Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

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

These conditions are required to:

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

David Gainsford
Executive Director
Priority Projects

Sydney 11th February 2019

SCHEDULE 1

Application Number:	SSD 8373
Applicant:	NSW Department of Education
Consent Authority:	Minister for Planning
Site:	Lot 11 DP 615964; Lot 1 DP 74696; Lots 2 and 3 DP 69494 and Lots A and B DP 109038, 7 – 11 Park Road, Alexandria

Development:	Redevelopment and operation of Alexandria Park Community School, comprising:
	• site preparation works including demolition of existing all existing buildings and structures, including temporary pop-up schools
	• site remediation works
	• construction of multiple school buildings up to five storeys in height accommodating:
	  ○ a childcare centre
	  ○ a community centre
	• construction of a sports hall, multiple outdoor sports courts and all-weather multipurpose sports field
	• construction of 28 on-site car parking spaces and ancillary vehicular access
	• associated site landscaping and ancillary infrastructure services.

DEFINITIONS

Aboriginal object	Has the same meaning as the definition of the term in section 5 of the *National Parks and Wildlife Act 1974*
Aboriginal place	Has the same meaning as the definition of the term in section 5 of the *National Parks and Wildlife Act 1974*
Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	NSW Department of Education, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
CEMP	Construction Environmental Management Plan
Certifying Authority	Professionals that are accredited by the Building Professionals Board to issue construction, occupation, subdivision, strata, compliance and complying development certificates under the EP&A Act, *Strata Schemes (Freehold Development) Act 1973* and *Strata Schemes (Leasehold Development) Act 1986* or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works.
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	All physical works 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: • building and road dilapidation surveys; • investigative drilling, investigative excavation or Archaeological Salvage; • 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.
Council	City of Sydney
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 and Environment
Development	The development described in the EIS and Response to Submissions, including the works and activities comprising the redevelopment and operation of Alexandria Park Community School, as modified and/or limited by the conditions of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EIS	Environmental Impact Statement titled *Environmental Impact Statement for SSD 17_8373 Alexandria Park Community School*, prepared by Urbis and dated 11 December 2017, 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	*Environmental Planning and Assessment Act 1979*
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
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage Item	An item as defined under the *Heritage Act 1977,* and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the *National Parks and Wildlife Act 1974'*, the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), or anything identified as a heritage item under the conditions of this consent
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 *Note: "material harm" is defined in this consent*
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Management and mitigation measures	The management and mitigation measures set out in Section 8 of the Applicant's EIS
Material harm	Is harm that: 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 (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 9.40 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
OEH	NSW Office of Environment and Heritage
OEMP	Operational Environmental 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.
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	*Protection of the Environment Operations Act 1997*
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.

Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.
Remediation	Site remediation works as set out in the report titled *Alexandria Park Community School Remediation Action, Park Road, Alexandria NSW* prepared by Coffey, dated 8 December 2017
RtS	Response to Submissions titled *SSD 17_8373 Alexandria Park Community School Response to Submissions*, prepared by Urbis and dated 3 October 2018 submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
RMS	NSW Roads and Maritime Services
SA NSW	Subsidence Advisory NSW (formerly the Mine Subsidence Board)
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.
Site	The land defined in Schedule 1
Site Auditor	As defined in section 4 of the *Contaminated Land Management Act 1997*
Site Audit Report	As defined in section 4 of the *Contaminated Land Management Act 1997*
Site Audit Statement	As defined in section 4 of the *Contaminated Land Management Act 1997*
TfNSW	Transport for New South Wales
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

PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

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

Terms of Consent

A2. The development may only be carried out:

(a) in compliance with the conditions of this consent;

(b) in accordance with all written directions of the Planning Secretary;

(c) generally in accordance with the EIS and Response to Submissions;

(d) in accordance with the approved plans in the table below:

Architectural Drawings prepared by *Tanner Kibble Denton Architects*			
Dwg No.	**Rev.**	**Name of Plan**	**Date**
AR.DA. 1001	P1	Existing Site Plan	08.12.17
AR.DA. 1101	P2	Proposed Site Plan	20.04.18
AR.DA. 1201	P2	Existing and Proposed Site Plans	20.04.18
AR.DA. 1202	P2	Phase 1 – Construction Extent	20.04.18
AR.DA. 1203	P2	Phase 2 – Construction Extent	20.04.18
AR.DA. 2001	P5	Campus Plans – Ground and First Floors	28.11.18
AR.DA. 2002	P4	Campus Plans – Second and Third Floors	24.04.18
AR.DA. 2003	P4	Campus Plans – Fourth Floor and Roof	29.11.18
AR.DA. 2010	P2	Key Plan	20.04.18
AR.DA. 2011	P2	Key Plan – Building References	20.04.18
AR.DA. 2101	P3	Ground Floor Plan – Northern Hubs	20.04.18
AR.DA. 2102	P3	Ground Floor Plan – Southern Hubs	20.04.18
AR.DA. 2201	P3	First Floor Plan – Northern Hubs	20.04.18
AR.DA. 2202	P4	First Floor Plan – Southern Hubs	24.04.18
AR.DA. 2301	P3	Second Floor Plan – Northern Hubs	20.04.18
AR.DA. 2302	P4	Second Floor Plan – Southern Hubs	24.04.18
AR.DA. 2401	P3	Third Floor Plan – Northern Hubs	20.04.18
AR.DA. 2402	P3	Third Floor Plan – Southern Hubs	20.04.18
AR.DA. 2501	P3	Fourth Floor Plan – Northern Hubs	20.04.18
AR.DA. 2601	P2	Roof Plan – Northern Hubs	20.04.18
AR.DA. 2602	P2	Roof Plan – Southern Hubs	20.04.18
AR.DA. 3001	P2	Elevations 1	20.04.18
AR.DA. 3002	P1	Detailed Elevations 1	08.12.17
AR.DA. 3003	P2	Detailed Elevations 2	20.04.18
AR.DA. 3004	P2	Detailed Elevations 3	20.04.18
AR.DA. 3005	P2	Detailed Elevations 3 – Screen	20.04.18
AR.DA. 3101	P2	Sections 1	20.04.18
AR.DA. 3111	P2	Detailed Section Sheet 1	20.04.18

AR.DA. 4001	P1	External Material Finishes	08.12.17
Landscape Drawings prepared by *Context Landscape Design Pty Ltd*			
Dwg No.	**Rev.**	**Name of Plan**	**Date**
L-SD-101-00	P8	Overall Landscape Plan Ground Floor	03.12.18
L-SD-200-00	P6	Landscape Detail Plan – Entry Plaza	03.12.18
L-SD-201-00	P4	Landscape Section – Entry Plaza	30.11.17
L-SD-210-00	P5	Landscape Detail Plan – Learning Lawn	23.04.18
L-SD-211-00	P4	Landscape Section – Learning Lawn	30.11.17
L-SD-220-00	P5	Landscape Detail Plan – Canopy Classroom East	19.04.18
L-SD-221-00	P4	Landscape Section – Canopy Classroom East	30.11.17
L-SD-230-00	P5	Landscape Detail Plan – Canopy Classroom West	19.04.18
L-SD-231-00	P4	Landscape Section – Canopy Classroom West	30.11.17
L-SD-250-00	P4	Landscape Detail Plan – Northern Roof	30.11.17
L-SD-251-00	P4	Landscape Detail Plan – Southern Roof	30.11.17
L-SD-260-00	P7	Fencing Strategy Plan	23.04.18
L-SD-261-00	P7	Fencing Strategy Plan School Hours	23.04.18
L-SD-262-00	P7	Fencing Strategy Plan After Hours + Weekends	23.04.18
L-SD-263	P5	Fencing Strategy Sports Fence (Park Rd Interface) Elevation	09.03.18
L-SD-301-00	P6	Existing Tree Plan and Schedule Sheet 1 of 2	03.12.18
L-SD-302-00	P6	Existing Tree Plan and Schedule Sheet 2 of 2	03.12.18
L-SD-303-00	P6	Proposed Trees	03.12.18
L-SD-304-00	P3	Indicative Planting Palette	30.11.17
Stormwater/Drainage Drawings prepared by *Woolacotts Consulting Engineers*			
Dwg No.	**Rev.**	**Name of Plan**	**Date**
SW1	A	Stormwater Management Plan – Sheet 1	14.09.17
SW2	A	Stormwater Management Plan – Sheet 1	14.09.17
ES1	A	Erosion and Sediment Control Plan	14.09.17
ES2	A	Erosion and Sediment Control Plan	14.09.17

A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:

(a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and

(b) the implementation of any actions or measures contained in any such document referred to in (a) above.

A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Design Amendments

A5. To ensure that adverse privacy impacts are not generated, the southern and western elevations of the upper levels of the development, being levels three, four and five, are to be fitted with privacy screens and/or louvres to restrict direct overlooking into adjoining residential flat building

developments. Details must be provided to the satisfaction of the Certifying Authority prior to the commencement of construction.

A6. All approved Architectural Drawings must be updated to reflect the amended location of the rooftop shade structure from the western edge to the inner eastern edge of the Southern Hub rooftop play area as shown on the approved Drawing No. AR.DA. 2003, Revision P4 Campus Plans – Fourth Floor and Roof, dated 29 November 2018. Details must be provided to the satisfaction of the Certifying Authority prior to the commencement of construction.

Limits of Consent

A7. This consent lapses five years after the date of consent unless the works associated with the development have physically commenced.

Prescribed Conditions

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

Planning Secretary as Moderator

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

Long Service Levy

A10. 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

A11. Any advice or notice to the consent authority must be served on the Planning Secretary.

Evidence of Consultation

A12. 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, Combining and Updating Strategies, Plans or Programs

A13. With the approval of the Planning Secretary, the Applicant may:

(a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);

(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and

(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

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

A15. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

Demolition

A16. Demolition work must comply with *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001). The work plans required by AS 2601-2001 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 Certifying Authority before the commencement of works.

Structural Adequacy

A17. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Notes:

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

External Walls and Cladding

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

Applicability of Guidelines

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

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

Monitoring and Environmental Audits

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

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

Access to Information

A21. At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:

(a) make the following information and documents (as they are obtained or approved) publicly available on its website:

(i) the documents referred to in condition 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 environmental audit of the development and the Applicant's response to the recommendations in any audit report;

(x) any other matter required by the Planning Secretary; and

(b) keep such information up to date, to the satisfaction of the Planning Secretary.

Compliance

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

ADVISORY NOTES

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.

PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION

Notification of Commencement

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

If the construction or operation of the development is to be staged, the Department 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

B2. Prior to the commencement of construction, 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:

(a) the relevant clauses of the BCA; and

(b) this development consent.

External Walls and Cladding

B3. Prior to the commencement of construction, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use 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 Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.

Protection of Public Infrastructure

B4. Before the commencement of construction, the Applicant must:

(a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;

(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and

(c) submit a copy of the dilapidation report to the Certifying Authority and Council.

Aboriginal Cultural Heritage

B5. Prior to the commencement of any works involving ground disturbance, the Applicant must engage a suitably qualified heritage consultant to prepare a Heritage Management Plan addressing the HMP requirements in the report titled *Aboriginal Cultural Heritage Assessment: Alexandria Park Community School*, prepared by Extent Heritage Pty Ltd and dated 7 November 2018 have been complied with in full. A copy of the HMP must be submitted to the satisfaction of the Certifying Authority.

Flooding

B6. Prior to the commencement of any works (excluding demolition and remediation works), details must be submitted to the satisfaction of the Certifying Authority that demonstrated the finished floor levels of the approved development are 0.5m above the 1% AEP flood event level.

Site Contamination

B7. Following the completion of demolition works but prior to the commencement of building works or vegetation clearing, additional site investigation for contaminants across previously untested areas of the site must be undertaken in accordance with:

(a) NSW EPA Sampling Design Guidelines;

(b) Guidelines for the NSW Site Auditor Scheme (3rd edition) 2017;

(c) https://www.epa.nsw.gov.au/publications/contaminatedland/17p0269-guidelines-for-thensw-site-auditor-scheme-third-edition;

(d) Guidelines for Consultants Reporting on Contaminated Sites, 2011 www.epa.nsw.gov.au/resources/clm/20110650consultantsglines.pdf;

(e) The National Environment Protection (assessment of contamination) Measures 2013 as amended Testing must include assessment of both the soil and groundwater profile.

B8. The Remediation Action Plan, titled *Alexandria Park Community School Remediation Action Plan*, prepared by Coffey, dated 8 December 2017, must be updated to reflect the findings of the additional site investigations required by condition B7. The updated Remediation Action Plan must be approved by a NSW EPA Accredited Site Auditor and submitted to the Planning Secretary prior to commencement of remediation works.

B9. Prior to the commencement of remediation works, an asbestos works management plan must be prepared and submitted for review by a NSW EPA accredited Site Auditor. The asbestos works management plan must be implemented following the receipt of confirmation from the NSW EPA accredited Site Auditor that the asbestos works management plan is considered appropriate.

B10. Remediation works approved as part of this development consent must be carried out in accordance with the report titled, as required to be updated by condition B8, *Alexandria Park Community School Remediation Action Plan*, prepared by Coffey, dated 8 December 2017 (as amended as required by Condition B8).

B11. Upon completion of remedial works, the Applicant must submit a Site Audit Report and Section A Site Audit Statement for the relevant part of the site prepared by a NSW EPA accredited Site Auditor. The Site Audit Report and Section A Site Audit Statement must verify the relevant part of the site is suitable for the educational land use and be provided to the satisfaction of the Certifying Authority.

B12. Upon completion of remedial works and prior to the commencement of construction (excluding demolition), a Long Term Environmental Management Plan (LTEMP) must be prepared and submitted to a NSW EPA accredited Site Auditor for review. The LTEMP must:

(a) identify the location and requirements for ongoing management of asbestos impacted soil and other contaminated soil contained on the site;

(b) detail the expected limitations on the site land use;

(c) identify relevant environmental, and health and safety processes and procedures;

(d) identify management processes, procedures and responsibilities to be adopted by future site users within the site;

(e) detail the location and extent of placed or residual asbestos impacted soil and other contaminated fill materials, capping layers and marker barriers within the site.

Unexpected Contamination Procedure

B13. Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition B20 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.

Utilities and Services

B14. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

B15. 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.

Community Communication Strategy

B16. A Community Communication Strategy must be prepared to provide mechanisms to facilitate communication between the Applicant, Council and the community (including adjoining affected

landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.

The Community Communication Strategy must:

(a) identify people to be consulted during the design and construction phases;

(b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;

(c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;

(d) set out procedures and mechanisms:

  (i) through which the community can discuss or provide feedback to the Applicant;

  (ii) through which the Applicant will respond to enquiries or feedback from the community; and

  (iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation.

The Community Communication Strategy must be submitted to the Planning Secretary for approval no later than two weeks before the commencement of any work.

Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.

Ecologically Sustainable Development

B17. Prior to the commencement of construction, the Applicant must register for a minimum 4 star Green Star rating with the Green Building Council Australia, unless otherwise agreed by the Planning Secretary and submit evidence of registration to the Certifying Authority.

Outdoor Lighting

B18. Prior to commencement of construction, all outdoor lighting within the site must comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-1997 Control of the obtrusive effects of outdoor lighting. Details demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority.

Access for People with Disabilities

B19. 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 Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.

Construction Environmental Management Plan

B20. Prior to commencement of construction, the Applicant must prepare a Construction Environmental Management Plan (CEMP) and it must include, but not be limited to, the following:

(a) Details of:

  (i) hours of work;

  (ii) 24-hour contact details of site manager;

  (iii) management of dust and odour to protect the amenity of the neighbourhood;

  (iv) stormwater control and discharge;

  (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;

  (vi) groundwater management plan including measures to prevent groundwater contamination;

(vii) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting;

(viii) community consultation and complaints handling;

(b) Construction Traffic and Pedestrian Management Sub-Plan (see condition B22);

(c) Construction Noise and Vibration Management Sub-Plan (see condition B23);

(d) Construction Waste Management Sub-Plan (see condition B24);

(e) Construction Soil and Water Management Sub-Plan (see condition B25);

(f) an unexpected finds protocol for contamination and associated communications procedure;

(g) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and

(h) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site.

B21. The Applicant must not commence construction of the development until the CEMP is approved by the Certifying Authority and a copy submitted to the Planning Secretary.

B22. The Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP) must 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 RMS;

(c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;

(d) detail heavy vehicle routes, access and parking arrangements;

(e) include a Driver Code of Conduct to:

(i) minimise the impacts of earthworks and construction on the local and regional road network;

(ii) minimise conflicts with other road users;

(iii) minimise road traffic noise; and

(iv) ensure truck drivers use specified routes;

(f) include a program to monitor the effectiveness of these measures; and

(g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

B23. The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:

(a) be prepared by a suitably qualified and experienced noise expert;

(b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);

(c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;

(d) include strategies that have been developed with the community for managing high noise generating works;

(e) describe the community consultation undertaken to develop the strategies in condition B23(d); and

(f) include a complaints management system that would be implemented for the duration of the construction.

B24. The Construction Waste Management Sub-Plan (CWMSP) must address, but not be limited to, the following:

(a) detail the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations;

(b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.

B25. 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;

(c) provide a plan of how all construction works will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the Site);

(d) detail all off-Site flows from the Site; and

(e) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI).

Construction Parking

B26. The Applicant must provide sufficient parking facilities on-site for heavy vehicles (unless alternative parking is agreed to in writing by the relevant road authority), to ensure that construction traffic associated with the development does not utilise on-street parking or public parking facilities.

Stormwater Management System

B27. Prior to the commencement of construction, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Certifying Authority. The system must:

(a) be designed by a suitably qualified and experienced person(s);

(b) be generally in accordance with the conceptual design in the EIS;

(c) be in accordance with applicable Australian Standards;

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

Operational Noise – Design of Mechanical Plant and Equipment

B28. Prior to commencement of construction, the Applicant must incorporate the noise mitigation recommendations in the report titled *Alexandria Park Community School Development Application Acoustic Assessment*, prepared by Wilkinson Murray and dated 19 April 2019, into the detailed design drawings. The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the project noise trigger levels established based on the more conservative Rating Background Noise levels identified in the report titled *Alexandria Park Community School Development Application Acoustic Assessment*, prepared by Wilkinson Murray and dated 19 April 2019.

Construction and Demolition Waste Management

B29. The Applicant must notify the RMS Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

Operational Waste Storage and Processing

B30. Prior to the commencement of construction, the Applicant must obtain agreement from Council for the design of the operational waste storage area where waste removal is undertaken by Council.

Mechanical Ventilation

B31. All mechanical ventilation systems must be designed in accordance with Part F4.5 of the BCA and must comply with the AS 1668.2-2012 *The use of air-conditioning in buildings – Mechanical*

ventilation in buildings and AS/NZS 3666.1:2011 *Air handling and water systems of buildings–Microbial control* to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction.

Rainwater Harvesting

B32. Prior to the commencement of construction, the Applicant must ensure that a rainwater reuse/harvesting system for the development is developed for the site. A rainwater re-use plan must be prepared and certified by an experienced hydraulic engineer.

Car Parking and Service Vehicle Layout

B33. Compliance with the following requirements must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction:

(a) all vehicles must enter and leave the Site in a forward direction;

(b) minimum of 28 on-site car parking spaces for use during operation of the development and designed in accordance with the latest version of AS2890.1;

(c) the swept path of the longest vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the Site, must be in accordance with AUSTROADS; and

(d) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, is to be addressed.

Bicycle Parking and End-of-Trip Facilities

B34. Compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction:

a) the provision of a minimum 144 bicycle parking spaces, comprising a minimum 20 staff, 100 secondary student and 30 primary school student bicycle parking spaces;
b) the provision of details identifying the suitable relocation of the 15 student bicycle parking spaces clear of the Belmont Street staff car park/indoor sports hall, to minimise the risk of conflict between motor vehicles and student cyclists;
c) the provision details of the proposed lightweight canopy to ensure a minimum 50 per cent of student bicycle parking spaces (i.e. 75 spaces) are suitably weather protected;
d) details of any proposed staged delivery of bicycle parking spaces to ensure the demand generated during staged redevelopment is met;
e) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3:2015 *Parking facilities - Bicycle parking*, and be located in easy to access, well-lit areas that incorporate passive surveillance;
f) the provision of end-of-trip facilities for staff in accordance with the ESD Design & As Built rating tool, including a minimum 2 staff shower facilities;
g) appropriate pedestrian and cyclist advisory signs are to be provided; and
h) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.

Public Domain Works

B35. Prior to the commencement of any footpath or public domain works, the Applicant must consult with Council and demonstrate to the Certifying Authority that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of approval for each stage from Council to the Certifying Authority.

Compliance Reporting

B36. No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.

Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).

The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.

B37. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), 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

Landscaping

B38. Prior to commencement of construction of the building, the Applicant must prepare a Landscape Management Plan to manage the approved landscaping works on-site, to the satisfaction of the Certifying Authority. The plan must:

(a) be generally in accordance with the approved landscape plan outlined in condition A2 prepared by Context Landscape Design Pty Ltd;

(b) ensure that no more than 69 trees are removed from the site and identifies all existing trees to be retained (i.e. a minimum 47 trees);

(c) detail the species to be planted on-site, including the 69 advanced compensatory trees 75 L to 100 L in size;

(d) describe the monitoring and maintenance measures to manage revegetation and landscaping works;

(e) be consistent with the Applicant's Management and Mitigation Measures in the EIS;

(f) provide for the planting of trees and vegetation to soften the visual impact of the approved built form from the public domain and provide shade.

Unencumbered Outdoor Play Space

B39. Prior to the commencement of construction, plans are to be submitted to the Certifying Authority demonstrating that a minimum of 273 square metres of unencumbered outdoor play space is be provided for the use of the pre-school/Out of School Hours service in accordance with regulation 108 of the *Education and Care Services National Regulations.*

PART C DURING CONSTRUCTION

Interpretation Strategy

C1. Within 6 months of commencement of construction, a Heritage Interpretation Strategy (HIS) must be prepared by a suitably qualified heritage consultant identifying the interpretive values of the site, and specifically Aboriginal heritage values across the site, and to provide direction for potential interpretive installations. A copy of the HIS must be submitted to the Certifying Authority.

Approved Plans to be On-site

C2. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on the Site at all times and must be readily available for perusal by any officer of the Department, Council or the Certifying Authority.

Site Notice

C3. A site notice(s):

(a) must be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer.

(b) is to satisfy all but not be limited to, the following requirements:

(i) 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;

(ii) the notice is to be durable and weatherproof and is to be displayed throughout the works period;

(iii) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and

(iv) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

Operation of Plant and Equipment

C4. All plant and equipment used on site, or to monitor the performance of the development must be:

a) maintained in a proper and efficient condition; and

b) operated in a proper and efficient manner.

Demolition

C5. Demolition work must comply with *Australian Standard AS 2601-2001* The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 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 Certifying Authority before the commencement of works.

Construction Hours

C6. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:

(a) between 7 am and 6 pm, Mondays to Fridays inclusive; and

(b) between 7:30 am and 3:30 pm, Saturdays.

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

C7. Activities may be undertaken outside of the hours in condition C6 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 her nominee if appropriate justification is provided for the works.

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

C8. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:

(a) 9 am to 12 pm, Monday to Friday;

(b) 2 pm to 5 pm Monday to Friday; and

(c) 9 am to 12 pm, Saturday.

Implementation of Management Plans

C9. 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

C10. All construction vehicles (excluding worker vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site before stopping.

Road Occupancy Licence

C11. 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

C12. 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

C13. The following hoarding requirements must be complied with:

(a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing;

(b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application; and

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

No Obstruction of Public Way

C14. The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under and circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all works on site.

Construction Noise Limits

C15. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.

C16. 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 C6.

C17. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.

C18. Any noise generated during construction of the development must not be offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* or exceed approved noise limits for the site.

Vibration Criteria

C19. 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).

C20. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C19.

C21. The limits in conditions C19 and C20 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition B23 of this consent.

Tree Protection

C22. For the duration of the construction works:

(a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;

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

(c) all trees on the site must be suitably protected during construction as per recommendations of the report titled *Report: A) Arboricultural Impact Assessment and B) Tree Management Plan*, prepared by Redgum Horticultural and dated 2 December 2018; and

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

Flora and Fauna Protection

C23. During construction works, the Applicant must comply with the recommendations in the report titled *Technical Studies: Flora & Fauna Survey for the Proposed Redevelopment of Alexandria Park Community School, Alexandria*, prepared by UBM Ecological and dated 24 April 2018.

Dust Minimisation

C24. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

C25. During construction, the Applicant must ensure that:

(a) exposed surfaces and stockpiles are suppressed by regular watering;

(b) all trucks entering or leaving the site with loads have their loads covered;

(c) trucks associated with the development do not track dirt onto the public road network;

(d) public roads used by these trucks are kept clean; and

(e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Air Quality Discharges

C26. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.

Erosion and Sediment Control

C27. All erosion and sediment control measures, must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Imported Soil

C28. 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 Certifying Authority upon request.

Disposal of Seepage and Stormwater

C29. Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the EPA in accordance with the *Protection of the Environment Operations Act 1997.*

Unexpected Finds Protocol – Aboriginal Heritage

C30. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and OEH to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of OEH.

Unexpected Finds Protocol – Historic Heritage

C31. If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the OEH Heritage Division contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of Heritage Division of the OEH.

Waste Storage and Processing

C32. Waste 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.

C33. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).

C34. The body of any vehicle or trailer used to transport waste or excavation spoil must be covered before leaving the premises to prevent any spillage or escape of any dust, waste of spoil. Mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site must be removed before leaving the premises.

C35. The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural of artificial watercourse.

Handling of Asbestos

C36. The Applicant is to consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

Community Engagement

C37. The Applicant must consult with the community regularly throughout construction, including consultation with the nearby sensitive receivers identified in the EIS, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.

Independent Environmental Audit

C38. 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.

C39. No later than four weeks after the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.

C40. Table 1 of the Independent Audit Post Approval Requirements (Department 2018) is amended so that the frequency of audits required in the construction phase is:

(a) an initial construction Independent Audit must be undertaken within 8 weeks of the notified commencement date of construction; and

(b) a subsequent Independent Audit of construction must be undertaken no later than 26 weeks from the date of the initial construction Independent Audit.

C41. Independent Audits of the development must be carried out in accordance with:

(a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C38 of this consent; and

(b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).

C42. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:

(a) review and respond to each Independent Audit Report prepared under condition C41 of this consent;

(b) submit the response to the Department and the Certifying Authority; and

(c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.

C43. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational audits to cease, where it has been demonstrated to the Planning Secretary's satisfaction that ongoing operational audits are no longer required.

Incident Notification, Reporting and Response

C44. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.

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

Non-Compliance Notification

C45. The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must

also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.

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.

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

C46. Within three months of:

(a) the submission of a compliance report under condition B36;

(b) the submission of an incident report under condition C44;

(c) the submission of an Independent Audit under condition C41;

(d) the issue of a direction of the Planning Secretary under condition A2 which requires a review,

the strategies, plans and programs required under this consent must be reviewed, and the Department and the Certifying Authority must be notified in writing that a review is being carried out.

C47. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Certifying Authority. Where revisions are required, the revised document must be submitted to the Certifying Authority for approval within six weeks of the review.

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

PART D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Notification of Occupation

D1. The date of commencement of the occupation of the development must be notified to the Department in writing, at least one month before occupation. If the operation of the development is to be staged, the Department must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

External Walls and Cladding

D2. Prior to the occupation of the building, the Applicant must provide the Certifying Authority with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.

D3. The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.

Post-construction Dilapidation Report

D4. Prior to occupation of the building, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is:

a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure.

b) to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifying Authority must:

i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and

ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

c) to be forwarded to Council.

Protection of Public Infrastructure

D5. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and

(b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by ***Error! Reference source not found.*** *of this consent.*

Utilities and Services

D6. Prior to occupation of the building, a compliance certificate under the section 307 of the *Water Management Act 2000* must be obtained from Council and submitted to the Certifying Authority.

Works as Executed Plans

D7. Prior to occupation of the building, 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 Certifying Authority.

Operational Transport and Access Management Plan

D8. An OTAMP is to be prepared for the school (or separately for each school) by a suitably qualified person, in consultation with Council, Transport for NSW and RMS, to the satisfaction of the Secretary, and must address the following:

(a) Detailed pedestrian analysis including the identification of safe route options – to identify the need for management measures such as staggered school start and finish times to ensure students and staff are able to access and leave the Site in a safe and efficient manner during school start and finish;

(b) the location of all car parking spaces on the school campuses and their allocation (i.e. staff, visitor, accessible, emergency, etc.);

(c) the location and operational management procedures of the pick-up and drop-off parking, including staff management/traffic controller arrangements;

(d) the location and operational management procedures for the pick-up and drop-off of students by buses and coaches for excursions and sporting activities during the hours of bus lane operations, including staff management/traffic controller arrangements;

(e) delivery and services vehicle and bus access and management arrangements;

(f) management of approved access arrangements;

(g) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing pick-up and drop-off parking;

(h) car parking arrangements and management associated with the proposed use of school facilities by community members; and

(i) a monitoring and review program.

The OTAMP(s) must be submitted to the Secretary for approval prior to operation of the development.

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

Green Travel Plan

D9. Prior to the commencement of operation, a Green Travel Plan (GTP), must be prepared and be submitted to the Secretary to promote the use of active and sustainable transport modes. The plan must:

(a) be prepared by a suitably qualified traffic consultant in consultation with Council and Transport for NSW;

(b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;

(c) include specific tools and actions to help achieve the objectives and mode share targets;

(d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and

(e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of students and staff to and from both schools at appropriate times throughout the academic year.

Parking Restrictions

D10. Prior to the commencement of operations of Phase 1, the Applicant must submit to Council, for approval from Council's Pedestrian Cycling and Traffic Calming Committee, documentation for the installation of '15P Parking' and associated 'No Parking' restrictions on the southern side of Buckland Street in accordance with the Transport Assessment titled *Alexandria Park Community School*, prepared by ARUP and dated 29 November 2018. The restrictions are to apply on a part-time basis on School Days only between 8 am to 9.30 am and 2.30 pm – 4 pm. Any fees associated with reporting to the Pedestrian Cycling and Traffic Calming Committee must be paid by the Applicant prior to processing the application. The installation of the signs must be at no cost to Council. Evidence of approval and installation of relevant signage must be submitted to the Planning Secretary prior to the commencement of operations of Phase 1.

Evacuation and Emergency Management Plan

D11. No later than six weeks prior to the commencement of operations, an Operational Flood Evacuation and Emergency Management Plan (OFEMP) must be prepared by a suitably qualified person in consultation with the NSW State Emergency Services (SES) and Council and in accordance with Floodplain Risk Management Guideline (OEH, 2007). The plan should detail specific flood emergency measures required to be incorporated into the detailed design to mitigate impacts of a range of flood events up to and including the PMF and include measures to manage flood impacts outside the site to ensure accessibility is maintained. The plan must include details of:

(a) predicted flood levels;

(b) flood warning time and flood notification;

(c) assembly points and evacuation routes;

(d) shelter in place, evacuation and refuge protocols; and

(e) awareness training for employees and contractors.

A copy of the Plan must be submitted to the NSW SES, Council and the Planning Secretary.

Mechanical Ventilation

D12. Following completion, installation and testing of all mechanical ventilation systems, the Applicant must provide evidence to the satisfaction of the Certifying Authority, prior to the final occupation, that the installation and performance of the mechanical systems complies with:

(a) the BCA;

(b) *AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings* and other relevant codes;

(c) the development consent and any relevant modifications; and

(d) any dispensation granted by the NSW Fire Brigade.

Road Damage

D13. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development is to be met in full by the Applicant prior to commencement of use of any stage of the development.

Fire Safety Certification

D14. Prior to the final occupation, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.

Structural Inspection Certificate

D15. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the relevant parts of any new or refurbished buildings. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:

(a) the site has been periodically inspected and the Certifying Authority is satisfied that the structural works is deemed to comply with the final design drawings; and

(b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

(c) person/s authorised to, for the life of the development.

Compliance with Food Code

D16. The Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 *Design, construction and fit-out of food premises*. The Applicant must provide evidence of receipt of the certificate to the satisfaction of the Certifying Authority prior to occupation.

Stormwater Quality Management Plan

D17. Prior to occupation of the building, an Operation and Maintenance Plan (OMP) is to be prepared to ensure proposed stormwater quality measures remain effective. The OMP must 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.

D18. Details demonstrating compliance must be submitted to the Certifying Authority prior to occupation.

Rainwater Harvesting

D19. A signed works-as-executed Rainwater Re-use Plan must be provided to the Certifying Authority prior to occupation of the building.

Outdoor Lighting

D20. The Applicant must ensure the installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers. Outdoor lighting must:

(a) comply with the latest version of AS 4282-1997 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and

(b) be mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Upon installation of outdoor lighting, but before it is finally commissioned, the Applicant must submit to the Certifier evidence from a qualified practitioner demonstrating compliance in accordance with this condition.

Warm Water Systems and Cooling Systems

D21. The installation, 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 Parts 1 and 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.

Signage

D22. Way-finding signage and signage identifying the location of staff car parking must be installed prior to occupation.

D23. Bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas prior to occupation.

D24. 'Do not drink' signage on non-potable water used for toilet flushing and to new hose taps and irrigation systems for landscaped areas must be installed within the site prior to occupation.

Operational Waste Management Plan

D25. Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifying Authority. The Waste Management Plan must:

(a) detail the type and quantity of waste to be generated during operation of the development;

(b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Department of Environment, Climate Change and Water, 2009);

(c) detail the materials to be reused or recycled, either on or off site; and

(d) include the Management and Mitigation Measures included in RtS.

Validation Report

D26. The Applicant must prepare a Validation Report for the development. The Validation Report must:

(a) be prepared by an appropriately qualified environmental consultant and reviewed by an EPA accredited Site Auditor;

(b) be submitted to EPA, the Planning Secretary and the Certifying Authority for information one month after the completion of remediation works;

(c) be prepared in accordance with the RAP, as required to be updated in accordance with condition B9, and the *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites* (OEH, 2011);

(d) include, but not be limited to:

(i) comment on the extent and nature of the remediation undertaken;

(ii) describe the location, nature and extent of any remaining contamination on site;

(iii) results of sampling of treated material, compared with the treatment criteria in the report titled *Detailed Site Investigation, Alexandria Park Community School, Park Road, Alexandria NSW*, prepared by Coffey and dated 26 October 2017 or as agreed by the site auditor;

(iv) results of any validation sampling, compared to relevant guidelines/criteria;

(v) discussion of the suitability the remediated areas for the intended land use; and

(vi) any other requirement relevant to the project.

Site Audit Report and Site Audit Statement

D27. Prior to occupation of the building, the Applicant must obtain from an EPA accredited Site Auditor, a Site Audit Statement and a Site Audit Report which demonstrates that the site is suitable for its intended use(s).

D28. Within three months of submission of the Validation Report required by condition D26, the Applicant must demonstrate to the satisfaction of the Certifying Authority that the Site Auditor has submitted a Site Audit Report and Site Audit Statement to EPA in accordance with the requirements of EPA's *Guidelines for the NSW Site Auditor Scheme* (DEC, 2006).

Landscaping

D29. Following completion of all demolition work, the Applicant must undertake all landscape works detailed in the Landscape Management Plan required by condition B38 to the satisfaction of the Certifying Authority.

Ecologically Sustainable Development

D30. Within 6 months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star As Built rating, unless otherwise agreed by the Planning Secretary. Evidence of the certification must be provided to the Certifying Authority and the Planning Secretary

PART E POST OCCUPATION

Operation of Plant and Equipment

E1. All plant and equipment used on site, or to monitor the performance of the development must be:

(a) maintained in a proper and efficient condition; and

(b) operated in a proper and efficient manner.

Community Communication Strategy

E2. The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.

Out of Hours Event Management Plan

E3. The Applicant is to prepare an Out of Hours Event Management Plan for out of hours events run by the school that involve 100 or more people. The plan must be prepared in consultation with Council, 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) measures to minimise localised traffic and parking impacts; and

(f) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.

The Applicant must submit a copy of the Out of Hours Event Management Plan to the Department and to the Council, prior to commencement of the first event.

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

E4. The Applicant is to prepare an Out of Hours Event Management Plan for out of hours events run by external parties that involve 100 or more people. The plan must be prepared prior to each relevant event, in consultation with Council, 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) measures to minimise localised traffic and parking impacts; and

(f) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.

The Applicant must submit a copy of the Out of Hours Event Management Plan to the Department and to the Council, prior to commencement of each relevant event.

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

Operational Noise Limits

E5. The Applicant must ensure that noise generated by operation of the development does not exceed the project noise trigger levels established based on the more conservative Rating Background Noise levels as detailed in the report titled *Alexandria Park Community School Development Application Acoustic Assessment*, prepared by Wilkinson Murray and dated 19 April 2018.

E6. The Applicant must undertake short term noise monitoring in accordance with the *Noise Policy for Industry* where valid data is collected following the commencement of use of each stage of the development. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within two months of commencement use of each stage of the development to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in the report titled *Alexandria Park Community School Development Application Acoustic Assessment*, prepared by Wilkinson Murray and dated 19 April 2018. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant is required to implement appropriate noise attenuation measures so that operational noise levels do not exceed the recommended noise levels or provide attenuation measures at the affected noise sensitive receivers.

After Hours Use of Outdoor Sports Courts and Playing Fields

E7. The use of the outdoor sports courts and playing fields is restricted as follows:

(a) between 7:00 am and 10:00 pm, Mondays to Fridays for training and social recreation activities;

(b) between 8:00 am to 6:00 pm, Saturdays and Sundays for organised events and competitions; and

(c) no organised events on public holidays.

E8. Notwithstanding E7 above, the outdoor sports courts and playing fields may operate between 6.00 pm to 10.00 pm, Saturdays and 6.00 pm to 8.00 pm on Sundays and public holidays for training and social recreation activities for a trial period of 6 months from the date of commencement of school operations. Notification of the commencement of use is to be submitted in writing to the Planning Secretary.

E9. Use of the outdoor sports courts and playing fields must be undertaken in accordance with the recommended noise mitigation measures detailed in the report titled *Alexandria Park Community School Development Application Acoustic Assessment* prepared by Wilkinson Murray and dated 19 April 2018.

E10. If investigation of complain(s), through appropriate noise testing, establishes that offensive noise has occurred or use of the outdoor sports courts and playing fields is in breach of conditions E7 to E9, and the complaint is justified, the Department may require by notice to the applicant, that the use and operation of the outdoor sports courts and playing fields revert to the hours as detailed in condition E7.

E11. A further application may be lodged to continue the operating hours in E8 above, before the end of the trial period. The Department's consideration of a proposed continuation of the hours permitted by the trial will be based on, among other things, performance of the school in managing the use of the outdoor courts and playing fields in relation to compliance with development consent conditions and any substantiated complaints.

Unobstructed Driveways and Parking Areas

E12. 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

E13. The Green Travel Plan required by condition D9 of this consent must be updated annually and implemented.

Outdoor Lighting

E14. Notwithstanding Condition D20, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.

Fire Safety Certificate

E15. 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.

Landscaping

E16. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B38 for the duration of occupation of the development.

APPENDIX 1 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C44 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.