

# Consolidated Consent

## Parramatta West Public School Redevelopment (SSD-8790)

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### SCHEDULE 1

<b>Application Number:</b>	SSD 8790
<b>Applicant:</b>	Department of Education
<b>Consent Authority:</b>	Minister for Planning
<b>Site:</b>	Lot 2 DP 1113697, Lot 407 DP 729082 and Lot 406 DP 729083 Auburn Street, Young Street, Railway Street and Crimea Street, Parramatta
<b>Development:</b>	Redevelopment of Parramatta West Public School in three construction stages including: <ul style="list-style-type: none"><li>• The construction of a new two-storey building comprising:<ul style="list-style-type: none"><li>○ new homebases;</li><li>○ multi-purpose hall;</li><li>○ administration areas; and</li><li>○ canteen, staff amenities and storage facilities.</li></ul></li><li>• New formalised entry and forecourt fronting Railway Street and gated entry from Crimea Street;</li><li>• Internal alterations to two existing buildings to create homebases and administration areas;</li><li>• Landscaping works including open space improvements, tree removal, fencing and pathways; and</li><li>• Stormwater management works.</li></ul>
<b>MOD 1:</b>	Modification to phase the remediation works and alter the timing of submission of the Validation Report and Site Audit Statement to be prior to the commencement of operation.
<b>MOD 2:</b>	Minor internal and external design changes to Building B00-D.
<b>MOD 3:</b>	Retain two demountable buildings previously identified for removal and delay the removal of two separate demountable buildings
<b>MOD 4</b>	Changes to conditions relating to the operation of the north site including operating hours.

## DEFINITIONS

<b>Aboriginal object</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Aboriginal place</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Advisory Notes</b>	Advisory information relating to the consent but do not form a part of this consent
<b>Applicant</b>	Department of Education or any other person carrying out any development to which this consent applies
<b>Approved disturbance area</b>	The area identified as such on the development layout
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>CEMP</b>	Construction Environmental Management Plan
<b>Certification of Crown building work</b>	Certification under section 109R of the EP&A Act and includes any amendment to that provision
<b>Certifying Authority</b>	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, <i>Strata Schemes (Freehold Development) Act 1973</i> and <i>Strata Schemes (Leasehold Development) Act 1986</i> or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
<b>Conditions of this consent</b>	The conditions contained in Schedule 2 of this document
<b>Construction</b>	<p>All physical work to enable operation including 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"> <li>• building and road dilapidation surveys;</li> <li>• investigative drilling or investigative excavation;</li> <li>• establishing temporary site offices (in locations identified by the conditions of this consent);</li> <li>• salvage works (if any) in accordance with strategies / management plans approved by this consent;</li> <li>• installation of environmental impact mitigation measures, fencing, enabling works; and</li> <li>• minor adjustments to services or utilities.</li> </ul> <p>However, where heritage items, or threatened species or threatened ecological communities (within the meaning of the <i>Biodiversity Conservation Act 2016</i> or <i>Environment Protection and Biodiversity Conservation Act 1999</i>) are affected or potentially affected by any physical work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with EES Group or DPIE Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation)</p>
<b>Councils</b>	City of Parramatta Council
<b>Day</b>	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the

	site
<b>Department</b>	NSW Department of Planning and Environment
<b>Development</b>	The development described in the EIS and Response to Submissions, including the works and activities comprising demolition, construction and landscaping, as modified by the conditions of this consent.
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
<b>EES Group</b>	Environment, Energy and Science Group of the Department of Planning, Industry and Environment (Former Office of Environment and Heritage)
<b>EIS</b>	The Environmental Impact Statement titled <i>Alterations and Additions to Parramatta West Public School, Auburn &amp; Young Streets, Parramatta</i> , prepared by Baker Ryan Stewart dated September 2018, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2000
<b>Evening</b>	The period from 6pm to 10pm
<b>Feasible</b>	Means what is possible and practical in the circumstances
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Heritage Division</b>	Heritage, Community Engagement of the Department of Premier and Cabinet
<b>Heritage Item</b>	A place, building, work, relic, archaeological site, tree, moveable object or precinct of heritage significance, that is listed under one or more of the following registers: the <i>Heritage Act 1977</i> (NSW), a state agency heritage and conservation register under section 170 of the <i>Heritage Act 1977</i> (NSW), a Local Environmental Plan under the EP&A Act, the World, National or Commonwealth Heritage lists under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), and an "Aboriginal object" or "Aboriginal place" as defined in section 5 of the <i>National Parks and Wildlife Act 1974</i> (NSW).
<b>Incident</b>	An occurrence or set of circumstances that causes, or threatens to cause, material harm and which may or may not be, or cause, a non-compliance <i>Note: "material harm" is defined in this consent</i>
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Management and mitigation measures</b>	The management and mitigation measures set out in Appendix [x].
<b>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or</li> <li>b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</li> </ul>

<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Monitoring</b>	Any monitoring required under this consent must be undertaken in accordance with section 9.39 of the EP&A Act
<b>Night</b>	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>OEMP</b>	Operational Environmental Management Plan
<b>Operation</b>	The carrying out of the approved purpose of the development upon completion of construction
<b>Out-of-Hours</b>	<u>All time periods outside of 8:00am to 4:00pm on school days – i.e. outside of normal school hours and allowing for normal before and after school activities.</u>
<b>Planning Secretary</b>	Planning Secretary under the EP&A Act, or nominee
<b>PWPS</b>	Parramatta West Public School
<b>Reasonable</b>	Means applying judgement in arriving at a decision, taking into account: mitigation, benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
<b>Registered Aboriginal Parties</b>	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
<b>Rehabilitation</b>	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.
<b>Response to submissions</b>	The Applicant’s response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act in the document titled <i>Response to Submissions Report</i> prepared by Congrad Gargett dated 17 September 2019.
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.
<b>Site</b>	The land defined in Schedule 1.
<b>North Site</b>	The land within the Site that is located to the north of Railway Street
<b>South Site</b>	The land within the Site that is located to the south of Railway Street
<b>Site Auditor</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Report</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Site Audit Statement</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
<b>Supplementary Response to Submissions</b>	The Applicant’s supplementary response to submissions in the document titled <i>Request for Additional Information Parramatta West Public School</i> prepared by Barker Ryan Stewart dated 31 October 2019.
<b>TfNSW</b>	Transport for New South Wales
<b>TfNSW (RMS)</b>	Transport for New South Wales (Roads and Maritime Services)
<b>VENM</b>	Virgin Excavated Natural Material
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
<b>Year</b>	A period of 12 consecutive months

## SCHEDULE 2

### PART A ADMINISTRATIVE CONDITIONS

#### Obligation to Minimise Harm to the Environment

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

#### Terms of Consent

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) generally, in accordance with the EIS, Response to Submissions and Supplementary Response to Submissions;
  - (d) generally, in accordance with ~~SSD-8790-Mod-1~~ Modification Assessments; and
  - (e) in accordance with the approved plans in the table below:

Architectural Plans prepared by <i>Conrad Gargett</i>			
Dwg No.	Rev	Name of Plan	Date
201	<u>C</u> <u>D</u>	Demolition Plan – South Site B00B and B00D	<u>27/05/2019</u> <u>29/10/2020</u>
1001	G	Proposed Site Plan - Overall	14/11/2019
1003	F	Proposed Contractor Compound and Staging	27/05/2019
2100	<u>E</u> <u>E</u>	Key Plan	<u>14/11/2019</u> <u>29/10/2020</u>
2101	E	Ground Floor GA – overall North Site Plan	14/11/2019
2102	F	Ground Floor GA – North Building Part 1	14/11/2019
2103	E	Ground Floor GA – North Building Part 2	27/05/2019
2110	E	Level 01 Floor GA – Overall North Site	14/11/2019
2111	F	Level 01 Floor GA – North Building Part 1	14/11/2019
2112	E	Level 01 Floor GA – North Building Part 1	27/05/2019
2801	F	Roof Plan – North Building Part 1	14/11/2019
2803	F	Roof Plan – North Building Part 2	14/11/2019
2201	<u>E</u> <u>E</u>	Ground Floor GA – South Buildings	<u>14/11/2019</u> <u>29/10/2020</u>
2821	E	Roof Plan – South Buildings	27/05/2019
8100	B	External Finishes Palette	27/05/2019
3501	F	Building Sections – Sheet 1	14/11/2019
3001	G	North Building – East and West Elevations	14/11/2019
3002	I	North Building – North and South Elevations	14/11/2019
<u>3004</u>	<u>A</u>	<u>Elevations External – South Site (Building B00-D)</u>	<u>15/10/2020</u>
3011	F	North Building – Courtyard Elevations	14/11/2019

8001	C	Signage Details – Sheet 1	27/05/2019
8002	C	Signage Details – Sheet 2	27/05/2019
<b>Landscape Plans prepared by Conrad Gargett</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
0001	C	Cover Sheet	25/01/2019
0002	B	Landscape Legend and Finishes Schedule	22/06/2018
0003	C	Tree Removal and Retention Plan	22/06/2018
0004	C	Landscape Masterplan	22/06/2018
0007	B	Plant Schedule – Trees	22/06/2018
0008	B	Plant Schedule – Shrubs and Groundcover – Sheet 1	22/06/2018
0009	B	Plant Schedule – Shrubs and Groundcover – Sheet 2	22/06/2018
0010	D	Plant Schedule – Garden Concepts	22/06/2018
0101	C	Surface Finishes Plan – Sheet 1	25/01/2019
0102	C	Surface Finishes Plan – Sheet 2	25/01/2019
0401	C	Landscape Sections – Section 1	22/06/2018
0402	C	Landscape Sections – Section 2	22/06/2018
0501	C	Landscape Details – Sheet 1	22/06/2018
0502	C	Landscape Details – Sheet 2	22/06/2018
0503	B	Landscape Details – Sheet 3	22/06/2018

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary;
  - any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and
  - the implementation of any actions or measures contained in any such document referred to in (a) above.
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) ~~or~~ A2(d) **or A2(e)**. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) ~~and~~ A2(d) **and A2(e)** the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

#### Limits of Consent

- A5. This consent lapses five years after the date of consent unless work is physically commenced.

#### Prescribed Conditions

- A6. The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.

#### Planning Secretary as Moderator

- A7. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.



## **Evidence of Consultation**

- A8. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document for information; and
  - (b) provide details of the consultation undertaken including:
    - (i) the outcome of that consultation, matters resolved and unresolved; and
    - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

## **Staging**

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

## **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 (including management plan, architectural or design plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan (including management plan, architectural or design plan) or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan, architectural or design plan) or program);
  - (b) combine any strategy, plan (including management plan, architectural or design plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan, architectural or design plan) or programs that are proposed to be combined); and
  - (c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management

plan, architectural or design plan), or programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

- A14. If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A15. If approved by the Planning Secretary, updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.

### Structural Adequacy

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

#### Notes:

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

### External Walls and Cladding

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

### Applicability of Guidelines

- A18. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A19. Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

### Monitoring and Environmental Audits

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

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

### Access to Information

- A21. At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
    - (i) the documents referred to in condition A2 of this consent;
    - (ii) all current statutory approvals for the development;
    - (iii) all approved strategies, plans and programs required under the conditions of this consent;



- (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;
- (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
- (vi) a summary of the current stage and progress of the development;
- (vii) contact details to enquire about the development or to make a complaint;
- (viii) a complaints register, updated monthly;
- (ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;
- (x) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

### **Compliance**

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

### **Incident Notification, Reporting and Response**

- A23. The Planning Secretary must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.
- A24. Subsequent notification must be given, and reports submitted in accordance with the requirements set out in **Appendix 1**.

### **Non-Compliance Notification**

- A25. The Planning Secretary must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Planning Secretary in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after they identify any non-compliance.
- A26. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- A27. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

### **Revision of Strategies, Plans and Programs**

- A28. Within three months of:
- (a) the submission of a compliance report under condition B37;
  - (b) the submission of an incident report under condition A23;
  - (c) the submission of an Independent Audit under condition C37;
  - (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 Planning Secretary and the Certifying Authority must be notified in writing that a review is being carried out.

If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required

under this consent must be revised, to the satisfaction of the Planning Secretary and / or Certifying Authority. Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifying Authority 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.*

For Information Only

## PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION

### Notification of Commencement

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

### Certified Drawings

- B3. Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.

### External Walls and Cladding

- B4. Prior to the commencement of construction, the Applicant must provide the Certifying Authority 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 Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.

### Updated Landscape Plan

- B5. Prior to the commencement of construction, the Applicant must submit updated Landscape Plans to the satisfaction of the Certifying Authority, which:
  - (a) are consistent with the architectural drawings listed in condition A2;
  - (b) identifies details of the replacement planting for the North Site. The replacement planting must:
    - (i) include a diversity of local provenance species (trees, shrubs and groundcovers) from the native vegetation community (or communities) that occurs, or once occurs on the site;
    - (ii) include two replacement street trees (to compensate for the loss of Tree Nos. 42 and 43 drawing titled *Tree Removal and Retention Plan (Drawing No. 0003 Rev C)* dated 22/06/2018 prepared by Conrad Gargett) on the Crimea Street frontage, comprising similar species and with similar height at maturity, as the removed trees; and
    - (iii) include indigenous plant species in the central courtyard of the North Site to reflect the Aboriginal influence in the area.

### Design requirements

- B6. The multi-purpose hall in the new building on the North Site must be constructed to comply with the following requirements:
  - (a) doors of the multi-purpose hall must be at least 45 millimetres (mm) thick solid core timber with acoustic seals to the perimeter and bottom to achieve at least Rw31;
  - (b) all glazing in relation to the multi-purpose hall must have a minimum Rw35; and
  - (c) all other facades of the multi-purpose hall must have a minimum Rw50.
- B7. The new building on the North Site must be constructed to comply with the following requirement:
  - (a) the glazing on all facades must have a minimum configuration of 6mm float and achieve 31Rw<sup>3</sup> as the required acoustic rating of glazing assembly.
- B8. The design plans demonstrating compliance with the requirements in conditions B6 and B7 must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction.

## **Protection of Public Infrastructure**

B9. Prior to the commencement of construction, the Applicant must:

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

## **Pre-Construction Dilapidation Report**

B10. Prior to the commencement of construction, the Applicant must submit a pre-commencement dilapidation report to Council, and the Certifying Authority. The report must provide an accurate record of the existing condition of adjoining private properties, and Council assets that are likely to be impacted by the proposed works.

## **Community Communication Strategy**

B11. No later than two weeks before the commencement of construction or within another timeframe agreed with the Planning Secretary, a Community Communication Strategy must be submitted to the Planning Secretary for information. The Community Communication Strategy must provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.

The Community Communication Strategy must:

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

## **Ecologically Sustainable Development**

B12. Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that Ecologically Sustainable Development (ESD) is being achieved by:

- (a) registering for a minimum 4-star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifying Authority; or
- (b) seeking approval from the Planning Secretary for an alternative certification process; and
- (c) including water sensitive urban design measures in the design, such as:
  - (i) consideration for water monitoring systems to identify leaks or the like; and
  - (ii) use of water efficient fixtures and fittings.

## Site Contamination

- B13. Prior to commencement of works, an Environmental Protection Authority (EPA) accredited Site Auditor must be engaged to oversee all works in relation to remediation of the site.
- ~~B14. Prior to the commencement of construction, remediation of the North Site must be completed in accordance with the *Remediation Action Plan* (Report ref: E31425KPrpt-RAP) prepared by Environmental Investigation Services dated 23 July 2018.~~
- ~~B15. The proposed 300mm fill to cap the Asbestos Containing Material recommended by the *Remediation Action Plan* (Report ref: E31425KPrpt-RAP) prepared by Environmental Investigation Services dated 23 July 2018, must be adhered to instead of the recommendation for no capping of the Asbestos Containing Material, as stated in the '*Interim Audit Advice*' prepared by Coffey dated 11 October 2019.~~

## Validation Report

- ~~B16. 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 within one month of the completion of remediation works;~~
  - ~~(c) be prepared in accordance with the *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites* (OEHL, 2011) and the *Remediation Action Plan* prepared by Environmental Investigation Services dated 23 July 2018;~~
  - ~~(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) sampling and analysis plan and sampling methodology;~~
    - ~~(iv) results of sampling of treated material, compared with the treatment criteria in the *Remediation Action Plan* (Report ref: E31425KPrpt-RAP) prepared by Environmental Investigation Services dated 23 July 2018;~~
    - ~~(v) details of the volume of treated material emplaced within the containment cell and its location;~~
    - ~~(vi) results of any validation sampling, compared to relevant guidelines/criteria;~~
    - ~~(vii) discussion of the suitability the remediated areas for the intended land use; and~~
    - ~~(viii) any other requirement relevant to the project.~~

## Site Audit Report and Site Auditor's Statement

- ~~B17. Upon completion of remedial works, a Site Audit Report and Section A Site Audit Statement for the relevant part of the site prepared by an EPA accredited Site Auditor, must be submitted to the Planning Secretary and Certifying Authority for information. The Site Audit Report and Section A Site Audit Statement must verify that the relevant part of the site is suitable for the purpose of an educational establishment.~~

## Unexpected Contamination Procedure

- B18. Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure in accordance with the recommendations of the *Remediation Action Plan* (Report ref: E31425KPrpt-RAP) prepared by Environmental Investigation Services dated 23 July 2018 to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition B22 and where any material identified as contaminated is to be disposed off-site, the disposal location and results of testing submitted to the Planning Secretary prior to its removal from the site.

## Outdoor Lighting

- B19. Prior to commencement of lighting installation on the North Site, evidence must be submitted to the satisfaction of the Certifying Authority that all outdoor lighting within the North 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*.

## Demolition

- B20. Prior to the commencement of construction, 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 Certifying Authority and Planning Secretary.

## Environmental Management Plan Requirements

- B21. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) detailed baseline data;
  - (b) details of:
    - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
    - (ii) any relevant limits or performance measures and criteria; and
    - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
  - (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
  - (d) a program to monitor and report on the:
    - (i) impacts and environmental performance of the development;
    - (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
  - (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
  - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
  - (g) a protocol for managing and reporting any:
    - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
    - (ii) complaint;
    - (iii) failure to comply with statutory requirements; and
  - (h) a protocol for periodic review / update of the plan and any updates in response to incidents or matters of non-compliance.

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

## Construction Environmental Management Plan

- B22. Prior to the commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the satisfaction of Certifying Authority and provide a copy to the Planning Secretary. The CEMP must include, but not be limited to, the following:
- (a) Details of:



- (i) hours of work;
- (ii) 24-hour contact details of site manager;
- (iii) management of dust and odour to protect the amenity of the neighbourhood;
- (iv) stormwater control and discharge;
- (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
- (vi) groundwater management plan including measures to prevent groundwater contamination;
- (vii) external lighting in compliance with *AS 4282-2019 Control of the obtrusive effects of outdoor lighting*;
- (viii) community consultation and complaints handling;
- (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition B23);
- (c) Construction Noise and Vibration Management Sub-Plan (see condition B24);
- (d) Construction Waste Management Sub-Plan (see condition B25);
- (e) Construction Soil and Water Management Sub-Plan (see condition B26);
- (f) an unexpected finds protocol for contamination and associated communications procedure as required by condition B18;
- (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.

B23. The 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) include location of all proposed work zones;
- (d) details of the haulage routes and the construction hours;
- (e) details of estimated number and type of construction vehicle movements including morning and afternoon peak and off-peak movements for each stage of construction;
- (f) details of the construction program highlighting details of peak construction activities and proposed construction staging;
- (g) any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
- (h) cumulative impacts of the proposed construction and ongoing projects in the Parramatta CBD including the Parramatta Light Rail (if any);
- (i) 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;
- (j) details of measures that are to be maintained to ensure the safety of the school users (students and staff) during construction works on the site including scheduling of work, diversion of pedestrian traffic, installation of temporary barriers;
- (k) details of altered construction vehicle access from Crimea Street to ensure protection of tree No. 23 identified in the drawing titled *Tree Removal and Retention Plan (Drawing No. 0003 Rev C)* dated 22/06/2018 prepared by Conrad Gargett;

- (l) details of heavy vehicle access to the site and construction materials delivery times to ensure that any access from Railway Street does not occur during the school peak times (8am – 3:30pm); and
  - (m) detail heavy vehicle routes, access and parking arrangements.
- B24. The Construction Noise and Vibration Management Sub-Plan (CNVMSP) must address, but not be limited to, the following:
- (a) be prepared by a suitably qualified and experienced noise expert;
  - (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);
  - (c) identify the noise management levels for the construction works in accordance with section 7.3 of the *Noise and Vibration Impact Assessment Report* prepared by Wood and Grieve Engineers dated 1 November 2019;
  - (d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers, that would exceed the noise management levels in B24(c), being consistent with the recommendations of the *Noise and Vibration Impact Assessment Report* prepared by Wood and Grieve Engineers dated 1 November 2019;
  - (e) include the details of the proposed 2.4 metres (m) high acoustic screen on the eastern and northern sides of the proposed new building on the northern side of Railway Street;
  - (f) include details of the proposed 2.4m high acoustic screen on the southern boundary of the site (to the south of Railway Street) adjoining the existing building;
  - (g) include strategies that have been developed with the community for managing high noise generating works;
  - (h) describe the community consultation undertaken to develop the strategies in condition B24(g);
  - (i) include a complaints management system that would be implemented for the duration of the construction; and
  - (j) describe all of the noise management / mitigation measures barriers that are proposed to mitigate impacts of construction noise on the users of the site (students and staff) including (but not limited to) scheduling, respite periods, noise barriers etc; and
  - (k) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures including the noise barriers on the site.
- B25. 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; and
  - (b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of construction.
- B26. 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).

B27. 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.

### **Project Arborist**

B28. A Project Arborist, with suitable qualifications, must be appointed prior to the commencement of construction to oversee all tree protection, retention, removal and pruning, throughout the construction works.

### **Soil and Water**

B29. Prior to the commencement of construction, the Applicant must install erosion and sediment controls on the site to manage wet weather events.

B30. Prior to the commencement of construction, erosion and sediment controls must be installed and maintained, as a minimum, in accordance with the publication Managing Urban Stormwater: Soils & Construction (4<sup>th</sup> edition, Landcom 2004) commonly referred to as the 'Blue Book'.

### **Construction Worker Transportation Strategy**

B31. Prior to the commencement of construction, the Applicant must provide sufficient parking facilities on-site for heavy vehicles (except the site personnel), to ensure that construction traffic associated with the development minimise use of public and residential streets or public parking facilities.

B32. Prior to the commencement of construction, the Applicant must submit the following information to the satisfaction of the Certifying Authority:

- (a) evidence (such as a drawing or a plan) that at least 50% of the total construction workers' parking can be provided within the North Site; or
- (b) a Construction Worker Transportation Strategy detailing the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby public and residential streets or public parking facilities; and
- (c) details of a tool storage area within the construction site so that the construction workers can store their tools on the site, when using public transport to commute to and from the Site.

### **Rainwater Harvesting**

B33. 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.

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

B34. Prior to commencement of construction, the Applicant must incorporate the noise mitigation recommendations in the *Noise and Vibration Impact Assessment Report* prepared by Wood and Grieve Engineers dated 1 November 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 recommended operational noise levels identified in the Report.

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

- B35. Prior to the commencement of construction, compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifying Authority:
- (a) the provision of a minimum two staff and 20 student bicycle parking spaces;
  - (b) the layout, design and security of bicycle facilities must comply with the minimum requirements of the latest version of AS 2890.3:2015 Parking facilities - Bicycle parking, and be located in easy to access, well-lit areas that incorporate passive surveillance;
  - (c) the provision of end-of-trip facilities for staff; and
  - (d) appropriate pedestrian and cyclist advisory signs are to be provided.

### **Public Domain Works**

- B36. 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**

- B37. No later than 48 hours 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 or as amended) must be submitted to the Planning Secretary and the Certifying Authority.
- B38. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).
- B39. The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary and notify the Planning Secretary and the Certifying Authority in writing at least seven days before this is done.
- B40. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018 or as amended), 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.

### **Hoarding on the North Site**

- B41. Prior to the commencement of any works on the North Site, at least a 2m high hoarding must be constructed around the temporary demountable buildings, as identified in the Addendum to Remediation Action Plan prepared by JK Environments dated 7 February 2020, to ensure safety of the students accessing the construction site at all times.

### **Site Auditor's advice**

- B42. Prior to the commencement of remediation works, the site auditor must provide advice confirming that the remediation works on the North Site (as proposed by the Addendum to Remediation Action Plan prepared by JK Environments dated 7 February 2020) would have no impact on the ongoing use of the demountables on that site.

## PART C DURING CONSTRUCTION

### Site Notice

- C1. A site notice(s):
- (a) must be prominently displayed at the boundaries of the site during construction for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifying Authority and Structural Engineer is to satisfy the following requirements;
  - (b) minimum dimensions of the notice must measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30-point type size;
  - (c) the notice is to be durable and weatherproof and is to be displayed throughout the works period;
  - (d) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and
  - (e) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

### Operation of Plant and Equipment

- C2. All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.

### Demolition

- C3. 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 B20.

### Construction Hours

- C4. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:
- (a) between 7am and 6pm, Mondays to Fridays inclusive; and
  - (b) between 8am and 1pm, Saturdays.
- No work may be carried out on Sundays or public holidays.
- C5. Construction activities may be undertaken outside of the hours in condition C4 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.
- C6. Notification of such construction activities as referenced in Condition C5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- C7. Rock breaking, rock hammering, sheet piling, pile driving, and similar activities may only be carried out between the following hours:
- (a) 9am to 12pm, Monday to Friday;
  - (b) 2pm to 5pm Monday to Friday; and
  - (c) 9am to 12pm, Saturday.

## Implementation of Management Plans

- C8. The Applicant must carry out the construction of the development in accordance with the most recent version of the CEMP (including Sub-Plans).

### Construction Traffic

- C9. All construction vehicles (excluding construction 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.
- C10. Construction vehicles must not utilise the Railway Street access to the site between 8am - 9:30am and 2:30pm – 3:30pm on school days (school peak hours).

### Hoarding Requirements

- C11. 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

- C12. 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

- C13. The development must be constructed to achieve the construction noise management levels identified in the *Noise and Vibration Impact Assessment Report* prepared by Wood and Grieve Engineers dated 1 November 2019. The activities where the predicted noise levels reach exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the CNVMSP.
- C14. 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 C4.
- C15. 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.
- C16. The Applicant must install the 2.4m high acoustic screen along the northern and southern boundaries of the site to the north of Railway Street as detailed in the CNVMSP.
- C17. The Applicant must install the proposed 2.4m high acoustic screen on the southern boundary of the site (to the south of Railway Street) adjoining the existing building as detailed in the CNVMSP.

### Vibration Criteria

- C18. 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).
- C19. Vibratory compactors must not be used closer than 30m from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C18.



C20. The limits in conditions C18 and C19 apply unless otherwise outlined in a CNVMSP, approved as part of the CEMP required by this consent.

### Tree Protection

C21. For the duration of the construction works:

- (a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;
- (b) all street trees immediately adjacent to the approved disturbance area (on the northern side of Railway Street) and the property boundaries (on the southern side of Railway Street) must be protected at all times during construction in accordance with Council's tree protection requirements, unless approved for removal by this development consent. Any street tree, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;
- (c) the street tree Nos. 2, 10, 20 and 23 as identified in the *Tree Removal and Retention Plan (Drawing No. 0003 Rev C)* dated 22/06/2018 prepared by Conrad Gargett must be protected at all times;
- (d) 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 Report* prepared by Urban Arbor, dated 22 June 2018; and
- (e) 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

C22. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

C23. During construction, the Applicant must ensure that:

- (a) exposed surfaces and stockpiles are suppressed by appropriate methods;
- (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

C24. All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment. Erosion and sediment control techniques, as a minimum, are to be in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4<sup>th</sup> edition, Landcom, 2004) commonly referred to as the 'Blue Book'.

### **Imported Soil**

C25. 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**

C26. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the building to the satisfaction of the principal certifying authority. 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**

C27. The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes (in case of flood, fire etc), for the duration of construction.

### **Stormwater Management System**

C28. Within three months of the commencement of construction, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Certifying Authority. The system must:

- (a) be designed by a suitably qualified and experienced person(s);
- (b) be generally in accordance with the conceptual designs submitted with the EIS;
- (c) be consistent with architectural drawings listed in condition A2 of this development consent;
- (d) be generally in accordance with applicable Australian Standards;
- (e) include details of the rainwater reuse / harvesting system comprising two 5 Kilolitre capacity rainwater tanks prepared and certified by a suitably qualified and experienced hydraulic engineer;
- (f) include details of the stormwater treatment devices as recommended in the *Stormwater Management Plan* prepared by Adams Consulting Engineers Pty Ltd dated 5 July 2018; and
- (g) 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.

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

C29. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by EES Group and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and EES Group to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of EES Group.

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

C30. If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the NSW 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 the NSW Heritage Division.

### **Waste Storage and Processing**

- C31. All waste generated during construction must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.
- C32. All waste generated during construction must be assessed, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- C33. The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse.
- C34. The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.
- C35. The Applicant must ensure that the removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.

### **Independent Environmental Audit**

- C36. 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.
- C37. Prior to the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018 or as amended) must be submitted to the Planning Secretary and the Certifying Authority.
- C38. Table 1 of the Independent Audit Post Approval Requirements (Department 2018 or as amended) is amended so that the frequency of audits required in the construction phase is:
  - (a) An initial construction Independent Audit must be undertaken within eight weeks of the notified commencement date of construction; and
  - (b) A subsequent Independent Audit of construction must be undertaken no later than six months from the date of the initial construction Independent Audit.

In all other respects Table 1 remains the same. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 weeks' notice to the applicant of the date upon which the audit must be commenced.

- C39. Independent Audits of the development must be carried out in accordance with:
  - (a) the Independent Audit Program submitted to the Planning Secretary and the Certifying Authority under condition C37 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 or as amended).
- C40. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018 or as amended), the Applicant must:
  - (a) review and respond to each Independent Audit Report prepared under condition C37 of this consent;
  - (b) submit the response to the Planning Secretary and the Certifying Authority; and
  - (c) make each Independent Audit Report and response to it publicly available 60 days after submission to the Planning Secretary and notify the Planning Secretary and the Certifying Authority in writing at least seven days before this is done.

- C41. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018 or as amended), the Planning Secretary may approve a request for ongoing annual operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.

#### Interim Site Auditor's Advice

- C42. Within 2 months of completion of each stage of remediation, generally in accordance with the sequence of works in the Addendum to Remediation Action Plan prepared by JK Environments dated 7 February 2020, an Interim Site Auditor's advice must be submitted to the Planning Secretary and the EPA for information. The Interim Site Auditor's Advice must confirm that the remediation works for that stage have been completed satisfactorily.

## PART D PRIOR TO COMMENCEMENT OF OPERATION

### Notification of Operation

- D1. At least one month before commencement of operation of the new building on the North Site, the date of commencement of the operation of the development must be notified to the Planning Secretary in writing. If the operation of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

### External Walls and Cladding

- D2. Prior to commencement of operation of the new building on the North Site, 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.

### Requirements prior to increase in staff numbers

- D4. Prior to any increase in the staff numbers within the school or prior to occupation of buildings B.00B and B.00D within the South Site (whichever occurs earlier), the following requirements must be complied with:
- (a) a minimum of 14 on-site car parking spaces for use by staff be provided on the South Site; and
  - (b) the car parking spaces must be designed and reinstated in accordance with the latest versions of AS 2890.1 and AS 2890.6 and be available for use by the staff members.

### Removal of demountables on the South Site

- ~~D5. To ensure that adequate open space is available for students at all times, the following must be completed within 3 months of commencement of operation of the new building on the North Site:—~~
- ~~(a) removal of all demountables on the north-western and southern section of the South Site, as identified in the drawing titled Open Play Space Diagram SK02-E Rev E dated 05/08/2019 prepared by Conrad Gargett; and~~
  - ~~(b) reinstatement of open space in these areas of the South Site and ensuring that the open space is suitable for use as play space by the school students—~~
- D6. To ensure that adequate open space is available for students at all times, the following must be completed:
- (a) within 4 months of commencement of operation of the new building on the North Site, removal of all demountables on the north-western and southern section of the South Site, with the exception of demountable D10679, D12606, D11117, D16227 and D15373;
  - (b) within 4 months of commencement of operation of the new building on the North Site, reinstatement of open space in the north-western and southern section of the South Site and ensuring that the open space is suitable for use as play space by the school students;

- (c) within 12 months of commencement of operation of the new building on the North Site, removal of demountables D10679 and D12606 on the central section of the South Site; and
- (d) Within 4 months of removal of demountables D10679 and D12606 reinstatement of the open space occupied by those demountables, ensuring that the open space is suitable for use as play space by the school students.

#### **Post-construction Dilapidation Report**

- D7. Prior to commencement of operation of the new building on the North Site, 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**

- D8. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
  - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

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

#### **Protection of Property**

- D9. Unless the Applicant and the applicable owner agree otherwise, the Applicant must repair, or pay the full costs associated with repairing any property that is damaged by carrying out the development.

#### **Utilities and Services**

- D10. Prior to commencement of operation of the new building on the North Site, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

#### **Works as Executed Plans**

- D11. Prior to the commencement of operation of the new building on the North Site, 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.



## Roadworks, Signposting and Line marking

D12. Prior to the commencement of operation of the new building on the North Site, the Applicant must demonstrate that the following requirements must be complied with, to the satisfaction of the Certifying Authority:

- (a) all required School Zone signage, speed management signage, pedestrian safety signage and associated pavement markings along all nominated drop-off zones and pick-up zones on Railway Street, Crimea Street and Franklin Street, being consistent with the *Transport Assessment Report Rev G* by ARUP 30 October 2019, must be installed, inspected by Council and / TfNSW(RMS) (where relevant) and handed over to Council and / or TfNSW(RMS) (whichever applicable);

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

- (b) all required kerbside parking controls (Crimea Street, Railway Street, Franklin Street, and Young Street) as recommended in the *Transport Assessment Report Rev G* by ARUP 30 October 2019 must be installed, inspected by the relevant road authority (Council or TfNSW (RMS)) and implemented;
- (c) the "Bus Zone" signs on Crimea Street must be installed and inspected by the relevant road authority;
- (d) records of all dates in relation to installing, altering and removing traffic control devices related to speed must be maintained;
- (e) all required signage associated with the pedestrian crossing on Railway Street as recommended in the *Transport Assessment Report Rev G*, prepared by ARUP dated 30 October 2019 and associated traffic controller requirements must be provided; and
- (f) the road safety fence on Railway Street near the raised pedestrian crossing must be installed to the satisfaction of TfNSW (RMS).

## Operational Transport and Access Management Plan (OTAMP)

D13. Prior to the commencement of operation of the new building on the North Site, an OTAMP is to be prepared by a suitably qualified person, in consultation with Council / TfNSW, and submitted to the satisfaction of the Planning Secretary. The OTAMP must address the following:

- (a) detailed pedestrian analysis including the identification of safe route options and identifying management measures (if needed);
- (b) the location of all car parking spaces on the school campus and their allocation (i.e. staff, visitor, accessible, emergency, etc.);
- (c) identification of bus stop locations, kerbside car parking spaces and associated infrastructure requirements including student waiting areas;
- (d) the location and operational management procedures of the drop-off and pick-up zones located within Crimea Street, Railway Street and Franklin Street, including staff management/traffic controller arrangements;
- (e) the location and operational management procedures for the drop-off and pick-up of students by buses and coaches for excursions and sporting activities within the bus zones on Crimea Street and Railway Street, including staff management / traffic controller arrangements;
- (f) delivery and services vehicle and bus access and management arrangements;
- (g) measures to ensure safe pedestrian movement to the school entrances, minimising vehicle-pedestrian conflicts;
- (h) management measures to mitigate queuing impacts associated with vehicles accessing pick-up and drop-off parking in Crimea Street, Railway Street and Franklin Street (where applicable) and ensure orderly vehicle queuing;

- (i) details of management of the Railway Street pedestrian crossing during the Management Periods assigned in the *Transport Assessment Report* by ARUP dated 30 August 2019;
- (j) chain of responsibilities of various personnel executing the OTAMP; and
- (k) a monitoring and review program.

#### **Roadworks**

- D14. Prior to any further increase in the student numbers, he proposed pedestrian crossing and pedestrian refuge on Franklin Street (north and south of Railway Street), as identified in section 3.5 of the *Transport Assessment Report* by ARUP dated 30 October 2019, must be completed by the Applicant, subject to agreement and relevant approvals from Council and / or TfNSW (RMS).
- D15. Notwithstanding condition D13, the Applicant may install alternative road safety / pedestrian safety measures and / or devices on Franklin Street (north and south), subject to agreement with Council and / or TfNSW (RMS).

#### **Road Damage**

- D16. Prior to the commencement of operation of the new building on the North Site, 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 must be met in full by the Applicant.

#### **Aboriginal Heritage Interpretation Strategy**

- D17. Prior to the commencement of operation of the new building on the North Site, the Applicant must prepare an Aboriginal Heritage Interpretation Strategy to the satisfaction of the Planning Secretary. The Aboriginal Heritage Interpretation Strategy must:
- (a) prepared in consultation with the Darug people;
  - (b) include the recommendations of the document titled *Parramatta West PS: Aboriginal Cultural Heritage Assessment Report* prepared by Everick Heritage Pty Ltd dated May 2019;
  - (c) include details of designing the Aboriginal art influenced panels in conjunction with the local Aboriginal community;
  - (d) include details of heritage interpretation boards; and
  - (e) include details of incorporation of Aboriginal elements in wayfinding signage, where possible.

#### **Privacy measures**

- D18. Prior to the commencement of operation of the new building on the North Site, the proposed privacy measures as set out in the EIS / RtS must be installed / implemented to the satisfaction of the Certifying Authority:
- (a) all proposed privacy measures including the use of frosted glass on the windows on the eastern façade;
  - (b) the proposed dense landscape screening on the eastern boundary of the North Site, of a height that would alleviate overlooking opportunities on to the dwellings adjoining the eastern boundary.

#### **Mechanical Ventilation**

- D19. Prior to commencement of operation of the new building on the North Site, the Applicant must provide evidence to the satisfaction of the Certifying Authority that the installation and performance of the mechanical ventilation systems complies with:
- (a) AS 1668.2-2012 *The use of air-conditioning in buildings – Mechanical ventilation in buildings* and other relevant codes; and

- (b) any dispensation granted by Fire and Rescue NSW.

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

- D20. Prior to the commencement of operation of the new building on the North Site, the Applicant must submit evidence to the Certifying Authority that the noise mitigation recommendations in *Noise and Vibration Impact Assessment Report* prepared by Wood and Grieve Engineers dated 1 November 2019 have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Environmental Noise Assessment.

### **Fire Safety Certification**

- D21. Prior to commencement of occupation of the new building and the refurbished buildings, 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**

- D22. Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority. 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.

### **Compliance with Food Code**

- D23. Prior to the commencement of operation of the new building on the North Site, 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 Certifying Authority.

### **Stormwater Quality Management Plan**

- D24. Prior to the commencement of operation of the new building on the North Site, a Stormwater Operation and Maintenance Plan (SOMP) is to be submitted to the satisfaction of the Certifying Authority 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.

### **Rainwater Harvesting**

- D25. Prior to the commencement of operation of the new building on the North Site, signed works-as-executed Rainwater Re-use Plan must be provided to the Planning Secretary and Certifying Authority.

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

- D26. The installation of warm water systems and water cooling systems (as defined under the *Public Health Act 2010*) must comply with the *Public Health Act 2010*, Public Health Regulation 2012 and Part 1 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air

*handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.*

### **Outdoor Lighting**

- D27. Prior to the commencement of operation of the new building on the North Site, the Applicant must submit evidence from a suitably qualified practitioner to the Certifying Authority that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:
- (a) complies with the latest version of *AS 4282-2019 - Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
  - (b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

### **Signage**

- D28. Prior to the commencement of operation of the new building on the North Site, way-finding signage and signage identifying the location of staff car parking must be installed.
- D29. Prior to the commencement of operation of the new building on the North Site, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.
- D30. Prior to the commencement of operation of the new building on the North Site, '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.

### **Operational Waste Management Plan**

- D31. Prior to the commencement of operation of the new building on the North Site, the Applicant must prepare a Waste Management Plan for the building 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 building;
  - (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); and
  - (c) detail the materials to be reused or recycled, either on or off site.

### **Site Auditor's advice regarding contamination**

- D32. The Site Auditor must confirm that the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site so as to result in significant contamination.

**Note:** any change / increase in the risk of soil contamination would render the proponent the 'person responsible' for the contamination under section 6(2) of Contaminated Land Management Act 1997.

### **Landscaping**

- D33. Prior to the commencement of operation, the Applicant must prepare an Operational Landscape Management Plan to manage the revegetation and landscaping on-site, to the satisfaction of the Certifying Authority. The plan must describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping.
- D34. The Applicant must not commence operation until the Operational Landscape Management Plan is submitted to the Certifying Authority.

### **Fencing**

- D35. All perimeter fencing on the Railway Street frontage must be setback in accordance with the approved drawings listed in condition A2.

## Pre-Startup Compliance Report

- D36. One month prior to the commencement of operation of the development, the Applicant must submit to the Planning Secretary, a Pre-Startup Compliance Report detailing compliance with condition B40 including (but not limited to) the following:
- (a) dates of study / plan / system / submission, approval, commencement of construction and commissioning;
  - (b) actions taken or proposed, to implement recommendations made in the studies / plans / systems; and
  - (c) responses to any requirement imposed by the Planning Secretary under condition A3.

## Site Contamination

- D37. Prior to the commencement of operation of the building on the North Site, remediation of the North Site must be completed generally in accordance with the *Remediation Action Plan* (Report ref: E31425KPrpt-RAP) prepared by Environmental Investigation Services dated 23 July 2018 and the *Addendum to Remediation Action Plan* prepared by JK Environments dated 7 February 2020.
- D38. The proposed capping strategy for the Asbestos Containing Material recommended by the *Remediation Action Plan* (Report ref: E31425KPrpt-RAP) prepared by Environmental Investigation Services dated 23 July 2018, and the capping strategy in the *Addendum to Remediation Action Plan* prepared by JK Environments dated 7 February 2020 must be adhered to, instead of the recommendation for no capping of the Asbestos Containing Material, as stated in the '*Interim Audit Advice*' prepared by Coffey dated 11 October 2019.

## Validation Report

- D39. 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 within one month of the completion of remediation works and prior to the commencement of operation of the building on the North Site;
  - (c) be prepared generally in accordance with the *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites* (OEHL, 2011) and the *Remediation Action Plan* prepared by Environmental Investigation Services dated 23 July 2018 and the *Addendum to Remediation Action Plan* prepared by JK Environments dated 7 February 2020;
  - (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) sampling and analysis plan and sampling methodology;
    - (iv) results of sampling of treated material, compared with the treatment criteria in the *Remediation Action Plan* (Report ref: E31425KPrpt-RAP) prepared by Environmental Investigation Services dated 23 July 2018 and any additional results documented in *Addendum to Remediation Action Plan* prepared by JK Environments dated 7 February 2020;
    - (v) details of the volume of treated material emplaced within the containment cell and its location;
    - (vi) results of any validation sampling, compared to relevant guidelines/criteria;
    - (vii) discussion of the suitability the remediated areas for the intended land use; and

(viii) any other requirement relevant to the project.

Site Audit Report and Site Auditor's Statement

- D40. Upon completion of remedial works and prior to the commencement of operation of the building on the North Site, a Site Audit Report and Section A Site Audit Statement for the relevant part of the site prepared by an EPA accredited Site Auditor, must be submitted to the Planning Secretary and Certifying Authority for information. The Site Audit Report and Section A Site Audit Statement must verify that the relevant part of the site is suitable for the purpose of an educational establishment.

Open space availability

- D41. Prior to the commencement of operation of the building on the North Site, the open space on the North Site, as approved by this development consent, must be available for use by the students and other occupiers of the school.



## PART E POST OCCUPATION

### Out of Hours Event Management Plan

- E1. Prior to the commencement of the first out-of-hours event (for school or community use) that involves 100 or more people, following the completion of the new building on the North Site, the Applicant is to prepare an Out-of-Hours Event Management Plan (for school and community use) and submit it to the Planning Secretary and Council for information. The plan must include the following:
- (a) the number of attendees, time and duration;
  - (b) arrival and departure times and modes of transport;
  - (c) where relevant, a schedule of all annual events;
  - (d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);
  - (e) details of the use of the multi-purpose hall, where applicable, restricting use before 8am and after 10pm;
  - ~~(f) additional details for concerts, restricting the use to 6pm;~~
  - (g) measures to minimise localised traffic and parking impacts; ~~and~~
  - (h) include management and mitigation measures to minimise noise impacts on any sensitive residential receivers including (but not limited to):
    - (i) the preparation of acoustic management plan;
    - (ii) details of timings when openings would be required to be closed and management arrangements to ensure openings are closed as necessary;
    - (iii) alternative ventilation measures when openings are closed; and
    - (iv) details of any other necessary measures required to comply with relevant noise criteria, (such as limiting the volume of the speaker system or limiting the hours of use).
  - (i) **complaints management process to capture any complaints made during an out-of-hours event and appropriate mitigation measures to be implemented in response to the complaint; and**
  - (j) **community consultation must be undertaken prior to any out-of-hours event predicted to exceed noise criteria in the Acoustic Management Plan (prepared by Arup, dated 22 October 2021).**
- E2. The Out-of-Hours Event Management Plan (school and community use) must be implemented by the Applicant for the duration of the identified events or use.

### Work Place Travel Plan

- E3. Within 3 months of commencement of operation of the new building on the North Site, the Applicant must submit a Work Place Travel Plan to the Planning Secretary for information. The Work Place Travel Plan must:
- (a) be prepared in consultation with TfNSW and the school community;
  - (b) include recommendations and initiatives in Section 4 Strategies / Transport Management Plan in the *Transport Assessment Report* Rev G, prepared by ARUP dated 30 October 2019;
  - (c) include clear targets for two, five and ten years, that would result in further reduction in private car use by staff (beyond the proposed 17%), and parent drop-off and pick-up at the school;
  - (d) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and
  - (e) describe pedestrian and bicycle linkages and end of trip facilities available on-site.

**Note:** The guidance for preparation of a Green Travel Plan is provided in the Appendix 1 and should be utilised for the preparation the Work Place Travel Plan.

- E4. The Work Place Travel Plan required by condition E3 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.

#### Operation of Plant and Equipment

- E5. All plant and equipment used on the North Site relating to the approved new building, must be maintained in a proper and efficient condition and operated in a proper and efficient manner.

#### Operational restrictions

- E6. The following restrictions apply to the use of the North Site and other facilities by external parties (i.e. for communal use of the school):
- ~~(a) the operation of the multi-purpose hall for communal use must not include any amplified music;~~
  - (b) the operation of the multi-purpose hall for communal use is restricted to **no later than 10pm**;
  - (c) the occupants / users are not permitted to use any part of the school site between the new building and Crimea Street (northern side);
  - ~~(d) concerts within the multi-purpose hall with amplified music are permitted during daytime (up to 6pm);~~
  - ~~(e) during concerts, the multi-purpose hall must be fully closed with no openings on any façade for ventilation purpose (especially the Northern or the Western sides); and~~
  - (f) community use of the school oval on the north site must not include the use of amplified music.
- E7. Waste collection within the premises must only occur between 7:30am – 6pm (Monday to Friday).

#### Operational Noise Limits

- E8. The Applicant must ensure that noise generated by operation of the new building on the North Site or the school facilities do not exceed the noise limits in **the Noise and Vibration Impact Assessment Report** prepared by Wood and Grieve Engineers dated 1 November 2019 **with the exception of prescribed events in the Acoustic Management Plan prepared by Arup dated 22 October 2021.**
- E9. The Applicant must undertake short term noise monitoring in accordance with the EPA Noise Policy for Industry within three months of commencement of operation of the new building on the North Site or prior to the first use of the multi-purpose hall (whichever occurs earlier). The short term attended noise monitoring must occur for a period of three months to verify that:
- (a) operational noise levels from plant and machinery installed in the new building on the North Site do not exceed the recommended noise levels for mechanical plant identified in the Construction and operational *Noise and Vibration Impact Assessment Report* prepared by Wood and Grieve Engineers dated 1 November 2019; and
  - (b) operational noise levels from the use of the new building, including evening and night time uses (if any and as defined by the Noise Policy for Industry) do not exceed the recommended noise management levels at the sensitive noise receivers identified in the *Noise and Vibration Impact Assessment Report* prepared by Wood and Grieve Engineers dated 1 November 2019.
- E10. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant must 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.

## **Road Safety Audit**

- E11. Within one month of commencement of operation of the new building on the North Site or the commencement of operation of the proposed bus zones and the drop-off and pick-up zones (whichever occurs earlier), a Road Safety Audit (RSA) (*Refer to NSW Centre for Road Safety Guidelines for Road Safety Audit Practices and Austroads Guide to Road Safety Part 6: Road Safety Audit*) must be conducted on all relevant sections of road utilised for bus and private vehicle drop-off and pick-up, as approved under this consent.
- E12. Appropriate road safety measures and/or traffic management measures must be implemented based on the outcomes of the RSA in consultation with Council and submitted to Council or any other relevant road authority (such as TfNSW) within 3 months of completion of the RSA.
- E13. A follow up RSA must be conducted within 6 months of commencement of operation of the new building on the North Site or after implementation of the necessary additional measures (if needed), to ensure that the proposed bus zones and the drop-off and pick-up zones are operating safely. The RSA must be undertaken in consultation with Council.

## **Signage Illumination**

- E14. The proposed illuminated business identification sign on the Railway Street frontage of the North Site must be subject to curfew between 10pm and 7am on all days. The sign must not be illuminated during these hours.

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

- E15. The OTAMP(s) approved under condition D12 (as revised from time to time) must be implemented by the Applicant for the life of the development.

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

- E16. 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**

- E17. The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.

## **Unobstructed Driveways and Parking Areas**

- E18. 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.

## **Ecologically Sustainable Development**

- E19. Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation of the new building on the North Site, 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 Certifying Authority and the Planning Secretary. If an alternative certification process has been agreed to by the Planning Secretary under condition B12, evidence of compliance of implementation must be provided to the Planning Secretary and Certifying Authority.

## **Outdoor Lighting**

- E20. Notwithstanding Condition D26, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.

### **Landscaping**

- E21. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D32 for the duration of occupation of the development.

### **Community use of school oval**

- E22. The Applicant must consult with Council and participate in the Council's 'Share Our Spaces' program so that the school grounds can be made available for community use during school holidays.

### **Rainwater Harvesting**

- E23. The Applicant must implement the rainwater re-use plan required by condition D24 for the duration of the development.

### **Hazards and Risk**

- E24. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
  - (b) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* if the chemicals are liquids.
- E25. In the event of an inconsistency between the requirements of condition E24(a) and E24(b), the most stringent requirement must prevail to the extent of the inconsistency.

### **Bunding**

- E26. The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

## **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 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.
- AN5. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of Planning for Bush Fire Protection 2006.

### **Utilities and Services**

- AN6. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.
- AN7. 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**

- AN8. 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**

- AN9. 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**

- AN10. 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**

- AN11. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

### **Handling of Asbestos**

- AN12. 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**

- AN13. 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**

AN14. 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.

### **Soil Contamination**

AN15. In case of additional investigation in relation to soil contamination, the Site Auditor should consider the following document:

- NSW EPA Sampling Design Guidelines

[www.epa.nsw.gov.au/resources/clm/95059samppgdlne.pdf](http://www.epa.nsw.gov.au/resources/clm/95059samppgdlne.pdf).

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

<https://www.epa.nsw.gov.au/publications/contaminatedland/17p0269-guidelines-for-thensw-site-auditor-scheme-third-edition>.

Guidelines for Consultants Reporting on Contaminated Sites, 2011

[https://www.epa.nsw.gov.au/-/media/epa/corporatesite/](https://www.epa.nsw.gov.au/-/media/epa/corporatesite/resources/clm/20110650consultantsreportglines.pdf?la=en&hash=ADA6F5BEA134F3E87217764484F14618E40C98EA)

[resources/clm/20110650consultantsreportglines.pdf?la=en&hash=ADA6F5BEA134F3E87217764484F14618E40C98EA](https://www.epa.nsw.gov.au/-/media/epa/corporatesite/resources/clm/20110650consultantsreportglines.pdf?la=en&hash=ADA6F5BEA134F3E87217764484F14618E40C98EA).

the National Environment Protection (Assessment of Site Contamination) Measure 2013 as amended.

AN16. The EPA must be notified under section 60 of the CLM Act for any contamination identified which meets the triggers in the Guidelines for the Duty to Report Contamination.

[www.epa.nsw.gov.au/resources/clm/150164-report-land-contamination-guidelines.pdf](http://www.epa.nsw.gov.au/resources/clm/150164-report-land-contamination-guidelines.pdf).

AN17. The EPA recommends use of "certified consultants". The EPA's Contaminated Land Consultant Certification Policy (<http://www.epa.nsw.gov.au/-/media/epa/corporatesite/resources/clm/18520-contaminated-land-consultant-certification-policy.pdf?la=en>) supports the development and implementation of nationally consistent certification schemes in Australia, and encourages the use of certified consultants by the community and industry. Note that the EPA requires all reports submitted to the EPA to comply with the requirements of the *Contaminated Land Management Act 1997* to be prepared, or reviewed and approved, by a certified consultant.

### **Green Travel Plan (GTP)**

AN18. The structure of the GTP should provide step-by-step guidance for the school to effectively lead the development, implementation and maintenance of a site specific GTP.



- AN19. The GTP should be developed in close collaboration with the school community, including students. Existing and known future users and stakeholders should be given the opportunity to develop goals, objectives, targets, measures, strategies and initiatives.
- AN20. The support of the Principal/Senior Management of the existing school should be sought at this early stage of the development proposal. Following this, it is recommended that a Travel Plan Working Group is established, to include the Principal, Senior management and staff representative, relevant NSW Government agencies and Council.
- AN21. A nominated Travel Plan Coordinator should lead the development of the GTP on behalf of the school with this role transitioning to the school when appropriate. The option of a TP Coordinator serving several schools within a school cluster may be an approach the Department of Education and Communities may wish to consider.
- AN22. The content of the document needs to be concise and of relevance to a school development and more specifically this school development. Some of the text in the current GTP is very general to organisational GTPs.
- AN23. It is recommended that a baseline travel survey is undertaken of existing school community, the results of which will help inform the development of site-specific objectives, strategies, initiatives, targets, measures, monitoring and evaluation, promotion, etc.
- AN24. A comparison of modal shift targets achieved at similar school developments elsewhere is also recommended and will serve as an incentive for the school to understand that modal shift is achievable and to demonstrate benefits of GTP initiatives.
- AN25. An Action Plan should be developed with timeline for implementation and person/agency responsible for actioning initiatives.

## APPENDIX 2 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary at the following address: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition A23 even if the Applicant fails to give the notification required under condition or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
  - a. identify the development and application number;
  - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - c. identify how the incident was detected;
  - d. identify when the applicant became aware of the incident;
  - e. identify any actual or potential non-compliance with conditions of consent;
  - f. describe what immediate steps were taken in relation to the incident;
  - g. identify further action(s) that will be taken in relation to the incident; and
  - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
  - a. a summary of the incident;
  - b. outcomes of an incident investigation, including identification of the cause of the incident;
  - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
  - d. details of any communication with other stakeholders regarding the incident.