



planning consultants

## Staging Report

SSD-8744305

Upgrades to Kingscliff High School  
33 Oxford Street, Kingscliff

Prepared for: NSW Department of Education  
November 2023

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# 1 Introduction

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## 1.1 Commission

DFP has been commissioned by School Infrastructure NSW (SINSW) to prepare a Staging Report for upgrades to Kingscliff High School approved under SSD 8744305 and in accordance with Conditions A9 – A16 of the consent.

## 1.2 Purpose of this Report

This report addresses the requirements of SSD 8744305 for a Staging Report pursuant to Conditions A9 – A16 of the consent, to enable the works approved under the consent to be occupied in stages, subject to multiple Crown Certificates.

As per the conditions of consent in relation to the staging of works, the following is required to be included in this report (condition No. A10):

A10. The Staging Report 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) (refer **Section 4** of this Staging Report);
- (c) specify how compliance with conditions will be achieved across and between each of the stages of the project (refer **Section 5** and **Appendix 2** of this Staging Report); and
- (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging (refer **Section 4.2** of this Staging Report).

This Staging Report provides the required details for the staged occupation of the development approved under SSD 8744305. No staged construction is proposed.

## 2 Project Background

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### 2.1 Project Description and Approvals

On 3 November 2021, the (then) Department of Planning, Industry and Environment granted development consent to State Significant Development Application (SSDA) No. 8744305 for upgrades to the existing Kingscliff High School. The approval includes the following works:

- Partial demolition of an administration building, carpark area, pathways and internal demolition of existing learning spaces;
- Construction of a new two-storey creative and performing arts building;
- Construction of an amenities building;
- Construction of a covered outdoor learning area (COLA);
- Alterations to existing buildings to provide refurbished learning spaces, upgraded food technology unit, new seniors learning area and new staff and administration facilities; and
- Associated works include tree removal, revised car parking and local infrastructure upgrades.

## 3 Staging of the SSD Occupation

### 3.1 Outline of Stages

Occupation of the Project will be delivered in sequence over ten (10) stages. The general sequencing of occupation is outlined in **Table 1** below.

The various stages of works/occupation are detailed on plans prepared by Richard Crookes Constructions. Copies of these plans are appended to this Staging Report.

Stage	Facilities subject to occupation	Indicative timing	Figure reference
1	<ul style="list-style-type: none"> <li>Building A extension: ground floor</li> </ul>	<b>Quarter 3, 2023</b>	<b>Figure 1</b>
2a	<ul style="list-style-type: none"> <li>Building C refurb: middle ground and first floor</li> </ul>	<b>Quarter 4, 2023</b>	<b>Figure 1 Figure 2</b>
2b	<ul style="list-style-type: none"> <li>Building C refurb: mid-west ground and first floor</li> <li>Hall door</li> </ul>	<b>Quarter 1, 2024</b>	<b>Figure 1 Figure 2</b>
2c	<ul style="list-style-type: none"> <li>Building C refurb: west ground and first floor</li> </ul>	<b>Quarter 2, 2024</b>	<b>Figure 1 Figure 2</b>
2d	<ul style="list-style-type: none"> <li>Building C refurb: east ground and first floor</li> </ul>	<b>Quarter 3, 2024</b>	<b>Figure 1 Figure 2</b>
3	<ul style="list-style-type: none"> <li>Building G refurb: ground floor (food tech rooms)</li> </ul>	<b>Quarter 1, 2024</b>	<b>Figure 1</b>
4	<ul style="list-style-type: none"> <li>Landscaping</li> <li>Front entry</li> </ul>	<b>Quarter 1, 2024</b>	<b>Figure 1</b>
5	<ul style="list-style-type: none"> <li>Building O refurb: ground and first floor</li> </ul>	<b>Quarter 2, 2024</b>	<b>Figure 1 Figure 2</b>
6	<ul style="list-style-type: none"> <li>Car park works</li> <li>Bicycle parking</li> </ul>	<b>Quarter 3, 2024</b>	<b>Figure 1</b>
7	<ul style="list-style-type: none"> <li>External pavement, Pedestrian refuges and Kerb works</li> <li>Koala Offset planting</li> <li>Waste enclosure</li> </ul>	<b>Quarter 3, 2024</b>	<b>Figure 1 Figure 3</b>

**Figure 1 to Figure 3** below shows the proposed sequencing of occupation by the school.

### 3 Staging of the SSD Occupation

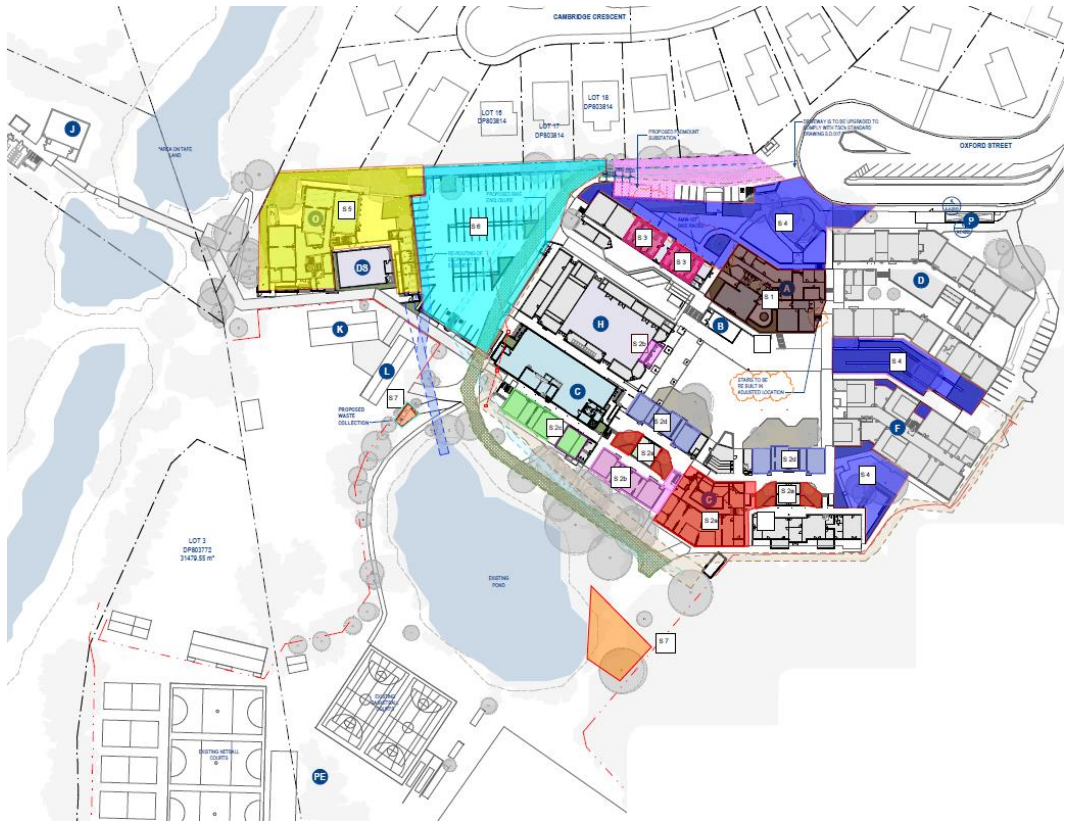


Figure 1 Proposed ground floor occupation staging plan

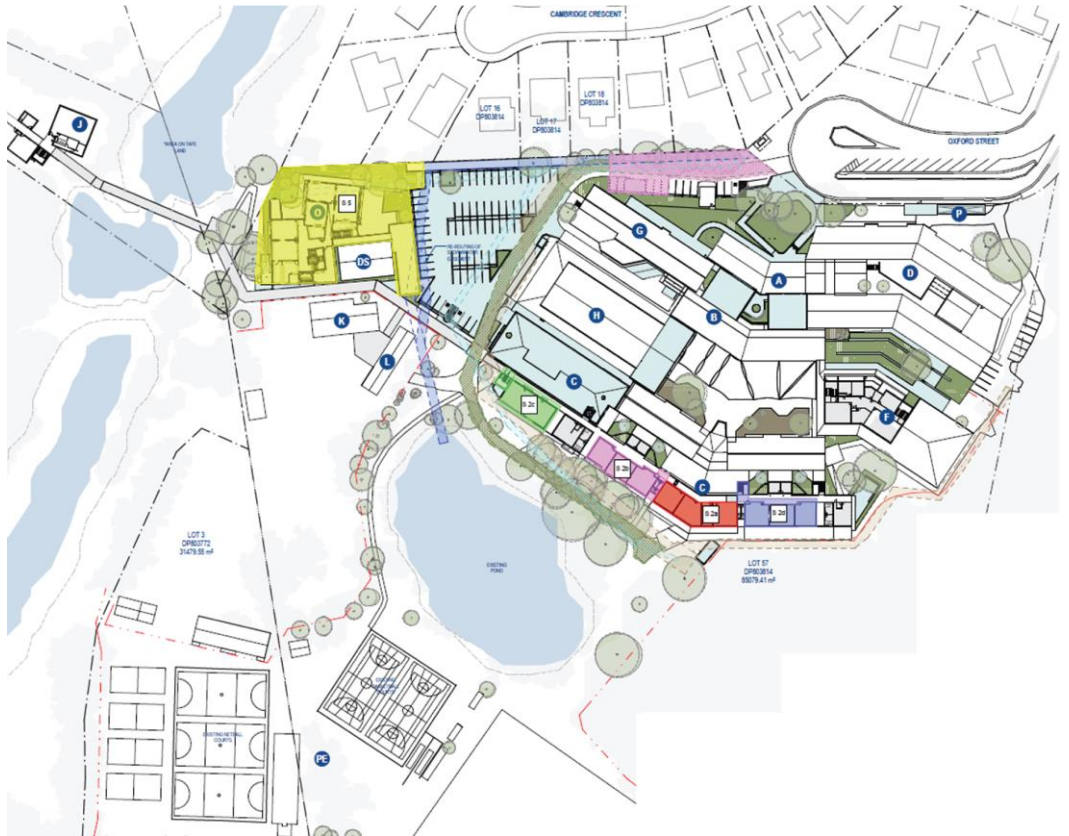


Figure 2 Proposed first floor occupation staging plan

### 3 Staging of the SSD Occupation

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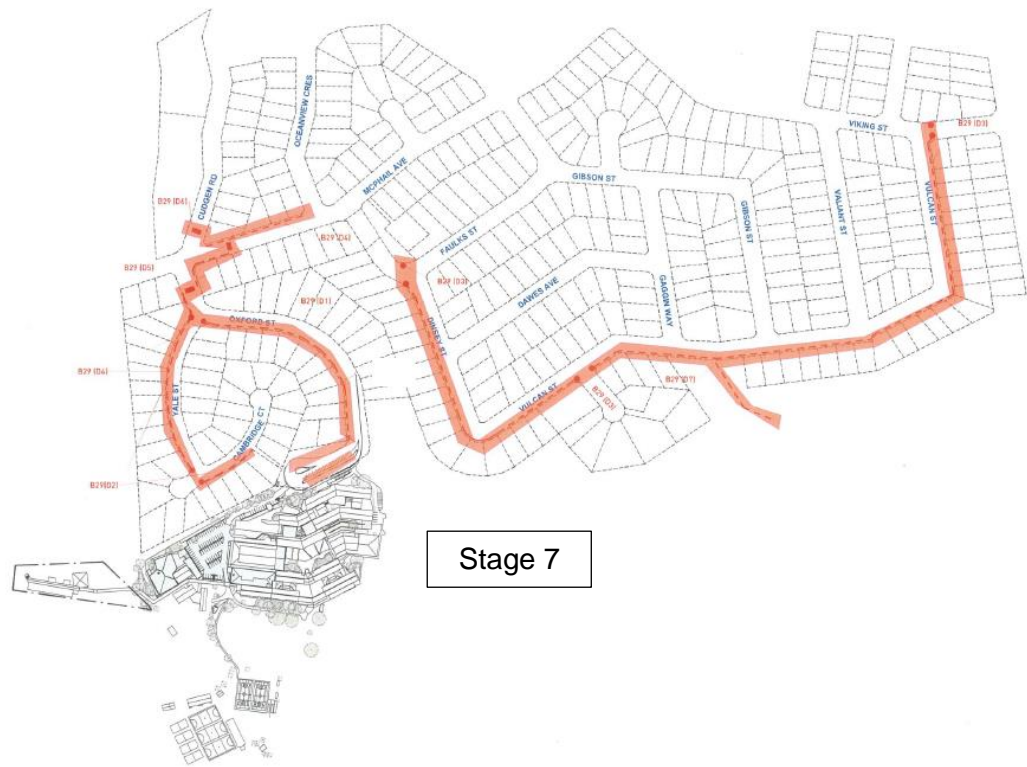


Figure 3 Proposed pedestrian works occupation staging plan



## 4 Operation and Impacts

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### 4.1 Cumulative Impacts

The project will be carried out in ten (10) stages in accordance with the Staging Plans at **Appendix 1** and as described in **Table 1**.

The staging of occupation/use for the new facilities will reduce the cumulative impacts associated with construction compared to delivering occupation/use of the project through a single stage.

All environmental outcomes assessed, managed, and conditioned by SSD 8744305 will remain as approved, but for their staging.

All on-site management measures arising from the carrying out of site occupation/use over stages have been addressed. There are no cumulative impacts that require further assessment.

### 4.2 Site Access and Safety

School operations will continue through all occupation stages.

No alteration to the access and safety arrangements approved as per the terms of SSD 8744305 is required.

School functions will be decanted into temporary and permanent locations across the school throughout the construction phase to minimise disruptions to learning while safely separating building works from school activities.

Construction fencing will be installed between operational parts of the school and the construction works to prevent unauthorised access.

# 5 Addressing Conditions of Approval

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## 5.1 Consistency Across Stages

SSD 8744305 sets out a range of conditions which apply prior to the commencement of occupation.

This Staging Report details how the works and activities approved under SSD 8744305 can be carried out over ten (10) stages. As the various conditions of consent will apply to the site differently depending on when occupation/use occurs, it is necessary to address how the conditions of approval will be actioned to ensure that there is certainty for all parties and that the original intent and safeguards of the consent are achieved.

## 5.2 Condition Compliance

A Staging Matrix for conditions of approval has been prepared (**Appendix 2**). This matrix outlines how each condition will be implemented across each stage of occupation (as outlined in this Staging Report).

It is intended that the Staging Matrix for conditions of approval will be utilised by a Crown Certifier for the purpose of issuing Crown Certificates (for each Stage of occupation/use) and fulfilling the requirements of each condition as Stages are completed.

**SSD 21691A | Upgrades to Kingscliff High School**  
Appendix 2 – Staging Matrix for Conditions of Approval

Condition	Description	Stage	Phase	Comment
<b>Administrative Conditions</b>				
A1 – A39	-	N/A	Throughout	No change required for occupation staging
<b>Prior to Commencement of Construction</b>				
B1 – B39	-	N/A	Prior to Construction	No change required for occupation staging
<b>During Construction</b>				
C1 – C43	-	N/A	During Construction	No change required for occupation staging
<b>Prior to Commencement of Operation</b>				
D1	At least one month before commencement of operation, 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.	All	Pre-Occupation	Notice to be submitted prior to occupation of all stages
D2	Prior to commencement of operation, 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.	1, 2a, 2b, 2c, 2d, 3 & 5	Pre-Occupation	Applicable to all stages of occupation involving works to external walls
D3	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.	1, 2a, 2b, 2c, 2d, 3 & 5	Pre-Occupation	Applicable to all stages of occupation involving works to external walls
D4	Prior to the commencement of operation, 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 Certifier. A CCTV inspection of the stormwater pipes and sewerage system that are to be dedicated to Council as public infrastructure including joints and junctions must be submitted to Council to demonstrate that the standard of the system is acceptable.	6	Pre-Occupation	Applicable to occupation of Stage 6
D5	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.	11, 2a, 2b, 2c, 2d, 3 & 5	Pre-Occupation	Applicable to all stages of occupation involving water connection works
D6	Prior to the commencement of operation, 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.	6	Pre-Occupation	Applicable to occupation of car park only
D7	Prior to commencement of operation, 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.	1, 2a, 2b, 2c, 2d, 3 & 5	Pre-Occupation	Applicable to all stages of occupation of buildings
D8	If window systems to be used are not openable or are required to remain closed in order to satisfy the requirements of the Noise and Vibration Impact Assessment, dated 27 July 2021 and prepared by Acoustic Works, then a system of mechanical ventilation complying with the relevant provisions of the Building Code of Australia must be installed to service the buildings.	1, 2a, 2b, 2c, 2d, 3 & 5	Pre-Occupation	Applicable to all stages of occupation of buildings
D9	Prior to the commencement of operation, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the assessment undertaken under condition B24 have been incorporated into the design of mechanical plant and equipment to ensure the development will not exceed the project specific noise criteria identified in the Noise and Vibration Impact Assessment, dated 27 July 2021 and prepared by Acoustic Works.	3	Pre-Occupation	Evidence of appropriate noise mitigation actions to be submitted to certifier prior to occupation of the final buildings works stage
D10	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.	1, 2a, 2b, 2c, 2d, 3 & 5	Pre-Occupation	Applicable to all stages of occupation of buildings
D11	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 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.	1, 2a, 2b, 2c, 2d, 3 & 5	Pre-Occupation	Applicable to all stages of occupation of buildings
D12	Prior to the commencement of operation, the Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that any kitchen, food storage and food preparation areas used in connection with the sale of food 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. <i>Note: Any applicable approvals are to be obtained from Council.</i>	3	Pre-Occupation	Applicant to obtain food safety certificate prior to the operation of refurbished food tech spaces
D13	Prior to the commencement of operation, the Applicant must engage a suitably qualified and experienced expert to prepare a Post-Construction Dilapidation Report. This Report must: (a) ascertain whether the construction works created any structural damage to public infrastructure by comparing the results of the Post-Construction Dilapidation Report with the Pre-Construction Dilapidation Report required by condition B5 of this consent; (b) have, if it is decided that there is no structural damage to public infrastructure, the written confirmation from the relevant public authority that there is no adverse structural damage to their infrastructure (including roads); (c) be submitted to the Certifier; (d) be forwarded to Council for information; and (e) be provided to the Planning Secretary when requested.	7	Pre-Occupation	Post-Construction Dilapidation Report to be prepared prior to the occupation of the final stage to ensure all potential damage caused has been addressed
D14	Unless the Applicant and the relevant public 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 construction works; and/or (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development; and/or (c) pay compensation for the damage as agreed with the owner of the public infrastructure. <i>Note: This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions of this consent.</i>	7	Pre-Occupation	Applicant to address any damage prior to the occupation of the final stage to ensure all potential damage caused has been addressed

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Appendix 2 – Staging Matrix for Conditions of Approval

Condition	Description	Stage	Phase	Comment
D15	Prior to the commencement of operation, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development must be met in full by the Applicant.	7	Pre-Occupation	Applicant to address any damage prior to the occupation of the final stage to ensure all potential damage caused has been addressed
D16	Where a pre-construction survey has been undertaken in accordance with condition B8 prior to the commencement of operation the Applicant must engage a suitably qualified and experienced expert to undertake a post-construction survey and prepare a Post-Construction Survey Report. This Report must: (a) document the results of the post-construction survey and compare it with the preconstruction survey to ascertain whether the construction works caused any damage to buildings surveyed in accordance with condition B8; (b) be provided to the owner of the relevant buildings surveyed; (c) be provided to the Certifier; and (d) be provided to the Planning Secretary when requested. (e) Where the Post-Construction Survey Report determines that damage to the identified property occurred as a result of the construction works, the Applicant must repair, or pay the full costs associated with repairing the damaged buildings, within an agreed timeline between the owner of the identified property and the Planning Secretary. Alternatively, the Applicant may pay compensation for the damage as agreed with the property owner.	7	Pre-Occupation	Applicant to undertake post-construction survey prior to the occupation of the final stage to ensure all works are captured
D17	Prior to the commencement of operation or other timeframe agreed in writing by the Planning Secretary, evidence must be submitted to the Certifier that demonstrates that the works approved under condition B27 have been completed to the satisfaction of the relevant roads authority.	7	Pre-Occupation	Applicable to Stage 7 of occupation
D18	Prior to the commencement of operation or other timeframe agreed in writing by the Planning Secretary, evidence must be submitted to the Certifier that demonstrates that the works approved under condition B28 have been completed to the satisfaction of the relevant roads authority. <i>Note:</i> • Approval must be obtained for roadworks under section 138 of the Roads Act 1993. • All costs associated with the proposed road and pathway upgrade works must be borne by the Applicant. • In accordance with Section 4.42 of the Environmental Planning and Assessment Act 1979, an approval under Section of the 138 Roads Act 1993 cannot be refused if it is necessary for carrying out state significant development that is authorised by a development consent and is substantially consistent with the consent.	7	Pre-Occupation	Applicable to Stage 7 of occupation
D19	Prior to the commencement of operation, the Applicant must complete the pedestrian infrastructure upgrade works approved under condition B29 to the satisfaction of the relevant road authority. <i>Note:</i> • Approval must be obtained for roadworks under section 138 of the Roads Act 1993. • All costs associated with the proposed road and pathway upgrade works must be borne by the Applicant. • In accordance with Section 4.42 of the Environmental Planning and Assessment Act 1979, an approval under Section of the 138 Roads Act 1993 cannot be refused if it is necessary for carrying out state significant development that is authorised by a development consent and is substantially consistent with the consent.	7	Pre-Occupation	Applicable to Stage 7 of occupation
D20	Prior to the commencement of operation or other timeframe agreed in writing by the Planning Secretary, evidence must be submitted to the Certifier that demonstrates that works associated with the reconfiguration of the car park to create 99 parking spaces on site have been completed.	6	Pre-Occupation	Applicable to Stage 6 of occupation
D21	Prior to the commencement of operation, compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the Certifier: (a) the provision of a minimum 90 bicycle and scooter parking spaces; (b) the layout, design and security of bicycle facilities must comply with the minimum requirements of the latest version of AS 2890.3:2015 Parking facilities - Bicycle parking, and be located in easy to access, well-lit areas that incorporate passive surveillance; (c) the provision of end-of-trip facilities for staff; and (d) appropriate pedestrian and cyclist advisory signs are to be provided. <i>Note:</i> All works/regulatory signposting associated with the proposed development shall be at no cost to the relevant roads authority. <i>Note:</i> All works/regulatory signposting associated with the proposed development shall be at no cost to the relevant roads authority.	6	Pre-Occupation	Applicable to Stage 6 of occupation
D22	Prior to the commencement of operation, all required School Zone signage, speed management signage and associated pavement markings must be installed, inspected by TfNSW and handed over to TfNSW. <i>Note:</i> Any required approvals for altering public road speed limits, design and signage are required to be obtained from the relevant consent authority.	7	Pre-Occupation	Applicable to Stage 7 of occupation
D23	The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed.	7	Pre-Occupation	Applicable to Stage 7 of occupation
D24	Prior to the commencement of operation, a School Transport Plan (STP), must be submitted to the satisfaction of the Planning Secretary. The plan must: (a) be prepared by a suitably qualified consultant in consultation with Council and TfNSW; (b) include arrangements to promote the use of active and sustainable transport modes, including: (i) objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation); (ii) specific tools and actions to help achieve the objectives and mode share targets; (iii) details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development. (c) include operational transport access management arrangements, including: (i) 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; (ii) the location of all car parking spaces on the school campus and their allocation (i.e. staff, visitor, accessible, emergency, etc.); (iii) the location and operational management procedures of the drop-off and pick-up parking, including staff management/traffic controller arrangements; (iv) the location and operational management procedures for the drop-off and pick-up of students by buses and coaches including staff management/traffic controller arrangements; (v) delivery and services vehicle and bus access and management arrangements; (vi) management of approved access arrangements; (vii) potential traffic impacts on surrounding road networks, including the upgraded Cudgen Road/Oxford Street intersection, and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing drop-off and pick-up zones; (viii) car parking arrangements and management associated with the proposed use of school facilities by community members; and (d) 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 plan; and (e) a monitoring and review program, including: (i) a review of impacts on nearby streets and intersection, including potential queuing and school users parking on residential streets; and (ii) consideration of measures required to address impacts in consultation with relevant stakeholders.	7	Pre-Occupation	The School Transport Plan relies upon the completion of public domain works (proposed in Stage 7) and therefore should be submitted prior to the occupation of Stage 7
D25	Prior to the commencement of operation, the Applicant must submit a Complaints Handling Management Plan to the Certifier and a copy provided to the Planning Secretary of information. The Plan must include a complaints handling management system in relation to parking concerns raised by the surrounding community and include processes and actions for the school to address concerns raised.	2a	Pre-Occupation	A Complaints Handling Management Plan should be submitted prior to the first occupation

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Appendix 2 – Staging Matrix for Conditions of Approval

Condition	Description	Stage	Phase	Comment
D26	Prior to commencement of operation, a compliance certificate under the section 307 of the Water Management Act 2000 must be obtained from Council and submitted to the Certifier. <i>Note: • Council advises that the Section 64 Contributions for this development at the date of this approval have been estimated as: o Water: 9.18 ET @ \$11,442 = \$105,037.60 o Sewer: 15.3 ET @ \$7,400 = \$113,220.00</i>	3 & 5	Pre-Occupation	New additional water connections proposed in Stages 3 and 5 only
D27	Prior to the commencement of operation or other timeframe agreed in writing by the Planning Secretary, easements must be created under the Conveyancing Act 1919 over public sewer, water supply and drainage infrastructure on the site, including a 3m wide easement over the relocated stormwater pipe. The instrument(s) is to nominate Tweed Shire Council as the Authority to revoke, vary or modify the easement(s).	7	Pre-Occupation	Easements must be created for public sewer, water supply and drainage infrastructure prior to the final occupation being the completion of the relevant works
D28	Prior to the commencement of operation, evidence must be provided to the Water Supply Authority that no structures are constructed over the existing sewer and/or structures over the existing sewer to meet the Tweed Shire Council D15 - Work in Proximity Specification.	2a	Pre-Occupation	Evidence that no structures are constructed over the existing sewer and/or structures over the existing sewer must be provided prior to the first occupation
D29	Prior to the commencement of operation, a Stormwater Operation and Maintenance Plan (SOMP) is to 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.	1	Pre-Occupation	A Stormwater Operation and Maintenance Plan must be submitted to the Certifier prior to the first relevant occupation
D30	Prior to the commencement of operation, a site based Koala Offset Management Plan (KOMP) must be prepared by a suitably qualified professional in accordance with 'Appendix C – Offset Provisions' of the Tweed Coast Comprehensive Koala Plan of Management 2020 (TCCKPoM 2020). The KOMP must be prepared to the satisfaction of Council and a copy provided to the Planning Secretary for information. The KOMP include the following: (a) accurate calculation of Preferred Koala Food Tree (PKFT) offsets based on the Arboricultural Impact Assessment prepared by Treescience dated May 2021 as amended by the Addendum to the Arboricultural Impact Assessment, prepared by Arbor Ecological and dated 26 August 2021 (identifying PKFT's to be removed to facilitate the development) to be provided at offset ratios specified in the TCCKPoM 'Appendix C, Table 2: Offset pathway for other development outside of a KAP or KLP' for the Southern Koala Management Area – Onsite. (b) a suitably scaled plan showing the metes and bounds of the Koala Offset Area on site that meets the following criteria: (i) the entire quantum of calculated offsets to be delivered on site; (ii) the offset area/s must be of adequate area to achieve a minimum 2.5 metre wide plant spacing; (iii) the offset area/s must be contiguous with/adjacent to existing Preferred Koala Habitat; and (iv) the offset area/s must not conflict with any existing or approved infrastructure; (c) details of proposed revegetation to meet the offset requirements; (d) schedule of local native plant species to be used for planting; (e) include weed treatment methods consistent with the SEQ Ecological Restoration Framework: Manual (Chenoweth EPLA & Bushland Restoration Services 2012) for weed control techniques for all environmental weeds; (f) provide details of primary works and maintenance works as follows (yet may not be strictly limited to): (i) primary works - all planting, treatment of all environmental weeds, baseline monitoring and reporting; (ii) maintenance works - supplementary planting (where required), continued treatment and control of environmental weeds, monitoring and reporting. (g) include a set of performance criteria to be met to achieve the specified restoration outcomes during primary works and minimum five year maintenance works phase as follows: (i) primary works phase: • 100% successful establishment of all planted stock; • 90% control of all environmental weeds species across the entire koala offset area/s; (ii) maintenance works phase: • 90% successful establishment of all planted stock; • 90% control of all environmental weeds species across the entire across the entire koala offset area/s; • increased growth of all planted stock; (h) program of works to be undertaken; (i) annual monitoring and reporting requirements; (j) set of performance criteria to achieve site capture over a five (5) year management period. (k) maintenance, monitoring and reporting schedule with developer commitment for a period of not less than five years; and (l) an adaptive management statement detailing how potential problems arising may be overcome and requiring approval of Council's General Manager or delegate for such changes.	2a	Pre-Occupation	Applicable to Stage 2a of occupation
D31	Prior to the commencement of operation or other timeframe agreed in writing by the Planning Secretary, the Koala offset primary works must be completed in accordance with the details set out in the Koala Offset Management Plan approved under condition D30.	7	Pre-Occupation	Koala offset primary works to be completed prior to the final occupation
D32	Prior to the commencement of operation, way-finding signage and signage identifying the location of staff car parking must be installed.	6	Pre-Occupation	Applicable to Stage 6 of occupation
D33	Prior to the commencement of operation, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.	6	Pre-Occupation	Applicable to Stage 6 of occupation
D34	Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifier. The Waste Management Plan must: (a) detail the type and quantity of waste to be generated during operation of the development; (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (Department of Environment, Climate Change and Water, 2009); (c) detail the materials to be reused or recycled, either on or off site; and (d) include the Management and Mitigation Measures included in EIS.	7	Pre-Occupation	Applicable to Stage 7 of occupation
D35	If, based on further site investigations undertaken in accordance with condition B37, it is determined that remediation works are required to address the presence of contamination from organochloride pesticides, then prior to commencement of operation, the Applicant must submit a Validation Report for the development to the Certifier. The Validation Report must: (a) be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contact Assessment and Management (CPSS CSAM) scheme; (b) be prepared in accordance with the relevant guidelines made or approved by the EPA under section 105 of the Contaminated Land Management Act 1997; (c) include, but not be limited to: (i) comment on the extent and nature of the remediation undertaken; (ii) if material is to remain in-situ and capped, describe the location, nature and extent of any remaining contamination on site as well as any ongoing management requirements;	2a	Pre-Occupation	Can be required prior to Stage 2a of occupation

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Appendix 2 – Staging Matrix for Conditions of Approval

Condition	Description	Stage	Phase	Comment
	(iii) sampling and analysis plan and sampling methodology undertaken as part of the remediation; (iv) if treated material is to remain on the subject site, results of sampling of treated material, compared with the treatment criteria in the most updated RAP; (v) results of any validation sampling, compared to relevant guidelines/criteria; (vi) comment on the suitability of the area for the intended land use; and (d) be submitted to the Planning Secretary for information.			
D36	Prior to the commencement of operation or other timeframe agreed by the Planning Secretary, landscaping of the site must be completed in accordance with landscape plan(s) approved under condition B25.	4	Pre-Occupation	Applicable to Stage 4 of occupation
D37	Prior to the commencement of operation, the Applicant must prepare a Vegetation Management Plan to manage the landscaping and vegetation on site and submit it to the Certifier. The plan must: (a) describe the ongoing monitoring and maintenance measures to manage landscaping and vegetation on the site; (b) comply with the recommendations of the Bushfire Assessment Report prepared by Cool Burn Fire and Ecology dated 21 July 2021; and (c) be consistent with the Applicant's Management and Mitigation Measures in the EIS. <i>Note: The Vegetation Management Plan required by this condition is intended to achieve (in part) the purpose of the Landscape Plan of Management recommended in the Bushfire Assessment Report</i>	4	Pre-Occupation	A Vegetation Management Plan should be submitted prior to the occupation of landscape works
D38	Prior to the commencement of operation, a Bush Fire Emergency Management and Evacuation Plan must be prepared consistent with Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan. <i>Note: A copy of the Bush Fire Emergency Management and Evacuation Plan should be provided to the Local Emergency Management Committee for its information prior to occupation of the development.</i>	2a	Pre-Occupation	A Bush Fire Emergency Management and Evacuation should be prepared prior to the first occupation
D39	Prior the commencement of the operation, a 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 (vi) awareness training for employees and contractors, and visitors.	2a	Pre-Occupation	A Flood Emergency Management Plan should be submitted prior to the first occupation
D40	Prior to the commencement of operation, a Noise Management Plan is to be submitted to the Certified that details how noise from on site activities will be managed and controlled so as to prevent the generation or emission of intrusive noise. The Plan must be prepared in accordance with the recommendations of the Noise and Vibration Impact Assessment, dated 27 July 2021 and prepared by Acoustic Works. A copy of the Plan is to be provided to Council for information.	2a	Pre-Occupation	A Noise Mitigation Plan should be submitted prior to the first occupation
<b>Post Occupation</b>				
E1	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 is to prepare an Out of Hours Event Management Plan (School Use) in consultation with Council and submit it to the Council and Planning Secretary for information. The plan must include the following: (a) the number of attendees, time and duration; (b) arrival and departure times and modes of transport; (c) where relevant, a schedule of all annual events; (d) 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 site, where applicable, restricting use before 8am and after 10pm; (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.	All	Occupation	Applicable to all stages
E2	The Out of Hours Event Management Plan (School Use) must be implemented by the Applicant for the duration of the identified events or use.	All	Occupation	Applicable to all stages
E3	Prior to the commencement of out of hours events (Community Use) run by the external parties that involve 100 or more people, the Applicant is to prepare an Out of Hours Event Management Plan (Community Use) in consultation with Council and submit it to the Council and Planning Secretary for information. The plan must include the following: (a) the number of attendees, time and duration; (b) arrival and departure times and modes of transport; (c) where relevant, a schedule of all annual events; (d) 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 site, 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.	All	Occupation	Applicable to all stages
E4	The Out of Hours Event Management Plan (Community Use) must be implemented by the Applicant for the duration of the identified community event or use.	All	Occupation	Applicable to all stages
E5	All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.	All	Occupation	Applicable to all stages
E6	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.	All	Occupation	Applicable to all stages
E7	The Community Communication Strategy, as submitted to the Certifier, must be implemented for a minimum of 12 months following the completion of construction.	All	Occupation	Community Communication Strategy to be implemented within 12 months of the completion of construction
E8	All deliveries to the premises are to occur only within the hours of 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays unless otherwise approved by Planning Secretary.	All	Occupation	Applicable to all stages
E9	The servicing of waste facilities must be limited to between the hours of 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays unless otherwise approved by the Planning Secretary.	7 and onwards	Occupation	Applicable to all stages from the occupation of the new waste enclosure

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Appendix 2 – Staging Matrix for Conditions of Approval

Condition	Description	Stage	Phase	Comment
E10	The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the Noise and Vibration Impact Assessment, dated 27 July 2021 and prepared by Acoustic Works.	5 and onwards	Occupation	Applicable to all stages from the occupation from Stage 5 as monitoring of noise impacts is relevant once the completion of construction operations within learning spaces is complete.
E11	The Applicant must undertake short term noise monitoring in accordance with the Noise Policy for Industry where valid data is 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 use of each stage of the development or other timeframe agreed to by the Planning Secretary to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified in the Noise and Vibration Impact Assessment, dated 27 July 2021 and prepared by Acoustic Works. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant is required to 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.	5 and onwards	Occupation	Short term noise monitoring must be undertaken following the commencement of use of each stage of occupation following the completion of construction works within school learning spaces.
E12	The development must be managed in accordance with the Noise Management Plan prepared under condition D40.	All	Occupation	Applicable to all stages
E13	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.	All	Occupation	Applicable to all stages
E14	The School Transport Plan required by condition D24 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.	7	Occupation	The School Transport Plan relies upon the completion of public domain works (proposed in Stage 7) and therefore should be submitted prior to the occupation of Stage 7. The Plan would be implemented updated annually thereafter.
E15	The Complaints Handling Management Plan prepared under condition D25 must be implemented in perpetuity.	All	Occupation	Applicable to all stages
E16	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 B11, evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.	7	Occupation	Applicable upon the occupation of the final works
E17	Notwithstanding condition D6, 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.	All	Occupation	Applicable to all stages
E18	The Applicant must maintain the landscaping and vegetation on the site in accordance with the Vegetation Management Plan prepared under condition D36 for the duration of occupation of the development.	4 and onwards	Occupation	Landscape works are first occupied in Stage 4
E19	Within six months or other timeframe agreed by the Planning Secretary of the commencement of operation, the Applicant must create and register a Positive Covenant and Restrictions As To User pursuant to Section 88B and Section 88BA of the Conveyancing Act 1919 which burden Part Lot 3 DP803772 and Part Lot 57 DP803814, benefits Tweed Shire Council and provides for the following: (a) a Positive Covenant over the area described as Koala Offset Area in the approved Koala Offset Management Plan approved under condition D30. This area must be subject to an approved ecological restoration program and managed for conservation purposes in perpetuity. (b) restriction as to user regarding the Koala Offset Area in the approved Koala Offset Management Plan pursuant to conditions of this consent. The following activities are not permitted within this area. (i) clearing, lopping or removal of any native plants, whether existing at the date of this consent or planted pursuant to conditions of this consent; (ii) erection of any fixtures or improvements, including buildings or structures; (iii) construction or maintenance of access roads and any services unless otherwise required by conditions of the subject development or established prior to issue of this consent; (iv) depositing of any fill, soil, rock, rubbish, ashes, garbage, waste or other material foreign to the protected area; (v) keeping or permitting the entry of domestic animals or any other animals that are not indigenous to the Koala Offset Area; and (vi) performance of any other acts which may have detrimental impact on the values of the Koala Offset Area. The area must be managed in accordance with the approved Koala Offset Management Plan.	7	Occupation	Applicable upon the occupation of the final works