

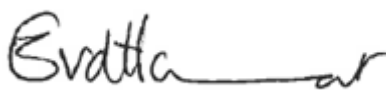
Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2020, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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



16/12/2020

Erica van den Honert
A/Executive Director
Infrastructure Assessments

Sydney

2020

SCHEDULE 1

Application Number:	SSD 9872
Applicant:	Trustees of the Roman Catholic Church for the Diocese of Bathurst
Consent Authority:	Minister for Planning and Public Spaces
Site:	48 Broadhead Road, Spring Flat (Lot 40 DP756894)
Development:	<p>Construction of a new high school to cater for up to 680 students comprising:</p> <ul style="list-style-type: none">• Construction of five buildings including administration areas, a chapel, teaching spaces, specialist and performing arts spaces; and• Associated works including car parking, drop-off/pick-up facilities, signage, tree removal, landscaping and infrastructure upgrades.

DEFINITIONS

Aboriginal object	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Aboriginal place	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Accredited Certifier	Means the holder of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> acting in relation to matters to which the accreditation applies.
Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Trustees of the Roman Catholic Church for the Diocese of Bathurst or any other person carrying out any development to which this consent applies
Approved disturbance area	The area identified as such on the development layout and excludes the Exclusion Area as defined in this consent
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
CEMP	Construction Environmental Management Plan
Certified Contaminated Land Consultant	A person certified in accordance with the requirements of the Contaminated Land Consultant Certification Policy Version 2 (EPA November 2017) or any subsequent policies as in force from time to time
Certifier	Means a council or accredited certifier
Compliance Reporting Post Approval Requirements	Compliance Reporting Post Approval Requirements as available on the Department's website
Conditions of this consent	The conditions contained in Schedule 2 of this document
Construction	<p>All physical work to enable operation including but not limited the carrying out of works for the purposes of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"> • building and road dilapidation surveys; • investigative drilling or investigative excavation; • Archaeological Salvage; • establishing temporary site offices (in locations identified by the conditions of this consent); • installation of environmental impact mitigation measures, fencing, enabling works; and • minor adjustments to services or utilities. <p>However, where heritage items, or threatened species or threatened ecological communities (within the meaning of the <i>Biodiversity Conservation Act 2016</i> or <i>Environment Protection and Biodiversity Conservation Act 1999</i>) are affected or potentially affected by any physical work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with EES Group or DPIE Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation)</p>
Council	Mid-Western Regional Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning, Industry and Environment

Development	The development described in the EIS, Response to Submissions and Supplementary Response to Submissions, including the works and activities comprising St Matthews Catholic College, as modified by the conditions of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services
EES Group	Environment, Energy and Science Group of the Department of Planning, Industry and Environment (Former Office of Environment and Heritage)
EIS	The Environmental Impact Statement titled Environmental Impact Statement, St Matthews Catholic School Mudgee – Secondary Campus 48 Broadhead Road, Spring Flat, prepared by _planning Pty Ltd dated May 2020, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
ENM	Excavated Natural Material
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6pm to 10pm
Exclusion Area	Land shown as 'Exclusion Area' and 'Riparian Zone' on the plan titled 'Site Plan' prepared by Alleanza Architecture, with drawing number DA008 issue number 19, dated 04.12.2020
Feasible	Means what is possible and practical in the circumstances
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage NSW	Heritage, Community Engagement of the Department of Premier and Cabinet
Heritage Item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes, or threatens to cause, material harm and which may or may not be, or cause, a non-compliance <i>Note: "material harm" is defined in this consent</i>
Independent Audit Post Approval Requirements	Independent Audit Post Approval Requirements as available on the Department's website
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Management and mitigation measures	The management and mitigation measures set out in Section 8.2 of the EIS
Material harm	Is harm that: <ul style="list-style-type: none"> a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all

	reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.39 of the EP&A Act
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Operation	The carrying out of the approved purpose of the development upon completion of construction
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation, benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled " <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> " (DECCW)
Response to submissions	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1
Site Auditor	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Report	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Site Audit Statement	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i>
Supplementary Response to Submissions	The Applicant's response dated 20 November 2020 to issues raised in the comments received in relation to the Response to Submissions in relation to the application for consent for the development under the EP&A Act
TfNSW	Transport for New South Wales
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2
PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

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

Terms of Consent

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

Architectural drawings prepared by Alleanza Architecture			
Dwg No.	Rev	Name of Plan	Date
DA008	19	Site Plan	04.12.20
DA009	29	Part Site Plan	02.10.20
DA010	11	Roof Plan	02.10.20
DA011	10	Street Elevations	02.10.20
DA012	09	Street Elevations and Site Sections	02.10.20
DA015	02	Signage Diagram	28.04.20
DA021	07	Material Schedule	28.04.20
DA101	20	Block A - Plans	08.09.20
DA102	08	Block A - Elevations	28.04.20
DA103	09	Block A - Sections	28.04.20
DA104	17	Block A – Section Details	28.04.20
DA105	15	Block B – Floor Plan, Elevations & Sections	08.09.20
DA106	11	Block B - Sections	28.04.20
DA108	16	Block C – Ground Floor Plan	08.09.20
DA109	09	Block C – Elevations	08.09.20
DA110	11	Block C – Elevations and Sections	28.04.20
DA111	08	Block C – Section Details	28.04.20
DA112	13	Block D – Ground Floor Plan	08.09.20
DA113	13	Block D - Elevations	08.09.20
DA114	09	Block D - Sections	28.04.20
DA115	07	Block D – Section Details	28.04.20
DA116	15	Block E – Group Floor Plans	08.09.20
DA117	07	Block E - Group Elevations	28.04.20
DA118	08	Block E – Group Sections	28.04.20
DA119	12	Block E – Building 1 Floor Plans	08.09.20
DA120	08	Block E – Building 1 - Elevations	08.09.20
DA121	08	Block E – Building 1 - Sections	28.04.20

DA122	13	Block E – Building 2 – Floor Plans	08.09.20
DA123	09	Block E – Building 2 - Elevations	08.09.20
DA124	08	Block E – Building 2 - Sections	28.04.20
DA125	11	Block E – Building 2 – Floor Plans	08.09.20
DA126	08	Block E – Building 3 - Elevations	08.09.20
DA127	07	Block E – Building 3 - Sections	28.04.20
Landscape plans prepared by Taylor Brammer Landscape Architects			
Dwg No.	Rev	Name of Plan	Date
L001	B	Tree Removal and Retention Plan	06.10.20
L100	B	Landscape Master Plan	06.10.20
L101	B	Materials and Finishes Plan	06.10.20
Landscape concept plans prepared by Taylor Brammer Landscape Architects			
Dwg No.	Rev	Name of Plan	Date
LA06	D	Design Precedents	06.10.20
LA07	D	Design Function and Approach	06.10.20
LA08	D	Landscape Concept Plan	06.10.20
LA09	D	School Entry Character	06.10.20
LA10	D	Outdoor Student Assembly Area and COLA	06.10.20
LA13	D	Planting Character	06.10.20
Civil plans prepared by Triaxial Consulting			
Dwg No.	Rev	Name of Plan	Date
C2.1	J	Proposed Site Works and Road Sections	22.09.20
C4.0	H	Bulk Earthworks Plan - Internal	22.09.20
C4.1	G	Bulk Earthworks Contours - Internal	22.09.20
C5.0	H	Broadhead Road Long Section – Sheet 1	22.09.20
C5.1	G	Broadhead road Long Section – Sheet 2	22.09.20
C5.2	A	Broadhead Road Cross Section – Sheet 1	22.09.20
C6.0	I	Bruce Road Long Section – Sheet 1	22.09.20
C6.1	A	Bruce Road Long Section – Sheet 2	22.09.20
C6.2	A	Bruce Road Cross Section – Sheet 1	22.09.20
C7.0	G	Flood Mitigation Works	22.09.20
C7.3	A	Levee Bank	22.09.20
C12.0	A	Civil Details – Bruce Rd Culvert	22.09.20

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

or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Limits of Consent

- A5. This consent lapses five years after the date of consent unless work is physically commenced.
- A6. This consent does not permit works other than vegetation management works within the Exclusion Area.
- A7. This consent does not permit the use of the Exclusion Area for school operations by students or teaching staff.

Student Numbers

- A8. The student population must not exceed 680.
- A9. Notwithstanding condition A8, the maximum student population may exceed 680 by up to a maximum 20 additional students from time to time, to allow for unanticipated fluctuations on a temporary basis.

Prescribed Conditions

- A10. 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

- A11. 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

- A12. Where conditions of this consent require consultation with an identified party, the Applicant must:
 - (a) consult with the relevant party prior to submitting the subject document for information or approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

Staging

- A13. The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the satisfaction of the Planning Secretary. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).
- A14. A Staging Report prepared in accordance with condition A13 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.
- A15. Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.
- A16. Where construction or operation is being staged in accordance with a Staging Report, the terms of this consent that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the Staging Report.

Staging, Combining and Updating Strategies, Plans or Programs

- A17. 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).
- A18. Any strategy, plan or program prepared in accordance with condition A17, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.
- A19. 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.
- A20. 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

- A21. 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.

External Walls and Cladding

- A22. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

Applicability of Guidelines

- A23. 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.
- A24. 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

- A25. 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

- A26. 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, and publicly available for 12 months after the commencement of operations.

Compliance

- A27. 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

- A28. The Planning Secretary must be notified through the major projects portal immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.
- A29. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 2**.

Non-Compliance Notification

- A30. The Planning Secretary must be notified through the major projects portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major projects portal within seven days after they identify any non-compliance.
- A31. 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.

- A32. 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

- A33. Within three months of:

- (a) the submission of a compliance report under condition A35;
- (b) the submission of an incident report under condition A29;
- (c) the submission of an Independent Audit under condition D36;
- (d) the approval of any modification of the conditions of this consent; or
- (e) 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 Certifier must be notified in writing that a review is being carried out.

- A34. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) within six weeks of the review.

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

Compliance Reporting

- A35. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (2020).
- A36. Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.
- A37. The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.
- A38. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.

PART B PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

External Walls and Cladding

- B1. Prior to the issue of any construction certificate, 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.

Operational Noise – Design of Mechanical Plant and Equipment

- B2. Prior to the issue of any construction certificate for the design of mechanical plant and equipment, the Applicant must incorporate the noise mitigation recommendations in the St Matthews Catholic College Mudgee Noise and Vibration Impact Assessment, dated April 2020 and prepared by Wilkinson Murray, into the detailed design drawings. The Certifier must verify that all noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the St Matthews Catholic College Mudgee Noise and Vibration Impact Assessment, dated April 2020 and prepared by Wilkinson Murray.

Operational Waste Storage and Processing

- B3. Prior to the issue of any construction certificate for waste storage and processing areas, the Applicant must obtain agreement from Council for the design of the operational waste storage area (where waste removal will be undertaken by Council). Where waste removal will be undertaken by a third party, evidence must be provided to the Certifier that the design of the operational waste storage area:
- (a) is constructed using solid non-combustible materials;
 - (b) is designed to ensure the door/gate to the waste storage area is vermin proof and can be openable from both inside and outside the storage area at all times;
 - (c) includes a hot and cold water supply with a hose through a centralised mixing valve;
 - (d) is naturally ventilated or an air handling exhaust system must be in place; and
 - (e) includes signage to clearly describe the types of materials that can be deposited into recycling bins and general garbage bins.

Car Parking, drop-off/pick-up and Service Vehicle Layout

- B4. Prior to the issue of a construction certificate, a Road Safety Audit (desktop audit) of the access arrangements for the school, including drop-off/pick-up and car parking arrangements and any internal or external pedestrian crossings and refuge islands, 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.
- B5. The Applicant must review the access arrangements having regard to recommendations of the Road Safety Audit (desktop audit) undertaken under condition B4 and implement safety measures, if required, in consultation with Council and TfNSW.

Note: All pedestrian crossings should comply with Roads and Maritime Supplement to AS1742.10-2009: Manual of Uniform Traffic Control Devices – Part 10: Pedestrian control and protection.

- B6. Prior to the issue of a construction certificate for car parking and service vehicle parking / loading / unloading areas, evidence must be submitted to the Certifier that the operational access and parking arrangements comply with the following requirements:
- (a) all vehicles can enter and leave the site in a forward direction;
 - (b) a minimum of 82 on-site car parking spaces are included for use during operation of the development and designed in accordance with the latest versions of AS 2890.1 and AS 2890.6; and

- (c) the swept path of the longest vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, are in accordance with the latest version of AS 2890.2.

Bicycle Parking and End-of-Trip Facilities

- B7. Prior to the issue of a construction certificate, the following design details in relation to the secure bicycle parking and end-of-trip facilities must be submitted to the Certifier for approval:
- (a) the provision of a minimum 36 bicycle parking spaces outlined in plans listed in condition A2;
 - (b) compliance of the layout, design and security of bicycle facilities with the minimum requirements of the latest version of AS 2890.3:2015 Parking facilities - Bicycle parking, and;
 - (c) the provision of end-of-trip facilities for staff.

Stormwater Management System

- B8. Prior to the issue of a construction certificate, the Applicant must design an operational stormwater management system for the development to the satisfaction of Council unless otherwise agreed to by the Planning Secretary in writing. The system must:
- (a) be designed by a suitably qualified and experienced person(s);
 - (b) be generally in accordance with the conceptual design in the EIS as revised in the Response to Submissions;
 - (c) incorporate on-site detention and water quality measures as appropriate;
 - (d) be in accordance with applicable Australian Standards and Council requirements; and
 - (e) 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.

Landscaping and Fencing

- B9. Prior to the issue of a construction certificate, the Applicant must prepare a revised Landscape Plan detailing proposed landscaping, paving and fencing works to the satisfaction of the Certifier. The plan must:
- (a) include the provision of a footpath adjoining all drop-off/pick-up and parking spaces in the drop-off / pick-up area by:
 - (i) extending the existing footpath adjacent to the north-western corner of the drop-off/pick-up area along the western and southern length of the drop-off / pick-up area up to the car space closest to the Bruce Road vehicular entry;
 - (ii) making consequential changes to the planting and fencing layout;
 - (b) include fencing either side of the vehicular entrance from Bruce Road into the drop-off/pick-up area / carpark to prevent access across the entrance by pedestrians using the drop-off/pick-up area;
 - (c) include the provision of a fence within the landscape strip between the car park and drop-off/pick-up area to limit pedestrian access from the carpark to the pedestrian crossing over the drop-off/pick-up road;
 - (d) include details of low level native grass and groundcover planting in the landscape strip around the carpark;
 - (e) provide for the planting of at least 127 trees;
 - (f) provide for the planting of 3 metre wide native tree and shrub buffers along the eastern boundary of the site for the length of the proposed school site and southern boundary of the site from the eastern boundary to the bus turn around area;
 - (g) provide for additional native shrub and groundcover planting in the south-western corner of the site.
 - (h) detail the location, species, maturity and height at maturity of plants to be planted on-site;

- (i) include species (trees, shrubs and groundcovers) indigenous to the local area; and
- (j) include the provision of street tree planting if required by Council with species and spacing of trees to be determined in consultation with Council.

Road and Pedestrian Infrastructure Works

B10. Prior to the issue of a construction certificate, the Applicant must submit plans and technical specifications to the satisfaction of the relevant road authority for proposed road and pedestrian infrastructure upgrade works. The works must include proposed works set out in the EIS as amended in the Response to Submissions and Supplementary Response to Submissions, including:

- (a) construction of Broadhead Road and Bruce Road as sealed roads for the extent depicted as 'Proposed road works' in the plan titled 'Proposed Site Works and Road Sections' prepared by Triaxial Consulting issue J dated 22 September 2020;
- (b) construction of a 2.5 metre wide footpath along the western side of Broadhead Road from a point adjacent to the existing footpath on the eastern side of Broadhead Road to the pedestrian entrance to the school;
- (c) construction of a pedestrian refuge on Broadhead Road in the location where the proposed footpath meets the existing footpath;
- (d) upgrades to the intersection of Broadhead Road and Bruce Road;
- (e) upgrades to the intersection of Lions Road and Broadhead Road;
- (f) upgrades to the intersection of Lions Road and Robertson Street; and
- (g) upgrades to the intersection of Bruce Road, Robertson Street and Robertson Road.

Note:

- *Separate construction certificate applications under the Roads Act 1993 are required to be submitted and approved by the relevant roads authority for roadworks or works within the public domain.*
- *Road and footpath design on Broadhead Road must consider flood planning requirements.*
- *Works to Broadhead Road and Bruce Road must accommodate the longest vehicle associated with the use of the site and include appropriate line marking and signage.*
- *The design of the pedestrian refuge should not preclude future provision of a pedestrian crossing in that location.*

Vehicular Access

B11. Prior to the issue of construction certificate, the Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the proposed accesses to the development are designed to accommodate the turning path of the longest vehicle entering and exiting the site.

PART C PRIOR TO COMMENCEMENT OF CONSTRUCTION

Notification of Commencement

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

Certified Drawings

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

Protection of Public Infrastructure

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

Pre-Construction Dilapidation Report

- C5. Prior to the commencement of construction, 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.

Community Communication Strategy

- C6. No later than two weeks before the commencement of construction, a Community Communication Strategy must be submitted to the Planning Secretary for information prior to the commencement of construction or within another timeframe agreed with the Planning Secretary. 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.

Demolition

- C7. 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 Certifier and Planning Secretary.

Environmental Management Plan Requirements

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

Note:

- The *Environmental Management Plan Guideline* is available on the Planning Portal at: <https://www.planningportal.nsw.gov.au/majorprojects/assessment/post-approval>
- The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans

Construction Environmental Management Plan

- C9. Prior to the commencement of construction, 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, including fencing, to prohibit access into the Exclusion Area to prevent construction work impacts;
 - (vi) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
 - (vii) external lighting in compliance with AS4282-2019 Control of the obtrusive effects of outdoor lighting;
 - (viii) community consultation and complaints handling as set out in the Community Communication Strategy required by condition C6;
 - (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition C11);
 - (c) Construction Noise and Vibration Management Sub-Plan (see condition C12);
 - (d) Construction Waste Management Sub-Plan (see condition C13);
 - (e) Construction Soil and Water Management Sub-Plan (see condition C14);
 - (f) Flood Emergency Response Sub-Plan (see condition C15);
 - (g) an unexpected finds protocol for contamination and associated communications procedure; and
 - (h) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure.
- C10. The Applicant must not commence construction of the development until the CEMP is approved by the Certifier and a copy submitted to the Planning Secretary.
- C11. 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) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;

- (d) detail on-site construction worker parking arrangements; and
- (e) detail heavy vehicle routes, access and parking arrangements.

Note: Construction vehicular access into the site may only be from Broadhead Road unless with the agreement of the relevant roads authority.

C12. The Construction Noise and Vibration Management Sub-Plan (CNVMSP) must address, but not be limited to, the following:

- (a) be prepared by a suitably qualified and experienced noise expert;
- (b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009);
- (c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;
- (d) include strategies that have been developed with the community for managing high noise generating works;
- (e) describe the community consultation undertaken to develop the strategies in condition C12(d);
- (f) include a complaints management system that would be implemented for the duration of the construction; and
- (g) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures in accordance with condition C8.

C13. 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.

C14. The Applicant must prepare a Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following:

- (a) be prepared by a suitably qualified expert, in consultation with Council;
- (b) describe all erosion and sediment controls to be implemented during construction, as a minimum, in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom 2004) commonly referred to as the 'Blue Book';
- (c) include an Acid Sulfate Soils Management Plan, if required, including measures for the management, handling, treatment and disposal of acid sulfate soils, including monitoring of water quality at acid sulfate soils treatment areas.
- (d) provide a plan of how all construction works will be managed in a wet-weather event (i.e. storage of equipment, stabilisation of the site);
- (e) detail all off-site flows from the site; and
- (f) 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 5-year ARI and 1 in 100-year ARI).

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

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) address the provisions of the *Floodplain Risk Management Guidelines* (EESG);
- (c) include details of:
 - (i) the flood emergency responses for both construction and operation phases of the development;

- (ii) predicted flood levels;
- (iii) flood warning time and flood notification;
- (iv) assembly points and evacuation routes;
- (v) evacuation and refuge protocols; and
- (vi) awareness training for employees and contractors, and students.

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

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

Soil and Water

C17. Prior to the commencement of construction, the Applicant must install erosion and sediment controls and other soil and water management measures in accordance with the CSWMSP prepared under condition C9(e).

Construction Parking

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

Flood Management

C19. Prior to the commencement of construction, the Certifier must be satisfied that all floor levels must be no lower than the 1% Annual Exceedance Probability flood plus 150mm of freeboard and that the flood mitigation requirements of the Detailed Site Stormwater Management Plan are incorporated into the design.

C20. Prior to the commencement of construction, the Certifier must be satisfied that any structures below the 1% Annual Exceedance Probability plus 150mm of freeboard are constructed from flood compatible building components.

Outdoor Lighting

C21. Prior to the installation of outdoor lighting, evidence must be submitted to the Certifier that all outdoor lighting within the site has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

Ecologically Sustainable Development

C22. Prior to the commencement of construction, unless otherwise agreed by the Planning Secretary, the Applicant must demonstrate that ESD is being achieved by either:

- (a) registering for a minimum 4-star Green Star rating with the Green Building Council Australia and submitting evidence of registration to the Certifier; or
- (b) seeking approval from the Planning Secretary for an alternative certification process.

PART D DURING CONSTRUCTION

Site Notice

- D1. A site notice(s):
- (a) must be prominently displayed at the boundaries of the site during construction for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifier and Structural Engineer is to satisfy the following requirements;
 - (b) minimum dimensions of the notice must measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size;
 - (c) the notice is to be durable and weatherproof and is to be displayed throughout the works period;
 - (d) the approved hours of work, the name of the site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice; and
 - (e) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

Operation of Plant and Equipment

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

Demolition

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

Construction Hours

- D4. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:
- (a) between 7am and 6pm, Mondays to Fridays inclusive; and
 - (b) between 8am and 1pm, Saturdays.
- No work may be carried out on Sundays or public holidays.
- D5. Construction activities may be undertaken outside of the hours in condition D4 if required:
- (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or
 - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
 - (c) where the works are inaudible at the nearest sensitive receivers; or
 - (d) where a variation is approved in advance in writing by the Planning Secretary or his nominee if appropriate justification is provided for the works.
- D6. Notification of such construction activities as referenced in condition D5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- D7. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:
- (a) 9am to 12pm, Monday to Friday;
 - (b) 2pm to 5pm Monday to Friday; and
 - (c) 9am to 12pm, Saturday.

Implementation of Management Plans

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

Construction Traffic

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

Hoarding Requirements

- D10. The following hoarding requirements must be complied with:
- (a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and
 - (b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

No Obstruction of Public Way

- D11. The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

Construction Noise Limits

- D12. The development must be constructed to achieve the construction noise management levels detailed in the *Interim Construction Noise Guideline* (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.
- D13. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition D4.
- D14. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of 'quackers' to ensure noise impacts on surrounding noise sensitive receivers are minimised.

Vibration Criteria

- D15. Vibration caused by construction at any residence or structure outside the site must be limited to:
- (a) for structural damage, the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999); and
 - (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).
- D16. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition D15.
- D17. The limits in conditions D15 and D16 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition C12 of this consent.

Tree Protection

- D18. 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 / property boundary/ies must be protected at all times during construction in accordance with Council's tree protection requirements. Any street tree, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;

- (c) all trees on the site that are not approved for removal must be suitably protected during construction as per the recommendations of the Tree Assessment Report, dated 4 April 2020 and prepared by McArdle & Sons; and
- (d) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.

Air Quality

- D19. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- D20. During construction, the Applicant must ensure that:
- (a) activities are carried out in a manner that minimises dust including emission of wind-blown or traffic generated dust;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the development do not track dirt onto the public road network;
 - (d) public roads used by these trucks are kept clean; and
 - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Erosion and Sediment Control

- D21. All erosion and sediment control measures must be effectively implemented and maintained in accordance with the CSWMSP prepared under condition C9(e).

Imported Soil

- D22. The Applicant must:
- (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;
 - (b) keep accurate records of the volume and type of fill to be used; and
 - (c) make these records available to the Certifier upon request.

Disposal of Seepage and Stormwater

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

Emergency Management

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

Aboriginal Cultural Heritage

- D25. Construction must be undertaken in accordance with the recommendations of the Aboriginal Cultural Heritage Assessment Report prepared by Artefact Heritage dated 9 April 2020.
- D26. A representative of the Local Aboriginal Land Council must be invited to observe earthworks undertaken on the site. Any invitation must be provided at least 14 days prior to earthworks occurring and reasonable arrangements agreed for the observation of earthworks where an invitation is accepted. In the event that any unexpected finds are discovered, any direction from the Local Aboriginal Land Council representative and the procedures outlined in condition D27 must be followed.

Unexpected Finds Protocol – Aboriginal Heritage

- D27. 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 Heritage NSW and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement management strategies for all objects/sites. Works shall only recommence with the written approval of Heritage NSW.

Unexpected Finds Protocol – Historic Heritage

- D28. If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and Heritage NSW contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of Heritage NSW.

Waste Storage and Processing

- D29. 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.
- D30. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- D31. 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.
- D32. 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.
- D33. The Applicant must ensure that the removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.

Outdoor Lighting

- D34. The Applicant must ensure that all external lighting is constructed and maintained in in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

Site Contamination

- D35. The Applicant must ensure the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site that would result in significant contamination.

Independent Environmental Audit

- D36. 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.
- D37. Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).
- D38. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 week's notice to the applicant of the date or timing upon which the audit must be commenced.
- D39. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under condition D40 of this consent;
 - (b) submit the response to the Planning Secretary and the Certifier; and

- (c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Planning Secretary.
- D40. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.
- D41. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.

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

Notification of Occupation

- E1. At least one month before the issue of the occupation certificate, 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.

Site Operational Management Plan

- E2. Prior to the issue of an occupation certificate, the Applicant must prepare a site operational management plan for the school. The plan must:
- (a) be submitted to the Certifier;
 - (b) include measures to prevent works other than vegetation management works in the Exclusion Area;
 - (c) prevent student and teacher access to the Exclusion Area;
 - (d) include measures to minimise land use conflict with adjoining rural land uses; and
 - (e) detail the circumstances in which access would be permitted to the Exclusion Area for the purposes of maintenance, including E36.

Fencing of Exclusion Area

- E3. Prior to the issue of an occupation certificate, a rural fence is required to be erected to separate the Exclusion Area from the remainder of the site.

External Walls and Cladding

- E4. Prior to the issue of the occupation certificate, the Applicant must provide the Certifier with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.
- E5. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

Post-construction Dilapidation Report

- E6. Prior to the issue of the occupation certificate, 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 Certifier. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifier must:
 - i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and
 - ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
 - c) to be forwarded to Council for information.

Protection of Public Infrastructure

- E7. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
 - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

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

Protection of Property

- E8. 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

- E9. Prior to the issue of the occupation certificate, a compliance certificate under the section 307 of the *Water Management Act 2000* must be obtained from Council and submitted to the Certifier.

Note:

- 'Water management work' is defined in s283 of the *Water Management Act* to mean a 'water supply work', 'drainage work' or 'flood work'. These terms are defined in that Act.
- Under s306 of the *Water Management Act 2000*, the Council, may, as a precondition to the issuing of a compliance certificate, impose a requirement that a payment is made or works are carried out, or both, towards the provision of water supply, sewerage, drainage or flood works.
- A works-in-kind agreement may be made in lieu of the water headworks charge subject to submission and approval of the works-in-kind agreement by Council.

On-Street Parking Restrictions

- E10. Prior to the issue of an occupation certificate, unless otherwise agreed by the Planning Secretary, evidence must be submitted to the Certifier that parking restrictions and associated signage have been installed that prohibits parking along the Broadhead Road and Bruce Road frontages of the site to the satisfaction of Council.

Note: Street signage is required to comply with Council's requirements.

Road and Pedestrian Infrastructure Upgrades

- E11. Prior to the issue of an occupation certificate, the Applicant must complete the road and pedestrian infrastructure upgrade works approved under condition B10 to the satisfaction of Council.

Note: The Applicant must obtain approval for the works under section 138 of the Roads Act 1993.

- E12. Prior to the issue of an occupation certificate, evidence of the approval of the relevant roads authority and the plans approved under condition B10 must be submitted to the Certifier and a copy provided to the Planning Secretary for information.

Works as Executed Plans

- E13. Prior to the issue of the occupation certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage, stormwater mitigation works and finished ground levels have been constructed as approved, must be submitted to the Certifier.

Green Travel Plan

- E14. Prior to the issue of the occupation certificate, a Green Travel Plan (GTP), must be submitted to the satisfaction of the Planning Secretary to promote the use of active and sustainable transport modes. The plan must:
- (a) be prepared by a suitably qualified traffic consultant in consultation with Council and TfNSW;
 - (b) include objectives and modes share targets (i.e. site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
 - (c) include specific tools and actions to help achieve the objectives and mode share targets;
 - (d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; and
 - (e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and a requirement for travel surveys.

Operational Transport and Access Management Plan

- E15. Prior to the issue of the occupation certificate, an Operational Transport and Access Management Plan (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 – 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) operational management procedures to discourage staff and student on-street parking;
 - (c) the location and operational management procedures for the on-site pick-up / drop-off facility, including staff management/traffic controller arrangements;
 - (d) the location and operational management of the new bus bays on Bruce Road and school bus routes;
 - (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 on-site pick-up and drop-off parking;
 - (h) car parking arrangements and management associated with the proposed use of school facilities by community members; and
 - (i) a monitoring and review program that includes procedures for:
 - (i) monitoring of the operation of bus drop-off/pick-up operations in the bus bays within three months of the school student population exceeding 600. Monitoring must be for a minimum period of one week that reflects typical school operations;
 - (ii) identification of appropriate mitigation measures, such as the provision of an additional bus bay, where safety or operational issues are found or demand exceeds capacity of the three bus bays, in consultation with Council, TfNSW and the bus operator; and
 - (iii) implementation of any mitigation measures.

School Bus Routes

- E16. Prior to the commencement of operation, the school bus route(s) must be established in consultation with Council, TfNSW and the bus service provider. A copy of the agreed routes and evidence of consultation must be submitted to the Certifier.

School Zones

- E17. Prior to the commencement of operation, all required School Zone signage, speed management signage and associated pavement markings along Broadhead Road and Bruce Road must be installed, inspected by TfNSW and handed over to TfNSW.

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

- E18. The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed.

Mechanical Ventilation

- E19. Prior to the issue of the occupation certificate, the Applicant must provide evidence to the satisfaction of the Certifier that the installation and performance of the mechanical ventilation systems complies with:
- (a) AS 1668.2-2012 *The use of air-conditioning in buildings – Mechanical ventilation in buildings* and other relevant codes; and
 - (b) any dispensation granted by Fire and Rescue NSW.

Operational Noise - Design of Mechanical Plant and Equipment

- E20. Prior to the issue of the occupation certificate, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the St Matthews Catholic College Mudgee, Noise and Vibration Impact Assessment dated April 2020 and prepared by Wilkinson Murray have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Environmental Noise Assessment.

Car Parking, Service Vehicles and Bicycle parking Arrangements

- E21. Prior to the issue of the occupation certificate or other timeframe agreed in writing by the Planning Secretary, evidence must be submitted to the Certifier that demonstrates that:
- (a) the car parking, service vehicle areas and bicycle parking facilities comply with conditions B4 and B7;
 - (b) appropriate pedestrian and cyclist advisory signs have been provided;
 - (c) all works/regulatory signposting associated with the proposed developments have been undertaken at no cost to the relevant roads authority;
 - (d) the bicycle parking spaces are located in easy to access, well-lit areas that incorporate passive surveillance; and
 - (e) end-of-trip facilities for staff are provided.

Road Damage

- E22. Prior to the issue of the occupation certificate, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the site as a result of construction works associated with the approved development must be met in full by the Applicant.

Fire Safety Certification

- E23. Prior to commencement of occupation, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.

Structural Inspection Certificate

- E24. 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 Certifier. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:
- (a) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and
 - (b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Compliance with Food Code

- E25. Prior to the issue of the occupation certificate, the Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 *Design, construction and fit-out of food premises* and provide evidence of receipt of the certificate to the satisfaction of the Certifier.

Stormwater Operation and Management Plan

- E26. Prior to the issue of the occupation certificate, a Stormwater Operation and Maintenance Plan (SOMP) must be submitted to the Certifier. The SOMP must ensure the proposed stormwater quality measures remain effective and contain the following:
- (a) maintenance schedule of all stormwater quality treatment devices;
 - (b) record and reporting details;
 - (c) relevant contact information; and
 - (d) Work Health and Safety requirements.

Warm Water Systems and Cooling Systems

- E27. 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

- E28. Prior to the issue of the occupation certificate, 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

- E29. Prior to the commencement of operation, way-finding signage and internal signage identifying the location of staff car parking, bicycle parking and drop-off and pick-up area must be designed and installed by a suitably qualified and experienced person, including to:
- (a) direct drivers from the designated car parking area to the entry and exit of the site;
 - (b) direct cyclists from footpaths to designated bicycle parking areas; and
 - (c) direct pedestrians from footpaths to designated drop-off / pick-up areas.

Operational Waste Management Plan

- E30. Prior to the commencement of operation, the Applicant must prepare an Operational Waste Management Plan for the development and submit it to the Certifier. The Operational 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 the EIS, including restrictions on waste collection service times to outside of school peak periods.

Liquid Trade Waste

- E31. Prior to the commencement of operation, the Applicant must lodge a Liquid Trade Waste application to Council for approval to cover onsite activities, including teaching laboratories, cooking and commercial kitchen uses.

Site Contamination

- E32. Prior to the issue of an occupation certificate, the Applicant must submit a Section A1 Site Audit Statement or a Section A2 Site Audit Statement accompanied by an Environmental Management Plan prepared by a NSW EPA accredited Site Auditor. The Section A1 or A2 Site Audit Statement must verify the relevant part of the site is suitable for the intended land use and be provided, along with any Environmental Management Plan to the Planning Secretary and the Certifier.

Landscaping

- E33. Prior to the commencement of operation, landscaping must be completed in accordance with landscape plan(s) approved under condition B9.

- E34. Prior to the issue of the occupation certificate, the Applicant must prepare an Operational Landscape Management Plan to manage the landscaping on the plans approved under condition B9, to the satisfaction of the Certifier. The plan must:
- (a) describe the ongoing monitoring and maintenance measures to manage landscaping; and
 - (b) be consistent with the recommendations of the Tree Assessment Report, dated 4 April 2020 and prepared by McArdle & Sons in the EIS.
- E35. The Applicant must not commence operation until the Operational Landscape Management Plan is submitted to the Certifier.

Vegetation Management Plan

- E36. Prior to issue of an occupation certificate, the Applicant must prepare a Vegetation Management Plan for the extent of the site that is uncoloured on the plan titled 'Site Plan' prepared by Alleanza Architecture, with drawing number DA008 issue number 19, dated 04.12.2020, including the area containing the White Box Rough-barked Apple Alluvial Woodland, Riparian Zone and remainder of the north-east corner of the site located to the north of the rural fence to the satisfaction of the Planning Secretary. The plan must:
- (a) be prepared in consultation with Council; and
 - (b) detail the measures to retain and enhance the environmental values of the Sawpit Gully and White Box Rough-barked Apple Alluvial Woodland, including vegetation rehabilitation and weed control.

Operational Flood Emergency Management Plan

- E37. Prior to the issue of an occupation certificate, an Operational Flood Emergency Management Plan must be submitted to the Certifier that:
- (a) is be prepared by a suitably qualified and experienced person(s);
 - (b) addresses the provisions of the *Floodplain Risk Management Guidelines* (EESG);
 - (c) includes details of:
 - (i) the flood emergency responses for operational phase of the development;
 - (ii) predicted flood levels;
 - (iii) flood warning time and flood notification;
 - (iv) assembly points and evacuation routes;
 - (v) evacuation and refuge protocols; and
 - (d) awareness training for employees and contractors, and visitors.

Development Contributions

- E38. Prior to the issue of an occupation certificate, a contribution under section 7.11 of the EP&A Act of \$362,740 (adjusted on a quarterly basis (from the date of this consent), to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)), must be paid to Council for road improvement works to Bruce Road. Evidence of payment must be provided to the Certifier and a copy provided to the Planning Secretary for information.
- E39. Prior to the issue of an occupation certificate, a contribution under section 64 of the *Local Government Act 1993* towards water and sewer infrastructure of \$232,505.60 and \$106,161.60, respectively (adjusted on a quarterly basis (from the date of this consent), to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)), must be paid to Council. Evidence of payment must be provided to the Certifier and a copy provided to the Planning Secretary for information.
- E40. Notwithstanding condition E39, a works-in-kind agreement may be entered into with Council in lieu of charges required under condition E39, subject to the written agreement by Council. Evidence of the approved works-in-kind agreement must be provided to the Certifier and a copy provided to the Planning Secretary for information prior to the issue of an occupation certificate.

PART F POST OCCUPATION

Out of Hours Event Management Plan

- F1. Prior to the commencement of the first out of hours events (school use) run by the school that involve 100 or more people, the Applicant must prepare an Out of Hours Event Management Plan (School Use) and submit it to the Council for information. The plan must be made publicly available on the school's website at least one week prior to the event and include the following:
- (a) the number of attendees, time and duration;
 - (b) arrival and departure times and modes of transport;
 - (c) where relevant, a schedule of all annual events;
 - (d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);
 - (e) details of the use of the Community Hub, Spiritual Hub and outdoor areas where applicable, restricting use before 8am and after 10pm;
 - (f) measures to minimise localised traffic and parking impacts; and
 - (g) measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.
- F2. The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified events or use.
- F3. Prior to the commencement of out of hours events (community use) run by the external parties that involve 100 or more people, the Applicant must prepare an Out of Hours Event Management Plan (Community Use) in consultation with Council and submit it to Council for information. The plan must be made publicly available on the school's website at least one week prior to the event and include the following:
- (a) the number of attendees, time and duration;
 - (b) arrival and departure times and modes of transport;
 - (c) where relevant, a schedule of all annual events;
 - (d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);
 - (e) details of the use of the Community Hub, Spiritual Hub and outdoor areas, where applicable, restricting use before 8am and after 10pm;
 - (f) measures to minimise localised traffic and parking impacts; and
 - (g) measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.
- F4. The Out of Hours Event Management Plan must be implemented by the Applicant for the duration of the identified community event or use.

Operation of Plant and Equipment

- F5. All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.

Warm Water Systems and Cooling Systems

- F6. 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

- F7. The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.

Operational Transport and Access Management Plan

- F8. The Operational Transport and Access Management Plan(s) approved under condition E15 as revised from time to time) must be implemented by the Applicant for the life of the development.

Pedestrian crossing

- F9. Within six months of the commencement operation, a review must be undertaken in consultation with Council and TfNSW of the need for the installation of a pedestrian crossing on Broadhead Road generally in the location of the pedestrian refuge required under condition B10(c) having regard to TfNSW warrants. A pedestrian crossing must be installed by the Applicant within three months of the review if required as a result of the review.

Operational Noise Limits

- F10. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the St Matthews Catholic College Mudgee, Noise and Vibration Impact Assessment, dated April 2020 and prepared by Wilkinson Murray.
- F11. The Applicant must undertake short term noise monitoring in accordance with the *Noise Policy for Industry* where valid data are collected following the commencement of use of each stage of the development. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within two months of commencement of use of each stage of the development to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in the St Matthews Catholic College Mudgee, Noise and Vibration Impact Assessment, dated April 2020 and prepared by Wilkinson Murray. 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.

Unobstructed Driveways and Parking Areas

- F12. All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

Green Travel Plan

- F13. The Green Travel Plan required by condition E14 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.

Ecologically Sustainable Development

- F14. Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 4 star Green Star Design & As Built rating. If required to be obtained, evidence of the certification must be provided to the Certifier and the Planning Secretary. If an alternative certification process has been agreed to by the Planning Secretary under condition C22, evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.

Outdoor Lighting

- F15. Notwithstanding condition D34, 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.

Illuminated Signage

- F16. The Applicant must ensure digital signage is not turned on outside of the hours of 7am and 9pm and that output lumen complies with Australian Standard AS 4282:1997 – Control of the obtrusive Effects of Outdoor Lighting.

Landscaping

- F17. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Operational Landscape Management Plan required by condition B9 for the duration of occupation of the development.
- F18. The fence around the Exclusion Area required under condition E3 must be maintained for the life of the development.

Vegetation Management Plan

- F19. The Vegetation Management Plan required under condition E36 as revised from time to time must be implemented by the Applicant for the life of the development

Site Operational Management Plan

- F20. The Site Operational Management Plan required under condition E2 as revised from time to time must be implemented by the Applicant for the life of the development.

APPENDIX 1 ADVISORY NOTES

General

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

Long Service Levy

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

Legal Notices

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

Access for People with Disabilities

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

Utilities and Services

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

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

Road Design and Traffic Facilities

AN7. All roads and traffic facilities must be designed to meet the requirements of Council or TfNSW (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.

Road Occupancy Licence

AN8. A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.

SafeWork Requirements

AN9. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.

Hoarding Requirements

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

Handling of Asbestos

AN11. The Applicant must consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

Speed limit authorisation

AN12. At least eight weeks prior to the commencement of operation, the Applicant must submit the following details to TfNSW and obtain authorisation to install School Zone signs and associated pavement markings:

- (a) a copy of the conditions of consent;

- (b) the proposed school commencement/opening date;
- (c) two sets of detailed design plans showing the following:
 - (i) accurate Site boundaries;
 - (ii) details of all road reserves, adjacent to the site boundaries;
 - (iii) all proposed access points from the site to the public road network and any additional conditions imposed/proposed on their use;
 - (iv) all existing and proposed pedestrian crossing facilities on the adjacent road network;
 - (v) all existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings); and
 - (vi) all existing and proposed street furniture and street trees.

Fire Safety Certificate

AN13. The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.

APPENDIX 2 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be notified to the Planning Secretary through the major projects portal within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition A28 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.