

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Karen Harragon
Director
Social and Infrastructure Assessments

Sydney

28 October 2020

SCHEDULE 1

Development consent:	SSD 9273 granted on 28 June 2019
For the following:	Redevelopment of Wentworthville Public School, including the demolition and removal of existing buildings, construction of a new three storey building containing 30 teaching spaces, special program and specialist teaching spaces and library, construction of a new hall with out-of-hours facility and canteen, alterations to Buildings A, E and F, and associated works including tree removal, landscaping and signage.
Applicant:	NSW Department of Education
Consent Authority:	Minister for Planning and Public Spaces
The Land:	Wentworthville Public School, 70-100 Fullagar Road, Wentworthville Lot 1 DP1245593
Modification:	SSD 9273 MOD 1: amend conditions relating to remediation of the site to reflect staging of the development and clarify and delete duplicated requirements.

SCHEDULE 2

The above consent is modified as follows:

- a) Schedule 2 Part B, Conditions B12 and B13 are amended by the insertion of the **bold and underlined** words and deletion of the ~~bold and struckout words~~ as follows:

Site Contamination

- B12. Remediation approved as part of this development consent must be carried out in accordance with the Remediation Action Plan dated September 2018 and prepared by WSP **and any variations to the Remediation Action Plan, as may be approved by an NSW EPA-accredited Site Auditor.**
- B13. ~~Upon completion of remedial works, the Applicant must submit a Site Audit Report and Section A Site Audit Statement for the relevant part of the site prepared by a NSW EPA accredited Site Auditor. The Site Audit Report and Section A Site Audit Statement must verify the relevant part of the site is suitable for ongoing use as a school and be provided to the satisfaction of the Certifying Authority.~~
Where remediation is to be carried out / completed in stages, a NSW EPA-accredited Site Auditor must confirm satisfactory completion of each stage by the issuance of Interim Audit Advice(s) prior to the use / occupation of the remediated area(s).

- b) Schedule 2 Part D, Conditions D25 and D26 are amended by the insertion of the **bold and underlined** words and deletion of the ~~bold and struckout~~ words as follows:

Validation Report

- D25. Within one month of the completion of **each stage of** remediation works and prior to the commencement of operation **of that stage**, the Applicant must submit a Validation Report for the development to EPA, the Planning Secretary and the Certifying Authority for information. The Validation Report must:
- (a) be prepared by an appropriately qualified environmental consultant and reviewed by an EPA accredited Site Auditor;
 - (b) be prepared in accordance with the RAP **and any variations approved under condition B12** and the ~~Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (OEHL, 2014)~~ **Consultants Reporting on Contaminated Land – Contaminated Land Guidelines (NSW EPA 2020);**
 - (c) 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) discussion of the suitability the remediated areas for the intended land use; and
 - (iv) any other requirement relevant to the project.

Site Audit Report and Site Audit Statement

- D26. Prior to ~~commencement of occupation of each building~~ **occupation of the final building(s)**, the Applicant must obtain from an EPA accredited Site Auditor, a **Section A1 or A2** Site Audit Statement and a Site Audit Report which demonstrate that the ~~relevant part of the~~ site is suitable for its intended use(s).

- c) Schedule 2 Part D, Condition D27 is deleted as shown by the ~~bold and struckout~~ words as follows:

~~**D27. Within three months of submission of the Validation Report required by condition D25, the Applicant must demonstrate to the satisfaction of the Certifying Authority that the Site Auditor has submitted a Site Audit Report and a Site Audit Statement to EPA in accordance with the requirements of EPA's Guidelines for the NSW Site Auditor Scheme (3rd Edition) 2017.**~~

- d) Schedule 2 Part D, Condition D28 is amended by the insertion of the **bold and underlined** words and deletion of the ~~bold and struckout~~ words as follows:

Long Term Environmental Management Plan

- D28. Within one month of the completion of remediation works or other timeframe agreed by the Planning Secretary, the Applicant must prepare a Long Term Environmental Management Plan (LTEMP) to the satisfaction of the Planning Secretary. The plan must:
- (a) be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Planning Secretary in consultation with EPA;
 - (b) be submitted to **the Site Auditor for review and endorsement and submitted to EPA, Council and for review prior to submission to the** Planning Secretary **for information**; and
 - (c) include, but not be limited to:
 - (i) a description of the nature and location of any contamination remaining on site;
 - (ii) provisions to manage and monitor any remaining contamination, including details of any restrictions placed on the land to prevent development over the containment cell;
 - (iii) triggers that would indicate if further remediation is required; and
 - (iv) details of any contingency measures that the Applicant is to carry out to address any ongoing contamination.
 - (d) include any ongoing measures set out in the Asbestos Management Plan approved under condition B5.

**End of modification
(SSD 9273 MOD 1)**