

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.



20 December 2020

Karen Harragon
Director
Social and Infrastructure Assessments

Sydney

December 2020

SCHEDULE 1

Development consent:	SSD 9368 granted by the Executive Director, Infrastructure Assessments on 21 May 2020.
For the following:	Staged construction and operation of a new school including four learning hubs containing home bases, a hall with canteen and out of school hours facilities, library and administrative building, and associated works including covered outdoor learning areas, landscaping, drop-off / pick-up facilities, car parking, signage and infrastructure works.
Applicant:	Department of Education
Consent Authority:	Minister for Planning and Public Spaces
The Land:	Lot 1 and 2 DP 1244925, Farmland Drive, Schofields
Modifications:	Modification 3: revise the proposed staging of the development and make changes to conditions relating to the delivery of requirements, including infrastructure related to the development.

SCHEDULE 2

The above consent is modified as follows:

(a) Definitions table is amended by the insertion of **bold and underlined** words/numbers and deletion of ~~struck-out~~ words/numbers as follows:

- ~~Stage 1~~ — ~~Construction and operation of the core school facilities, including library, hall, COLAs and basketball courts, and administration and staff facilities, and 19 home bases to cater for up to 600 students as set out in the Supplementary Response to Submissions Report 2 prepared by Urbis submitted in May 2020.~~
- ~~Stage 2~~ — ~~Construction and operation of the remaining 20 home bases and COLAs and final landscaping works to increase the school capacity up to 1000 students as set out in the Supplementary Response to Submissions Report 2 prepared by Urbis submitted in May 2020~~
- Stage 1a** **Construction and operation of the core school facility, including library, hall, partial construction of COLAs and site landscaping, sports courts, and administration and staff facilities, and 19 home bases to cater for up to 600 students as set out in the Amended Staging Plan prepared by Richard Crookes Construction dated 12/10/20 and submitted with SSD-9368-Mod-3**
- Stage 1b** **Construction and operation of landscaped areas including the School Heart as set out in the Amended Staging Plan prepared by Richard Crookes Construction dated 12/10/20 submitted with SSD-9368-Mod-3**
- Stage 2** **Construction and operation of the remaining 20 home bases and COLAs and final landscaping works and basketball/multiuse courts to increase the school capacity up to 1000 students as set out in the Amended Staging Plan prepared by Richard Crookes Construction dated 12/10/20 submitted with SSD-9368-Mod-3**

(b) Schedule 2 Part A – Administrative Conditions, conditions are modified and/or inserted using **bold and underlined** words/numbers as follows:

- A9. The project may be constructed and operated in stages in accordance with the terms/conditions of this consent and the details set out in the ~~Supplementary Response to Submissions 2~~ **SSD-9368-Mod-3**.

(c) Schedule 2 Part B – Prior to the Commencement of Construction, conditions are modified and/or inserted using **bold and underlined** words/numbers as follows:

External materials and finishes

- B1. Prior to the commencement of construction of ~~Stage 1~~ **Stage 1a**, a schedule of materials and finishes of the proposed ~~Stage 1 and Stage 2~~ **Stage 1a and Stage 2** buildings must be submitted to the Certifier. The materials and finishes must reflect the appearance of the buildings shown in the renders included in Appendix B of the Response to Submissions.

Certified Drawings

- B5. Prior to the commencement of construction of ~~Stage 1~~ **Stage 1a, Stage 1b and Stage 2**, the Applicant must submit to the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with the relevant elements of this development consent.

External Walls and Cladding

- B6. Prior to the commencement of construction of ~~Stage 1 and Stage 2~~ **Stage 1a and Stage 2**, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the BCA. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

Protection of Public Infrastructure

- B7. Prior to the commencement of construction of ~~Stage 1 and Stage 2~~ **Stage 1a and Stage 2**, the Applicant must:
- (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
 - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
 - (c) submit a copy of the dilapidation report to the Planning Secretary, Certifier and Council.

Pre-Construction Dilapidation Report

- B8. Prior to the commencement of construction of ~~Stage 1 and Stage 2~~ **Stage 1a and Stage 2**, the Applicant must submit a pre-commencement dilapidation report to Council and the Certifier. The report must provide an accurate record of the existing condition of adjoining private properties and Council assets that are likely to be impacted by the proposed works.

Unexpected Contamination Procedure

- B9. Prior to the commencement of construction of ~~Stage 1~~ **Stage 1a**, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition B14 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.

Community Communication Strategy

- B10. No later than 48 hours before the commencement of construction of ~~Stage 1 and Stage 2~~ **Stage 1a and Stage 2**, 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.

Construction Environmental Management Plan

- B14. Prior to the commencement of construction of ~~Stage 1 and Stage 2~~ **Stage 1a and Stage 2**, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and provide a copy to the Planning Secretary. The CEMP must include, but not be limited to, the following:
- (a) Details of:
 - (i) hours of work;
 - (ii) 24-hour contact details of site manager;
 - (iii) management of dust and odour to protect the amenity of the neighbourhood;
 - (iv) stormwater control and discharge;
 - (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
 - (vi) groundwater management plan including measures to prevent groundwater contamination;
 - (vii) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
 - (viii) community consultation and complaints handling;
 - (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition B16);
 - (c) Construction Noise and Vibration Management Sub-Plan (see condition B17);
 - (d) Construction Waste Management Sub-Plan (see condition B18);
 - (e) Construction Soil and Water Management Sub-Plan (see condition B19);
 - (f) an unexpected finds protocol for contamination and associated communications procedure;
 - (g) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;
 - (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;
 - (i) procedures to ensure that the proposed works do not result in a change of contamination risk for the site; and
 - (j) recommendations set out in Section 7 of the Aboriginal Cultural Heritage Assessment Report prepared by Biosis dated 13 March 2019.

Rainwater Harvesting

- B24. Within three months of the commencement of construction of ~~Stage 1~~ **Stage 1a**, 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. The rainwater tank is to achieve a minimum of 80% non-potable reuse using MUSIC in accordance with Part J of Council's DCP Part J and contain flow meters to measure the non-potable use and % reuse.

Construction Car Parking and Access Arrangements

- B25. Prior to the commencement of construction of ~~Stage 1 and Stage 2~~ **Stage 1a**, evidence of compliance of construction parking and access arrangements with the following requirements must be submitted to the Certifier:
- (a) all vehicles must be able to enter and leave the Site in a forward direction;
 - (b) the swept path of the longest construction vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, is in accordance with the latest version of AS 2890.2; and
 - (c) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, has been addressed.

Operational Car Parking and Access Arrangements

- B26. Prior to the commencement of construction of ~~Stage 1~~ **Stage 1a**, evidence of compliance of the final design of operational parking and access arrangements with the following requirements must be submitted to the satisfaction of Council and the Planning Secretary:
- (a) the proposed access/egress locations and driveway configuration comply with Section 3.2.3 of AS2890.1; and

- (b) the proposed special needs drop-off and accessible parking area is restricted to west bound one way traffic only.

(d) Schedule 2 Part C – During Construction, conditions are modified and/or inserted using **bold and underlined** words/numbers as follows:

Access and Services to Lot 4 DP1244

- C11. Construction of ~~Stage 4~~ **Stage 1a and Stage 1b**, must be managed so as not impinge upon the temporary access and services easement located along the eastern boundary of the site so as to comply with the terms of the easement and any other legal agreements entered into with the owner of Lot 4 DP1244925 **until the easement is extinguished in accordance with condition D11.**

(e) Schedule 2 Part D – Prior to Commencement of Operation, conditions are modified and/or inserted using **bold and underlined** words/numbers as follows:

Roadworks and Access

- D9. ~~Prior to the commencement of operation of Stage 4~~ **Within 12 months of the operation of Stage 1a**, evidence must be submitted to the Planning Secretary that Pelican Road and the extension to Farmland Drive have been constructed and registered as public roads to the satisfaction of Council.
- D10. ~~Prior to the commencement of operation of Stage 4~~ **Within 12 months of the operation of Stage 1a**, evidence must be submitted to the Planning Secretary that a footpath has been constructed along the southern side of Farmland Drive and eastern side of Pelican Drive for the length of the frontages of the site to the satisfaction of Council. Dd

Access and Services to Lot 4 DP1244925

- D11. ~~Prior to the commencement of operation of Stage 4~~, **Within 12 months of operation of Stage 1a**, the Applicant must submit evidence to the satisfaction of the Planning Secretary that the temporary access and services easement has been extinguished in accordance with the terms of the easement and any legal agreement entered into between the parties which are subject to the easement.

Temporary bus turning area

- D13. ~~Prior to the commencement of operation of Stage 4~~ **Within three months of the completion of Pelican Drive**, the Applicant must provide sufficient evidence to the Certifier that demonstrates that the construction of Pelican Drive allows for safe manoeuvring of buses to service the school.

School Zones

- D14. ~~Prior to the commencement of operation of Stage 4~~ **Stage 1a**, all required School Zone signage, speed management signage and associated pavement markings along the adjoining public roads that have been dedicated to Council must be installed, inspected by TfNSW(RMS) and handed over to TfNSW(RMS). In the event that the relevant approvals have not been obtained for Pelican Road and the extension of Farmland Drive due to the timing of the dedication, School Zone signage must be approved and implemented as soon as possible.

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

Car Parking Arrangements

- D16. ~~Prior to the commencement of operation of Stage 4~~ **Stage 1a**, evidence must be submitted to the Certifier that demonstrates that either:
- (a) ~~80~~ **77** car parking spaces and five drop-off / pick-up spaces have been made available or the use of the school during school hours. Where the parking and drop-off / pick-up

spaces have been provided off site, details of any shared use agreements entered into with the owner of land on which the parking is located must be provided that sets out appropriate arrangements for the ongoing shared use and management of the parking; or

- (b) 32 temporary car parking spaces and five drop-off / pick-up spaces have been provided on site as set out in the Supplementary Response to Submissions 2 and in accordance with relevant Australian Standards.

- D17. In the event that a temporary car park is provided in accordance with condition D16(b), the temporary car park must be removed and permanent site landscaping treatment implemented as set out in the approved plans listed in condition A2(d) within three months of **the extinguishment of the temporary access and services easement**, alternative permanent offsite car parking arrangements being implemented, or other timeframe agreed in writing by the Planning Secretary.
- D18. Prior to the commencement of operation of Stage 2, if not already provided in accordance with condition D16(a), evidence must be submitted to the Certifier that demonstrates that ~~8077~~ car parking spaces and five drop-off / pick-up spaces have been made available for the use of the school during school hours. Where the parking and drop-off / pick-up spaces have been provided in an off site shared use facility, details of any shared use agreements entered into with the owner of land on which the parking is located must be provided that sets out appropriate arrangements for the ongoing shared use and management of the parking.

Road Damage

- D19. Prior to the commencement of operation of ~~Stage 1 and Stage 2~~ **Stage 1a, Stage 1b and Stage 2**, 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.

Green Travel Plan

- D20. Prior to the commencement of operation of ~~Stage 1 and Stage 2~~ **Stage 1a and Stage 2**, a Green Travel Plan (GTP), must be submitted to the Certifier to promote the use of active and sustainable transport modes. The plan must:
- (a) be prepared by a suitably qualified traffic consultant in consultation with Council and Transport for NSW;
 - (b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
 - (c) include specific tools and actions to help achieve the objectives and mode share targets;
 - (d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP;
 - (e) include arrangements for the implementation of a walking school bus as proposed in the Green Travel Plan included in the Supplementary Response to Submissions 2. The route(s) for the walking school bus must be determined in consideration of the available pedestrian infrastructure as identified in a pedestrian infrastructure conditions assessment undertaken in support of the GTP;
 - (f) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development; include an annual review of demand for bicycle parking on the site which includes recommendations for the provision of additional bicycle parking on site where demand has been found to exceed the existing capacity on site; and
 - (g) be updated to meet the requirements of Stage 2.

Operational Transport and Access Management Plan (OTAMP)

- D21. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a and Stage 2**, an OTAMP is to be prepared by a suitably qualified person, in consultation with Council, Transport for NSW and TfNSW(RMS), and be submitted to the Certifier and a copy provided to the Planning Secretary. The OTAMP must address the following:
- (a) detailed pedestrian analysis including the identification of safe route options – to identify the need for management measures such as staggered school start and finish times to ensure students and staff are able to access and leave the Site in a safe and efficient manner during school start and finish;
 - (b) the location of all car parking spaces on the school campuses and their allocation (i.e. staff, visitor, accessible, emergency, etc.);
 - (c) the location and operational management procedures of the drop-off and pick-up parking, including staff management/traffic controller arrangements;
 - (d) the location and operational management procedures for the drop-off and pick-up of students by buses and coaches for excursions and sporting activities, including staff management/traffic controller arrangements;
 - (e) delivery and services vehicle and bus access and management arrangements;
 - (f) management of approved access arrangements;
 - (g) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing drop-off and pick-up parking;
 - (h) car parking arrangements and management associated with the proposed use of school facilities by community members; and
 - (i) a monitoring and review program, including the review of the performance of the drop-off and pick-up area within 12 months of operation and identification of additional measures where required to improve the performance of the drop-off and pick-up parking and mitigate impacts on the local road network.

Mechanical Ventilation

- D22. Prior to commencement of operation of ~~Stage 4 and Stage 2~~ **Stage 1a and Stage 2**, the Applicant must provide evidence to the Certifier that the installation and performance of the mechanical ventilation systems complies with:
- (a) AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings and other relevant codes; and
 - (b) any dispensation granted by Fire and Rescue NSW.

Operational Noise - Design of Mechanical Plant and Equipment

- D23. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a and Stage 2**, the Applicant must submit evidence to the Certifier that a comprehensive detailed assessment of noise impacts of proposed mechanical plant and equipment on surrounding noise receivers has been prepared as set out in the Alex Avenue Public School Environmental Noise and Vibration Assessment (Revision 3) prepared by Acoustic Logic included in Appendix C of Supplementary Response to Submissions 1 and that the recommended mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in condition ~~FE~~7.

Compliance with Food Code

- D26. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a**, the Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the ~~kitchen, canteen, food storage and food preparation~~ **canteen** areas have been fitted in accordance with the AS 4674 Design, construction and fitout of food premises and provide evidence of receipt of the certificate to the Certifier.
- D27. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a**, evidence must be provided to the Planning Secretary that the school canteen has been registered with Council as a food business.

Stormwater Quality Management Plan

- D28. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a**, an Operation and Maintenance Plan (OMP) is to be submitted to the Certifier along with evidence of compliance with the OMP. The OMP must ensure the proposed stormwater quality measures remain effective and contain the following:
- (a) maintenance schedule of all stormwater quality treatment devices;
 - (b) record and reporting details;
 - (c) relevant contact information; and
 - (d) Work Health and Safety requirements.

Rainwater Harvesting

- D29. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a** and Stage 2, signed works-as-executed Rainwater Re-use Plan must be provided to the Planning Secretary and Certifier.

Outdoor Lighting

- D31. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a, Stage 1b** and Stage 2, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:
- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
 - (b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage

- D32. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a, Stage 1b** and Stage 2, way-finding signage and signage identifying the location of staff car parking must be installed.
- D33. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a** and Stage 2, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.
- D34. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a, Stage 1b** and Stage 2, '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

- D35. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a**, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifier. The Waste Management Plan must:
- (a) detail the type and quantity of waste to be generated during operation of the development;
 - (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (Department of Environment, Climate Change and Water, 2009);
 - (c) detail the materials to be reused or recycled, either on or off site; and
 - (d) include the Management and Mitigation Measures included in Section 9 of the EIS.

Landscaping

- D36. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a, Stage 1b** and Stage 2, the Applicant must prepare an Operational Landscape Management Plan to manage the revegetation and landscaping on-site, to the Certifier. The plan must:
- (a) describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping in accordance with the landscape plan approved under condition B22; and

- (b) be consistent with the Applicant's Management and Mitigation Measures at Section 9 of the EIS;

Street Tree Planting

- D38. **Within 12 months of operation of Stage 1a and following the dedication of Pelican Road and the extension of Farmland Drive** ~~Prior to the commencement of operation of Stage 4,~~ the Applicant must undertake street tree planting along the Farmland Drive and Pelican Road frontages of the site. Species and spacing of trees are to be determined in consultation with Council.

Asset Protection Zones

- D39. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a**, the entire property must be managed as an inner protection zone (IPA) as outlined within section 4.1.3 and Appendix 5 of the *Planning for Bush Fire Protection 2006* and the NSW RFS document Standards for asset protection zones.

Evacuation and Emergency Planning

- D40. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a**, a Bush Fire Emergency Management and Evacuation Plan must be prepared consistent with *Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan* December 2014.

Aboriginal Cultural Heritage

- D41. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a**, evidence must be submitted to the Certifier that the recommendations set out in Section 7 of the Aboriginal Cultural Heritage Assessment Report prepared by Biosis dated 13 March 2019 have been implemented.

Artwork on School Hall

- D42. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a**, an elevation must be submitted to the Certifier showing the location and dimensions of an artwork to be installed on the northern elevation of the school hall facing Farmland Drive. This must be of a scale and elevated location that assists in breaking-up the visual mass of the building and provides additional visual interest.

Bicycle Parking and End-of-Trip Facilities

- D43. Prior to the commencement of operation of ~~Stage 4~~ **Stage 1a**, compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the Certifier:
- (a) the provision of a minimum 56 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;
 - (d) appropriate pedestrian and cyclist advisory signs are to be provided; and
 - (e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.

Site Audit Report and Site Audit Statement

- D44. Prior to commencement of operation of ~~Stage 4~~ **Stage 1a**, the Applicant must obtain from an EPA accredited Site Auditor, a Site Audit Statement and a Site Audit Report which demonstrates that the site is suitable for its intended use. The Site Audit Report and Site Audit Statement must be provided for the information of the Planning Secretary and the Certifier.

Drainage Easement

- D45. ~~Prior to commencement of operation of Stage 1,~~ **Within 12 months of the commencement of operation of Stage 1a** the Applicant must provide and register a minimum 1.5 m wide drainage easement with a Restriction to User along the line of the 450 mm outlet pipe from the detention system to the outlet in accordance with the requirements of the Council's Engineering Guide for Development 2005. The easement is to burden ~~Lot 1/1209060~~ **Lot 1/1244925** and be in favour of Lot 2/1244925. The Restriction to User and drainage easement must be registered with Land Registry Services NSW prior to operation.
- D46. ~~Prior to the commencement of operation of Stage 1~~ **Within 12 months of the commencement of operation of Stage 1a**, the Applicant must provide and register a suitably worded instrument pursuant to Section 88B of the Conveyancing Act 1911 to provide an appropriate restriction on the use of the land with respect to the area indicated as 'Proposed Council Easement' on the plan titled Proposed Site and Roof Plan Drawing Number AA-AR-1100 Issue 5 dated 21/02/2020 as an area that is not to be built upon to ensure no additional stormwater flows are directed offsite given the existing state of nature of this area. The Section 88B Instrument must contain a provision that it may not be extinguished or altered except with the Consent of Blacktown City Council. Details of the Restriction as to User must be indicated on the Section 88B Application to Council.

Temporary pedestrian and traffic management arrangements

- D47. Prior to the implementation of pedestrian and traffic management arrangements required in support of Stage 1a, including the temporary bus stop on Farmland Drive, a Road Safety Audit of the proposed arrangements must be undertaken in accordance with Austroads Guide to Road Safety Part 6: Managing Road Safety Audits, Austroads Guide to Road Safety Part 6A: Implementing Road Safety Audits and Austroads Guide to Road Safety Part 4A: Unsignalised and Signalised Intersections: Implementing Road Safety Audits by an independent TfNSW accredited road safety auditor. The Applicant must review the proposed access arrangements having regard to the recommendations of the Road Safety Audit and implement safety measures, if required, in consultation with Council and TfNSW.**

Note: Any traffic management measures implemented in a public road must be undertaken with the applicable approvals of the relevant roads authority.

(f) Schedule 2 Part E – Post Occupation, conditions are modified and/or inserted using **bold and underlined** words/numbers as follows:

- E16. Within 12 months of ~~Stage 1~~ **Stage 1a** operation, and prior to any subsequent stage of operation, evidence must be provided to the Certifier that the artwork required under condition D42 has been installed.

Access and Services to Lot 4 DP1244925

- E17. Stage 1a and Stage 1b operations must be managed so as not impinge upon the temporary access and services easement located along the eastern boundary of the site so as to comply with the terms of the easement and any other legal agreements entered into with the owner of Lot 4 DP1244925 until the easement is extinguished in accordance with condition D11.**

End of modification
(SSD 9368 MOD 3)