Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

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

These conditions are required to:

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

David Gainsford
Executive Director
Priority Projects

Sydney 28th November 2018

SCHEDULE 1

Application Number:	SSD 8310
Applicant:	NSW Department of Education
Consent Authority:	Minister for Planning
Site:	Curl Curl North Public School, Corner Playfair Road and Abbott Road (Lot 1 DP 731454 and Lot 286 DP 752038)
Development:	Redevelopment of Curl Curl North Public School in three construction stages, involving: • Site preparation works, bulk earthworks and removal of 61 trees; • Site remediation works and demolition of identified structures; • Retention and alterations to two existing buildings, a covered outdoor learning area (COLA) and the existing fencing; • Construction of multiple new single and two-storey school buildings to accommodate homebase classrooms, library, administrative areas and out of school hours care facilities; • Construction of a single storey multi-purpose school hall; • One covered hard surface sports court and COLA; • Two futsal fields and turfed / hard surface outdoor play areas; • On-site car parking and landscaping works • A new vehicular access point off Abbott Road; • Improvements to the existing drop-off and pick-up zone; • Four business identification signs; and • Stormwater management and flood mitigation works.

DEFINITIONS

Aboriginal object	Has the same meaning as the definition of the term in section 5 of the *National Parks and Wildlife Act 1974*
Aboriginal place	Has the same meaning as the definition of the term in section 5 of the *National Parks and Wildlife Act 1974*
Accredited Certifier	Means the holder of accreditation as an accredited certifier under the *Building Professionals Act 2005* 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	NSW Department of Education or any person carrying out any development to which this consent applies
Approved disturbance area	The area identified as such on the development layout
BCA	Building Code of Australia
BC Act	*Biodiversity Conservation Act 2016*
CEMP	Construction Environmental Management Plan
Certification of Crown building work	Certification under section 6.28(2) of the EP&A Act
Certifying Authority	Professionals that are accredited by the Building Professionals Board to issue construction, occupation, subdivision, strata, compliance and complying development certificates under the EP&A Act, *Strata Schemes (Freehold Development) Act 1973* and Strata Schemes (Leasehold Development) Act 1986 or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works.
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	All physical works to enable operation, including but not limited to the demolition and removal of buildings, the carrying out of works for the purposes of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent, but excluding the following: • building and road dilapidation surveys; • investigative drilling, investigative excavation or Archaeological Salvage; • establishing temporary site offices (in locations identified by the conditions of this consent); • installation of environmental impact mitigation measures, fencing, enabling works; and • minor adjustments to services or utilities.
Council	Northern Beaches 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 and Environment
Development	The development described in the EIS, Response to Submissions and Supplementary Response to Submissions, including the works and activities comprising site preparation, construction, and use, 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, to prepare the site for construction

EIS	The Environmental Impact Statement titled *Environmental Impact Statement, Curl Curl North Public School* prepared by Urbis dated 14 August 2017, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
ENM	Excavated Natural Material
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2000*
Evening	The period from 6pm to 10pm.
Feasible	Means what is possible and practical in the circumstances
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance *Note: "material harm" is defined in this consent*
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	Is harm that: a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding $10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	NSW Minister for Planning (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
OEH	NSW Office of Environment and Heritage
OTAMP	Operational Traffic and Access Management Plan
Operation	The carrying out of the approved purpose of the development upon completion of construction.
PA	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act.
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	*Protection of the Environment Operations Act 1997*
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.

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.
RMS	NSW Roads and Maritime Services
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 OR describe the site in detail.
TfNSW	Transport for New South Wales
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

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

Terms of Consent

A2. The development may only be carried out:

a) in compliance with the conditions of this consent;

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

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

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

Architectural Plans* prepared by *TKD Architects			
Dwg No.	**Rev**	**Name of Plan**	**Date**
DA2.0000	A	Cover Sheet	04/05/2018
DA2. 1001	A	Site Analysis	04/05/2018
DA2. 1101	C	Site Plans	29/08/2018
DA2. 1102	A	Site Demolition Plan	04/05/2018
DA2. 2001	B	(N) Ground Plan South	10/05/2018
DA2. 2002	A	(N) Ground Plan North	04/05/2018
DA2. 2003	C	(N) First Floor Plan South	29/08/2018
DA2. 2004	B	(N) First Floor Plan North	10/05/2018
DA2. 2005	A	(N) Roof Plan South	04/05/2018
DA2. 2006	A	(N) Roof Plan North	04/05/2018
DA2. 2501	C	GFA Plans	29/08/2018
DA2. 3001	A	Elevations	29/08/2018
DA2. 3101	D	Sections	08/10/2018
DA2. 7001	C	Shadow Diagrams	29/08/2018
DA2. 7101	B	External Materials & Signage	29/08/2018
DA2. 7201	B	3D Perspectives	29/08/2018
-	-	Stage 1 Construction Plan Diagram (Concept Only)	May 2018
-	-	Stage 2 Construction Plan Diagram (Concept Only)	May 2018
-	-	Stage 3 Construction Plan Diagram (Concept Only)	May 2018
Landscape Plans* prepared by *Context Landscape Design Pty Ltd			
Dwg No.	**Rev**	**Name of Plan**	**Date**
L001	D	Cover Sheet	17/08/2018
L001	D	Landscape Principles	17/08/2018
L101	D	Masterplan	17/08/2018
L102	D	Detailed Landscape Plan-Boundary Treatment	17/08/2018
L103	D	Detailed Landscape Plan-Site Drainage and Overland Flow	17/08/2018
L104	D	Detailed Landscape Plan-Programme Spaces	17/08/2018
L201	D	Sections	17/08/2018

L301	D	Indicative Planting Schedule	17/08/2018
L302	A	Planting Zone Plan	17/08/2018
L303	D	Tree Removal and Retention	17/08/2018
L304	D	Tree Removal and Retention	17/08/2018
L305	D	Tree Removal and Retention	17/08/2018
Stormwater Plans* prepared by *Woolacotts Consulting Engineers			
Dwg No.	**Rev**	**Name of Plan**	**Date**
SW1	-	Stormwater Management Plans and Details – Sheet 1	02/05/2018
SW2	A	Stormwater Management Plans – Sheet 2	02/05/2018
ES1	-	Erosion and Sediment Control Plan Sheet 1	02/05/2018
ES2	A	Erosion and Sediment Control Plan Sheet 2	02/05/2018

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

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

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

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

Limits of Consent

A5. This consent lapses five years after the date of consent unless the works associated with the development have physically commenced.

Prescribed Conditions

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

Planning Secretary as Moderator

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

Long Service Levy

A8. 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

A9. Any advice or notice to the consent authority must be served on the Planning Secretary.

Evidence of Consultation

A10. 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 to the Certifying Authority for information or approval; and

b) provide details of the consultation undertaken including:

(i) the outcome of that consultation, matters resolved and unresolved; and

(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

Staging, Combining and Updating Strategies, Plans or Programs

A11. With the approval of the Planning Secretary, the Applicant may:

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

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

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

A12. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.

A13. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

Demolition

A14. Demolition work must comply with *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.

Structural Adequacy

A15. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Notes:

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

External Walls and Cladding

A16. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

Applicability of Guidelines

A17. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

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

Monitoring and Environmental Audits

A18. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

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

Access to Information

A19. 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 complaint register, updated monthly;

(ix) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report;

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

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

Compliance

A20. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

ADVISORY NOTES

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

PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION

Design Modifications

B1. Prior to commencement of Stage 1 construction works, the Applicant must prepare amended plans to include six additional car parking spaces adjacent to the proposed staff car park area fronting Abbott Road (total 27 car parking spaces). Amended plans must be submitted to the Planning Secretary.

Alternatively, written evidence must be provided to the Planning Secretary that an agreement has been reached for the use of the on-street car parking spaces on the southern side of Abbott Road adjoining the John Fisher netball courts during school hours (8:30am – 4pm, Monday to Friday during school terms only).

Notification of Commencement

B2. The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.

If the construction or operation of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

Certified Drawings

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

a) the relevant clauses of the BCA; and

b) this development consent.

External Walls and Cladding

B4. Prior to the commencement of construction, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.

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

Protection of Public Infrastructure

B5. Before the commencement of construction, the Applicant must:

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

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

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

Site Contamination

B6. Hazardous ground gas (HGG) monitoring must be undertaken in accordance with Section 4 of the *Remedial Action Plan* dated 8 October 2018 and prepared by Environmental Investigation Services.

B7. The Remedial Action Plan dated 8 October 2018 and prepared by Environmental Investigation Services must be amended to include additional remediation measures in accordance with the results of the HGG monitoring. The amended plan must be submitted to the Certifying Authority for approval and a copy submitted to the Planning Secretary.

B8. The Applicant must undertake a Hazardous Materials Assessment (Hazmat) and prepare a register of hazardous materials (including asbestos and polychlorinated biphenyl capacitors (PCBs)) to ensure that asbestos and any other hazardous materials contained in buildings to be

demolished (including PCB capacitors) are removed and validated by an appropriately qualified occupational hygienist prior to demolition works. A copy of the Hazmat must be submitted to the Certifying Authority and a copy provided to the Planning Secretary.

B9. After the completion of the demolition works and prior to the commencement of the construction works, additional investigation, including the footprint of relocated and demolished structures and underground utilities should be undertaken and the scope of that investigation detailed in a sampling and analysis quality plan to be provided to the site auditor for review and approval.

B10. Remediation approved as part of this development consent must be carried out in accordance with the *Remedial Action Plan* dated 8 October 2018 and prepared by Environmental Investigation Services.

B11. The Applicant must engage a Site Auditor in accordance with the requirements of the *Contaminated Land Management Act 1997* for the purposes of Remediation Work.

B12. The *Remedial Action Plan* dated 8 October 2018 and prepared by Environmental Investigation Services must be updated to include additional remediation and validation strategies to address the results of the additional reviews and the results of the HGG monitoring. Further details of the proposed remediation and validation strategies must be provided to the Site Auditor in a Works Plan and a Validation Sampling and Analysis Quality Plan (VSAQP) for review and approval, prior to remediation works commencing. A copy of the approved document must be provided to the Certifying Authority.

B13. An asbestos management plan (AMP) must be prepared and submitted to the Site Auditor for review and approval. The AMP must satisfy the requirements of the *Protection of the Environment Operations (Waste) Regulation 2014* with particular reference to Part 7 'asbestos wastes'.

B14. Upon completion of remedial works, the Applicant must submit a Site Audit Report and Section A Site Audit Statement for the relevant part of the site prepared by a NSW EPA accredited Site Auditor. The Site Audit Report and Section A Site Audit Statement must verify the relevant part of the site is suitable for the purpose of an educational establishment and be provided to the satisfaction of the Certifying Authority.

Unexpected Contamination Procedure

B15. Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition B22 and must ensure any material identified as contaminated must be managed in accordance with the recommendations in the *Remedial Action Plan* dated 8 October 2018 and results of testing submitted to the Planning Secretary, prior to its removal from the site.

Utilities and Services

B16. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

B17. Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.

Community Communication Strategy

B18. A Community Communication Strategy must be prepared to 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.

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

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

Ecologically Sustainable Development

B19. Prior to the commencement of construction, the Applicant must submit details of all design measures to the satisfaction the Certifying Authority demonstrating the proposal incorporates ecologically sustainable development initiatives as outlined in *ESD Report* prepared by UMOW Consulting Engineers dated 01 May 2018.

Outdoor Lighting

B20. Prior to commencement of construction, all outdoor lighting within the site must comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-1997 Control of the obtrusive effects of outdoor lighting. Details demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority.

Access for People with Disabilities

B21. The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.

Construction Environmental Management Plan

B22. Prior to commencement of construction, the Applicant must prepare a **Construction Environmental Management Plan (CEMP)** and it must include, but not be limited to, the following:

a) Details of:

(i) hours of work;

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

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

(iv) stormwater control and discharge;

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

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

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

(viii) community consultation and complaints handling;

b) Construction Traffic and Pedestrian Management Sub-Plan (see condition B24);

c) Construction Noise and Vibration Management Sub-Plan (see condition B25);

d) Construction Waste Management Sub-Plan (see condition B26);

e) Construction Soil and Water Management Sub-Plan (see condition B27);

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

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

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

B23. The Applicant must not commence construction of the development until the **CEMP** is approved by the Certifying Authority and a copy submitted to the Planning Secretary.

B24. The **Construction Traffic and Pedestrian Management Sub-Plan (CTPMSP)** must address, but not be limited to, the following:

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

b) be prepared in consultation with Council;

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

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

e) indicate that the construction vehicles are restricted to heavy rigid vehicles (HRV);

f) include a Driver Code of Conduct to:

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

(ii) minimise conflicts with other road users;

(iii) minimise road traffic noise; and

(iv) ensure truck drivers use specified routes;

g) include a program to monitor the effectiveness of these measures;

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

i) all demolition and construction vehicles and construction worker vehicles must enter the Site before stopping; and

j) the swept path of the longest construction vehicle entering and exiting the Site in association with the new work, must be in accordance with AUSTROADS.

B25. The **Construction Noise and Vibration Management Sub-Plan (CNVMPSP)** 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 B25d); and

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

B26. The **Construction Waste Management Sub-Plan (CWMSP)** must address, but not be limited to, the following:

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

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

B27. The Applicant must prepare a **Construction Soil and Water Management Plan (CSWMSP)** and the plan must address, but not be limited to the following:

a) be prepared by a suitably qualified expert, in consultation with Council;

b) describe all erosion and sediment controls to be implemented during construction;

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

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

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

Construction Parking

B28. 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 only utilise residential streets or public parking facilities.

Road Design and Traffic Facilities

B29. All roads and traffic facilities must be designed to meet the requirements of Council or RMS (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.

Flood Management

B30. Prior to the commencement of construction, the Certifying Authority must be satisfied that all floor levels must are designed in accordance with Condition A2 and the recommendations of the *Flood Risk Assessment Report* prepared by Woolacotts Consulting Engineers dated 16 May 2018.

B31. Detailed drainage plans must be prepared by a suitably qualified Civil Engineer and be submitted to the Certifying Authority for approval.

Operational Noise – Design of Mechanical Plant and Equipment

B32. Prior to commencement of works for each construction stage, the Applicant must incorporate the noise mitigation recommendations in the *Curl Curl North Public School Construction and Operational Noise Report* prepared by Wilkinson Murray dated May 2018 into the detailed design drawings, relevant to that stage of work. The Certifying Authority must verify that all reasonable and feasible noise mitigation measures have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the *Curl Curl North Public School Construction and Operational Noise Report* by Wilkinson Murray dated May 2018.

Construction and Demolition Waste Management

B33. The Applicant must notify the RMS Traffic Management Centre of the truck routes to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

Operational Waste Storage and Processing

B34. The Applicant must design the operational waste storage area in accordance with the *Operational Waste Management Plan* prepared by Foresight Environmental dated 26 April 2018.

Mechanical Ventilation

B35. All mechanical ventilation systems must be designed in accordance with Part F4.5 of the BCA and must comply with the AS 1668.2-2012 *The use of air-conditioning in buildings – Mechanical*

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

Rainwater Harvesting

B36. Prior to the commencement of construction, the Applicant must ensure that the existing rainwater reuse/harvesting system is reconfigured for the site and the development. Associated documentation and plans must be prepared and certified by an experienced hydraulic engineer.

Roadworks and Access

B37. Prior to the commencement of construction, the Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the proposed access to the development on Abbott Road is designed in accordance with latest version of AS2890.1.

B38. Prior to the commencement of construction, the Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the proposed access to the waste collection area on Playfair Road is designed to accommodate a 8.8m long medium rigid vehicle in accordance with latest version of AS2890.2.

B39. Prior to the commencement of specific works for vehicular crossings and driveways, the Applicant must comply with the following:

a) an application for driveway levels be made with Council;

b) design plans to demonstrate that the new vehicular crossings are at least 4 metres(m) wide in accordance with Northern Beaches Council Specifications; and

c) the property boundary levels to match the existing levels except where modified for the vehicular crossing.

Copies of the approved documents must be submitted to the satisfaction of the Certifying Authority.

Car Parking and Service Vehicle Layout

B40. Compliance with the following requirements must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction:

a) all vehicles within the staff car-parking area fronting Abbott Road must enter and leave the Site in a forward direction;

b) a total of 27 on-site car parking spaces for use by staff members during operation of the development and designed in accordance with the latest version of AS2890.1 unless other arrangements are made with Council; and

c) all parking spaces for service vehicles are designed in accordance with AS2890.2 – 2002 (for a 8.8m long medium rigid vehicle).

Bicycle Parking and End-of-Trip Facilities

B41. Compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifying Authority prior to the commencement of construction:

a) the provision of a minimum 20 staff and 49 student bicycle parking spaces;

b) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3:2015 *Parking facilities - Bicycle parking*, and be located in easy to access, well-lit areas that incorporate passive surveillance;

c) the provision of end-of-trip facilities for staff such as unisex toilet facilities;

d) appropriate pedestrian and cyclist advisory signs are to be provided; and

e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.

Public Domain Works

B42. Prior to the commencement of any footpath or public domain works, the Applicant must consult with Council and demonstrate to the Certifying Authority that the streetscape design and treatment meets the requirements of Council, including addressing pedestrian management. The Applicant must submit documentation of approval for each stage from Council to the Certifying Authority.

Compliance Reporting

B43. No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.

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

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

B44. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.

Sydney Water Compliance

B45. The approved plans must be submitted to the Sydney Water Tap in online service to determine whether the development the development will affect any Sydney Water sewer or water main, stormwater drains and / or easement, and if further requirements need to be met.

Pre-Construction Dilapidation Report

B46. The applicant must prepare and submit a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining private properties. A copy of the report must be provided to Council and the owners of adjoining and affected private properties.

B47. Footings of any structure adjacent to an easement or pipeline must be designed in accordance with Council's Water Management Policy. Any proposed landscaping within a Council easement or over a drainage system must consist of ground cover or turf only.

B48. Structural details prepared by a suitably qualified Civil Engineer demonstrating building compliance are must be submitted to the Certifying Authority for approval.

Archival Recording

B49. The Applicant must complete archival recordings for all existing buildings within the site that are proposed to be removed or directly and/or physically altered by the proposed development. Archival recordings are to include photographic recording of the intact buildings. Copies of the photographic records are to be provided to Council and the Certifying Authority for information.

PART C DURING CONSTRUCTION

Approved Plans to be On-site

C1. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on the Site at all times and must be readily available for perusal by any officer of the Department, Council or the Certifying Authority.

Site Notice

C2. A site notice(s):

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

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

(i) minimum dimensions of the notice must measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size;

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

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

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

Operation of Plant and Equipment

C3. All plant and equipment used on site, or to monitor the performance of the development must be:

a) maintained in a proper and efficient condition; and

b) operated in a proper and efficient manner.

Demolition

C4. Demolition work must comply with *Australian Standard AS 2601-2001* The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.

Construction Hours

C5. 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.

C6. Activities may be undertaken outside of the hours in condition C5 if required:

a) by the Police or a public authority for the delivery of vehicles, plant or materials; or

b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or

c) where the works are inaudible at the nearest sensitive receivers; or

d) where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works.

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

C7. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:

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

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

c) 9am to 12pm, Saturday.

C8. Construction vehicles must not access the site during the following hours:

a) 8:30am and 9:30am, Mondays to Fridays inclusive; and

b) 3pm and 4pm, Mondays to Fridays inclusive.

C9. Deliveries by oversized vehicles may be undertaken outside of these hours where:

a) it is the delivery to or transport from the development site of oversize plant, equipment and structural elements outside standard construction hours, subject to:

(i) deliveries / collection not being undertaken on a Sunday or public holiday;

(ii) oversize plant, equipment and structural elements not being readied for transport, loaded or unloaded, set up or installed other than during the standard construction hours, and

(iii) the proponent notifying noise sensitive receivers, especially residences, likely to be affected by noise from any delivery or transport activity permitted by this condition of that delivery not less than 3 days and not more than 7 days before the delivery is undertaken.

Note:
'oversize' *for the purposes of this condition, means exceeding dimensions prescribed for vehicles such that the vehicle transporting the oversize plant, equipment or structural element would require conditional registration by the RMS and would be subject to restrictions imposed by the RMS that require the vehicle to operate on a public road outside the standard construction hours.*

'structural element' *for the purposes of this condition, means a pre-fabricated structural component that is not comprised of smaller components and which is unable to be divided, broken down or otherwise disassembled to enable transport during the standard construction hours."*

Implementation of Management Plans

C10. The Applicant must carry out the construction of the development in accordance with the most recent version of the approved CEMP (including Sub-Plans).

C11. Additional investigation, including the footprint of relocated and demolished structures and underground utilities should be undertaken and the scope of that investigation detailed in a sampling and analysis quality plan to be provided to the site auditor for review

Construction Traffic

C12. All construction vehicles (excluding worker vehicles) are restricted to be heavy rigid vehicles (HRV) only.

C13. The construction vehicles (excluding worker vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site before stopping.

Road Occupancy Licence

C14. 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

C15. 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

C16. The following hoarding requirements must be complied with:

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

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

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

No Obstruction of Public Way

C17. 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. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all works on site.

Construction Noise Limits

C18. 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.

C19. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.

C20. Any noise generated during construction of the development must not be offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* or exceed approved noise limits for the site.

Vibration Criteria

C21. 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).

C22. Vibratory compactors must not be used closer than 30m from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition C21 or with the Construction Noise and Vibration Management Sub-Plan.

C23. The limits in conditions C21 and C22 apply unless otherwise outlined in a Construction Noise and Vibration Management Sub-Plan, approved as part of the CEMP required by condition B22 of this consent.

Tree Protection

C24. For the duration of the construction works:

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

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

c) all trees on the site and the neighbouring properties that are not approved for removal must be suitably protected during construction as per recommendations of the *Arboricultural Impact Assessment Report* prepared by Bluegum dated April 2018;

d) native trees that are proposed to be removed from the site including tree trunks that are greater than 25 – 30 centimetre (cm) and 3m in length, must be salvaged and used to enhance habitat within the site;

e) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required; and

f) 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.

Dust Minimisation

C25. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

C26. During construction, the Applicant must ensure that:

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

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

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

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

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

Erosion and Sediment Control

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

Imported Soil

C28. The Applicant must:

a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;

b) keep accurate records of the volume and type of fill to be used; and

c) make these records available to the Certifying Authority upon request.

Disposal of Seepage and Stormwater

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

Unexpected Finds Protocol – Aboriginal Heritage

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

Waste Storage and Processing

C31. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.

C32. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).

C33. The body of any vehicle or trailer used to transport waste or excavation spoil must be covered before leaving the premises to prevent any spillage or escape of any dust, waste of spoil. Mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site must be removed before leaving the premises.

C34. The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural of artificial watercourse.

Handling of Asbestos

C35. The Applicant is to consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

Community Engagement

C36. The Applicant must consult with the community regularly throughout construction, including consultation with the nearby sensitive receivers identified on the *Construction and Operational Noise Report* prepared by Wilkinson Murray dated May 2018, the users of the Curl Curl North Public School, relevant regulatory authorities and other interested stakeholders.

Incident Notification, Reporting and Response

C37. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.

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

Non-Compliance Notification

C38. The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.

The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Vehicular Crossing

C39. An Authorised Vehicle Crossing Contractor must construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass. Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued.

Stormwater Drainage

C40. All stormwater drainage pipelines connecting to the nearest Council drainage system must be constructed in accordance with AUSPEC specification for engineering works available at www.northernbeaches.nsw.gov.au.

C41. The Applicant must reconstruct all affected kerb and gutter, bitumen reinstatements, adjust all vehicular crossings for paths, grass verges and household stormwater connections to suit the kerb and gutter levels.

Details demonstrating compliance must be submitted to the Certifying Authority

Independent Environmental Audit

C42. No later than 3 months after the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.

C43. Independent Audits of the development must be carried out in accordance with:

a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition C42 of this consent; and

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

C44. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:

a) review and respond to each Independent Audit Report prepared under condition C43 of this consent;

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

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

C45. Notwithstanding the requirements of the Independent Audit Post Approval Requirements (Department 2018), the Planning Secretary may approve a request for ongoing annual operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance.

Revision of Strategies, Plans and Programs

C46. Within three months of:

a) the submission of a compliance report under condition B43;

b) the submission of an incident report under condition C37;

c) the submission of an Independent Audit under condition C42;

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

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

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

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

PART D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Notification of Occupation

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

External Walls and Cladding

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

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

Protection of Public Infrastructure

D4. 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.

Post-construction Dilapidation Report

D5. Prior to occupation of the building, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is to ascertain whether the construction created any structural damage to adjoining buildings or public infrastructure including the adjoining road reserves and stormwater assets. The report must be submitted to the Certifying Authority for approval.

D6. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifying Authority must:

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

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

A copy of the approved report must be forwarded to Council.

Utilities and Services

D7. Prior to occupation of the building, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

Road Safety Evaluation

D8. A **Road Safety Evaluation (RSE),** refer to NSW Centre for Road Safety Guidelines for Road Safety Audit Practices and Austroads Guide to Road Safety Part 6: Road Safety Audit) must be conducted on all relevant sections of Playfair Road and Abbott Road utilised for bus and private vehicle drop-off and pick-up, prior to the occupation of the buildings constructed in Stage 1 of the construction works. Appropriate road safety measures and/or traffic management measures must be implemented based on the outcomes of the **RSE** in consultation with Council and submitted to Council or any other relevant road authority prior to commencement of use of the buildings approved under this development consent. These safety measures may include (but not be limited to):

a) construction of a pedestrian refuge at the crossing of Pitt Road / Playfair Road;

b) repair / reconstruction of the footpath along the Playfair Road frontage of the site; and

c) construction of a pedestrian refuge at the intersection of Playfair Road / Abbott Road.

Roadworks, Signposting and Line marking

D9. Prior to the commencement of operation, the Applicant must demonstrate that the following requirements are provided to the satisfaction of the Certifying Authority:

a) provision of 12 car spaces within the identified drop-off and pick-up zone on Playfair Road;

b) provision of sign posting along the nominated student drop-off and pick-up zone on Playfair Road, identifying the use of the area as a student drop-off and pick-up zone on school days between 8am - 9:30am and 2:30pm - 4pm on school days;

c) provision of all required signage associated with the children's crossing and associated traffic controller requirements on Playfair Road; and

d) implementation of all kerbside parking restrictions on the drop-off and pick-up area (and other areas along the frontage of the site, where relevant) and associated line marking must be implemented to the satisfaction of Council.

D10. Following installation of pavement markings and signposting, as required by Condition D9 of this consent, the Applicant must arrange an inspection with Roads and Maritime Services for formal handover of assets. The handover of assets must occur prior to commencement of operation.

Works as Executed Plans

D11. Prior to occupation of the building, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Certifying Authority.

Work Place Travel Plan

D12. Prior to the commencement of operation of any part of the development, the Applicant must update the Work Place Travel Plan to the satisfaction of the Certifying Authority. The Work Place Travel Plan must:

a) be prepared in consultation with Transport for NSW;

b) include recommendations and initiatives in the *Workplace Travel Plan*, prepared by Traffix dated 29 August 2018;

c) include clear targets for two, five and ten years, that would result in further reduction in private car use by staff, and parent drop-off and pick-up at the school;

d) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and

e) describe pedestrian and bicycle linkages and end of trip facilities available on-site.

D13. The Applicant must not commence operation until the Work Place Travel Plan is approved by the Certifying Authority.

Operational Transport and Access Management Plan (OTAMP)

D14. Prior to the commencement of use of the site, an **Operational Traffic and Access Management Plan** (**OTAMP**) must be prepared for the school, by suitably qualified consultant in consultation with Council, TfNSW and RMS, to the satisfaction of the Planning Secretary. The **OTAMP** must include, but not be limited to, the following:

a) detailed pedestrian analysis including the identification of safe route options and identifying management measures (if needed);

b) location of all car parking spaces within the site and the proposed use of such spaces;

c) identification of bus stop locations, kerbside car parking spaces and associated infrastructure requirements;

d) bus routes and bus services, the level of reliability and service, measures to ensure staggered bus arrival and departure times, as necessary;

e) the location and operational management procedures of the drop-off and pick-up zone located on Playfair Road, including staff management / traffic controller arrangements;

f) measures to manage parking behaviours for users of the student drop-off and pick-up zone;

g) the location and operational management procedures for drop-off and pick-up of students by buses and coaches for excursions and sporting activities;

h) schedule of delivery and service vehicle access to the site and management measures;

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

j) recommended traffic management measures on the surrounding roads to address any road safety; and

k) a review and monitoring programme.

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

Mechanical Ventilation

D15. Following completion, installation and testing of all mechanical ventilation systems, the Applicant must provide evidence to the satisfaction of the Certifying Authority, prior to the final occupation, that the installation and performance of the mechanical systems complies with:

a) the BCA;

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

c) the development consent and any relevant modifications; and

d) any dispensation granted by the NSW Fire Brigade.

Car Parking Arrangement

D16. Unless otherwise agreed by the Planning Secretary, commencement of use of the buildings completed under Stage 1 construction works must not occur until evidence to the satisfaction of the Planning Secretary is submitted demonstrating the following:

a) that 27 car parking spaces have been provided on the site or an agreement has been reached with Council to use the on-street car parking spaces (as required by B1); and

b) and the drop-off and pick-up zone is operational with 12 car spaces including the required line marking and signposting.

Road Damage

D17. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development is to be met in full by the Applicant prior to commencement of use of any stage of the development.

Fire Safety Certification

D18. Prior to the final occupation, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.

Structural Inspection Certificate

D19. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the relevant parts of any new or refurbished buildings. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:

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

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

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

Compliance with Food Code

D20. The Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas within the canteen have been fitted in accordance with the AS 4674 *Design, construction and fit-out of food premises*. The Applicant must provide evidence of receipt of the certificate to the satisfaction of the Certifying Authority prior to occupation.

Stormwater Quality Management Plan

D21. Prior to occupation of the building, an Operation and Maintenance Plan (OMP) is to be prepared to ensure proposed stormwater quality measures remain effective. The OMP must contain the following:

a) maintenance schedule of all stormwater quality treatment devices;

b) record and reporting details;

c) relevant contact information; and

d) Work Health and Safety requirements.

D22. Details demonstrating compliance must be submitted to the Certifying Authority prior to occupation.

Rainwater Harvesting

D23. A signed works-as-executed Rainwater reuse Plan detailing the suitability of the existing rainwater reuse system must be provided to the Certifying Authority prior to occupation of the building.

Signage

D24. Four unilluminated approved signs must be installed at the pedestrian and vehicular entrances to the site prior to occupation of the buildings in the respective stages of construction.

D25. Way-finding signage and signage identifying the location of staff car parking must be installed prior to occupation.

D26. Bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas prior to occupation.

D27. 'Do not drink' signage on non-potable water used for toilet flushing and to new hose taps and irrigation systems for landscaped areas must be installed within the site prior to occupation.

Operational Waste Management Plan

D28. Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifying Authority. The Waste Management Plan must:

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

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

c) detail the materials to be reused or recycled, either on or off site.

Validation Report

D29. The Applicant must prepare a Validation Report for the development. The Validation Report must:

a) be prepared by an EPA suitably qualified environmental consultant;

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

c) be prepared in accordance with the *Remedial Action Plan* dated 8 October 2018 and prepared by Environmental Investigation Services and the *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites* (OEH, 2011);

d) include, but not be limited to:

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

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

(iii) sampling and analysis plan and sampling methodology;

(iv) results of sampling of treated material;

(v) details of the volume of treated material emplaced within the containment cell and its location;

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

(vii) discussion of the suitability the remediated areas for the intended land use.

Site Audit Report and Site Audit Statement

D30. Prior to occupation of the relevant buildings, the Applicant must obtain from an EPA accredited Site Auditor, a Site Audit Statement and a Site Audit Report which demonstrates that the site is suitable for its intended use(s).

D31. Within three months of submission of the Validation Report required by condition D30, the Applicant must demonstrate to the satisfaction of the Certifying Authority that the Site Auditor has submitted a Site Audit Report and Site Audit Statement to EPA in accordance with the requirements of EPA's *Guidelines for the NSW Site Auditor Scheme* (October 2017, Third Edition).

Long Term Environmental Management Plan

D32. The Applicant must prepare a Long Term Environmental Management Plan (LTEMP), and submit to the Planning Secretary. The plan must:

a) be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Planning Secretary in consultation with EPA;

b) be submitted to EPA for review and be submitted to the Planning Secretary within one month of the completion of remediation works, unless otherwise agreed by the Planning Secretary; and

c) include, but not be limited to:

(i) a description of the nature and location of any contamination remaining on site;

(ii) provisions to manage and monitor any remaining contamination, including details of any restrictions placed on the land to prevent development over the containment cell;

(iii) a description of the procedures for monitoring the integrity of the containment cell;

(iv) mechanisms to report results to relevant agencies;

(v) triggers that would indicate if further remediation is required; and

(vi) details of any contingency measures that the Applicant is to carry out to address any ongoing contamination.

D33. Upon completion of the remediation works, the Applicant must manage the site in accordance with the LTEMP and any on-going maintenance of remediation notice issued by EPA under *the Contaminated Land Management Act 1997*.

Landscaping

D34. Prior to occupation of the building, the Applicant must prepare a Landscape Management Plan to manage the revegetation and landscaping works on-site, to the satisfaction of the Certifying Authority. The plan must:

a) provide for the planting in accordance with the approved *L301 - D Indicative Planting Schedule* prepared by Context dated 17 August 2018;

b) detail the species to be planted on-site;

c) identify that all trees planted on the site are established prior to the occupation of the premises;

d) install artificial nest boxes in accordance with the approved landscape plans in Condition A2;

e) describe the monitoring and maintenance measures to manage revegetation and landscaping works.

D35. The Applicant must not commence operation until the Landscape Management Plan is submitted to the Certifying Authority.

PART E POST OCCUPATION

Operating hours

E1. The operation of the school and the community uses or out of hours events within the site must be restricted to the following hours:

a) the multi-purpose school hall must only be used up to 10pm Monday to Saturday;

b) the multi-purpose school hall must be used only up to 6pm on Sunday or on public holidays; and

c) the 'futsal' fields and outdoor sports courts must **not** be made available for community use:

i) during week day mornings;

ii) later than 6pm on week nights;

iii) other than between the hours of 8am and 6pm on Saturdays; and

iv) on Sundays and public holidays.

d) Grounds maintenance involving the use of power equipment must be restricted to:

i) 7:30am and 6pm Mondays to Fridays.

e) Grounds maintenance involving use of power equipment can be undertaken during:

i) 8am to 6pm occurring a maximum of six Saturdays per year if neighbours are notified two weeks prior to the use of such equipment within the premises.

f) No ground maintenance works are permitted on Sundays and public holidays.

g) Waste collection times are restricted to the following times:

i) 6am and 6pm, Monday to Friday.

h) If any noise complaints are received from the nearby residents due to waste collection activities, the waste collection hours would be restricted to:

i) 7:30am and 6pm, Monday to Friday.

i) No delivery and waste collection can occur during the following AM and PM school peak hours:

i) 8am – 9:30am and 3pm – 4pm, Monday to Friday (excluding school holidays).

j) The lights of the homebases and the premises (except for security lights) must be switched off between 10pm and 7am on all days.

Out of Hours Event Management Plan

E2. The Applicant is to prepare an Out of Hours Event Management Plan for out of hours events, that involve 100 or more people occurring within the multi-purpose school hall. The plan must be prepared, in consultation with Council, and include the following:

a) the number of attendees, time and duration;

b) arrival and departure times and modes of transport;

c) where relevant, a schedule of all annual events;

d) the maximum duration of each event;

e) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);

f) details of restriction of the hours of use of the multi-purpose hall;

g) measures to minimise localised traffic and parking impacts; and

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

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

The Out of Hours Event Management Plan must be implemented by the Applicant on each occasion of out of hours community use.

E3. The Applicant is to prepare an Out of Hours Event Management Plan for out of hours events run by external parties that involve 100 or more people within the school site. The plan must be prepared, in consultation with Council, and include the following:

a) the number of attendees, time and duration;

b) arrival and departure times and modes of transport;

c) where relevant, a schedule of all annual events;

d) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);

e) details of restriction of the hours of use of the multi-purpose hall;

f) measures to minimise localised traffic and parking impacts; and

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

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

Operation of Plant and Equipment

E4. All plant and equipment used on site, or to monitor the performance of the development must be:

a) maintained in a proper and efficient condition; and

b) operated in a proper and efficient manner.

Operational Noise Limits

E5. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in *Construction and Operational Noise Report* prepared by Wilkinson Murray dated May 2018. All recommendations of the report must be adhered to at all times, with regard to:

a) the use of the multi-purpose school hall;

b) the outdoor sports fields and futsal fields;

c) the mechanical plant and machinery; and

d) the public-address system and school bell system.

E6. The Applicant must carry out a short-term noise monitoring program for the use of the following:

a) multi-purpose school hall during school-term and after hours use of the hall; and

b) the weekend and after hours use of the ‘futsal fields’ and the outdoor sports courts and associated facilities such as the car park.

E7. The noise monitoring must be carried out by an appropriately qualified person and include (but not be limited to) the following:

a) audience/spectator noise;

b) referee whistle noise;

c) training sessions as well as sporting events;

d) any amplified sound during sporting events and any associated training sessions; and

e) post-event audience/spectator noise, including vehicle door slamming and departure noise.

E8. The noise monitoring report must be submitted to the Planning Secretary within six months of commencement of operation of the hall to verify that operational noise levels do not exceed the recommended noise levels identified in the *Construction and Operational Noise Report* prepared by Wilkinson Murray dated May 2018.

E9. Should the noise monitoring, required under Condition E6, identify any exceedance of the recommended noise limits noise limits specified in *Construction and Operational Noise Report* prepared by Wilkinson Murray dated May 2018, the Applicant must implement appropriate on-site noise attenuation measures to ensure operational noise levels do not exceed the recommended noise levels and/or provide noise attenuation measures at the affected noise sensitive receivers.

E10. The implementation of noise attenuation measures, on-site and at the affected receiver(s), if required, must be provided within three months of the completion of the short-term noise monitoring required under Condition E6 or other appropriate period as agreed by the Planning Secretary.

Community Communication Strategy

E11. The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.

Unobstructed Driveways and Parking Areas

E12. All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

E13. A total of 27 car parking spaces must be made available for use by staff at all times unless alternative arrangements are agreed with Council.

Work Place Travel Plan

E14. The Work Place Travel Plan required by condition D12 of this consent must be updated annually and implemented.

Lighting

E15. The Applicant must ensure the lighting associated with the development:

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

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

Fire Safety Certificate

E16. 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.

Operational Traffic and Access Management Plan

E17. The OTAMP required by Condition D14 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.

Operation Management Measures

E18. The Applicant must ensure that the following operational measures are complied with:

a) all internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are maintained at all times.

b) all service and delivery vehicles accessing the Site vehicles must not exceed 8.8m in length;

c) all vehicles within the staff car-parking area enter and leave the site in a forward direction;

d) all loading and unloading of materials is carried out on-site.

APPENDIX 1 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C37 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.