litres / m² of roof area going to the tank for a first flush);
 - (b) a pump with isolation valves;
 - (c) a solenoid controlled mains water bypass;
 - (d) flow meters on the solenoid controlled mains water bypass line and the pump outflow line, to determine non-potable usage and actual percentage reuse;
 - (e) an inline filter and preferably an automatic backwash inline filter;
 - (f) a control panel with warning light to indicate pump failure;
 - (g) a timer and control box for landscape watering;
 - (h) an irrigation watering plan allowing for a minimum of 0.4 kL/yr/m² and accounting for seasonal variations;
 - (i) ensuring all the rainwater reuse pipes and taps are coloured purple;

- (j) all reuse taps accessible by children are to be lockable or have removable handles;
 - (k) UV disinfection (where required for a stormwater tank); and
 - (l) fitting rainwater warning signs to all external taps using rainwater.
- E76. Prior to the issue of the occupation certificate for each relevant construction stage, a plumber licensed with NSW Fair Trading must undertake flow testing of the non-potable water reuse system to certify that all the toilets are capable of being supplied by rainwater and that there is no cross mixing, or cross contamination with the potable water supply.
- E77. Prior to the issue of the occupation certificate for the relevant construction stage, the Applicant must provide satisfactory evidence to the Certifier to demonstrate that the approved water quality devices have not been reduced in size or replaced with an alternate manufacturer's product.
- E78. Prior to the issue of the occupation certificate of the relevant construction stage, a signed, works-as-executed Non-Potable Water Supply & Irrigation Plan must be provided to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au.
- E79. Prior to the issue of the occupation certificate for the relevant construction stage, maintenance requirements for each of the proposed water quality devices must be prepared generally in accordance with the Council's *WSUD Inspection and Maintenance Guidelines* available on Council's website. The designer of the stormwater treatment system must prepare the maintenance schedule and this schedule must show the designer's name, company, signature and date on it.
- E80. Prior to the issue of the occupation certificate for the relevant construction stage written evidence must be provided that the Applicant has entered into a minimum 5 year signed and endorsed maintenance contract with a cleaning contractor for the maintenance of sediment pits and bioretention systems. A copy of the signed and endorsed contract(s) and maintenance contractor(s) details must be provided to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au.

Groundwater Management

- E81. For a relevant construction stage, where a Groundwater Assessment Report (condition B26) indicated the requirement for a Groundwater Management Plan, the Applicant must provide a certificate signed by a Geotechnical Engineer to the Certifier demonstrating that all the requirements of the Groundwater Management Plan have been undertaken and that there is no adverse impacts due to groundwater.

PART F POST OCCUPATION

Operating hours

- F1. The operating hours of the premises are restricted to the following:
- (a) School: 7am to 6pm, Monday to Friday;
 - (b) ELC: 7am to 7pm, Monday to Friday;
 - (c) Out of School Hours (OOSH): 6:30am to 8:30am and 3pm to 7pm, Monday to Friday;
 - (d) The Gurdwara and Langar use by school students and staff only during school hours;
 - (e) The Gurdwara and Langar for school and community/public use purpose:
 - (i) core hours for attendees: 6pm – 9pm (Monday to Friday) and 7am – 9pm (Saturday and Sunday);
 - (ii) for the purpose of packing and clearing the Gurdwara (staff only): 10pm; and
 - (iii) the use of car park with respect to the Gurdwara: 11pm (for staff) and 10pm (for community / public).
 - (f) Community use of school facilities (except for out of hours events within the site): 7am - 6pm daily.

Student numbers

- F2. The total student numbers are restricted as following:
- (a) Stage 1 – 112 students;
 - (b) Stage 2 – 168 students;
 - (c) Stage 3A – 392 students;
 - (d) Stage 3B – 392 students;
 - (e) Stage 4 – 672 students;
 - (f) Stage 5 – 952 students;
 - (g) Stage 6 – 1092 students;
 - (h) Stage 7 – 1092 students;
 - (i) Stage 8 – 1260 students; and
 - (j) Stage 9 – 1260 students.

Out of Hours Event Management Plan

- F3. Prior to the commencement of the first out of hours events (school use) run by the school that involve 100 or more people, the Applicant must prepare an Out of Hours Event Management Plan (School Use) and submit it to the Council for information. The plan must be made publicly available on the school's website at least one week prior to the event and 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 or school shuttle bus service);
 - (e) details of the use, where applicable, restricting use before 7:30am 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.
- F4. The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified events or use.
- F5. Prior to the commencement of out of hours events (community use excluding Gurdwara and Langar) run by the external parties that involve 100 or more people, the Applicant must prepare an Out of Hours Event Management Plan (Community Use) in consultation with Council and

submit it to Council for information. The plan must be made publicly available on the school's website at least one week prior to the event and 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, where applicable, restricting use before 7:30am and after 9pm;
- (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.

F6. The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified community event or use.

Road Safety Audit

F7. Within two months of commencement of operation of the basement carpark which is proposed to be used as a pick-up/drop-off area, a Road Safety Audit (RSA), must be conducted on the internal pedestrian crossing, sight lines and dimensions of spaces within the site's pick-up/drop-off area. The RSA must be undertaken in accordance with NSW Centre for Road Safety Guidelines for Road Safety Audit Practices and Austroads Guide to Road Safety Part 6: Road Safety Audit).

F8. The results of the RSA and the relevant recommendations, including any measures to improve road safety must be submitted to the Certifier for approval.

F9. Based on the recommendations of the RSA, appropriate road safety measures and/or traffic management measures must be implemented, in consultation with Council and provided to the Certifier for information, within **four months** of commencement of operation of the pick-up/drop-off area.

Operation of Plant and Equipment

F10. All plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.

Warm Water Systems and Cooling Systems

F11. 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

F12. The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 2 years following the completion of the final construction stage.

Dedication of bus layby and roads

F13. Within 6 months of commencement of operation of Construction Stage 1, the bus layby and 3.5m wide footpath must be dedicated to relevant roads authority and the boundary adjustments must be registered with NSW Land Registry Services.

Operational Management Plan

F14. The OMP required by condition E51 (including the sub-plans), must be updated every year after the issue of the first occupation certificate for the use and be implemented for the life of the development.

F15. The Boarding accommodation OMP sub-plan must be displayed in prominent locations within the staff /student boarding accommodation building and a copy must be provided to all student residents of the boarding accommodation.

- F16. A notification letter for the Boarding accommodation must be forwarded to Council providing contact details for the caretaker/Manager so that any issues regarding the operation of the premises can be addressed promptly. Evidence of this letter being forwarded as required in this condition must be provided to the Planning Secretary.
- F17. The school website must identify:
- (a) the operating hours of the Gurdwara and Langar and confirm that the place of worship and kitchen are not to be made available for public use within school hours;
 - (b) the contact details of the caretaker / manager of the student/staff accommodation and the Gurdwara / Langar; and
 - (c) details of the complaint handling system, consistent with the OMP for the site, and the relevant methods of lodging a complaint.
- F18. Evidence of compliance with conditions F16 and F17 must be submitted to the Certifier within two months of commencement of operation of the respective uses.

Restriction-as-to-user

- F19. Within one month of commencement of operation of the Boarding accommodation, the Applicant must create a restriction-as-to-user which confirms that:
- (a) the student boarding would only be used for the purpose of the students of the school; and
 - (b) the residential dwellings within the site would only be used for the staff that would be employed on the site and their immediate families.

Operational Transport and Access Management Plan (OTAMP)

- F20. The site must include a minimum of 25 pick-up/drop-off spaces (including the 14 additional pick-up/drop-up spaces required by condition E20) for sole use of the school during the peak school starts and finish times.
- F21. The OTAMP(s) required under condition E20 (as revised from time to time) must be implemented by the Applicant for the life of the development.

Roadworks and Pedestrian infrastructure

- F22. Within 6 months of operation of Construction Stage 1, the Applicant must conduct a warrants assessment under the *Roads Act 1993* to ensure safety of students will be achieved). The warrants assessment must:
- (a) determine whether, for Construction Stage 1:
 - (i) any raised pedestrian crossings are required along Northern and Southern Roads;
 - (ii) any pedestrian refuge or other infrastructure (including a public bus stop) is needed on Tallawong Road; and
 - (b) include details of the outcome of the warrants in Construction Stage 1;
 - (c) be conducted in accordance with TfNSW guidelines and in consultation with Council and be submitted to the relevant public authority for endorsement;
 - (d) be submitted to the Certifier and Planning Secretary for information along with the necessary endorsements, within 6 months of the warrants assessment for Construction Stage 1.
- F23. If the warrants assessment required by condition F22 concludes that no pedestrian refuge or other infrastructure is required on either Northern Road, Southern Road or Tallawong Road, alternative methods of managing student and pedestrian travel and access to site is to be provided to the satisfaction of the Planning Secretary to ensure the safety of the users. Evidence of consultation with TfNSW and/or Council in formulating the interim / alternate pedestrian crossing / travel management arrangements must also be submitted to support the proposal within 6 months of the warrants assessment.

Operational Noise Limits

- F24. The noise generated by operation of the school, OOSH, the Gurdwara and Langar, the ELC and the community uses within the site must not exceed the noise limits in *Noise and Vibration*

Assessment (S180339RP1) Rev C prepared by Resonate and dated 9 January 2020 as updated by the conditions of this consent.

- F25. The Applicant must undertake short term operational noise monitoring in accordance with the *Noise Policy for Industry* to collect valid data.
- F26. The monitoring program(s) must be carried out by an appropriately qualified acoustic consultant and a monitoring report (with the outcome of the monitoring) must be submitted to the satisfaction of the Planning Secretary within **two months** of commencement use of each construction stage (which proposes increase in student numbers and / or a new use within the site) of the development.
- F27. The monitoring report must verify that the operational noise levels do not exceed the recommended noise levels for the uses within the site (including mechanical plants, outdoor play areas, general school noise, ELC noise, noise from the use of the boarding accommodation, the use of the Gurdwara and the car parking areas as well as community uses within the site (in addition to Gurdwara and Langar)) identified in *Noise and Vibration Assessment (S180339RP1) Rev C* prepared by Resonate and dated 9 January 2020 as updated by the conditions of this consent.
- F28. Should the noise monitoring for any of the construction stages identify any exceedance of the recommended noise levels referred to above, the Applicant must include an addendum to the monitoring report with additional 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.
- F29. The additional noise mitigation measures must be approved by the Planning Secretary and be implemented on the site within two months of such approval.

Unobstructed Driveways and Parking Areas

- F30. All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

Green Travel Plan

- F31. The Green Travel Plan required by condition E19 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.

Ecologically Sustainable Development

- F32. Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation of Construction Stage 1, 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 C20, evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.

Outdoor Lighting

- F33. Notwithstanding condition E35, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers (existing and future), the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.

Landscaping

- F34. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B12 (as updated by the conditions of this consent) for the duration of occupation of the development including all green roofs as shown on the landscape plan.
- F35. Evidence of trees having been planted as required by condition B12, must be provided to the certifier and the Planning Secretary for information, within four months of commencement of operation of the relevant construction stage.

Stormwater quality maintenance schedule

F36. Every six months (or an alternate timeframe agreed with Council), after commencement of operation of each stage of development, the Applicant must provide to Council's WSUD Compliance Officer, a report outlining all maintenance undertaken on the Stormwater Quality Improvement Devices and rainwater tanks in accordance with the approved maintenance schedule. All material removed must be disposed of in an approved manner. Copies must be provided of all contractor's cleaning reports or certificates to Council's WSUD Compliance Officer at WSUD@blacktown.nsw.gov.au.

Flood Management Plan availability

F37. A coloured laminated copy of the Operational Flood Emergency Management Plan must be permanently affixed within the staff room and other notice boards throughout the school.

APPENDIX 1 ADVISORY NOTES

General

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

Long Service Levy

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

Legal Notices

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

Access for People with Disabilities

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

Utilities and Services

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

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

Road Design and Traffic Facilities

AN7. 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

AN8. 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

AN9. 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

AN10. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

Handling of Asbestos

AN11. 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

AN12. 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

AN13. 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 notified to the Planning Secretary through the major projects portal 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 Schedule 3 condition A32 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.